

JAN 19 2017

A BILL FOR AN ACT

RELATING TO ARRANGEMENT OF CANDIDATE NAMES ON BALLOTS.

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

1 SECTION 1. The legislature finds that numerous studies
2 have shown that the election candidate who is listed first on a
3 ballot has an advantage. See, Daniel E. Ho & Kosuke Imai,
4 *Estimating Causal Effects of Ballot Order From a Randomized*
5 *Natural Experiment, The California Alphabet Lottery, 1978-2002,*
6 *72 Pub. Op. Q. 216 (2008); Laura Miller, Election by Lottery:*
7 *Ballot Order, Equal Protection, and the Irrational Voter, 13*
8 *N.Y.U. J. Legis. & Pub. Pol'y 373 (2010).* The legislature also
9 finds that several states, such as California and Ohio, arrange
10 the candidates' names to be random across ballots so that each
11 possible order permutation appears an equal number of times.
12 This allows each candidate to be represented fairly and equally
13 on the ballots.

14 Currently, on the Hawaii ballot candidates for a specific
15 office are listed in alphabetical order starting with the letter
16 "A" and the ballots are identical across precincts for that
17 office.



1 The purpose of this Act is to require the randomization of
2 names of candidates listed on individual ballots and on ballots
3 across precincts, thereby making the advantage of being the
4 first candidate listed on a ballot a random event.

5 SECTION 2. Section 11-115, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) The names of the candidates shall be placed upon the
8 ballot for their respective offices in [~~alphabetical~~] random
9 order so that the names are randomized on individual ballots and
10 also randomly rotated from one precinct to another except:

- 11 (1) As provided in section 11-118;
- 12 (2) [~~For~~] Subject to the limitations of the voting system
13 in use; provided that the chief election officer shall
14 not enter into or extend any contract regarding
15 ballots with a vendor who is unable to implement the
16 random ballot requirement; and
- 17 (3) [~~For~~] In the case of the candidates for vice president
18 and lieutenant governor in the general election
19 [whose], the names of those candidates shall be placed
20 immediately below the name of the candidate for
21 president or governor of the same political party."



S.B. NO. 128

1 SECTION 3. The chief election officer is directed to
2 establish procedures to implement the purpose of this Act, which
3 shall apply to the election cycle beginning on January 1, 2018.

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

6 SECTION 5. This Act shall take effect on July 1, 2017.

7

INTRODUCED BY: *Kal Rhoads*



S.B. NO. 128

Report Title:

Elections; Ballot; Arrangement of Names

Description:

Requires candidate names to be randomized on individual ballots and across precincts.

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

