A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

- 1 SECTION 1. Section 11-137, Hawaii Revised Statutes, is
- 2 amended to read as follows:
- 3 "§11-137 Secrecy; removal or exhibition of ballot. No
- 4 person shall look at or ask to see the contents of the ballot or
- 5 the choice of party or nonpartisan ballot of any voter, except
- 6 as provided in [section] sections 11-139 and 11-132, nor shall
- 7 any person within the polling place attempt to influence a voter
- 8 in regard to whom the voter shall vote for. When a voter is in
- 9 the voting booth for the purpose of voting, no other person,
- 10 except as provided in [section] sections 11-139 and 11-132,
- 11 shall be allowed to enter the booth or to be in a position from
- 12 which the person can observe how the voter votes.
- 13 No person shall take a ballot out of the polling place
- 14 except as provided in sections 11-135 and 11-139. After voting
- 15 the voter shall leave the voting booth and deliver the voter's
- 16 ballot to the precinct official in charge of the ballot boxes.
- 17 The precinct official shall make certain that the precinct

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- 1 official has received the correct ballot and no other and then
- 2 shall deposit the ballot into the ballot box. No person shall
- 3 look at or ask to see the contents of the unvoted ballots. If
- 4 any person having received a ballot leaves the polling place
- 5 without first delivering the ballot to the precinct official as
- 6 provided above [, or wilfully exhibits the person's ballot or the
- 7 person's unvoted ballots in a special primary or primary
- 8 election], except as provided in [section] sections 11-139 and
- 9 11-132, [after the ballot has been marked,] the person shall
- 10 forfeit the person's right to vote, and the chairperson of the
- 11 precinct officials shall cause a record to be made of the
- 12 proceeding."
- 13 SECTION 2. Statutory material to be repealed is bracketed
- 14 and stricken. New statutory material is underscored.
- 15 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Elections; Ballot Secrecy

Description:

Repeals the prohibition against willfully exhibiting one's own ballot.

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