

ACT 7

A Bill for an Act to Amend Section 11-85.2, Revised Laws of Hawaii 1955, as Amended, Relating to Election Contests.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Purpose. This Act provides for automatic recounting of ballots by the circuit court under certain conditions.

SECTION 2. Section 11-85.2, Revised Laws of Hawaii 1955, as amended is hereby further amended by adding a new paragraph at the end of said section to read as follows:

“If the difference in the votes cast for the winning and losing candidates for an office elected by the voters from the entire State appears to be one eighth of one per cent or less of the total ballots cast for the office, or in the case of votes cast for the candidates for any other State or county office the difference in the votes cast for the winning and losing candidates appears to be one fourth of one per cent or less of the total ballots cast for the particular office, then the circuit court, upon the filing of a complaint by any candidate or political party directly interested or by any thirty qualified voters showing that the difference in votes cast exists as herein provided, shall order a recount of a part of the ballots cast as agreed upon by the candidates involved or upon the absence of such agreement, then all of the ballots cast for the office where the

contest exists. In cases where several candidates are to be elected to a multiple office, if the difference as herein mentioned appears between the votes received by the lowest among the winning candidates and those received by the highest among the losing candidates, the circuit court shall likewise order a recount of the questioned ballots. The lowest and highest among the winning and losing candidates may include more than one candidate, provided that they are within the difference as herein mentioned.”

SECTION 3. This Act shall take effect upon its approval.

(Approved May 5, 1961.) **H.B. 35.**
