

Honolulu, Hawaii

FEB 12 2019

RE: S.B. No. 560
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 560 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Enact voting by mail uniformly across all counties for all elections commencing in 2022;
- (2) Establish a limited number of voter service centers that would remain open from the tenth business day preceding an election to receive personal delivery of mail-in ballots, accommodate voters with special needs, offer same day registration and voting, and provide other election services;
- (3) Allow for additional places of deposit for personal delivery of mail-in ballots;
- (4) Appropriate funds for the implementation and administration of the election by mail program; and
- (5) Require the Office of Elections to submit a report to the Legislature prior to the convening of each regular



session from 2020 through 2025 regarding the implementation of a vote by mail system.

Your Committee received testimony in support of this measure from the Office of Elections, County Clerk of the County of Maui, Planned Parenthood Votes Northwest and Hawaii, League of Women Voters of Hawaii, Community Alliance on Prisons, Hawaii Appleseed Center for Law and Economic Justice, Common Cause Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Midwives Alliance of Hawaii, and ten individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party and seven individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that increasing numbers of Hawaii voters are submitting votes by mail and are choosing to vote early. Your Committee further finds that a single, unified vote-by-mail system will reduce the logistical costs of conducting elections while at the same time increasing the accuracy and efficiency of vote tabulation. Your Committee additionally finds that a vote-by-mail system will allow voters with disabilities or voters with special needs to more easily participate in the democratic process.

Your Committee has amended this measure by:

- (1) Clarifying that voters with special needs may request electronic transmission of ballots at any time;
- (2) Changing the closing time of places of deposit to 6:00 p.m. on election day and clarifying that any voters who are standing in line at a place of deposit at closing time may submit their ballot;
- (3) Requiring that initial tabulation of ballots be completed no later than 6:00 a.m. on the day following an election day;
- (4) Requiring the clerk not to commingle ballots when the validity of certain ballots cannot be verified upon receipt and to take reasonable steps to confirm the validity of such ballots within seven days following an election day;



- (5) Clarifying that only ballots that have been verified by the clerk by the time the initial tabulation is complete may be included in any initial recount, and that all other recounts shall be as provided by law;
- (6) Prohibiting any election result from being certified unless all ballots verified by the clerk within seven days following an election day have been added to the final tabulation;
- (7) Making clarifying and conforming amendments to sections of the absentee voting law to account for all mail-in voting; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 560, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

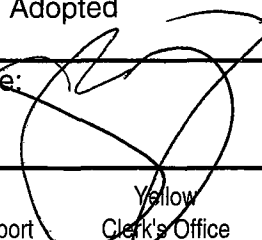


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 560	JDC, WAM	2/1/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
FEVELLA, Kurt				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes