

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO VOTING.

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

1           SECTION 1. 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;
- 9           (3) Date of birth;
- 10          (4) Residence, including mailing address;
- 11          (5) That the residence stated in the affidavit is not  
12 simply because of the person's presence in the State  
13 but that the residence was acquired with the intent to  
14 make Hawaii the person's legal residence with all the  
15 accompanying obligations therein; and
- 16          (6) That the person is a citizen.

17           An application to register to vote shall include a request  
18 for permanent absentee ballot."



1 SECTION 2. Section 11-16, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Any qualified person unable for any cause to present  
4 oneself in person before the clerk for registration may register  
5 to vote by mail, not later than thirty days prior to a primary  
6 or general election, through the affidavit on application for  
7 voter registration or other form prescribed by the chief  
8 election officer. The form shall include a self-subscribing  
9 oath for the applicant to swear to the truth of the allegations  
10 in the application. An applicant unable to write for reason of  
11 illiteracy, blindness, or other physical disability shall have  
12 the applicant's mark witnessed by a person who shall sign the  
13 affidavit in the space provided. Each application form shall  
14 also include a request for permanent absentee ballot.

15 Application forms shall be made available to any qualified  
16 person through community groups, political parties, and other  
17 groups prescribed by the chief election officer. Application  
18 forms shall be made available to any qualified person at the  
19 time of that person's driver's license application or renewal  
20 through the examiner of drivers."

21 SECTION 3. Section 15-4, Hawaii Revised Statutes, is  
22 amended as follows:



1           1. By amending subsection (a) to read:

2           "(a) Any person registered to vote may request an absentee  
3 ballot or permanent absentee ballot in person or in writing from  
4 the clerk [~~not earlier than on the sixtieth day and~~] at any time  
5 but not later than 4:30 p.m. on the seventh day prior to the  
6 election. Any mailed requests for an absentee ballot or  
7 permanent absentee ballot shall be mailed by the person directly  
8 to the clerk. The clerk may waive any or all of the foregoing  
9 requirements in special cases as provided in the rules adopted  
10 by the chief election officer.

11           The request shall include information such as the person's  
12 social security number, date of birth, and the address under  
13 which the person is registered to vote. The request shall also  
14 include the address to which the person wishes the requested  
15 ballot forwarded. The request, when made for any primary or  
16 special primary election, may include an additional request for  
17 an absentee ballot to be voted at any election immediately  
18 following the primary or special primary; provided the person so  
19 indicates in the person's request.

20           Subsequent to the closing of registration for each  
21 election, the clerk may mail a request form for an absentee  
22 ballot and permanent absentee ballot to each voter in a remote



1 area who has not already made such a request. The request form  
2 shall be accompanied by:

- 3 (1) A stamped, self-addressed envelope; and
- 4 (2) Instructions regarding the manner of completing and
- 5 returning the request form."

6 2. By amending subsection (d) to read:

7 "(d) The chief election officer shall inform voters of the  
8 option of applying for permanent absentee voter status and shall  
9 provide any necessary form to request the permanent absentee  
10 ballot option to any registered voter requesting an absentee  
11 ballot[-] and any person applying to register to vote."

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.

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INTRODUCED BY:

Rosalyn H. Baker

John W. ...

James ...

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*[Large handwritten signature]*



**Report Title:**

Permanent Absentee Voting; Voter Registration

**Description:**

Requires an application to register to vote in person or by mail-in to include a request for permanent absentee ballot. Removes time limit on requesting an absentee or permanent absentee ballot but not later than 4:30 p.m. on the seventh day prior to the election.

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

