

ACT 273

H.B. NO. 1270

A Bill for an Act Relating to Elections.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 11-17, Hawaii Revised Statutes, is amended to read as follows:

**“§11-17 Removal of names from register, when; reregistration.** (a) The clerk, not later than 4:30 p.m. on the sixtieth day after every general election, shall remove the name of any registered voter who did not vote in the election if the person also did not vote in the preceding primary election with the exception of (1) those who voted in the special election for election of

members of the board of trustees of the office of Hawaiian affairs held in conjunction with the general election; or (2) those who submitted written requests for absentee ballots as provided in section 15-4. For this purpose "vote" means the depositing of the ballot in the ballot box whether the ballot is blank or later rejected for any reason. In the case of voting machines "vote" means the voter has activated the proper mechanism and fed the vote into the machine.

The clerk shall [also] remove the name of any person registered to vote in the special election for election of members of the board of trustees of the office of Hawaiian affairs, who did not vote in the special election, did not vote in the general election held in conjunction with the special election, and did not vote in the preceding primary election.

(b) The clerk shall also remove the name of any registered voter, if the clerk, after mailing a notice or other correspondence, properly addressed, with postage prepaid, receives the notice or other correspondence as return mail with a postal notation that the notice or other correspondence was not deliverable because the addressee has moved without leaving a forwarding address. Persons who submit written requests for absentee ballots as provided in section 15-4 are excluded from this subsection.

[(b)] (c) Any person whose name has been removed from the register, at any time prior to the closing of the register, as provided in section 11-24, may have that person's name restored in the register by presenting oneself to the clerk and reregistering pursuant to section 11-15, or by making application by mail or otherwise pursuant to procedures established by the clerk. The clerk shall require satisfactory evidence to establish the identity of the applicant. The names of all those persons shall be reentered in the register."

SECTION 2. Section 11-18, Hawaii Revised Statutes, is amended to read as follows:

**"§11-18 Transfer of registration on removal from one precinct to another in same county.** A registered voter who changes residence from one precinct to another prior to any election shall notify the clerk and change the registration to the proper precinct[;] by the appropriate registration deadline; provided that no change of registration shall be allowed or required if the change of residence occurs after the close of registration for an election. The change of registration due to a change of residence may be challenged as provided in section 11-25."

SECTION 3. Section 11-19, Hawaii Revised Statutes, is amended to read as follows:

**"§11-19 Registration from one county to another.** Whenever [any person who has registered as a voter in any county removes to and desires to register in some other county,] a registered voter changes residence from one county to another, the person shall [apply to the clerk of the county in which the person desires to be registered.] notify the clerk and change the registration to the proper county by the appropriate registration deadline; provided that no such change of registration shall be allowed or required if the change of residence occurs after the close of registration for an election. Thereupon such clerk, if the person applying is legally qualified to register, shall accept such registration and shall immediately thereafter forward to the clerk of the county in which the person was formerly registered, a notice that the name of the registered voter is to be removed from the general county register of that county."

**SECTION 4.** Section 11-21, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) No person shall be prevented from voting at the election in the precinct in which the person’s name appears on the voters list due to a change of name, change of registration, or other correction made under this section[.] except those who failed to reregister pursuant to section 11-18 or 11-19. However, any voter registered in the wrong precinct who shall refuse to make the correction of registration may be challenged in accordance with section 11-25.”

**SECTION 5.** Statutory material to be repealed is bracketed. New statutory material is underscored.

**SECTION 6.** This Act shall take effect upon its approval.

(Approved June 24, 1987.)