

ACT 142

H.B. NO. 1613

A Bill for an Act Relating to Voting.

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

SECTION 1. Section 11-15, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person qualified to and desiring to register as a voter in any county shall make and subscribe to an application in the form of an affidavit.

The affidavit shall contain the following information:

- (1) Name;
- (2) Social security number;
- (3) Date of birth;
- (4) Residence, including mailing address;
- (5) That the residence stated in the affidavit is not simply because of the person’s presence in the State, but that the residence was acquired with the intent to make Hawaii the person’s legal residence with all the accompanying obligations therein; and
- (6) That the person is a citizen.

An application to register to vote shall include a space to request a permanent absentee ballot.”

SECTION 2. Section 11-16, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any qualified person unable for any cause to ~~[present oneself]~~ appear in person before the clerk for registration may register to vote by mail, not later than thirty days prior to a primary or general election, through the affidavit on application for voter registration or other form prescribed by the chief election officer. The form shall include a self-subscribing oath for the applicant to swear to the truth of the allegations in the application. An applicant unable to write for reason of illiteracy, blindness, or other physical disability shall have the applicant’s mark witnessed by a person who shall sign the affidavit in the space provided. Each application form shall also include a space to request a permanent absentee ballot. Application forms shall be made available to any qualified person through community groups, political parties, and other groups prescribed by the chief election officer. Application forms shall be made available to any qualified person at the time of that person’s driver’s license application or renewal through the examiner of drivers.”

SECTION 3. Section 15-4, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) Any person registered to vote may request an absentee ballot or permanent absentee ballot in person or in writing from the clerk ~~[not earlier than on the sixtieth day and]~~ at any time but not later than 4:30 p.m. on the seventh day prior to the election. Any mailed requests for an absentee ballot or permanent absentee ballot shall be mailed by the person directly to the clerk. The clerk may waive any or all of the foregoing requirements in special cases as provided in the rules adopted by the chief election officer.

The request shall include information such as the person’s social security number, date of birth, and the address under which the person is registered to vote. The request shall also include the address to which the person wishes the requested ballot forwarded. The request, when made for any primary or special primary election, may include an additional request for an absentee ballot to be voted at any election immediately following the primary or special primary; provided the person so indicates in the person’s request.

Subsequent to the closing of registration for each election, the clerk may mail a request form for an absentee ballot and permanent absentee ballot to each voter in a remote area who has not already made such a request. The request form shall be accompanied by:

- (1) A stamped, self-addressed envelope; and
  - (2) Instructions regarding the manner of completing and returning the request form.”
2. By amending subsection (d) to read:

“(d) The chief election officer shall inform voters of the option of applying for permanent absentee voter status and shall provide any necessary form to request the permanent absentee ballot option to any registered voter requesting an absentee ballot~~[-]~~ and any person applying to register to vote.”

SECTION 4. The office of elections shall continue to use its existing voter registration application forms where possible until such time as new forms are developed and printed by the office of elections to implement this Act.

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

SECTION 6. This Act shall take effect on July 1, 2011.

(Approved June 20, 2011.)