A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

SECTION 1. Section 11-1.6, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

"(g) The chief election officer [may be removed by the elections commission at any time for good cause.] is an at-will employee. The elections commission shall provide written notification of any removal and state the reason for the removal."

SECTION 2. Section 11-7.5, Hawaii Revised Statutes, is amended to read as follows:

"§11-7.5 Duties of the elections commission. The duties of the elections commission are to:

1. Hold public hearings;
2. Investigate and hold hearings for receiving evidence of any violations and complaints;
3. Adopt rules pursuant to chapter 91;
4. Employ, without regard to chapter 76, a full-time chief election officer, pursuant to section 11-1.6;"
(5) Conduct a performance evaluation of the chief election officer within two months after the date a general election is certified;

(6) Hold a public hearing on the performance of the chief election officer and consider the information gathered at the hearing in deliberations on the chief election officer's reappointment; and

(7) Advise the chief election officer on matters relating to elections."

SECTION 3. Section 15-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Immediately upon receipt of a request for absentee ballot within the time limit specified in section 15-4, the clerk shall examine the records to ascertain whether [or net] the voter is lawfully entitled to vote as requested. [As seen as the printed official ballots are available,] If the clerk ascertains that the voter is lawfully entitled to vote as requested, no earlier than thirty days before the election, the clerk shall mail in a forwarding envelope, or deliver in person if the voter appears at the office of the clerk, an official ballot and other materials prescribed in section 15-6, except
that an incapacitated voter may send a representative to obtain
the voter's ballots pursuant to the rules [promulgated] adopted
by the chief election officer[. All requests received upon the
last day specified in section 15-4 for receipt shall be mailed
to the voter requesting the same as soon as reasonably
practicable, but in no event later than twenty-four hours after
receipt thereof]; provided that official ballots and other
materials prescribed in section 15-6 shall be mailed or
delivered:

(1) To uniform military and overseas voters pursuant to
section 15D-9; and

(2) No later than twenty-four hours after receipt of the
request for absentee ballot for requests received on
the last day specified in section 15-4."

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.
Report Title:
Chief Election Officer; Elections Commission; Evaluation; Absentee Ballot Delivery

Description:
Specifies that the Chief Election Officer is an at-will employee. Requires Elections Commission to provide notice and reason for removal of a Chief Election Officer. Requires a performance evaluation of the Chief Election Officer after a general election. Requires a public hearing on the Chief Election Officer's performance for purposes of considering reappointment. Creates a statewide standard for the distribution of absentee ballots. (HB15 CD1)

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