
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. The legislature finds that the trend in Hawaii
2 has been toward increased mail-in voting. The 2014 Hawaii
3 primary election was the first election where there were more
4 early votes than ballots cast on primary election day. Fifty-
5 six per cent of Hawaii voters chose to vote early during the
6 2014 primary, with approximately eighty-three per cent of these
7 early voters doing so by mail-in absentee ballot.

8 The legislature further finds that in Hawaii, shifting to
9 elections by mail would significantly reduce the logistical
10 issues related to conducting elections. The legislature
11 concludes that an incremental implementation of an election-by-
12 mail voting system is the best approach for the State to
13 transition to elections by mail.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Require the office of elections to implement elections
16 by mail in a county with a population of less than
17 100,000, beginning with the 2016 primary election;



- 1 (2) Require the office of elections to additionally
2 implement elections by mail in each county with a
3 population of less than 500,000, beginning with the
4 2018 primary election;
- 5 (3) Beginning in 2020, require all federal, state, and
6 county primary, special primary, general, special
7 general, and special elections to be conducted by
8 mail;
- 9 (4) Provide places of deposit for personal delivery of
10 mail-in ballots and ensure a limited number of voter
11 service centers in each county to remain open on the
12 day of election to allow voters with special needs to
13 vote and receive personal delivery of absentee,
14 permanent absentee, and mail-in ballots; and
- 15 (5) Appropriate funds for the implementation and
16 administration of the election by mail program.

17 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
18 by adding a new part to be appropriately designated and to read
19 as follows:

20 **"PART . ELECTIONS BY MAIL**



1 **§11-A Elections eligible to be conducted by mail.**
2 Beginning with the 2016 primary election, the office of
3 elections shall implement elections by mail in a county with a
4 population of less than 100,000. Beginning with the 2018
5 primary election, the office of elections shall additionally
6 implement elections by mail in each county with a population of
7 less than 500,000. Beginning in 2020, all federal, state, and
8 county primary, special primary, general, special general, and
9 special elections shall be conducted by mail in accordance with
10 this part; provided that any person registered to vote may
11 request an absentee ballot or permanent absentee ballot in
12 accordance with section 15-4 in lieu of receiving an election-
13 by-mail ballot package pursuant to this part; provided further
14 that absentee ballot-only elections may continue to be conducted
15 pursuant to section 15-4(b).

16 **§11-B Procedures for conducting elections by mail.** (a)

17 Ballot packages for elections by mail shall include:

- 18 (1) An official ballot;
- 19 (2) A pre-paid postage return identification envelope;
- 20 (3) A secrecy envelope; and
- 21 (4) Instructions.



1 (b) To the extent practicable, the county clerk shall mail
2 a ballot package by nonforwardable mail to each registered voter
3 in the county between fourteen and eighteen days before the date
4 of an election.

5 (c) The chief election officer shall determine and provide
6 for places of deposit and voter service centers pursuant to
7 section 11-92.1.

8 **§11-C Public notice of mailing.** Public notice of the date
9 or dates that ballot packages are mailed shall be given by the
10 chief election officer and all county election offices in the
11 manner prescribed in section 1-28.5 when all ballot packages
12 have been mailed to voters.

13 **§11-D Ballot instructions; ballot return.** (a) Upon
14 receipt of the ballot package, to cast a valid vote, a voter
15 shall comply with the instructions included in the ballot
16 package. The instructions shall include directions on marking
17 the ballot, inserting the marked ballot in the secrecy envelope,
18 inserting the secrecy envelope with the marked ballot in the
19 return identification envelope, and signing the return
20 identification envelope before mailing or delivering the return



1 identification envelope containing the secrecy envelope with the
2 marked ballot.

3 (b) The instructions shall include information on election
4 fraud and voter fraud, as provided in sections 19-3(5) and
5 19-3.5, and notice that violation of either section may subject
6 the voter, upon conviction, to imprisonment, a fine, or both.

7 (c) To cast a valid vote, a voter shall return the
8 identification envelope containing the secrecy envelope with the
9 marked ballot:

10 (1) By mail so that the return identification envelope is
11 received at the office of the clerk no later than the
12 time provided in section 11-131 on the date of the
13 election;

14 (2) By personal delivery to any place of deposit no later
15 than 6:00 p.m. on the day preceding the date of the
16 election; or

17 (3) By personal delivery to any voter service center no
18 later than the time provided in section 11-131 on the
19 date of the election.

