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# A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

**PART I**

SECTION 1. Section 11-7, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (a) and (b) to read:

"(a) There is established an elections commission within the department of accounting and general services for administrative purposes. The elections commission shall ~~[consist of]~~ include nine members consisting of eight commissioners and a chairperson who shall be selected as follows:

- (1) The president of the senate shall select two elections commission members;
- (2) The speaker of the house of representatives shall select two elections commission members;
- (3) The senators belonging to a party or parties different from the president of the senate shall designate one senator to select two elections commission members;



1 (4) The representatives belonging to a party or parties  
2 different from the speaker of the house of  
3 representatives shall designate one representative to  
4 select two elections commission members; and

5 (5) One member, who shall serve as chairperson of the  
6 elections commission, shall be selected by the members  
7 of the elections commission selected pursuant to  
8 paragraphs (1) to (4);

9 provided that each group of four elections commission members  
10 selected by each house shall include one elections commission  
11 member from each of the four counties.

12 (b) The chairperson of the elections commission under  
13 subsection (a)(5) shall be selected by a two-thirds vote[+] of  
14 the commissioners selected pursuant to subsection (a)(1) to (4);  
15 provided that the tenure of the chairperson shall be subject to  
16 subsection (f) and also to removal at-will by a two-thirds vote  
17 of the commissioners at any time."

18 2. By amending subsections (e) through (g) to read:

19 "(e) [~~Notwithstanding section 26-34,~~] The elections  
20 commission [~~member appointments~~] shall not be subject to  
21 [~~senatorial confirmation.~~] section 26-34.



1 (f) The term of the elections [~~commissioners~~] commission  
2 members, including the chairperson, shall be four years[~~7~~  
3 except]; provided that with respect to the terms of the initial  
4 elections commission members, one member selected from each of  
5 subsection (a)(1) to (4) shall serve for a term of two years[~~7~~];  
6 provided further that no member, including the chairperson,  
7 shall serve more than two consecutive terms or more than eight  
8 consecutive years on the commission. The term of each  
9 commissioner selected pursuant to subsection (a)(1) to (4) shall  
10 commence on July 1 and expire on June 30. Any elections  
11 commission member, including the chairperson, whose term has  
12 expired and who is not disqualified for membership under this  
13 section may continue in office as a holdover member until a  
14 successor is selected.

15 (g) The elections [~~commissioners~~] commission members shall  
16 serve without compensation, but shall be reimbursed for  
17 reasonable expenses, including travel expenses, necessary for  
18 the performance of their duties."

19 **PART II**

20 SECTION 2. Section 15-5, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:



1           "(a) Immediately upon receipt of a request for absentee  
2 ballot within the time limit specified in section 15-4, the  
3 clerk shall examine the records to ascertain whether [~~or not~~]  
4 the voter is lawfully entitled to vote as requested. [~~As soon~~  
5 ~~as the printed official ballots are available,~~] If the clerk  
6 ascertains that the voter is lawfully entitled to vote as  
7 requested, no earlier than thirty days before the election, the  
8 clerk shall mail in a forwarding envelope, or deliver in person  
9 if the voter appears at the office of the clerk, an official  
10 ballot and other materials prescribed in section 15-6, except  
11 that an incapacitated voter may send a representative to obtain  
12 the voter's ballots pursuant to the rules [~~promulgated~~] adopted  
13 by the chief election officer[~~. All requests received upon the~~  
14 ~~last day specified in section 15-4 for receipt shall be mailed~~  
15 ~~to the voter requesting the same as soon as reasonably~~  
16 ~~practicable, but in no event later than twenty four hours after~~  
17 ~~receipt thereof.~~]; provided that official ballots and other  
18 materials prescribed in section 15-6 shall be mailed or  
19 delivered:

- 20           (1) To uniform military and overseas voters pursuant to
- 21           section 15D-9; and





**Report Title:**

Elections Commission; Absentee Ballot Delivery

**Description:**

Clarifies that the chairperson of the elections commission serves at-will and may be removed by a 2/3 vote of the commissioners. Clarifies the term limits of the members of the elections commission, including the chairperson. Creates a statewide standard for the distribution of absentee ballots.  
(SD1)

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

