THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 435

JAN 16 2025

A BILL FOR AN ACT

RELATING TO VOTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the introduction of the digital voter information guide beginning in 2024 has greatly improved voter access to information about the issues and candidates on the ballot in an election. However, a lack of publicization and information about the voter guide has left it underutilized. For example, the notice informing voters about the digital guide was included only in small print at the bottom of the ballot secrecy sleeve for the 2024 primary election. No notice was required to be included alongside ballots for the 2024 general election, and it does not appear that one was. To eliminate confusion about how to access the voter guide, and to ensure that voters make the most of this excellent and essential resource, clarification is needed.

Accordingly, the purpose of this act is to improve voter awareness and usage of the voter guide by clarifying the manner in which the public is informed about the guide.

SECTION 2. Section 11-122, Hawaii Revised Statutes, is amended to read as follows:

"**§11-122 Digital voter information guide.** (a) The office of elections shall:

(1) Prepare a digital voter information guide, which shall be posted on the office of elections website in a screen reader-accessible format for voters with special needs who are unable to read standard print due to disability;

(2) Provide a translation of the digital voter information guide in Olelo Hawaii on its website; and

(3) Provide printed copies of the digital voter information guide to all public libraries for viewing by the public.

(b) The digital voter information guide shall include:

(1) A photograph and short statement of less than one hundred fifty words for each candidate running for public office, to be prepared by the candidate; provided that the office of elections may uniformly limit the number of words for the candidate statement by applicable public office;

(2) The explanation drafted by the department of the attorney general of each state constitutional amendment that will be proposed to voters in the next general election pursuant to section 11-118.5(b); provided that the department of the attorney general shall transmit the materials required by this paragraph to the office of elections no later than seventy-five days before the general election;

(3) A clear and concise explanation, drafted by the appropriate county corporation counsel, for each proposed county charter amendment, proposed initiative, and proposed referendum issue; provided that the respective corporation counsel shall:

(A) Translate the explanation into Olelo Hawaii and any other languages required under the federal Voting Rights Act, as specified by the office of elections; and

(B) Transmit the materials required by this paragraph to the office of elections no later than seventy-five days before the general election; and

(4) Information regarding mailing deadlines, places of deposit locations, same day voter registration, accessible voting locations, and opening hours of voter service centers.

(c) The office of elections shall prepare and mail with each ballot for a primary and general election a notice to voters that a digital voter information guide is available on the office of elections website[~~.~~] and in print at all public libraries. The notice shall be included as a separate insert printed in thirty-two-point font and enclosed with the ballot. The notice shall be sent by electronic mail to all voters with special needs who have registered to receive alternate format ballots. The office of elections shall also maintain on its website a banner, pop-up, splash page, or other similarly conspicuous notice informing visitors about the availability of the voter guide, explaining the different types of guides available, and enabling access to the guide with a single click. The notice shall be present whenever a current voter guide is available on the website.

(d) The office of elections shall make the digital voter information guide available to the public no later than twenty-

one days before the primary election, and no later than fifty days before the general election.

[~~(d)~~] (e) Information made available over the Internet pursuant to this section shall meet or exceed the most current, ratified standards under section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended, and the Web Content Accessibility Guidelines 2.0 adopted by the World Wide Web Consortium for accessibility.

[~~(e)~~] (f) Notwithstanding chapter 92F and any other law to the contrary, the contents of subsection (b) shall not be released to any requestor in whole or in part before the public release of the entire guide."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: _____

S.B. NO. 435

Report Title:
Office of Elections; Voter Guide; Notice

Description:
Requires the Office of Elections to include a notice to voters that a digital and print voter information guide is available. Requires the notice to be in thirty-two-point font and enclosed as a separate insert with each ballot. Requires the Office of Elections to maintain a notice on its website providing certain information about the voter information guide. Requires the Office of Elections to make the digital voter information guide available to the public no later than twenty-one days before the primary election and no later than fifty days before the general election.

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