

STAND. COM. REP. NO. 417

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 534
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 534 entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC TRANSMISSION OF BALLOTS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide special needs voters with a means to authenticate an electronic transmission of a replacement ballot that does not include the voter's handwritten signature or waiver of secrecy.

Your Committee received testimony in support of this measure from the Office of Elections, Disability Communication and Access Board, National Federation of the Blind of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from Common Cause Hawaii and two individuals.

Your Committee finds that this measure ensures voter accessibility. According to the Help America Vote Act of 2002 (HAVA), accessible voting systems must provide voters with disabilities the same opportunity for access and participation, including privacy and independence, that other voters receive. Your Committee also finds that election officials implemented an HTML ballot in 2018 that allowed uniform and overseas voters and



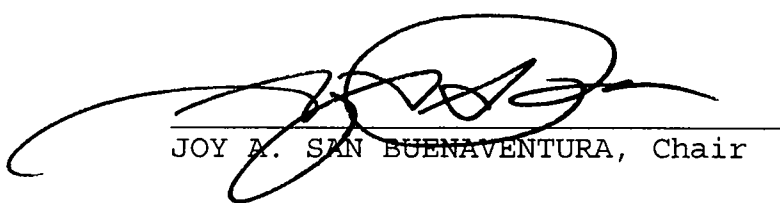
mail voters within five days of the election to receive and vote a ballot that could be marked on a personal device, phone, tablet, or computer. Further, your Committee finds that after marking the HTML ballot, the voter would print it, sign a waiver of secrecy, and return it by mail or electronically. As determined by the Committee, the secrecy waiver is a standard document associated with voting by electronic transmission across the country. By implementing these expanded means of voting, this measure will provide voters with special needs a means by which they can more easily participate in elections.

Your Committee heard the concerns of Common Cause Hawaii regarding the need for security in the voting process. Accordingly, your Committee has amended this measure by:

- (1) Removing the provisions that made the voter's handwritten signature or a waiver of secrecy not required for purposes of electronic authentication; and
- (2) Inserting an effective date of May 1, 2029, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 534, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 534, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 534	Committee Referral: HMS, JDC	Date: 02/16/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes