

STAND. COM. REP. NO.

1471

Honolulu, Hawaii

MAR 25 , 2021

RE: S.B. No. 159
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 159, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VOTING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make an application for voter registration, including an affidavit and information about the residence address confidentiality program, part of all state identification card or driver's license applications;
- (2) Automatically register each qualified applicant to vote or make changes to the qualified applicant's voter registration information, unless the qualified applicant affirmatively declines; and
- (3) Require the sharing of certain information among the counties, Department of Transportation, election personnel, and online voter registration system.

Your Committee received testimony in support of this measure from the Office of Elections; Hawai'i State Commission on the Status of Women; Office of the County Clerk of the County of

2021-2604 SB159 HD1 HSCR HMSO



Kaua'i; LGBT Caucus of the Democratic Party of Hawai'i; AAUW of Hawaii; Hawai'i Health & Harm Reduction Center; Young Progressives Demanding Action; Planned Parenthood Votes Northwest and Hawaii; Americans for Democratic Action Hawai'i; Women's Caucus of the Democratic Party of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Sierra Club of Hawai'i; Pride at Work - Hawaii; Hawaii State Teachers Association; Rainbow Family 808; AARP Hawai'i; Hawai'i Public Health Institute; League of Women Voters of Hawaii; Neighborhood Place of Puna; Hawai'i Friends of Civil Rights; Transform Hawai'i Government; American Civil Liberties Union of Hawai'i; Common Cause Hawaii; AVR Hawai'i Coalition; HOPE Services Hawai'i; Community Alliance on Prisons; Hawai'i Women's Coalition; Pono Hawai'i Institute; Our Revolution Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that this measure will require applicants to either automatically register to vote or affirmatively opt out of registration as part of the identification card and driver's license application process. Your Committee believes that applicants should be required to opt in, rather than opt out, of registration.

Your Committee further finds that the electronic sharing of data will help ensure the accuracy of voter-registration polls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee has amended this measure by:

- (1) Deleting language that would have included an affidavit and information about the residence address confidentiality program as part of the identification card and driver's license applications;
- (2) Requiring applicants to choose to be registered to vote or make changes to the applicant's voter registration information, instead of requiring applicants to affirmatively opt out;



- (3) Deleting language that would have required an applicant to be automatically registered to vote upon the completion of an application for a provisional driver's license or instruction permit;
- (4) Inserting the language that requires an application for a driver's license or identification card to include the voter registration application into more appropriate statutes;
- (5) Changing the effective date to July 1, 2021, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 159, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 159, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



