

JAN 22 2010

S.B. NO. 2446

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# A BILL FOR AN ACT

RELATING TO ELECTRONIC VOTING SYSTEMS.

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

1           SECTION 1. Technology today has advanced to such a degree  
2 that precautions are necessary to ensure the integrity and  
3 security of electronic voting machines.

4           The University of California released a study in July 2007  
5 indicating that their team of computer hackers was able to break  
6 through the security of virtually every model of voting machines  
7 and change results or take control of some of the systems'  
8 electronic functions. Memory cards attached to the electronic  
9 voting machine can easily be reprogrammed without disturbing the  
10 seal by using a telephone modem port on the back of the machine.  
11 Numerous other studies done by researchers in Ohio (Evaluation  
12 and Validation of Election-Related Equipment, Standards and  
13 Testing, known as EVEREST), at University of California San  
14 Diego Jacobs school of computer science and engineering and at  
15 the University of California Berkeley during their analysis of  
16 the Sequoia voting system all find major flaws and  
17 irregularities with electronic voting systems.



1           The public's confidence in the electoral process has been  
2 tainted by the number of voting irregularities over the last  
3 decade. Hawaii voters have the right to expect that the  
4 electronic voting machines they are being asked to vote on are  
5 secure, accurate, reliable, and accessible.

6           The legislature finds it is necessary to preserve the  
7 integrity and security of our electronic voting systems. This  
8 Act will prohibit the use of voting systems that connect to the  
9 Internet at any time, that electronically receive or transmit  
10 election data through an exterior communication network,  
11 including a public telephone system, when the communication  
12 originates from or terminates at a polling place, satellite  
13 location, or counting center, or that receive or transmit  
14 wireless communications or wireless data transfers.

15           The purpose of this Act is to preserve the integrity and  
16 security of our electronic voting systems by prohibiting  
17 specific electronic connections, which decreases the possibility  
18 that voting information can be manipulated, thereby promoting  
19 voter confidence in the electoral process.

20           SECTION 2. Part IV of chapter 16, Hawaii Revised Statutes,  
21 is amended by adding a new section to be appropriately  
22 designated and to read as follows:



1        "§16-        Electronic voting; prohibitions.    (a) No  
2    electronic voting system or any part of an electronic voting  
3    system shall be connected to the Internet at any time.

4        (b) No electronic voting system or any part of an  
5    electronic voting system shall electronically receive or  
6    transmit election data through an exterior communication  
7    network, including the public telephone system, when the  
8    communication originates from or terminates at a polling place  
9    or counting center.

10       (c) No electronic voting system or any part of an  
11    electronic voting system shall receive or transmit wireless  
12    communications or wireless data transfers."

13        SECTION 3.    New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Electronic Voting Systems; Integrity and Security

**Description:**

Prohibits electronic voting systems from being connected to the Internet, electronically receiving or transmitting election data through telephone system, or receiving or transmitting wireless communications or data transfers.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

