
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

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

4 "§11- Late registration. (a) Notwithstanding the
5 closing of the general county register pursuant to section
6 11-24, a person who is eligible to vote but is not registered to
7 vote may register by appearing in person:

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

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

13 (b) The county clerk shall designate a registration clerk,
14 who may be an election official, at each of the absentee polling
15 places in the county, established pursuant to section 15-7,

16 prior to the day of the election and at each of the polling
17 places in the county on the day of the election. The

18 registration clerk shall process registration applications for



1 persons not registered to vote and shall require each person to
2 submit:

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

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

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

11 (2) Substantiating evidence of proof of identity to be
12 determined in accordance with section 11-13, which
13 shall include:

14 (A) A valid driver's license, state identification
15 card, or employee identification card showing the
16 person's current street address;

17 (B) A document that contains the name and current
18 street address of the person, including a bank
19 statement, paycheck, government check,
20 residential lease, utility bill, telephone bill,
21 or any other government document or card;



1 (C) Any other document that is approved by the office
2 of elections as sufficient proof of residence;

3 (D) A student identification card, fee statement, or
4 registration card from a post-secondary
5 educational institution in the State or other
6 document from a post-secondary educational
7 institution that verifies the person's current
8 street address;

9 (E) Verification by an administrator, or the
10 administrator's designee, of the person's current
11 street address at a nursing home or similar
12 facility where the person resides; or

13 (F) A self-subscribing affidavit of residency signed
14 under oath pursuant to section 11-15(b).

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

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



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

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

12 "(a) [~~Challenging prior to election day.~~] Any registered
13 voter may challenge the right of a person to be or to remain
14 registered as a voter in any precinct for any cause not
15 previously decided by the board of registration or the supreme
16 court in respect to the same person; provided that in an
17 election of members of the board of trustees of the office of
18 Hawaiian affairs the voter making the challenge must be
19 registered to vote in that election. The challenge shall be in
20 writing, setting forth the grounds upon which it is based, and
21 be signed by the person making the challenge. The challenge
22 shall be delivered to the clerk who shall forthwith serve notice



1 thereof on the person challenged. The clerk shall, as soon as
2 possible, investigate and rule on the challenge.

3 (b) [~~Challenging on election day.~~] Any voter rightfully
4 in the polling place, including absentee polling places
5 established pursuant to section 15-7, may challenge the right to
6 vote of any person who comes to the precinct officials for
7 voting purposes. The challenge shall be on the grounds that the
8 voter is not the person the voter alleges to be, or that the
9 voter is not entitled to vote in that precinct; provided that
10 only in an election of members of the board of trustees of the
11 office of Hawaiian affairs, a person registered to vote in that
12 election may also challenge on the grounds that the voter is not
13 Hawaiian. No other or further challenge shall be allowed. Any
14 person thus challenged shall first be given the opportunity to
15 make the relevant correction pursuant to section 11-21. The
16 challenge shall be considered and decided immediately by the
17 precinct officials and the ruling shall be announced."

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

20 "**§15-7 Absentee polling place[-]; registration at absentee**
21 **polling place.** (a) Absentee polling places shall be
22 established at the office of the respective clerks, and may be



1 established at such other sites as may be designated by the
2 clerk under the provisions prescribed in the rules adopted by
3 the chief election officer. Section 11-21 relating to changes
4 and transfers of registration shall apply to the absentee
5 polling place as though it were the precinct at which a person's
6 name properly appears on the list of registered voters.

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

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

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



- 1 (1) A signed affidavit in accordance with section 11-15,
2 which shall include an affirmation of qualification to
3 vote and a statement acknowledging that the person:
4 (A) Has not voted and will not vote at any other
5 polling place for that election; and
6 (B) Has not cast and will not cast any absentee
7 ballot pursuant to chapter 15 for that election;
8 and
9 (2) Substantiating evidence of proof of identity to be
10 determined in accordance with section 11-13, which
11 shall include:
12 (A) A valid driver's license, state identification
13 card, or employee identification card showing the
14 person's current street address;
15 (B) A document that contains the name and current
16 street address of the person, including a bank
17 statement, paycheck, government check,
18 residential lease, utility bill, telephone bill,
19 or any other government document or card;
20 (C) Any other document that is approved by the office
21 of elections as sufficient proof of residence;



1 (D) A student identification card, fee statement, or
2 registration card from a post-secondary
3 educational institution in the State or other
4 document from a post-secondary educational
5 institution that verifies the person's current
6 street address;

7 (E) Verification by an administrator, or the
8 administrator's designee, of the person's current
9 street address of a nursing home or similar
10 facility where the person resides; or

11 (F) A self-subscribing affidavit of residency signed
12 under oath pursuant to section 11-15(b).

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

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

20 (g) The clerk of each county shall add persons who
21 properly register at an absentee polling place to the respective
22 general county register. Within thirty days of registration at



1 an absentee polling place, the county clerk shall mail to the
2 person a notice that shall include the person's name, current
3 street address, district and precinct, and date of registration.
4 A notice mailed pursuant to this subsection shall serve as prima
5 facie evidence that the person is a registered voter as of the
6 date of registration."

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2014-2015 for
10 the counties to implement this Act, which may include upgrading
11 the registration process by purchasing electronic poll books.

12 The sum appropriated shall be expended by the office of
13 elections for the purposes of this Act.

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

16 SECTION 6. This Act shall take effect on July 1, 2014;
17 provided that:

18 (1) Section 3 of this Act shall take effect on January 1,
19 2016; and

20 (2) Section 1 of this Act shall take effect on January 1,
21 2018.

Report Title:

Voting; Late Registration; Absentee Polling Places

Description:

Allows late voter registration at absentee polling places beginning in 2016 and late voter registration on election day at both absentee polling and precinct polling places beginning in 2018. Appropriates funds. (SD1)

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

