

Honolulu, Hawaii

March 23, 2006

RE: S.B. No. 2430
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2430, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELECTION,"

begs leave to report as follows:

The purpose of this bill is to maintain the accuracy of voter registration records by establishing and standardizing certain reports to the county clerks concerning persons who are ineligible to vote while imprisoned for a felony.

Specifically, this bill:

- (1) Directs the Hawaii Paroling Authority to promptly report the granting or revocation of an adult citizen's parole to the clerk of the county in which the person resides;
- (2) Directs the Judiciary to report an adult citizen's felony conviction, acquittal of a felony by reason of insanity, or adjudication of legal incompetence, within 20 days after sentencing or entry of other adjudication, to the clerk of the county in which the citizen resides; and
- (3) Sets forth minimum information that must be included in the reports.



The Office of Elections, Office of the County Clerk of the County of Maui, Elections Division of the Office of the County Clerk of the County of Hawaii, Elections Office of the City Clerk of the City and County of Honolulu, and Elections Division of the Office of the County Clerk of the County of Kauai testified in support of this bill. The Judiciary and Office of the Public Defender offered comments.

Your Committee has amended this bill by:

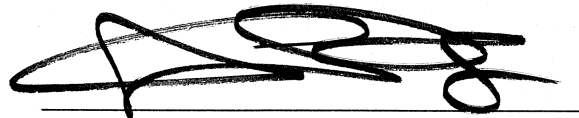
- (1) Deleting the purpose section;
- (2) Limiting the court reports to the county clerk to cases involving adult citizens who are:
 - (A) Convicted of any felony and sentenced to a term of imprisonment; or
 - (B) Adjudged legally incompetent;
- (3) Amending the Judiciary's reporting requirements as follows:
 - (A) Providing that the citizen's name, any known aliases, date of birth, social security number, and residence address or last known residence address be reported to the county to the extent readily ascertainable by the clerk of the court; and
 - (B) For a felon sentenced to imprisonment, requiring copies of the judgment of conviction and sentence and mittimus to be transmitted to the county;
- (4) Removing an outdated reference to suspensions of execution of sentence in the statutory provision prohibiting a felon from voting in an election while imprisoned;
- (5) Changing the effective date to January 1, 2096, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your



Committee is in accord with the intent and purpose of S.B. No. 2430, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2430, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SYLVIA LUKE, Chair



