
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Section 11-1.6, Hawaii Revised Statutes, is
2 amended by amending subsection (g) to read as follows:

3 "(g) The chief election officer [~~may be removed by the~~
4 ~~elections commission at any time for good cause.~~] is an at-will
5 employee. The elections commission shall provide written
6 notification of any removal and state the reason for the
7 removal."

8 SECTION 2. Section 11-7.5, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[~~†~~]**§11-7.5**[~~†~~] **Duties of the elections commission.** The
11 duties of the elections commission are to:

- 12 (1) Hold public hearings;
- 13 (2) Investigate and hold hearings for receiving evidence
14 of any violations and complaints;
- 15 (3) Adopt rules pursuant to chapter 91;
- 16 (4) Employ, without regard to chapter 76, a full-time
17 chief election officer, pursuant to section 11-1.6;
- 18 [~~and~~]



1 (5) Conduct a performance evaluation of the chief election
2 officer within two months after the date a general
3 election is certified;

4 (6) Hold a public hearing on the performance of the chief
5 election officer and consider the information gathered
6 at the hearing in deliberations on the chief election
7 officer's reappointment; and

8 [+5+] (7) Advise the chief election officer on matters
9 relating to elections."

10 SECTION 3. Section 15-5, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) Immediately upon receipt of a request for absentee
13 ballot within the time limit specified in section 15-4, the
14 clerk shall examine the records to ascertain whether [~~or not~~]
15 the voter is lawfully entitled to vote as requested. [~~As seen~~
16 ~~as the printed official ballots are available,~~] If the clerk
17 ascertains that the voter is lawfully entitled to vote as
18 requested, no earlier than thirty days before the election, the
19 clerk shall mail in a forwarding envelope, or deliver in person
20 if the voter appears at the office of the clerk, an official
21 ballot and other materials prescribed in section 15-6, except



1 that an incapacitated voter may send a representative to obtain
 2 the voter's ballots pursuant to the rules [~~promulgated~~] adopted
 3 by the chief election officer[~~.— All requests received upon the~~
 4 ~~last day specified in section 15-4 for receipt shall be mailed~~
 5 ~~to the voter requesting the same as soon as reasonably~~
 6 ~~practicable, but in no event later than twenty four hours after~~
 7 ~~receipt thereof.]; provided that official ballots and other
 8 materials prescribed in section 15-6 shall be mailed or
 9 delivered:~~

- 10 (1) To uniform military and overseas voters pursuant to
 11 section 15D-9; and
- 12 (2) No later than twenty-four hours after receipt of the
 13 request for absentee ballot for requests received on
 14 the last day specified in section 15-4."

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

17 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Chief Election Officer; Elections Commission; Evaluation;
Absentee Ballot Delivery

Description:

Specifies that the Chief Election Officer is an at-will employee. Requires Elections Commission to provide notice and reason for removal of a Chief Election Officer. Requires a performance evaluation of the Chief Election Officer after a general election. Requires a public hearing on the Chief Election Officer's performance for purposes of considering reappointment. Creates a statewide standard for the distribution of absentee ballots. (HB15 CD1)

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

