
A BILL FOR AN ACT

RELATING TO VOTING.

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

1 SECTION 1. The legislature finds that the age
2 qualification to vote in any state or local election in this
3 State is eighteen years of age. However, there is a growing
4 movement to lower the voting age even further. Youth suffrage
5 proponents cite other countries that have a voting age lower
6 than the age of eighteen, such as Austria, Brazil, Cuba,
7 Indonesia, and Nicaragua. Proponents of lowering the voting age
8 in the United States argue that if sixteen- and seventeen-year-
9 olds are old enough to pay income taxes, legally marry, or
10 obtain a license to drive a car, then they should accordingly
11 have the right to vote. Furthermore, if youth are allowed to
12 vote, the voter turnout among the youth will improve and
13 education about democracy would be better served.

14 In May 2013, the Takoma Park city council in Maryland
15 passed a series of city charter amendments relating to the
16 city's voting and election laws, including an amendment to allow
17 sixteen- and seventeen-year-olds to vote in city elections.

18 Accordingly, Takoma Park became the first city in the United



1 States to lower its voting age from eighteen to sixteen years of
2 age. The mayor of Takoma Park hoped that lowering the voting
3 age would help residents establish a lifelong habit of voting.

4 The purpose of this Act is to lower to the age
5 qualification for voting from eighteen to sixteen years of age
6 in all state and local elections only.

7 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
8 by adding two new sections to be appropriately designated and to
9 read as follows:

10 "§11- Changing register; registered voter age; prior to
11 election day. (a) A registered voter who has reached the age
12 of eighteen years or who is seventeen years of age and will be
13 eighteen years of age by the date of the next federal, state, or
14 local election may notify the clerk to change the register to
15 allow that person to vote at any federal, state, or local
16 election pursuant to section 11-12.

17 (b) Upon notification to change the register pursuant to
18 subsection (a), if the clerk has evidence indicating that a
19 voter's registration should be changed to allow that person to
20 vote at any federal, state, or local election, the clerk shall
21 notify that person by first-class mail of the intent to change
22 the registration. The notification shall include:



- 1 (1) Any evidence indicating why a change should be made;
- 2 (2) Any evidence indicating that the age of the registered
- 3 voter is less than eighteen years of age according to
- 4 current registration lists;
- 5 (3) Any evidence indicating that the registered voter has
- 6 attained the age of eighteen years or is seventeen
- 7 years of age and will be eighteen years of age by the
- 8 date of the next federal, state, or local election;
- 9 (4) A reply form that shall contain a space for the
- 10 voter's agreement or objection to the registration
- 11 change, the reasons for the objection, and space for
- 12 the voter's signature; and
- 13 (5) Notice that unless the completed form is returned by
- 14 4:30 p.m. on the fifteenth day after mailing, the
- 15 change shall be processed.

16 (c) The clerk shall update the register when notified by
 17 the registered voter or when the clerk has evidence indicating
 18 that a voter's registration should be changed to allow that
 19 person to vote at any federal, state, or local election pursuant
 20 to section 11-12.

21 **§11- Changing register; registered voter age; change on**
 22 **election day.** (a) Registration clerks who may be designated by

1 the county clerk to serve as an election official at any of the
2 polling places in the county shall take applications from voters
3 who have reached the age of eighteen years since the last
4 election on the day of election.

5 (b) Any person who has attained the age of eighteen years
6 and is eligible to vote at the federal, state, and local
7 elections pursuant to section 11-12 may apply on a form
8 prescribed by the chief elections officer on the day of the
9 election. The register shall be updated, and the person shall
10 be eligible to vote at the federal, state, and local elections
11 accordingly."

12 SECTION 3. Section 11-1.6, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) The person appointed to be chief election officer
15 shall be a citizen of the United States, a resident of the
16 State, and a registered voter of the State[-] who is eligible to
17 vote at any federal, state, or local election."

18 SECTION 4. Section 11-11, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "**§11-11 Registration.** A person who registers as required
21 by law shall be entitled to vote at any federal, state, or local
22 election provided that the person shall have attained the age of



1 eighteen at the time of that election[-]; except that a person
2 may register and be entitled to vote at any state or local
3 election, but not federal election, if that person has attained
4 the age of sixteen at the time of that state or local election.
5 The county clerk shall be responsible for voter registration in
6 the respective counties and the keeping of the general register
7 and precinct lists within the county."

8 SECTION 5. Section 11-12, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§11-12 Age; place of registering.** (a) Every person who
11 has reached the age of eighteen years or who is seventeen years
12 of age and will be eighteen years of age by the date of the next
13 federal, state, or local election, and is otherwise qualified to
14 register may do so for that election. The person shall then be
15 listed upon the appropriate county general register and precinct
16 list. No person shall register or vote in any other precinct
17 than that in which the person resides except as provided in
18 section 11-21.