20 **§11-E Replacement ballots.** (a) A voter may obtain a
21 replacement ballot if the ballot is destroyed, spoiled, or lost.



1 Replacement ballots shall be provided to a voter who completes
2 and signs a replacement ballot request form. The replacement
3 ballot request form shall include information that allows the
4 clerk to verify the registration of the voter and ensure that
5 another ballot has not been returned by the voter.

6 (b) Upon receipt of the replacement ballot request form,
7 the clerk shall:

8 (1) Verify the registration of the voter and ensure that
9 another ballot has not been returned by the voter;

10 (2) Note on the list of registered voters that the voter
11 has requested a replacement ballot;

12 (3) Mark the return identification envelope as a
13 replacement ballot; and

14 (4) Issue the replacement ballot package by mail or by
15 making the ballot package available for pick-up by the
16 voter.

17 (c) Voters requesting a replacement ballot shall return
18 the identification envelope containing the secrecy envelope with
19 the marked replacement ballot by mail or by personal delivery to
20 a place of deposit no later than 6:00 p.m. on the day preceding
21 the date of the election or by personal delivery to a voter



1 service center no later than the time provided in section 11-131
2 on the date of the election.

3 **§11-F Counting of mail-in ballots.** (a) Counting may
4 begin no sooner than the seventh day before the election. In
5 the presence of official observers, counting center employees
6 may count the ballots on the day of the election; provided that
7 no results shall be disclosed to the public until the close of
8 the voter service centers. All handling and counting of the
9 mailed-in ballots shall be in accordance with procedures
10 established by the chief election officer.

11 (b) A mail-in ballot shall be counted only if:

12 (1) It is returned in the return identification envelope;

13 (2) The return identification envelope is signed by the
14 voter to whom the ballot is mailed or delivered;

15 (3) The signature on the return identification envelope is
16 verified by the clerk with the signature of the voter
17 shown on the registry of voters; and

18 (4) The return identification envelope is received in a
19 timely manner by any of the methods prescribed under
20 section 11-D.



1 (c) Upon receipt of a marked replacement ballot, the
2 county clerk shall verify that a completed and signed
3 replacement ballot request form has been received by the county
4 clerk or is included with the marked replacement ballot. If a
5 request form has been completed and signed by the voter and
6 received by the county clerk, the county clerk shall process the
7 ballot. If the replacement ballot request form is not completed
8 or signed by the voter or not received by the county clerk, the
9 county clerk shall not process the ballot."

10 SECTION 3. Section 11-1, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By adding two new definitions to be appropriately
13 inserted and to read:

14 "Place of deposit" means a site designated by the chief
15 election officer for the purpose of receiving return
16 identification envelopes in an election conducted by mail
17 pursuant to part .

18 "Voter service center" means a site designated by the chief
19 election officer to serve all of the following purposes:

20 (1) Receive return envelopes for absentee and permanent
21 absentee ballots pursuant to chapter 15;



- 1 (2) Receive return identification envelopes in an election
2 by mail pursuant to part ;
- 3 (3) Provide voting machine services for persons with
4 disabilities pursuant to the Help America Vote Act of
5 2002 (Pub.L. 107-252), as amended, and any other
6 federal or state law relating to persons with
7 disabilities;
- 8 (4) Assist with voter registration services as provided by
9 law; and
- 10 (5) Any other purposes as the chief election officer may
11 deem necessary in the event of a natural disaster or
12 other exigent circumstances occurring prior to an
13 election."

14 2. By amending the definitions of "ballot" and "voting
15 system" to read:

16 "'Ballot"[7] means a ballot₁ including an absentee ballot₁
17 that is a written or printed, or partly written and partly
18 printed paper or papers₁ containing the names of persons to be
19 voted for, the office to be filled, and the questions or issues
20 to be voted on. "Ballot" includes a ballot used in an election
21 by mail pursuant to part . A ballot may consist of one or



1 more cards or pieces of paper, or one face of a card or piece of
2 paper, or a portion of the face of a card or piece of paper,
3 depending on the number of offices, candidates to be elected
4 thereto, questions or issues to be voted on, and the voting
5 system in use. It shall also include the face of the mechanical
6 voting machine when arranged with cardboard or other material
7 within the ballot frames, containing the names of the candidates
8 and questions to be voted on.

9 "Voting system" [7] means the use of paper ballots,
10 electronic ballot cards, voting machines, elections by mail
11 pursuant to part _____, absentee voting pursuant to chapter 15, or
12 any system by which votes are cast and counted."

