

ACT 198

H.B. NO. 2265-80

A Bill for an Act Relating to Striking Names of Disqualified Voters from the Register.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11-23, Hawaii Revised Statutes, is hereby amended to read as follows:

“Sec. 11-23 Changing register; striking names of disqualified voters. Whenever the clerk receives from the department of health or any informing agency, information of the death, loss of voting rights of a person sentenced for a felony as provided in section 831-2, adjudication as an incapacitated person under the provisions of chapter 560, a mentally retarded person under the provisions of chapter 333, or a mentally ill person under the provisions of chapter 334, loss of citizenship, or any other disqualification to vote, of any person registered to vote in his county, or who he has reason to believe may be registered to vote therein, he shall thereupon make such investigation as he may deem necessary to prove or disprove the information, giving the person concerned, if available, notice and an opportunity to be heard. If after the investigation he finds that the person is dead, or incapacitated to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning voting, or has lost his voting rights pursuant to section 831-2, or has lost his citizenship, or is disqualified for any other reason to vote, he shall remove the name of the person from the register.

The clerk shall make and keep an index of all information furnished to him under any requirements of law concerning any of the matters in this section. Whenever any person applies to register as a voter, the clerk shall, before registering the person, consult the index for the purpose of ascertaining whether or not the person is in any manner disqualified to vote. Any person whose name is removed from the register of voters under this section may appeal in the manner provided by sections 11-26 and 11-51, and such proceedings shall be had upon the appeal as in other appeals under these sections.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

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

(Approved May 31, 1980.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.