19 (b) A person who is otherwise qualified to register and is
20 at least sixteen years of age but will not be eighteen years of
21 age by the date of the next federal, state, or local election
22 may preregister upon satisfactory proof of age and shall be



1 automatically registered upon reaching age eighteen[-]; provided
2 that the person is not a registered voter eligible to vote at
3 any state or local election.

4 (c) Every person who will be sixteen years of age by the
5 date of the next state or local election and is otherwise
6 qualified to register may do so for that state or local election
7 but not federal election. The person shall then be listed upon
8 the appropriate county general register and precinct list. No
9 person shall register or vote in any precinct other than that in
10 which the person resides except as provided in section 11-21."

11 SECTION 6. Section 11-14.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§11-14.5 Residence address; confidentiality.** (a) If a
14 life threatening circumstance exists to:

15 (1) A law enforcement person;

16 (2) The law enforcement person's family; or

17 (3) Persons otherwise determined by the clerk of the
18 county in which the person is registered,

19 that person may apply to the county clerk in writing to keep
20 confidential the information relating to the residence address
21 and telephone number contained in the affidavit of registration
22 of that person, or any list or register prepared therefrom.



1 (b) If the disclosure of the residence address or
2 telephone number of a person would result in an unwarranted
3 invasion of personal privacy or expose the person or a member of
4 the person's family to risk of bodily harm, the person may apply
5 to the chief election officer or county clerk to keep
6 confidential the person's residence address and telephone number
7 contained in the person's affidavit of registration, or any list
8 or register prepared therefrom.

9 (c) In accordance with procedures and rules adopted by the
10 chief election officer or county clerk to protect personal
11 privacy, the chief election officer or county clerk shall not
12 disclose the residence address or telephone number of a person
13 who is under the age of eighteen and is registered to vote at
14 any state or local election.

15 ~~(c)~~ (d) Upon good cause shown, the clerk shall determine
16 whether to grant confidentiality in accordance with rules
17 established by the chief election officer, and that decision
18 shall be final.

19 ~~(d)~~ (e) If the voter registration of a person covered by
20 this section is challenged, the clerk shall release the
21 residence address of that person to the challenger pursuant to
22 rules established by the chief election officer. If an appeal



1 is taken relating to the challenge, the residence address shall
2 also be released to the appropriate appellate body."

3 SECTION 7. Section 11-15, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

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

8 The affidavit shall contain the following information:

9 (1) Name;

10 (2) Social security number;

11 (3) Date of birth;

12 (4) Residence, including mailing address;

13 (5) That the residence stated in the affidavit is not
14 simply because of the person's presence in the State,
15 but that the residence was acquired with the intent to
16 make Hawaii the person's legal residence with all the
17 accompanying obligations therein; and

18 (6) That the person is a citizen.

19 An application to register to vote shall include a space to
20 request a permanent absentee ballot[-] and to indicate whether
21 the person is applying to register to vote at only a state or
22 local election if the person is under the age of eighteen."



1 SECTION 8. Section 11-15.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~§11-15.5~~+~~ **Duties of all state agencies; voter**
4 **registration.** Each state agency that deals with the public
5 shall make available to each member of the public [~~eighteen~~]:

6 (1) Who will be at least eighteen years of age [~~or older~~
7 by the date of the next federal, state, or local
8 election an application in the form of an affidavit
9 for voter registration pursuant to section 11-15~~-~~ to
10 vote at any federal, state, or local election; or

11 (2) Who will be at least sixteen years of age by the date
12 of the next state or local election an application in
13 the form of an affidavit for voter registration
14 pursuant to section 11-15 to vote at any state or
15 local election.

16 The application shall be available by mail or in person
17 depending on the manner in which the agency's services are
18 requested by the person. The form of the application may be
19 identical to that described and found in public telephone
20 directories."

21 SECTION 9. Section 11-16, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:

1 "(a) Any qualified person unable for any cause to appear
2 in person before the clerk for registration may register to vote
3 by mail, not later than thirty days prior to a primary or
4 general election, through the affidavit on application for voter
5 registration or other form prescribed by the chief election
6 officer. The form shall include a self-subscribing oath for the
7 applicant to swear to the truth of the allegations in the
8 application. An applicant unable to write for reason of
9 illiteracy, blindness, or other physical disability shall have
10 the applicant's mark witnessed by a person who shall sign the
11 affidavit in the space provided. Each application form shall
12 also include a space to request a permanent absentee ballot[-]
13 and to indicate whether the applicant is applying to register to
14 vote at any state or local election if the applicant is under
15 the age of eighteen. Application forms shall be made available
16 to any qualified person through community groups, political
17 parties, and other groups prescribed by the chief election
18 officer. Application forms shall be made available to any
19 qualified person at the time of that person's driver's license
20 application or renewal through the examiner of drivers."