13 SECTION 4. Section 11-4, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§11-4 Rules [~~and regulations~~]**. The chief election
16 officer may make, amend, and repeal [~~such~~] rules [~~and~~
17 ~~regulations~~] governing elections held under this title, election
18 procedures, and the selection, establishment, use, and operation
19 of all voting systems now in use or to be adopted in the State,
20 and all other similar matters relating thereto as in the chief



1 election officer's judgment shall be necessary to carry out this
2 title.

3 In making, amending, and repealing rules [~~and regulations~~]
4 for voters who cannot vote [~~at the polls~~] in person or receive
5 or return ballots by mail, and all other voters, the chief
6 election officer shall provide for voting by [~~such~~] these
7 persons in [~~such~~] a manner as to [~~insure~~] ensure secrecy of the
8 ballot and to preclude tampering with the ballots of these
9 voters and other election frauds. [~~Such~~] The rules [~~and~~
10 ~~regulations~~], when adopted in conformity with chapter 91 and
11 upon approval by the governor, shall have the force and effect
12 of law."

13 SECTION 5. Section 11-17, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) The clerk, not later than 4:30 p.m. on the sixtieth
16 day after every general election, shall remove the name of any
17 registered voter who did not vote in that general election, and
18 also did not vote in the primary election preceding that general
19 election, and also did not vote in the previous general
20 election, and also did not vote in the primary election
21 preceding that general election, and also did not vote in the



1 regularly scheduled special elections held in conjunction with
2 those primary and general elections, if any, with the exception
3 of:

4 (1) Those who submitted written requests for absentee
5 ballots as provided in section 15-4; or

6 (2) Anyone who preregistered pursuant to section 11-12(b).

7 If a person voted, at least once, in any of the above-mentioned
8 elections, the person's name shall remain on the list of
9 registered voters. For this purpose, "vote" means the
10 depositing of the ballot in the ballot box whether the ballot is
11 blank or later rejected for any reason. In the case of voting
12 machines, "vote" means the voter has activated the proper
13 mechanism and fed the vote into the machine. In the case of an
14 election by mail pursuant to part , "vote" means the voter
15 has returned the ballot to the chief election officer or county
16 clerk by the United States Postal Service or by delivering the
17 ballot to a place of deposit or voter service center."

18 SECTION 6. Section 11-92.1, Hawaii Revised Statutes, is
19 amended by amending its title and subsection (a) to read as
20 follows:



1 "§11-92.1 Election proclamation; [establishment of a new
2 precinct.] places of deposit; voter service centers. (a) The
3 chief election officer shall issue a proclamation [~~whenever a~~
4 ~~new precinct is established in any representative district. The~~
5 ~~chief election officer shall provide a suitable polling place~~
6 ~~for each precinct.] listing all places of deposit and voter
7 service centers. There shall be no minimum number of places of
8 deposit in any county, and the chief election officer shall
9 provide places of deposit only if the locations and apparatus
10 for the purposes pursuant to part can be securely maintained
11 throughout the period of use for each election. The chief
12 election officer shall provide at least one voter service center
13 on each inhabited island, except for an island that conducts
14 absentee ballot-only elections pursuant to section 15-4(b).
15 Schools, recreational halls, park facilities, and other publicly
16 owned or controlled buildings, whenever possible and convenient,
17 shall be used as [~~polling places.] voter service centers. The
18 chief election officer shall make arrangements for the rental or
19 erection of suitable shelter for this purpose whenever public
20 buildings are not available and shall cause these [~~polling~~
21 ~~places]~~ voter service centers to be equipped with the necessary~~~~



1 facilities for lighting, ventilation, and equipment needed for
2 elections on any island. This proclamation may be issued
3 jointly with the proclamation required in section 11-91."

