



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.B. NO. 1561, PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO CHANGE THE AGE QUALIFICATION FOR VOTING IN STATE OR LOCAL ELECTIONS.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, February 7, 2023 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Reese Nakamura, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The purpose of the bill is to amend article II, section 1, of the Hawai'i State Constitution to allow individuals who are seventeen years of age but will be eighteen years of age on or before the next general election to qualify to vote at the state or local primary election immediately preceding the general election by which the individual will attain the age of eighteen.

The Department recommends that this bill be amended to clarify that the voting age for elections involving state and county offices is being lowered, but the voting age for elections involving federal offices will remain at eighteen years of age. There is another bill, Senate Bill No. 1560 (S.B. 1560), Relating to Voting, the passage of which is contingent upon the constitutional amendment proposed in this bill. S.B. 1560, has also been referred to this committee and will need to be similarly clarified.

Our specific recommendations for this bill, are that page 2, lines 3 through 16, be amended as follows:

Section 1. Every citizen of the United States who shall have attained the age of eighteen years, [~~have~~] has been a resident of this State not less than one year next preceding the election and [~~be~~] is a voter

registered as provided by law, shall be qualified to vote in any state or local election[-] involving federal, state, and county offices; provided that every citizen of the United States who is seventeen years of age but will attain the age of eighteen years by the date of the next general election, has been a resident of this State not less than thirty days immediately preceding the next primary election and is a voter registered as provided by law, shall be qualified to vote for state or county offices, but not federal offices, beginning with the primary election for state or county offices immediately preceding the general election for state or county offices by which the citizen will attain the age of eighteen years and any intervening or co-occurring special election that do not involve federal offices.

We further recommend that the question to be printed on the ballot, at page 2, line 19, through page 3, line 6, be amended as follows:

Shall a United States citizen who is seventeen years of age but will attain the age of eighteen years by the date of the next state or county general election, has been a resident of this State not less than thirty days immediately preceding the next primary election, and is a voter registered as provided by law, be qualified to vote for state or county offices, but not federal offices, beginning with the state or county primary election immediately preceding the state or county general election by which the citizen will attain the age of eighteen years and any intervening or co-occurring special election that do not involve federal offices?

Thank you for the opportunity to provide comments.

SB-1561

Submitted on: 2/5/2023 11:25:14 PM

Testimony for JDC on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Testifying for 350Hawaii	Support	Written Testimony Only

Comments:

350Hawaii supports SB1561 which will allow people to vote starting at age seventeen. The youth today are very engaged in what is happening politically, because they know so much is at stake for them. Young people living today will live to see a 1.5°C warmer world because of the failure of adults to take real action when there still was time to do so. As the ones who will be most impacted, our youth deserve the opportunity to weigh in on who is elected to make the laws and decisions that will affect how livable their future is. Give them the vote that they deserve. Mahalo!

SB-1561

Submitted on: 2/3/2023 8:03:20 PM

Testimony for JDC on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dara Yatsushiro	Individual	Oppose	Written Testimony Only

Comments:

Isn't this going to invalidate the state's vote as a whole in federal elections if it's discovered that we've tampered with the age of eligibility to vote making our elections invalid or worse (illegal/unconstitutional)?

SB-1561

Submitted on: 2/6/2023 2:09:53 AM

Testimony for JDC on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robin Miyajima	Individual	Support	Written Testimony Only

Comments:

This bill would make it easier to register to vote, and I think that's needed. Anything that makes it easier for citizens to have their voices heard is something that needs to be done.