21 SECTION 10. Section 12-5, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



1 "(a) Nomination papers for candidates for members of
2 Congress, governor, and lieutenant governor shall be signed by
3 not less than twenty-five registered voters of the State who are
4 eligible to vote for the candidate or of the Congressional
5 district from which the candidates are running in the case of
6 candidates for the United States House of Representatives."

7 SECTION 11. Section 13D-2, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§13D-2 Qualifications of board members.** No person shall
10 be eligible for election or appointment to the board unless the
11 person is Hawaiian and is: (1) at least eighteen years of age
12 and otherwise qualified and registered to vote under [~~the~~
13 ~~provisions of~~] section 13D-3, and (2) where residency on a
14 particular island is a requirement, a resident on the island for
15 which seat the person is seeking election or appointment. No
16 member of the board shall hold or be a candidate for any other
17 public office under the state or county governments in
18 accordance with Article II, section 7 of the Constitution of the
19 State; nor shall a person be eligible for election or
20 appointment to the board if that person is also a candidate for
21 any other public office under the state or county governments.
22 The term "public office", for purposes of this section, shall



1 not include notaries public, reserve police officers, or
2 officers of emergency organizations for civilian defense or
3 disaster, or disaster relief."

4 SECTION 12. Section 13D-3, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) Every person who registers as required by law shall
7 be entitled to vote at any election of board members provided
8 that the person shall have attained the age of [~~eighteen~~]
9 sixteen years at the time of the election.

10 (b) No person shall be eligible to register as a voter for
11 the election of board members unless the person meets the
12 following qualifications:

13 (1) The person has attained the age of [~~eighteen~~] sixteen
14 years or will have attained such age within one year
15 of the date of the next election of board members; and

16 (2) The person is otherwise qualified to register to vote
17 in the State."

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

20 "**§15-3 Absentee ballot for presidential election.** If
21 ineligible to qualify as a voter in the state to which the voter
22 has moved, any former registered voter of Hawaii eighteen years

1 of age or older may vote an absentee ballot in any presidential
2 election occurring within twenty-four months after leaving
3 Hawaii by requesting an application form and returning it
4 properly executed to the county of the voter's prior Hawaii
5 residence. When requesting an application form for an absentee
6 ballot, the applicant shall specify the applicant's eligibility
7 for only the presidential ballot, and the fact of applicant's
8 ineligibility to vote at the applicant's new place of residence
9 verified by the voter registrar or the registrar's authorized
10 representative in the jurisdiction of the applicant's new
11 residence. The application must be received in sufficient time
12 for ballots to be mailed and returned prior to any presidential
13 election at which the applicant wishes to vote. All required
14 information pursuant to the rules promulgated by the chief
15 election officer shall be completed in full."

16 SECTION 14. Section 15-4, Hawaii Revised Statutes, is
17 amended by amending subsection (g) to read as follows:

18 "(g) A permanent absentee voter shall be responsible for
19 informing the clerk of any changes to personal information,
20 including changes to the voter's forwarding address[-] or voter
21 attaining the age of eighteen to be eligible to vote in any
22 federal, state, or local election."

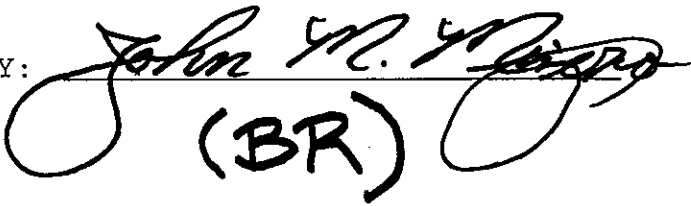


1 SECTION 15. The office of elections shall adopt rules
2 pursuant to chapter 91, Hawaii Revised Statutes, to allow
3 registered voters who are sixteen years of age but under the age
4 of eighteen to vote at any state or local election, but not
5 federal election.

6 SECTION 16. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 17. This Act shall take effect upon its approval
9 and upon ratification of a constitutional amendment lowering the
10 age qualification for voting from eighteen to sixteen years of
11 age in all state and local elections only.

12

INTRODUCED BY: 
(BR)

JAN 16 2014

H.B. NO. 1779

Report Title:

Youth Suffrage; Age Qualification; Voting

Description:

Lowers the age qualification for voting from eighteen to sixteen years of age in all state and local elections only.

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

