A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§11- Late registration. (a) Notwithstanding the closing of the general county register pursuant to section 11-24, a person who is eligible to vote but is not registered to vote may register by appearing in person:

(1) Prior to the day of the election, at any absentee polling place established pursuant to section 15-7 in the county associated with the person's residence; or

(2) On the day of the election, at the polling place in the precinct associated with the person's residence.

(b) The county clerk shall designate a registration clerk, who may be an election official, at each of the absentee polling places in the county established pursuant to section 15-7, prior to the day of the election and at each of the polling places in the county on the day of the election. The registration clerk..."
shall process registration applications for persons not
registered to vote and shall require each person to submit:

(1) A signed affidavit in accordance with section 11-15, which shall include an affirmation of qualification to
vote and a statement acknowledging that the person:

(A) Has not voted and will not vote at any other
polling place for that election; and

(B) Has not cast and will not cast any absentee
ballot pursuant to chapter 15 for that election;

and

(2) Evidence of residency to be determined in accordance
with section 11-13, which shall include:

(A) A valid driver's license, state identification
card, or employee identification card showing the
street address of the person's residence;

(B) A document that contains the person's name and
street address of the person's residence,
including a bank statement, paycheck, government
check, residential lease, utility bill, telephone
bill, or any other government document or card;

(C) A student identification card, fee statement, or
registration card from a post-secondary
(D) Verification by an administrator, or the
administrator's designee, of the street address
at a nursing home or similar facility where the
person resides;

(E) A self-subscribing affidavit of residency signed
pursuant to section 11-15(b); or

(F) Any other document that is approved by the office
of elections as sufficient proof of residence.

(c) Registration may be challenged in accordance with
section 11-25.

(d) Notwithstanding subsection (a), late registration
pursuant to this section may also be used by a person who is
registered to vote but whose name cannot be found on the
precinct list for the polling place associated with the person's
residence.

(e) The clerk of each county shall add persons who
properly register under this section to the respective general
county register. Within thirty days of registration at the
polling place, the county clerk shall mail to the individual a
notice that shall include the individual's name, current street
address, district and precinct, and date of registration. A
notice mailed pursuant to this subsection shall serve as prima
facie evidence that the person is a registered voter as of the
date of registration."

SECTION 2. Section 11-25, Hawaii Revised Statutes, is
amended by amending subsections (a) and (b) to read as follows:

"(a) [Challenging prior to election day.] Any registered
ever voter may challenge the right of a person to be or to remain
registered as a voter in any precinct for any cause not
previously decided by the board of registration or the supreme
court in respect to the same person; provided that in an
election of members of the board of trustees of the office of
Hawaiian affairs the voter making the challenge must be
registered to vote in that election. The challenge shall be in
writing, setting forth the grounds upon which it is based, and
be signed by the person making the challenge. The challenge
shall be delivered to the clerk who shall forthwith serve notice
thereof on the person challenged. The clerk shall, as soon as
possible, investigate and rule on the challenge.
(b) [Challenging on election day.] Any voter rightfully in the polling place, including absentee polling places established pursuant to section 15-7, may challenge the right to vote of any person who comes to the precinct officials for voting purposes. The challenge shall be on the grounds that the voter is not the person the voter alleges to be, or that the voter is not entitled to vote in that precinct; provided that only in an election of members of the board of trustees of the office of Hawaiian affairs, a person registered to vote in that election may also challenge on the grounds that the voter is not Hawaiian. No other or further challenge shall be allowed. Any person thus challenged shall first be given the opportunity to make the relevant correction pursuant to section 11-21. The challenge shall be considered and decided immediately by the precinct officials and the ruling shall be announced."

SECTION 3. Section 15-7, Hawaii Revised Statutes, is amended to read as follows:

"§15-7 Absentee polling place[; registration at absentee polling place]. (a) Absentee polling places shall be established at the office of the respective clerks, and may be established at [such] other sites as may be designated by the clerk under the provisions prescribed in the rules adopted by
the chief election officer. 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.

(b) The absentee polling places shall be open no later
than ten working days before election day, and all Saturdays
falling within that time period, or as soon thereafter as
ballots are available; provided that all absentee polling places
shall be open on the same date statewide, as determined by the
chief election officer.

(c) A person who is eligible to vote but is not registered
to vote may register by appearing in person at the absentee
polling place for the county in which the person maintains
residence.

(d) The county clerk shall designate a registration clerk,
who may be an election official, at each of the absentee polling
places established in the county. The registration clerk shall
process registration applications for persons not registered to
vote and shall require each person to submit:

(1) A signed affidavit in accordance with section 11-15,
which shall include an affirmation of qualification to
vote and a statement acknowledging that the person:
(A) Has not voted and will not vote at any other polling place for that election; and

(B) Has not cast and will not cast any absentee ballot pursuant to chapter 15 for that election;

and

(2) Evidence of residency to be determined in accordance with section 11-13, which shall include:

(A) A valid driver's license, state identification card, or employee identification card showing the street address of the person's residence;

(B) A document that contains the person's name and the street address of the person's residence, including a bank statement, paycheck, government check, residential lease, utility bill, telephone bill, or any other government document or card;

(C) A student identification card, fee statement, or registration card from a post-secondary educational institution in the State or other document from a post-secondary educational institution that verifies the person's name and the street address of the person's residence;
(D) Verification by an administrator, or the administrator's designee, of the street address of a nursing home or similar facility where the person resides;

(E) A self-subscribing affidavit of residency signed pursuant to section 11-15(b); or

(F) Any other document that is approved by the office of elections as sufficient proof of residence.

(e) Registration may be challenged in accordance with section 11-25.

(f) Notwithstanding subsection (c), absentee polling place registration pursuant to this section may be used by a person who is registered to vote but whose name cannot be found on the precinct list for the polling place associated with the person's residence.

(g) The clerk of each county shall add persons who properly register at an absentee polling place to the respective general county register. Within thirty days of registration at an absentee polling place, the county clerk shall mail to the person a notice that shall include the person's name, current street address, district and precinct, and date of registration. A notice mailed pursuant to this subsection shall serve as prima
facie evidence that the person is a registered voter as of the
date of registration."

SECTION 4. There is appropriated out of the general
revenues of the State of Hawaii the sum of $ or so
much thereof as may be necessary for fiscal year 2014-2015 for
the counties to implement this Act, which may include upgrading
the registration process by purchasing electronic poll books.
The sum appropriated shall be expended by the office of
elections for the purposes of 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, 2050;
provided that:

(1) Section 3 of this Act shall take effect on January 1,
    2016; and

(2) Section 1 of this Act shall take effect on January 1,
    2018.
Report Title:
Voting; Late Registration; Absentee Polling Places

Description:
Allows voter registration at absentee polling places beginning in 2016 and late voter registration, including on election day, beginning in 2018. Appropriates funds. Effective 7/1/2050. (SD2)

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