

STAND. COM. REP. NO.

1625

Honolulu, Hawaii

**MAR 29**

, 2023

RE: S.B. No. 47  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 47 entitled:

"A BILL FOR AN ACT RELATING TO ARRANGEMENT OF CANDIDATE NAMES ON BALLOTS,"

begs leave to report as follows:

The purpose of this measure is to require:

- (1) That any new contract entered into by the Office of Elections for equipment or services relating to preparing ballots or counting votes include the capability to randomize the names of candidates appearing on the ballot if technologically possible;
- (2) Candidate names to be randomized on individual ballots and randomly rotated across precincts; and
- (3) The Office of Elections to inform voters and candidates, by a method suited for the voting system, that the names of candidates may not be in alphabetical order.

Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of Elections and League of Women Voters of Hawaii.

2023-2724 SB47 HD1 HSCR HMSO



Your Committee finds that research has shown that there is a positional advantage for candidates who appear first on ballots. This measure intends to address the positional advantage under existing law, which requires candidates' names to appear in alphabetical order.

Your Committee has amended this measure by:

- (1) Requiring candidate names to be randomized on ballots to the greatest extent possible, rather than randomized on individual ballots and randomly rotated across precincts; and
- (2) 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. 47, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 47, H.D. 1, and be placed on the calendar for Third Reading.

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



---

DAVID A. TARNAS, Chair



