STAND. COM. REP. NO. 3417

Honolulu, Hawaii

APR 0 2 2024

RE: H.B. No. 1879

H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1879, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DIGITAL VOTER INFORMATION GUIDE,"

begs leave to report as follows:

The purpose and intent of this measure is to provide that certain information to be included in any digital voter information guide shall not be released to any requestor in whole or in part before the public release of the entire guide.

Your Committee received testimony in support of this measure from the Office of Elections and one individual.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that existing law is unclear as to whether an open records request can be made for a candidate's statement before the actual guide is released or if it should be rejected on the grounds that if granted it would frustrate a legitimate government function by undermining one of the purposes of the voter information guide. Your Committee believes that the law should be changed to clarify that a candidate's statement should not be available ahead of the release of the digital voter

information guide, as it may provide an unfair advantage to the requestor which could impact the election. This measure will ensure the uniform, equitable, and coordinated release of information of the contents of the voter information guide.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1879, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1879, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
HB 1879 HD1	UDC			03 14 24	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye 🦯	Aye (WR)	Nay	Excused
RHOADS, Karl (C)			<i></i>		•
GABBARD, Mike (VC)					
ELEFANTE, Brandon J.C.					
SAN BUENAVENTURA, Joy A	١.				
AWA, Brenton		V			
					
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TOTAL					
Recommendation: Adopted 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