

JAN 18 2013

A BILL FOR AN ACT

RELATING TO ELECTION OFFENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 19-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§19-6 **Misdemeanors.** The following persons shall be
4 guilty of a misdemeanor:

5 (1) Any person who offers any bribe or makes any promise
6 of gain, or with knowledge of the same permits any
7 person to offer any bribe or make any promise of gain
8 for the person's benefit to any voter to induce the
9 voter to sign a nomination paper, and any person who
10 accepts any bribe or promise of gain of any kind as
11 consideration for signing the same, whether the bribe
12 or promise of gain be offered or accepted before or
13 after the signing;

14 (2) Any person who wilfully tears down or destroys or
15 defaces any election proclamation or any poster or
16 notice or list of voters or visual aids or facsimile
17 ballot, issued or posted by authority of law;



- 1 (3) Any person printing or duplicating or causing to be
2 printed or duplicated any ballot, conforming as to the
3 size, weight, shape, thickness, or color to the
4 official ballot so that it could be cast or counted as
5 an official ballot in an election;
- 6 (4) Every person who is disorderly or creates a
7 disturbance whereby any meeting of the precinct
8 officials or the board of registration of voters
9 during an election is disturbed or interfered with; or
10 whereby any person who intends to be lawfully present
11 at any meeting or election is prevented from
12 attending; or who causes any disturbance at any
13 election; and every person assisting or aiding or
14 abetting any disturbance;
- 15 (5) Every person who, either in person or through another,
16 in any manner breaks up or prevents, or endeavors to
17 break up or prevent, the holding of any meeting of the
18 board of registration of voters, or in any manner
19 breaks up or prevents, or endeavors to break up or
20 prevent, the holding of any election;
- 21 (6) Any person, other than those designated by section
22 11-132, who remains or loiters within the area set



1 aside for voting as set forth in section 11-132 during
2 the time appointed for voting;

3 (7) Any person, including candidates carrying on any
4 campaign activities within the area described in
5 section 11-132 during the period of time starting one
6 hour before the polling place opens and ending when
7 the polling place closes for the purpose of
8 influencing votes. Campaign activities shall include
9 the following:

10 (A) Any distribution, circulation, carrying, holding,
11 posting, or staking of campaign cards, pamphlets,
12 posters and other literature;

13 (B) The use of public address systems and other
14 public communication media;

15 (C) The use of motor caravans or parades; and

16 (D) The use of entertainment troupes or the free
17 distribution of goods and services;

18 (8) Any person who opens a return envelope containing an
19 absentee ballot voted under chapter 15 other than
20 those authorized to do so under chapter 15;

21 (9) Any unauthorized person found in possession of any
22 voting machine or keys thereof;



1 (10) Any candidate who, before or during the election of
2 which the candidate seeks election to office,
3 physically handles or possesses the voter registration
4 form, voter ballot, or absentee ballot of another
5 person; and

6 [~~(10)~~] (11) Every person who wilfully violates or fails to
7 obey any of the provisions of law, punishment for
8 which is not otherwise in this chapter specially
9 provided for."

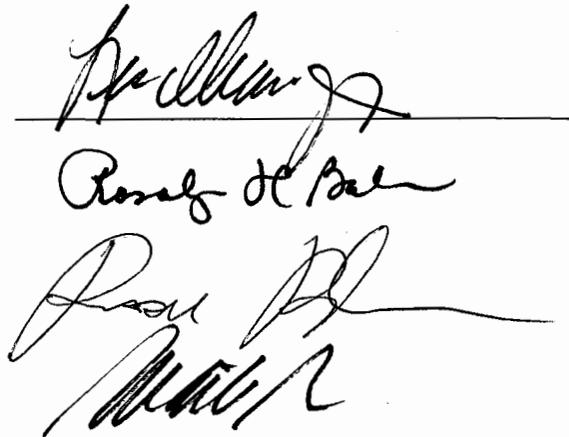
10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:


Four handwritten signatures are stacked vertically over a horizontal line. The signatures are in black ink and appear to be of various individuals.



S.B. NO. 827

Report Title:

Election Offenses; Misdemeanor

Description:

Prohibits a candidate from physically handling or possessing the voter registration form, voter ballot, or absentee ballot of another person.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