4 SECTION 7. Section 11-92.3, Hawaii Revised Statutes, is
5 amended by amending the title and subsection (a) to read as
6 follows:

7 "~~§11-92.3 [Consolidated precincts; natural]~~ Natural
8 disasters; postponement; absentee voting [required]; vote by
9 mail; special elections. (a) In the event of a flood, tsunami,
10 earthquake, volcanic eruption, high wind, or other natural
11 disaster, occurring prior to an election, that makes a
12 [~~precinct~~] place of deposit or voter service center
13 inaccessible, the chief election officer or county clerk in the
14 case of county elections may [~~consolidate precincts within a~~
15 ~~representative district.~~] provide alternate places of deposit or
16 voter service centers. If the extent of damage caused by any
17 natural disaster is such that the ability of voters[~~, in~~] on any
18 [~~precinct, district, or county,~~] inhabited island to exercise
19 their right to vote is substantially impaired, the chief
20 election officer or county clerk in the case of county elections
21 may [~~require the~~]:



1 (1) Require the registered voters of the affected
2 ~~[precinct]~~ island to vote by absentee ballot pursuant
3 to section 15-2.5 ~~[and may postpone]~~ or vote by mail
4 pursuant to part ; and

5 (2) Postpone the conducting of an election [in] on the
6 affected ~~[precinct]~~ island for no more than twenty-one
7 days; provided that any ~~[such]~~ postponement shall not
8 affect the conduct of the election, tabulation, or
9 distribution of results for ~~[those precincts,~~
10 ~~districts, or counties]~~ islands not designated for
11 postponement.

12 The chief election officer or county clerk in the case of county
13 elections shall give notice of the ~~[consolidation,~~
14 postponement~~]~~ or requirement to vote by absentee ballot~~[, in]~~
15 or by mail, on the affected [county or precinct] island prior to
16 the opening of the ~~[precinct polling place]~~ alternative place of
17 deposit or voter service center by whatever possible news or
18 broadcast media are available. ~~[Precinct officials and workers~~
19 ~~affected by any consolidation shall not forfeit their pay.]"~~

20 SECTION 8. Section 11-184, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "~~§11-184~~ Election expenses and responsibilities in
2 combined state and county elections~~[-]~~ by mail. Election
3 expenses in elections by mail involving both state and county
4 offices shall be shared as ~~[set forth below:]~~ follows:

- 5 ~~[(1) The State shall pay and be responsible for:~~
- 6 ~~(A) Precinct officials;~~
 - 7 ~~(B) Instruction of precinct officials when initiated~~
8 ~~or approved by the chief election officer;~~
 - 9 ~~(C) Boards of registration;~~
 - 10 ~~(D) Polling place costs other than supplies:~~
11 ~~installation rentals, ballot boxes, voting~~
12 ~~booths, custodians, telephones, and maintenance;~~
 - 13 ~~(E) Other equipment such as ballot transport~~
14 ~~containers;~~
 - 15 ~~(F) Temporary election employees hired to do strictly~~
16 ~~state work; and~~
 - 17 ~~(G) Extraordinary voter registration and voter~~
18 ~~education costs when approved by the chief~~
19 ~~election officer.~~
- 20 ~~(2) The county shall pay and be responsible for:~~



- 1 ~~(A) Normal voter registration, voters list~~
- 2 ~~maintenance, and all printing connected with~~
- 3 ~~voter registration, including printing of the~~
- 4 ~~voters list;~~
- 5 ~~(B) Temporary election employees hired to do strictly~~
- 6 ~~county work;~~
- 7 ~~(C) Maintenance of existing voting machines,~~
- 8 ~~including parts, freight, storage, programming,~~
- 9 ~~and personnel;~~
- 10 ~~(D) Maintenance and storage of voting devices and~~
- 11 ~~other equipment; and~~
- 12 ~~(E) Employees assigned to conduct absentee polling~~
- 13 ~~place functions.~~
- 14 ~~(3) The remaining election expenses shall be divided in~~
- 15 ~~half between the State and the counties. Each county~~
- 16 ~~will pay a proration of expenses as a proportion of~~
- 17 ~~the registered voters at the time of the general~~
- 18 ~~election. These expenses shall include but not be~~
- 19 ~~limited to:~~
- 20 ~~(A) Polling place supplies;~~



1 ~~(B) All printing, including ballots, but excluding~~
2 ~~printing connected with voter registration;~~

3 ~~(C) Temporary election employees not including voting~~
4 ~~machine programmers doing work for both the State~~
5 ~~and county;~~

6 ~~(D) Ballot preparation and packing; and~~

7 ~~(E) All other costs for which the State or county are~~
8 ~~not specifically responsible relating to the~~
9 ~~operation of voting machines, electronic voting~~
10 ~~systems, and other voting systems except paper~~
11 ~~ballots to include but not be limited to real~~
12 ~~property rentals, equipment rentals, personnel,~~
13 ~~mileage, telephones, supplies, publicity,~~
14 ~~computer programming, and freight.~~

15 ~~The responsibility for the above functions shall~~
16 ~~be determined by the chief election officer where the~~
17 ~~responsibility for such functions has not been~~
18 ~~assigned by the legislature.~~

