
A BILL FOR AN ACT

RELATING TO ELECTION.

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

1 SECTION 1. The legislature finds that Hawaii's statutes
2 specify that a person's voting rights are only lost upon
3 incarceration for a felony offense. The legislature further
4 finds that Hawaii's statutes directing the courts to report
5 felony convictions to election officials do not always contain
6 the necessary sentencing information because sentencing may
7 occur much later after a conviction.

8 The purpose of this Act is to amend state law to direct the
9 judiciary and paroling authority to report felony convictions at
10 the time of actual sentencing of the individual.

11 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§353- Reports to county clerk. Whenever the paroling
15 authority grants or revokes parole for any citizen of eighteen
16 years of age or over, the paroling authority, in each case,
17 shall make and promptly transmit to the clerk of the respective
18 county in which the person resides, a certificate showing the



1 fact of the granting or revoking of parole within twenty days
2 after the granting or revoking of parole. The certificate given
3 pursuant to this paragraph shall include:

4 (1) The name, date of birth, and social security number of
5 the person and any known aliases;

6 (2) The person's address or last known address; and

7 (3) The date of the grant or revocation of parole."

8 SECTION 3. Section 806-76, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§806-76 Court proceedings; reports to county clerk.**

11 Whenever in any circuit court, family court, or district court
12 any citizen of eighteen years of age or over is:

13 (1) Convicted of any felony;

14 (2) By reason of insanity acquitted of any such crime; or

15 (3) Adjudged insane or feeble-minded or otherwise legally
16 incompetent,

17 the clerk of the court [~~shall~~], in each case [~~within ten days~~
18 ~~thereafter~~], shall make and promptly transmit to the clerk of
19 [~~each county~~] the respective county in which the person under
20 paragraphs (1) to (3) resides, a certificate showing the fact of
21 the conviction or adjudication [~~and a sufficient identifying~~
22 ~~description of the citizen.~~] within twenty days after sentencing



1 or entry of other adjudication. The certificate given pursuant
2 to this paragraph shall include:

3 (1) The name, date of birth, and social security number of
4 the person and any known aliases;

5 (2) The person's address or last known address;

6 (3) The date of imposition of the sentence or the entry of
7 other adjudication;

8 (4) A description of the offenses of which the person was
9 convicted; and

10 (5) The sentence imposed judgement or other adjudication
11 entered by the court."

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

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

Report Title:
Elections; Convicted Felons

PROPOSED

Description:

Directs judiciary and the paroling authority to notify the county clerks of a felony conviction at time of actual sentencing of the felon. (SD2)

