

JAN 18 2019

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# A BILL FOR AN ACT

RELATING TO THE ELECTRONIC TRANSMISSION OF BALLOTS.

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

1           SECTION 1. Section 15-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) If absentee ballots requested under section 15-4 are  
4 not received by a voter within five days of an election, if a  
5 voter requires a replacement ballot within five days of an  
6 election, or if a voter would otherwise not be able to return a  
7 properly issued ballot by the close of polls, then a voter may  
8 request that absentee ballots be forwarded by electronic  
9 transmission[-]; provided that a voter with special needs may  
10 request that a ballot be forwarded by electronic transmission at  
11 any time. Upon receipt of such a request and confirmation that  
12 proper application was made, the clerk may transmit appropriate  
13 ballots, together with a form requiring the affirmations and  
14 information required by section 15-6, and a form containing a  
15 waiver of the right to secrecy, as provided by section 11-137.  
16 The voter may return the voted ballots and executed forms by  
17 electronic transmission or mail; provided that they are received



# S.B. NO. 136

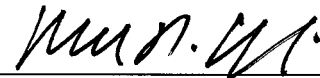
1 by the issuing clerk no later than the close of polls on  
2 election day. Upon receipt, the clerk shall verify compliance  
3 with the requirements of section 15-9(c) and prepare the ballots  
4 for counting pursuant to section 15-10; provided that if the  
5 voter returns multiple voted absentee ballots for the same  
6 election, the clerk shall, for purposes of counting ballots,  
7 prepare only the first absentee ballot returned that is not  
8 spoiled."

9 SECTION 2. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



By Request



# S.B. NO. 136

**Report Title:**

Office of Elections Package; Electronic Transmission of Ballots;  
Elections

**Description:**

Authorizes a voter with special needs to request that a ballot  
be forwarded by electronic transmission at any time.

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

