
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 15, Hawaii Revised Statutes, is amended
2 by adding three new sections to be appropriately designated and
3 to read as follows:

4 "§15-A Electronic transmission of voting materials. An
5 absent member of the United States armed forces on active duty
6 deployment outside the State may apply for registration and an
7 absentee ballot by electronic transmission, if otherwise
8 qualified to vote by absentee ballot. An absent member of the
9 United States armed forces on active duty deployment outside the
10 State who requests an absentee ballot or registration to be sent
11 to the member by electronic transmission may choose delivery by
12 facsimile transmission, electronic mail, or other electronic
13 means as provided for by rule. The clerk shall transmit the
14 absentee ballot and registration to the member using the means
15 of electronic transmission chosen by the member.

16 §15-B Emergency procedures for absentee voting. If an
17 international, national, state, or local emergency or other
18 situation arises that makes substantial compliance with section



1 1973ff of title 42, United States Code, as amended, impossible
2 or impracticable, including but not limited to armed conflict
3 involving the armed forces of the United States, natural
4 disaster, or a state of civil defense emergency declared by the
5 governor, the chief election officer may prescribe a special
6 procedure to facilitate absentee voting by absent members of the
7 United States armed forces on active duty deployment outside the
8 State or members of the state national guard or reserve deployed
9 within the State in response to the emergency who are eligible
10 to vote in the State.

11 (b) The chief election officer shall take reasonable steps
12 to provide notice of any special procedures to persons to whom
13 those procedures may be applicable.

14 (c) The chief election officer shall adopt rules, pursuant
15 to chapter 91, for the purposes of this section.

16 §15-C Late registration. A person who has been discharged
17 or separated from the uniformed services, merchant marine, an
18 accompanying family member, or a citizen returning from outside
19 the State, after the deadline for registration to vote in an
20 election may register and vote in that election, provided that:

21 (1) The person notifies the registrar before the date of
22 the election in the jurisdiction of the person's



1 claimed residence prior to the discharge, separation,
 2 or return to the State; and
 3 (2) The person otherwise would be eligible to vote in the
 4 State."

5 SECTION 2. Section 15-3.5, Hawaii Revised Statutes, is
 6 amended to read as follows:

7 "~~§~~15-3.5~~§~~ **Federal write-in absentee ballot.** (a)
 8 Notwithstanding the provisions of this chapter and chapters 11
 9 and 16, the federal write-in absentee ballot for overseas voters
 10 in general elections for federal office which must be prescribed
 11 under section 1973ff of title 42, United States Code, as
 12 amended, may be used in general elections for federal offices.

13 (b) An absent member of the United States armed forces on
 14 active duty deployment outside the State may use a federal
 15 write-in absentee ballot, in accordance with section 1973ff of
 16 title 42, United States Code, as amended, to vote for all
 17 offices in any general, special, primary, or runoff election for
 18 federal, state, or local government office, or ballot measure.

19 (c) An absent member of the United States armed forces on
 20 active duty deployment outside the State may use the declaration
 21 accompanying a federal write-in absentee ballot to apply to
 22 register to vote simultaneously with the submission of the



1 federal write-in absentee ballot. If the declaration is
 2 received after the deadline to request an absentee ballot
 3 prescribed in section 14-4(a), the declaration shall be treated
 4 as an application to register to vote for subsequent elections."

5 SECTION 3. In codifying the new sections added by section
 6 1 of this Act, the revisor of statutes shall substitute
 7 appropriate section numbers for the letters used in designating
 8 the new sections in this Act.

9 SECTION 4. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Calvin K. Y. Say
 BY REQUEST

JAN 13 2012



H.B. NO. 1826

Report Title:

Absentee Voting; Armed Forces Members

Description:

Expands the use of electronic transmission for absentee registration and voting by military personnel who are deployed outside the State. Expands use of the federal write-in absentee ballot and late registration procedures for military members.

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