
A BILL FOR AN ACT

RELATING TO VOTING.

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

1 SECTION 1. In 2002 and 2004, Hawaii had the lowest voter
2 turnout in the nation. In 2006, voter turnout in Hawaii
3 plummeted to a new low of fifty-three per cent of registered
4 voters, which equals only thirty-nine per cent of eligible
5 voters. To reverse the alarming trend of voter apathy in
6 Hawaii, it is critical that voter-friendly initiatives be
7 explored and implemented in preparation for the 2008 election
8 season.

9 One voter-friendly initiative that has been enacted in
10 other states is permanent absentee voter status. For example,
11 in California, eligible voters are able to submit a request for
12 permanent absentee voter status with county election officials.
13 These individuals then receive an absentee ballot in the mail
14 each time there is an election in their precinct. This method
15 of voting simplifies the absentee voting process as it
16 eliminates the need for eligible voters to fill out a request to
17 vote absentee each time an election is held.



1 The purpose of this Act is to allow eligible voters to
2 apply for permanent absentee voter status by making a request to
3 the appropriate county clerk.

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

6 "**§15-11 Voting by absentee voter at polls prohibited.** Any
7 person having voted an absentee ballot pursuant to this
8 [~~section~~] chapter shall not be entitled to cast a ballot at the
9 polls on election day. An absentee voter who does cast a ballot
10 at the polls shall be guilty of an election offense under
11 section 19-3(5)."

12 SECTION 3. Section 15-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§15-4 Request for absentee ballot.** (a) Any person
15 registered to vote may request an absentee ballot in person or
16 in writing from the clerk not earlier than on the sixtieth day
17 and not later than 4:30 p.m. on the seventh day prior to the
18 election. Any mailed requests for an absentee ballot shall be
19 mailed by the person directly to the clerk. The clerk may waive
20 any or all of the foregoing requirements in special cases as
21 provided in the rules adopted by the chief election officer.



1 The request shall include information such as the person's
2 social security number, date of birth, and the address under
3 which the person is registered to vote. The request shall also
4 include the address to which the person wishes the requested
5 ballot forwarded. The request, when made for any primary or
6 special primary election, may include an additional request for
7 an absentee ballot to be voted at any election immediately
8 following the primary or special primary; provided the person so
9 indicates in the person's request.

10 Subsequent to the closing of registration for each
11 election, the clerk may mail a request form for an absentee
12 ballot to each voter in a remote area who has not already made
13 such a request. The request form shall be accompanied by:

- 14 (1) A stamped, self-addressed envelope; and
15 (2) Instructions regarding the manner of completing and
16 returning the request form.

17 (b) Notwithstanding subsection (a), the clerk shall mail
18 an absentee ballot for each primary, special primary, special,
19 general, and special general election to each registered voter
20 who resides in the county of Kalawao. The chief election
21 officer may adopt rules to carry out this subsection.



1 (c) When a registered voter requests an absentee ballot,
2 the request may include an additional request to receive
3 absentee ballots permanently. From that point on, the voter
4 shall continue to be mailed absentee ballots for each election
5 conducted in that precinct. The voter may cancel their
6 permanent absentee voter status by notifying the clerk in
7 writing.

8 (d) The chief election officer shall make the option of
9 permanently receiving absentee ballots known and provide any
10 necessary form to request the permanent absentee ballot option
11 to any registered voter requesting an absentee ballot."

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$, or so
14 much thereof as may be necessary for fiscal year 2007-2008, for
15 the purpose of implementing and administering the permanent
16 absentee voter program.

17 The sum appropriated shall be expended by the office of
18 election for the purposes of this Act.

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



H.B. NO. 764

1 SECTION 6. This Act shall take effect on January 1, 2008;
2 provided that section 4 shall take effect on July 1, 2007.
3

INTRODUCED BY: Kirk Caldwell

JAN 19 2007



Report Title:

Elections; Permanent Absentee Voter

Description:

Allows eligible voters to apply for permanent absentee voter status. Permits permanent absentee voters to cast a vote at the polls on election day; provided that the person has not previously voted by absentee ballot. Makes appropriations.

