



**STATE OF HAWAII  
OFFICE OF ELECTIONS**

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SCOTT T. NAGO  
CHIEF ELECTION OFFICER

TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE SENATE COMMITTEE ON JUDICIARY  
ON HOUSE BILL NO. 130, HD 1  
RELATING TO VALIDATION OF BALLOTS

March 9, 2023

Chair Rhoads and members of the Senate Committee on Judiciary, thank you for the opportunity to testify in support of House Bill No. 130, HD 1. This bill changes the deadline for the validation of ballots following an election.

Our Office has requested this amendment to align the deadline by which voters have to cure any deficiency with their return envelope with the deadline for the County Elections Divisions to validate ballots for consistency. Specifically, HRS § 11-106 provides that voters have five business days after the election to cure their ballots. Currently, the Statehood Day holiday for the Primary Election and Veterans' Day holiday for the General Election makes the time required for the County Elections Divisions to validate ballots up to nine calendar days after the election. This does not line up with the deadline in HRS § 11-108(c) of seven days after an election for the clerks to complete the validation process.

Thank you for the opportunity to testify in support of House Bill No. 130, HD 1.



Committee on JUDICIARY  
Sen. Karl Rhoads, Chair  
Sen. Mike Gabbard, Vice-Chair

Thursday, March 9, 2023, 10:00 a.m.  
Conference Room 016 and VIA VIDEOCONFERENCE  
HB 130 HD1 — RELATING TO VALIDATION OF BALLOTS

#### TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice Chair Gabbard, and Committee Members:

**The League of Women Voters of Hawaii supports HB130 HD1 that changes the deadline for the validation of ballots following an election.**

Currently Hawaii's County Clerks are required to validate an election ballot before that ballot is included in the tabulation of votes. Our vote by mail system requires voters to submit their ballot by 7:00 p.m. on Election Day. Sometimes, however, the ballot envelope which contains the ballot is defective (e.g., a signature is missing) so before final validation of all ballots the Clerk is required to contact the voter with the defective ballot to see if the ballot can be "cured" by providing a valid signature.

The final tabulation of all ballots does not take place until after an election, to allow for "curing" these defective ballots. While seven days is currently permitted for final validation, allowing five business days instead of seven is reasonable from what I have seen. This bill makes it clear the voter will have a maximum of five days post-election to cure a ballot, and the deadline for validating all ballots will also be five days. This should give voters with defective ballots and the Clerks who are trying to complete validation an adequate amount of time to validate all ballots.

After all, voters are entitled to know the final election results promptly and accurately.

Thank you for the opportunity to submit testimony.

**HB-130-HD-1**

Submitted on: 3/6/2023 2:25:31 PM

Testimony for JDC on 3/9/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

This sounds like it will make Esayer to Cheat. We the People of Hawaii want the Cheating ti  
STOP NOW!!!!