
A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

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

1 SECTION 1. The legislature finds that voter turnout in the
2 State remains low and continues to decline. In 2016, Hawaii had
3 the lowest voter turnout in the United States. Only 52.6 per
4 cent of registered Hawaii voters cast ballots in the 2018
5 general election. This represents a sharp decline in voter
6 turnout over the years, as approximately ninety-three per cent
7 of registered voters cast ballots in the State's first
8 gubernatorial election in 1959.

9 Additionally, the State has a historically low rate of
10 registering voters. According to a 2016 estimate from the
11 United States Census Bureau, Hawaii had the lowest percentage of
12 registered voters in the country. In 2016, only 49.8 per cent
13 of qualified voters were registered to vote, well below the
14 national average of 64.2 per cent. Therefore, of the 1,111,117
15 people in Hawaii who were qualified to vote in the 2016
16 election, 557,780 were not registered to vote.



1 The legislature also finds that states with both the
2 highest voter registration rate and highest voter turnout have
3 adopted automatic voter registration programs. Massachusetts,
4 Oregon, and Colorado have all adopted automatic voter
5 registration programs, and each of those states' voter
6 registration rates are some of the highest in the nation, at
7 68.1 per cent, 67.4 per cent, and 68.2 per cent, respectively.
8 Moreover, Massachusetts had the eighth highest voter turnout in
9 the 2016 election at 68.1 per cent, and Oregon had the highest
10 at 80.33 per cent.

11 The legislature further finds that voting is the
12 cornerstone of American democracy and, while other states have
13 been in the news for suppressing voters, Hawaii, by
14 automatically registering qualified voters, can convey a message
15 that voting is an unquestioned fundamental right that should be
16 exercised.

17 Accordingly, the purpose of this Act is to establish a
18 process to automatically register graduating high school
19 students to vote.



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

4 "§11- Automatic voter registration; opt out. (a)
5 Beginning January 1, 2020, any person who is eligible to vote
6 under this part and properly completes and submits a high school
7 graduation voter registration form shall be automatically
8 registered to vote as provided in subsection (d).

9 (b) Between January 1 and January 31 of each year, the
10 superintendent shall provide to each student who seeks to
11 graduate from a public high school during that calendar year a
12 voter registration affidavit containing the information required
13 by section 11-15. Within five calendar days of collection of a
14 completed voter registration affidavit, the superintendent of
15 education shall electronically transmit the voter registration
16 information to the clerk of the county in which the applicant
17 resides, election officials, and the statewide voter
18 registration system pursuant to subsection (e); provided that
19 the superintendent of education shall not transmit any
20 information necessary to register an applicant as a voter if
21 that applicant affirmatively declines to be registered to vote.



1 (c) The clerk of each county shall determine whether the
2 applicant is currently registered in the general county
3 register. If the applicant is not currently registered, the
4 clerk shall determine whether the applicant is eighteen years of
5 age or older and a citizen of the United States. If the
6 applicant is less than eighteen years of age, the clerk shall
7 defer the applicant until the applicant reaches eighteen years
8 of age to determine whether the applicant is eligible to vote.

9 (d) Upon determination that the applicant is eligible to
10 vote and not currently registered, the county clerk shall
11 provide written notification to the applicant of the process to
12 opt out of the automatic voter registration; provided that if
13 the applicant does not opt out of registration within twenty-one
14 calendar days, the clerk shall assign a transaction number to
15 the registration in a manner that is substantially similar to
16 the numbering of affidavits as required by section 11-15(c) and
17 register the name of the voter in the general county register as
18 provided in section 11-14.