19 ~~Any future expenses not presently incurred under any voting~~
20 ~~system now in use or to be used shall be assigned to paragraphs~~



1 ~~(1), (2), or (3) above by the chief election officer upon~~
2 ~~agreement with the clerks or by the legislature.]~~

3 (1) The State shall pay and be responsible for all costs
4 initially related to an election-by-mail system,
5 except for costs associated with voter registration,
6 which shall be paid for by and the responsibility of
7 the counties; and

8 (2) Subsequent costs in an election-by-mail system shall
9 be divided in half between the State and the counties.
10 Each county will pay a proration of expenses as a
11 proportion of the registered voters at the time of the
12 general election."

13 SECTION 9. Section 15D-3, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "~~{}~~**\$15D-3**~~{}~~ **Elections covered.** The voting procedures in
16 this chapter apply to:

17 (1) A general, special, or primary election for federal
18 office;

19 (2) A general, special, or primary election for statewide
20 or state legislative office or state ballot measure;

21 and



1 (3) A general, special, recall, primary, or runoff
 2 election for local government office or local ballot
 3 measure conducted under [~~section 11-91.5~~] part of
 4 chapter 11 for which absentee voting or voting by mail
 5 is available for other voters."

6 SECTION 10. Section 19-6, Hawaii Revised Statutes, is
 7 amended to read as follows:

8 "**§19-6 Misdemeanors.** The following persons shall be
 9 guilty of a misdemeanor:

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

19 (2) Any person who wilfully tears down or destroys or
 20 defaces any election proclamation or any poster or



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



1 breaks up or prevents, or endeavors to break up or
2 prevent, the holding of any election;

3 (6) Any person, other than those designated by section
4 11-132, who remains or loiters within the area set
5 aside for voting as set forth in section 11-132 during
6 the time appointed for voting;

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

14 (A) Any distribution, circulation, carrying, holding,
15 posting, or staking of campaign cards, pamphlets,
16 posters and other literature;

17 (B) The use of public address systems and other
18 public communication media;

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

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



1 (8) Any person who opens a return envelope containing [~~an~~
2 absentee]:

3 (A) An absentee ballot voted under chapter 15 other
4 than those persons authorized to do so under
5 chapter 15; or

6 (B) A ballot voted by mail under part of chapter
7 11 other than those persons authorized to do so
8 under part of chapter 11;

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

11 (10) Every person who wilfully violates or fails to obey
12 any of the provisions of law, punishment for which is
13 not otherwise in this chapter specially provided for."

14 SECTION 11. Section 11-91.5, Hawaii Revised Statutes, is
15 repealed.

16 [~~§11-91.5 Federal, state, and county elections by mail.~~

17 ~~(a) Any federal, state, or county election held other than on~~
18 ~~the date of a regularly scheduled primary or general election~~
19 ~~may be conducted by mail.~~

20 ~~(b) The chief election officer shall determine whether a~~
21 ~~federal or state election, other than a regularly scheduled~~



1 ~~primary or general election, may be conducted by mail or at~~
2 ~~polling places.~~

3 ~~(c) The county clerk shall determine whether a county~~
4 ~~election, held other than on the date of a regularly scheduled~~
5 ~~primary or general election, may be conducted by mail or at~~
6 ~~polling places. An election by mail in the county shall be~~
7 ~~under the supervision of the county clerk.~~

8 ~~(d) Any ballot cast by mail under this section shall be~~
9 ~~subject to the provisions applicable to absentee ballots under~~
10 ~~sections 11-139 and 15-6.~~

11 ~~(e) The chief election officer shall adopt rules pursuant~~
12 ~~to chapter 91 to provide for uniformity in the conduct of~~
13 ~~federal, state, and county elections by mail."]~~

14 SECTION 12. Act 166, Session Laws of Hawaii 2014, is
15 amended as follows:

16 1. By repealing section 1.

