

**ACT 129**

H.B. NO. 770

A Bill for an Act Relating to Same Day Voter Registration.

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

SECTION 1. 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[.] except pursuant to section 11-21(c). The change of registration due to a change of residence may be challenged as provided in section 11-25.”

SECTION 2. Section 11-19, Hawaii Revised Statutes, is amended to read as follows:

“§11-19 **Registration from one county to another.** Whenever a registered voter changes residence from one county to another, the person shall 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[.] except pursuant to section 11-21(c). Thereupon [such clerk], if the person applying is legally qualified to register, the clerk shall accept [such] the 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 3. Section 11-21, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any person whose name appears on the registered voters list whose residence has changed since the last election, and [who] whom the county clerk has not transferred under section 11-20, may apply on a form prescribed by the chief elections officer at the person’s [old] new polling place on the day of the election for transfer of registration to the precinct of the new residence. Any person so transferring voter registration shall be immediately added to the register of the new precinct and may vote only at the new precinct.”

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 have<sup>1</sup> 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. Section 11-24, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) At 4:30 p.m. on the thirtieth day prior to each primary, special primary, or special election (but if [such] the day is a Saturday, Sunday, or holiday then at 4:30 p.m. on the first working day immediately thereafter), the general county register shall be closed to registration for persons seeking to vote at [such] the primary, special primary or special election and remain closed to [such] registration until after the election, subject to change only as provided in sections 11-21(c), 11-22, 11-25, 11-26, and this section.

(b) Notwithstanding the closing of the register for registration to vote at the primary or special primary election, the register shall remain open for the registration of persons seeking to vote at the general or special general election, until 4:30 p.m. on the thirtieth day prior to the general or special general election (but if [such] the day is a Saturday, Sunday, or holiday then at 4:30 p.m. on the first working day immediately thereafter), at the end of which period the general county register shall be closed to registration and remain closed until after the general or special general election next following, subject to change only as provided in sections 11-21(c), 11-22, 11-25, and 11-26.”

SECTION 6. Section 15-7, Hawaii Revised Statutes, is amended to read as follows:

**“§15-7 Absentee polling place.** An absentee polling place shall be established at the office of the respective clerks or a place designated by the clerk under the provisions prescribed in the rules promulgated by the chief election officer. The provisions of section 11-21 relating to changes and transfers of registration shall apply to the absentee polling place as though it were the precinct at which a person’s name properly appears on the list of registered voters. The absentee polling place shall be open before election day to handle the absentee voters who are voting in person.”

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>2</sup>

SECTION 8. This Act shall take effect upon its approval.

(Approved June 3, 1992.)

#### Notes

1. So in original.
2. Edited pursuant to HRS §23G-16.5.