

STAND. COM. REP. NO. 591

Honolulu, Hawaii

FEB 22 2021

RE: S.B. No. 548
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 548 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL,"

begs leave to report as follows:

The purpose and intent of this measure is to amend elections laws to clarify the administration of elections by mail by:

- (1) Renaming districts as precincts;
- (2) Extending voter registration deadlines;
- (3) Requiring additional voter service centers on election day; and
- (4) Repealing election days as designated state holidays.

Your Committee received testimony in support of this measure from the Office of Elections, Office of the County Clerk of the County of Kaua'i, Disability and Communication Access Board, LGBT Caucus of the Democratic Party of Hawai'i, League of Women Voters of Hawaii, National Federation of the Blind of Hawaii, Common Cause Hawaii, AARP Hawai'i, Sierra Club of Hawai'i, Community Alliance on Prisons, and ten individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the



Elections Division of the City and County of Honolulu, Office of the County Clerk of the County of Hawai'i, and one individual.

Your Committee finds that Act 136, Session Laws of Hawaii 2019, provided that all elections statewide were to be conducted by mail beginning with the 2020 primary election. Your Committee further finds that although the administration of elections by mail in the State has been generally successful, further refinement and clarification of election law is required.

Your Committee has amended this measure by:

- (1) Deleting language that removed elections days as state holidays;
- (2) Requiring a minimum of four precincts in each representative district and a minimum of one precinct on each inhabited island with at least one hundred residents;
- (3) Establishing voters with special needs advisory committees at the State and county level;
- (4) Requiring the Department of Public Safety to inform persons on probation or parole that they have the right to vote and to provide them with information on how to register and vote;
- (5) Allowing registrants to state that they cannot read standard print due to a disability and are requesting an electronic ballot be sent via email on the voter registration affidavit;
- (6) Requiring ballot packages to be mailed so that they arrive at least eighteen days before an election instead of approximately eighteen days before an election and exempting the State and counties from liability if the ballot packages are received fewer than eighteen days before an election;
- (7) Requiring ballot deficiencies to be cured within five business days instead of seven calendar days;



- (8) Allowing ballot tabulation to begin on the eighteenth day before an election instead of the tenth day;
- (9) Adding areas designated for voters waiting to vote at voter service centers and places of deposit to the areas near which campaign activities are prohibited;
- (10) Requiring the Office of Elections and the county clerks to make a determination as soon as practicable of the optimal number and placement of voter service centers and places of deposit; and
- (11) 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. 548, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 548, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



