
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§11- Late registration. (a) Notwithstanding the
5 closing of the general county register pursuant to section
6 11-24, a person who is eligible to vote but is not registered to
7 vote may register by appearing in person:

8 (1) Prior to the day of the election, at any absentee
9 polling place established pursuant to section 15-7 in
10 the county associated with the person's residence; or

11 (2) On the day of the election, at the polling place in
12 the precinct associated with the person's residence.

13 (b) The county clerk shall designate a registration clerk,
14 who may be an election official, at each of the absentee polling
15 places in the county established pursuant to section 15-7, prior
16 to the day of the election and at each of the polling places in
17 the county on the day of the election.



1 (c) The registration clerk shall process applications for
2 any person not registered to vote who submits a signed affidavit
3 in accordance with section 11-15, which shall include a sworn
4 affirmation:

5 (1) Of the person's qualification to vote;

6 (2) Acknowledging that the person has not voted and will
7 not vote at any other polling place for that election
8 and has not cast and will not cast any absentee ballot
9 pursuant to chapter 15 for that election; and

10 (3) Acknowledging that providing false information may
11 result in a class C felony, punishable by a fine not
12 exceeding \$1,000 or imprisonment not exceeding five
13 years, or both.

14 (d) The registration clerk may accept, as prima facie
15 evidence, the allegation of the person in the application
16 regarding the person's residence in accordance with section 11-
17 15(b), unless the allegation is contested by a qualified voter.
18 The registration clerk may demand that the person furnish
19 substantiating evidence to the other allegations of the person's
20 application in accordance with section 11-15(b).

21 (e) Registration may be challenged in accordance with
22 section 11-25.



1 (f) Notwithstanding subsection (a), registration pursuant
2 to this section may also be used by a person who is registered
3 to vote but whose name cannot be found on the precinct list for
4 the polling place associated with the person's residence.

5 (g) The clerk of each county shall add persons who
6 properly register under this section to the respective general
7 county register. Within thirty days of registration at the
8 polling place, the county clerk shall mail to the person a
9 notice including the person's name, current street address,
10 district and precinct, and date of registration. A notice
11 mailed pursuant to this subsection shall serve as prima facie
12 evidence that the person is a registered voter as of the date of
13 registration."

14 SECTION 2. Section 11-25, Hawaii Revised Statutes, is
15 amended by amending subsections (a) and (b) to read as follows:

16 "(a) [~~Challenging prior to election day.~~] Any registered
17 voter may challenge the right of a person to be or to remain
18 registered as a voter in any precinct for any cause not
19 previously decided by the board of registration or the supreme
20 court in respect to the same person; provided that in an
21 election of members of the board of trustees of the office of
22 Hawaiian affairs the voter making the challenge must be



1 registered to vote in that election. The challenge shall be in
2 writing, setting forth the grounds upon which it is based, and
3 be signed by the person making the challenge. The challenge
4 shall be delivered to the clerk who shall forthwith serve notice
5 thereof on the person challenged. The clerk shall, as soon as
6 possible, investigate and rule on the challenge.

7 (b) [~~Challenging on election day.~~] Any voter rightfully
8 in the polling place, including absentee polling places
9 established pursuant to section 15-7, may challenge the right to
10 vote of any person who comes to the precinct officials for
11 voting purposes. The challenge shall be on the grounds that the
12 voter is not the person the voter alleges to be, or that the
13 voter is not entitled to vote in that precinct; provided that
14 only in an election of members of the board of trustees of the
15 office of Hawaiian affairs, a person registered to vote in that
16 election may also challenge on the grounds that the voter is not
17 Hawaiian. No other or further challenge shall be allowed. Any
18 person thus challenged shall first be given the opportunity to
19 make the relevant correction pursuant to section 11-21. The
20 challenge shall be considered and decided immediately by the
21 precinct officials and the ruling shall be announced."



1 SECTION 3. Section 15-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§15-7 Absentee polling place[-]; registration at absentee

4 polling place. (a) Absentee polling places shall be
5 established at the office of the respective clerks, and may be
6 established at [~~such~~] other sites as may be designated by the
7 clerk under the provisions prescribed in the rules adopted by
8 the chief election officer. Section 11-21 relating to changes
9 and transfers of registration shall apply to the absentee
10 polling place as though it were the precinct at which a person's
11 name properly appears on the list of registered voters.

12 (b) The absentee polling places shall be open no later
13 than ten working days before election day, and all Saturdays
14 falling within that time period, or as soon thereafter as
15 ballots are available; provided that all absentee polling places
16 shall be open on the same date statewide, as determined by the
17 chief election officer.

18 (c) A person who is eligible to vote but is not registered
19 to vote may register by appearing in person at the absentee
20 polling place for the county in which the person maintains
21 residence.



1 (d) The county clerk shall designate a registration clerk,
2 who may be an election official, at each of the absentee polling
3 places established in the county.

4 (e) The registration clerk shall process applications for
5 any person not registered to vote who submits a signed affidavit
6 in accordance with section 11-15, which shall include a sworn
7 affirmation:

8 (1) Of the person's qualification to vote;

9 (2) Acknowledging that the person has not voted and will
10 not vote at any other polling place for that election
11 and has not cast and will not cast any absentee ballot
12 pursuant to chapter 15 for that election; and

13 (3) Acknowledging that providing false information may
14 result in a class C felony, punishable by a fine not
15 exceeding \$1,000 or imprisonment not exceeding five
16 years, or both.

17 (f) The registration clerk may accept, as prima facie
18 evidence, the allegation of the person in the application
19 regarding the person's residence in accordance with section 11-
20 15(b), unless the allegation is contested by a qualified voter.

21 The registration clerk may demand that the person furnish

1 substantiating evidence to the other allegations of the person's
2 application in accordance with section 11-15(b).

3 (g) Registration may be challenged in accordance with
4 section 11-25.

5 (h) Notwithstanding subsection (c), registration pursuant
6 to this section may be used by a person who is registered to
7 vote but whose name cannot be found on the precinct list for the
8 polling place associated with the person's residence.

9 (i) The clerk of each county shall add persons who
10 properly register at an absentee polling place to the respective
11 general county register. Within thirty days of registration at
12 an absentee polling place, the county clerk shall mail to the
13 person a notice including the person's name, current street
14 address, district and precinct, and date of registration. A
15 notice mailed pursuant to this subsection shall serve as prima
16 facie evidence that the person is a registered voter as of the
17 date of registration."

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$100,000 or so much
20 thereof as may be necessary for fiscal year 2014-2015 for the
21 counties to implement this Act, which may include upgrading the
22 registration process by purchasing electronic poll books.



1 The sum appropriated shall be expended by the office of
2 elections for the purposes of this Act.

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2014;
6 provided that:

7 (1) Section 3 of this Act shall take effect on January 1,
8 2016; and

9 (2) Section 1 of this Act shall take effect on January 1,
10 2018.



Report Title:

Voting; Late Registration; Absentee Polling Places

Description:

Allows voter registration at absentee polling places beginning in 2016 and late voter registration, including on election day, beginning in 2018. Appropriates funds. (HB2590 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