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

20 "~~§11- Late registration.~~ (a) Notwithstanding the
21 closing of the general county register pursuant to section



1 ~~11-24, a person who is eligible to vote but is not registered to~~
2 ~~vote may register by appearing in person:~~

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

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

8 ~~(b) The county clerk shall designate a registration clerk,~~
9 ~~who may be an election official, at each of the absentee polling~~
10 ~~places in the county established pursuant to section 15-7, prior~~
11 ~~to the day of the election and at each of the polling places in~~
12 ~~the county on the day of the election.~~

13 ~~(c) The registration clerk shall process applications for~~
14 ~~any person not registered to vote who submits a signed affidavit~~
15 ~~in accordance with section 11-15, which shall include a sworn~~
16 ~~affirmation:~~

17 ~~(1) Of the person's qualification to vote;~~

18 ~~(2) Acknowledging that the person has not voted and will~~
19 ~~not vote at any other polling place for that election~~
20 ~~and has not cast and will not cast any absentee ballot~~
21 ~~pursuant to chapter 15 for that election; and~~



1 ~~(3) Acknowledging that providing false information may~~
2 ~~result in a class C felony, punishable by a fine not~~
3 ~~exceeding \$1,000 or imprisonment not exceeding five~~
4 ~~years, or both.~~

5 ~~(d) The registration clerk may accept, as prima facie~~
6 ~~evidence, the allegation of the person in the application~~
7 ~~regarding the person's residence in accordance with section 11-~~
8 ~~15(b), unless the allegation is contested by a qualified voter.~~
9 ~~The registration clerk may demand that the person furnish~~
10 ~~substantiating evidence to the other allegations of the person's~~
11 ~~application in accordance with section 11-15(b).~~

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

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

18 ~~(g) The clerk of each county shall add persons who~~
19 ~~properly register under this section to the respective general~~
20 ~~county register. Within thirty days of registration at the~~
21 ~~polling place, the county clerk shall mail to the person a~~



1 ~~notice including the person's name, current street address,~~
2 ~~district and precinct, and date of registration. A notice~~
3 ~~mailed pursuant to this subsection shall serve as prima facie~~
4 ~~evidence that the person is a registered voter as of the date of~~
5 ~~registration."~~]

6 2. By amending section 6 to read:

7 "SECTION 6. This Act shall take effect on July 1, 2014;
8 provided that[~~;~~

9 ~~(1) Section]~~ section 3 of this Act shall take effect on
10 January 1, 2016[~~;~~ and

11 ~~(2) Section 1 of this Act shall take effect on January 1,~~
12 ~~2018]."~~

13 SECTION 13. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2015-2016 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2016-2017 for the purpose of implementing and administering
18 the election by mail program.

19 The sums appropriated shall be expended by the office of
20 elections for the purposes of this Act.



1 SECTION 14. No later than twenty days prior to the
2 convening of each regular session of the legislature, from 2016
3 until 2021, the office of elections shall submit a report to the
4 legislature that includes:

- 5 (1) The office's progress in implementing this Act;
6 (2) Any additional resources the office may require to
7 implement this Act;
8 (3) Any difficulties encountered;
9 (4) Specific steps taken and recommendations necessary to
10 prevent fraud and ensure the integrity of the election
11 process; and
12 (5) Any other findings and recommendations, including any
13 proposed legislation.

14 SECTION 15. In codifying the new sections added by section
15 2 of this Act, the revisor of statutes shall substitute
16 appropriate section numbers for the letters used in designating
17 the new sections in this Act.

18 SECTION 16. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 17. This Act shall take effect on January 7, 2059;
21 provided that:



- 1 (1) Sections 2 through 12 of this Act shall take effect on
2 January 1, 2016, in counties with a population of less
3 than 100,000;
- 4 (2) Except for any county subject to paragraph (1),
5 sections 2 through 12 of this Act shall take effect on
6 January 1, 2018, in counties with a population of less
7 than 500,000;
- 8 (3) Sections 2 through 12 of this Act shall take effect on
9 January 1, 2020, in counties with a population of
10 500,000 or more; and
- 11 (4) Section 13 of this Act shall take effect on July 1,
12 2015.



Report Title:

Elections; Voting; Elections by Mail; Absentee Voting; Appropriation

Description:

Requires the office of elections to implement elections by mail in a county with a population of less than 100,000, beginning with the 2016 primary election; and in each county with a population of less than 500,000, beginning with the 2018 primary election. Beginning in 2020, requires all federal, state, and county primary, special primary, general, special general, and special elections to be conducted by mail. Provides places of deposit for personal delivery of mail-in ballots and ensures a limited number of voter service centers in each county to remain open on the day of election to allow voters with special needs to vote and receive personal delivery of absentee, permanent absentee, and mail-in ballots. Makes conforming amendments. Requires annual reports on implementation. Appropriates funds for the implementation and administration of the election by mail program. Takes effect 01/07/2059. (SD1)

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