19 (e) Databases maintained or operated by the department of
20 education shall be directly accessible and provided
21 electronically to election officials and the statewide voter



1 registration system to allow for the timely processing of voter
2 registration applications, ensure the integrity of the voter
3 registration rolls, and for any other government purpose, as
4 determined by the superintendent of education and upon request
5 by the chief election officer to the superintendent of education
6 for the electronic transmission of the information; provided
7 that the chief election officer shall establish and implement an
8 information privacy policy that:

- 9 (1) Specifies each class of internal users who shall have
10 authorized access to the statewide voter registration
11 system, specifies for each class the permissions and
12 levels of access to be granted, and sets forth other
13 safeguards to protect the privacy of the information
14 on the statewide voter registration system;
- 15 (2) Prohibits any disclosure or transmission of any
16 information not necessary to voter registration,
17 including financial information;
- 18 (3) Protects against public disclosure of full or partial
19 social security numbers, driver's license numbers, and
20 signatures;



- 1 (4) Prohibits public disclosure of an individual's
2 decision to not register to vote;
- 3 (5) Prohibits the superintendent of education from
4 transmitting to county clerks information other than
5 that required for voter registration or specified
6 information relevant to the administration of
7 elections;
- 8 (6) Prohibits agencies from sharing individuals'
9 citizenship status or information regarding country of
10 origin with any federal agency;
- 11 (7) Prohibits the disclosure of information relating to
12 persons eligible for confidentiality of record
13 information pursuant to section 11-14.5 and informs
14 individuals of the confidentiality protections
15 available under section 11-14.5; and
- 16 (8) Prohibits the disclosure of any information that is
17 considered to be confidential pursuant to chapter
18 302A."

19 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 "§302A- Automatic voter registration; high school
2 graduation voter registration form. (a) A student shall not
3 graduate from a public high school unless the student completes
4 and returns to the superintendent the affidavit provided under
5 section 11- (b).

6 (b) The board and the superintendent shall adopt policies
7 as necessary to facilitate the registration of qualifying
8 students to vote as provided in section 11- ."

9 SECTION 4. Section 11-15, Hawaii Revised Statutes, is
10 amended by amending subsection (c) to read as follows:

11 "(c) The applicant shall then affix the applicant's
12 signature to the affidavit. In the case where an applicant is
13 unable to write for the reason of illiteracy, blindness, or
14 other physical disability, the applicant's mark shall be
15 witnessed by another person who shall sign the affidavit in the
16 space provided. A voter having once been registered shall not
17 be required to register again for any succeeding election,
18 except as provided in this chapter. Affidavits approved by the
19 clerk shall thereupon be numbered appropriately, filed by the
20 clerk, and kept available for election or government purposes in
21 accordance with procedures established by section 11-97.



1 Approved voter registration transactions conducted through the
 2 online voter registration system established pursuant to section
 3 11-15.3 and automatic voter registration established pursuant to
 4 section 11- shall be assigned a transaction number in a
 5 manner that is substantially similar to the numbering of
 6 affidavits."

7 SECTION 5. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so much
 9 thereof as may be necessary for fiscal year 2019-2020 and the
 10 same sum or so much thereof as may be necessary for fiscal year
 11 2020-2021 for the electronic transmission, receipt, and
 12 processing of voter registration information pursuant to this
 13 Act.

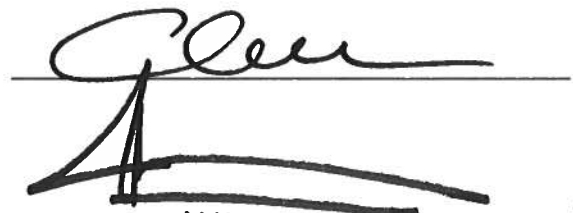
14 The sums appropriated shall be expended by the office of
 15 elections for the purposes of this Act.

16 SECTION 6. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on January 1, 2020;
 19 provided that section 5 shall take effect on July 1, 2019.

20

INTRODUCED BY:




H.B. NO. 1545

Report Title:

Automatic Voter Registration; Department of Education;
Graduation; Opt out; Appropriations

Description:

Beginning on 1/1/2020, requires that any person who is eligible to vote and submits a high school graduation voter registration form shall be automatically registered to vote if that person is not already registered to vote; provided that, upon receipt of notification from the respective county clerk, the applicant shall have 21 calendar days to opt out of automatic voter registration. Appropriates funds.

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

