

STAND. COM. REP. NO. 718

Honolulu, Hawaii

MAR 02 2023

RE: S.B. No. 47

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, 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 and intent of this measure is to:

- (1) Require candidate names to be randomized on individual ballots and randomly rotated across precincts;
- (2) Require 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; and
- (3) Require 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.

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.



Your Committee finds that numerous studies show that the candidate listed first on a ballot has an advantage. Under existing law, candidates' names are listed in alphabetical order from top to bottom, giving advantage to whomever's surname begins at the start of the alphabet. Therefore, your Committee finds that to ensure that candidates are not continually advantaged due to preferential ballot placement of their name, placement of candidate's names should be randomized.

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 S.B. No. 47 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



---

KARL RHOADS, Chair



