

JAN 23 2009

A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. According to the National Conference of State
2 Legislatures and the United States Election Assistance
3 Commission, as of July 2008, Hawaii is one of only four states
4 (the three others being South Carolina, Tennessee, and Virginia)
5 to require that potential voters furnish their full social
6 security number in order to register to vote. Act 137, Session
7 Laws of Hawaii 2006 (codified as chapter 487J, Hawaii Revised
8 Statutes), relating to social security number protection, does
9 not specifically address any particular statutory requirement in
10 the Hawaii Revised Statutes for providing social security
11 numbers. Act 157, Session Laws of Hawaii 1997 (codified in part
12 in section 11-97, Hawaii Revised Statutes), provides for the
13 confidentiality of personal information provided on the voter
14 registration affidavit, but does not specifically address social
15 security number information.

16 The United States Department of Justice, acting under the
17 Help America Vote Act of 2002, issued a memorandum on



1 December 31, 2003, to clarify that voter registration
2 requirements must include certain identification documents,
3 except that, "[T]hese requirements also will not apply to anyone
4 who provides either a driver's license number or the last 4
5 digits of a social security number if the state is able to match
6 that information with an existing state identification record
7 bearing the same number, name and date of birth as provided in
8 the registration application. . . . Also, no application for
9 voter registration may be accepted or processed by a state
10 unless the application includes a driver's license number or the
11 last four digits of the voter's social security number if the
12 applicant does not have a driver's license." For applicants who
13 do not have a social security or driver's license number, the
14 memorandum requires the states to use a different verifiable
15 identification number.

16 The legislature finds that Hawaii law on providing full
17 social security numbers on voter registration affidavits is
18 contrary to federal law and the laws of almost all other states.

19 The purpose of this Act is to repeal the requirement of
20 providing a full social security number on a voter registration
21 affidavit.



1 SECTION 2. Section 11-15, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any person qualified to and desiring to register as a
4 voter in any county shall make and subscribe to an application
5 in the form of an affidavit.

6 The affidavit shall contain the following information:

- 7 (1) Name;
- 8 (2) [~~Social security number;~~] Last four digits of the
9 social security number of the applicant, or in lieu
10 thereof, the applicant's Hawaii driver's license
11 number, or Hawaii state identification card number;
- 12 (3) Date of birth;
- 13 (4) Residence, including mailing address;
- 14 (5) That the residence stated in the affidavit is not
15 simply because of the person's presence in the State
16 but that the residence was acquired with the intent to
17 make Hawaii the person's legal residence with all the
18 accompanying obligations therein; and
- 19 (6) That the person is a citizen."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2009.

2

INTRODUCED BY:

Mike Hubbard

Bob Orr
Phillip J. ...
...



Report Title:

Voter Registration; Social Security Number

Description:

Repeals requirement of providing full social security number on application to register to vote, requiring instead, the last four digits of a social security number, a Hawaii driver's license number, or a Hawaii state identification card number.

