

ACT 7

H.B. NO. 130

A Bill for an Act Relating to Validation of Ballots.

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

SECTION 1. Section 11-108, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (c) to read:

“(c) Any ballot the validity of which cannot be established upon receipt shall be retained by the clerk and shall not be commingled with ballots for which validity has been established until the validity of the ballot in question can be verified by the clerk. No ballot shall be included in an initial tabulation until the clerk has determined its validity. The clerk shall make reasonable efforts to determine the validity of ballots within ~~seven~~ five business days following an election day. No ballot shall be validated beyond the ~~seventh~~ fifth business day following an election.”

2. By amending subsection (e) to read:

“(e) No election result shall be certified pursuant to section 11-155 unless all ballots verified as valid by the clerk within [~~seven~~] five business days following an election day have been added to the final tabulation. Recount of a final tabulation shall be as provided by law.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved March 31, 2023.)