

JAN 23 2009

A BILL FOR AN ACT

RELATING TO ABSENTEE VOTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 15-4, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any person registered to vote may request an absentee
4 ballot in person or in writing from the clerk not earlier than
5 on the sixtieth day and not later than 4:30 p.m. on the seventh
6 day prior to the election. Any mailed requests for an absentee
7 ballot shall be mailed by the person directly to the clerk. The
8 clerk may waive any or all of the foregoing requirements in
9 special cases as provided in the rules adopted by the chief
10 election officer.

11 The request shall include information such as the person's
12 social security number, date of birth, and the address under
13 which the person is registered to vote. The request shall also
14 include the address to which the person wishes the requested
15 ballot forwarded. The request, when made for any primary or
16 special primary election, may include an additional request for
17 an absentee ballot to be voted at any election immediately



1 following the primary or special primary; provided the person so
2 indicates in the person's request. The request shall also
3 inquire whether the voter is to be physically located overseas
4 or physically present in the State at the time of the election.

5 Subsequent to the closing of registration for each
6 election, the clerk may mail a request form for an absentee
7 ballot to each voter in a remote area who has not already made
8 such a request. The request form shall be accompanied by:

9 (1) A stamped, self-addressed envelope; and

10 (2) Instructions regarding the manner of completing and
11 returning the request form."

12 SECTION 2. Section 15-5, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Immediately upon receipt of a request within the time
15 limit specified in section 15-4, the clerk shall examine the
16 records to ascertain whether or not the voter is lawfully
17 entitled to vote as requested. As soon as the printed official
18 ballots are available, the clerk shall mail in a forwarding
19 envelope or deliver in person if the voter appears at the office
20 of the clerk, an official ballot and other materials prescribed
21 in section 15-6 except that an incapacitated voter may send a
22 representative to obtain the voter's ballots pursuant to the



1 rules [~~promulgated~~] adopted by the chief election officer. All
2 requests received upon the last day specified in section 15-4
3 for receipt shall be mailed to the voter requesting the same as
4 soon as reasonably practicable, but in no event later than
5 twenty-four hours after receipt thereof.

6 If the voter is physically located overseas, as indicated
7 by the request for absentee ballot under section 15-4, the
8 official ballot shall be mailed to the voter no earlier than
9 thirty days prior to the election day. If the voter is
10 physically present in the State, as indicated by the request for
11 absentee ballot under section 15-4, the official ballot shall be
12 mailed to the voter no earlier than ten days prior to the
13 election day."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17 INTRODUCED BY:

Dr. [Signature]
Will [Signature]
S.S.T.L.
[Signature]
[Signature]
Mike [Signature]



Report Title:

Absentee Voting

Description:

Clarifies that the request for absentee ballot include whether the ballot is for overseas voters or in-state voters. Requires absentee ballots to be mailed no earlier than thirty days prior to the election day, if the voter is overseas, and ten days if the voter is in the State.

