
A BILL FOR AN ACT

RELATING TO ABSENTEE VOTING.

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

1 SECTION 1. The legislature finds that voted absentee mail
2 ballots should be presented to and kept in the custody of the
3 clerk instead of being a part of the polling place operation.
4 The legislature also finds that the increasing number of
5 absentee mail ballots dropped off at the polls is causing delays
6 in releasing election results on election night.

7 The purpose of this Act is to remove the precincts from the
8 chain of custody for absentee ballots but to allow absentee mail
9 ballots to be dropped off at the polls only in limited emergency
10 circumstances.

11 SECTION 2. Section 15-9, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§15-9 Return and receipt of absentee ballots.** (a) The
14 return envelope shall be:

15 (1) Mailed and must be received by the clerk issuing the
16 absentee ballot not later than the closing of the
17 polls on any election day;



1 (2) Delivered other than by mail to the clerk issuing the
2 absentee ballot, or another election official
3 designated by the clerk to act on the clerk's behalf,
4 at locations designated by the chief election officer
5 not later than the closing of polls on any election
6 day; or

7 (3) Delivered other than by mail to any polling place
8 within the county in which the voter is registered
9 [~~and deposited by a precinct official in the ballot~~
10 ~~box~~] in emergency circumstances when approved by the
11 clerk before the closing of the polls on any election
12 day.

13 (b) Upon receipt of the return envelope from any person
14 voting under this chapter, the clerk may prepare the ballots for
15 counting pursuant to this section and section 15-10.

16 (c) Prior to opening the return and ballot envelopes and
17 counting the ballots, the return envelopes shall be checked for
18 the following:

19 (1) Signature on the affirmation statement;

20 (2) Whether the signature corresponds with the absentee
21 request or register as prescribed in the rules adopted
22 by the chief election officer; and



1 (3) Whether the person is a registered voter and has
2 complied with the requirements of sections 11-15 and
3 11-16.

4 (d) If any of the above requirements is not met or if the
5 return or ballot envelope appears to be tampered with, the clerk
6 or the absentee ballot team official shall mark across the face
7 of the envelope "invalid" and it shall be kept in the custody of
8 the clerk and disposed of as prescribed for ballots in section
9 11-154.

10 ~~[(e) If an absentee polling place is established at the~~
11 ~~clerk's office prior to election day, the officials of the~~
12 ~~absentee polling place shall check the return or ballot~~
13 ~~envelopes for the above requirements prior to depositing them in~~
14 ~~the correct absentee ballot box.]"~~

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Celinda K. Day*
BY REQUEST

JAN 23 2006

Report Title:

Elections; Absentee Voting

Description:

Directs absentee ballots to be delivered to locations designated by the chief election officer or at a polling place in an emergency.

