
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§11- Late registration. (a) Notwithstanding the
5 closing of the general county register pursuant to section
6 11-24, a person who is eligible to vote but is not registered to
7 vote may register by appearing in person:

8 (1) Prior to the day of the election, at any absentee
9 polling place established pursuant to section 15-7 in
10 the county associated with the person's residence; or

11 (2) On the day of the election, at the polling place in
12 the precinct associated with the person's residence.

13 (b) The county clerk shall designate a registration clerk,
14 who may be an election official, at each of the absentee polling
15 places in the county established pursuant to section 15-7, prior
16 to the day of the election and at each of the polling places in
17 the county on the day of the election. The registration clerk



1 shall process registration applications for persons not
2 registered to vote and shall require each person to submit:

3 (1) A signed affidavit in accordance with section 11-15,
4 which shall include an affirmation of qualification to
5 vote and a statement acknowledging that the person:

6 (A) Has not voted and will not vote at any other
7 polling place for that election; and

8 (B) Has not cast and will not cast any absentee
9 ballot pursuant to chapter 15 for that election;
10 and

11 (2) Evidence of residency to be determined in accordance
12 with section 11-13, which shall include:

13 (A) A valid driver's license, state identification
14 card, or employee identification card showing the
15 street address of the person's residence;

16 (B) A document that contains the person's name and
17 street address of the person's residence,
18 including a bank statement, paycheck, government
19 check, residential lease, utility bill, telephone
20 bill, or any other government document or card;

21 (C) A student identification card, fee statement, or
22 registration card from a post-secondary



1 educational institution in the State or other
2 document from a post-secondary educational
3 institution that verifies the person's name and
4 the street address of the person's residence;

5 (D) Verification by an administrator, or the
6 administrator's designee, of the street address
7 at a nursing home or similar facility where the
8 person resides;

9 (E) A self-subscribing affidavit of residency signed
10 pursuant to section 11-15(b); or

11 (F) Any other document that is approved by the office
12 of elections as sufficient proof of residence.

13 (c) Registration may be challenged in accordance with
14 section 11-25.

15 (d) Notwithstanding subsection (a), late registration
16 pursuant to this section may also be used by a person who is
17 registered to vote but whose name cannot be found on the
18 precinct list for the polling place associated with the person's
19 residence.

20 (e) The clerk of each county shall add persons who
21 properly register under this section to the respective general
22 county register. Within thirty days of registration at the



1 polling place, the county clerk shall mail to the individual a
2 notice that shall include the individual's name, current street
3 address, district and precinct, and date of registration. A
4 notice mailed pursuant to this subsection shall serve as prima
5 facie evidence that the person is a registered voter as of the
6 date of registration."

7 SECTION 2. Section 11-25, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) [~~Challenging prior to election day.~~] Any registered
10 voter may challenge the right of a person to be or to remain
11 registered as a voter in any precinct for any cause not
12 previously decided by the board of registration or the supreme
13 court in respect to the same person; provided that in an
14 election of members of the board of trustees of the office of
15 Hawaiian affairs the voter making the challenge must be
16 registered to vote in that election. The challenge shall be in
17 writing, setting forth the grounds upon which it is based, and
18 be signed by the person making the challenge. The challenge
19 shall be delivered to the clerk who shall forthwith serve notice
20 thereof on the person challenged. The clerk shall, as soon as
21 possible, investigate and rule on the challenge.



1 (b) [~~Challenging on election day-~~] Any voter rightfully
2 in the polling place, including absentee polling places
3 established pursuant to section 15-7, may challenge the right to
4 vote of any person who comes to the precinct officials for
5 voting purposes. The challenge shall be on the grounds that the
6 voter is not the person the voter alleges to be, or that the
7 voter is not entitled to vote in that precinct; provided that
8 only in an election of members of the board of trustees of the
9 office of Hawaiian affairs, a person registered to vote in that
10 election may also challenge on the grounds that the voter is not
11 Hawaiian. No other or further challenge shall be allowed. Any
12 person thus challenged shall first be given the opportunity to
13 make the relevant correction pursuant to section 11-21. The
14 challenge shall be considered and decided immediately by the
15 precinct officials and the ruling shall be announced."

16 SECTION 3. Section 15-7, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§15-7 Absentee polling place[-]; registration at absentee
19 polling place. (a) Absentee polling places shall be
20 established at the office of the respective clerks, and may be
21 established at [~~such~~] other sites as may be designated by the
22 clerk under the provisions prescribed in the rules adopted by



1 the chief election officer. Section 11-21 relating to changes
2 and transfers of registration shall apply to the absentee
3 polling place as though it were the precinct at which a person's
4 name properly appears on the list of registered voters.

5 (b) The absentee polling places shall be open no later
6 than ten working days before election day, and all Saturdays
7 falling within that time period, or as soon thereafter as
8 ballots are available; provided that all absentee polling places
9 shall be open on the same date statewide, as determined by the
10 chief election officer.

11 (c) A person who is eligible to vote but is not registered
12 to vote may register by appearing in person at the absentee
13 polling place for the county in which the person maintains
14 residence.

15 (d) The county clerk shall designate a registration clerk,
16 who may be an election official, at each of the absentee polling
17 places established in the county. The registration clerk shall
18 process registration applications for persons not registered to
19 vote and shall require each person to submit:

20 (1) A signed affidavit in accordance with section 11-15,
21 which shall include an affirmation of qualification to
22 vote and a statement acknowledging that the person:



- 1 (A) Has not voted and will not vote at any other
- 2 polling place for that election; and
- 3 (B) Has not cast and will not cast any absentee
- 4 ballot pursuant to chapter 15 for that election;
- 5 and
- 6 (2) Evidence of residency to be determined in accordance
- 7 with section 11-13, which shall include:
- 8 (A) A valid driver's license, state identification
- 9 card, or employee identification card showing the
- 10 street address of the person's residence;
- 11 (B) A document that contains the person's name and
- 12 the street address of the person's residence,
- 13 including a bank statement, paycheck, government
- 14 check, residential lease, utility bill, telephone
- 15 bill, or any other government document or card;
- 16 (C) A student identification card, fee statement, or
- 17 registration card from a post-secondary
- 18 educational institution in the State or other
- 19 document from a post-secondary educational
- 20 institution that verifies the person's name and
- 21 the street address of the person's residence;

1 (D) Verification by an administrator, or the
2 administrator's designee, of the street address
3 of a nursing home or similar facility where the
4 person resides;

5 (E) A self-subscribing affidavit of residency signed
6 pursuant to section 11-15(b); or

7 (F) Any other document that is approved by the office
8 of elections as sufficient proof of residence.

9 (e) Registration may be challenged in accordance with
10 section 11-25.

11 (f) Notwithstanding subsection (c), absentee polling place
12 registration pursuant to this section may be used by a person
13 who is registered to vote but whose name cannot be found on the
14 precinct list for the polling place associated with the person's
15 residence.

16 (g) The clerk of each county shall add persons who
17 properly register at an absentee polling place to the respective
18 general county register. Within thirty days of registration at
19 an absentee polling place, the county clerk shall mail to the
20 person a notice that shall include the person's name, current
21 street address, district and precinct, and date of registration.

22 A notice mailed pursuant to this subsection shall serve as prima



1 facie evidence that the person is a registered voter as of the
2 date of registration."

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2014-2015 for
6 the counties to implement this Act, which may include upgrading
7 the registration process by purchasing electronic poll books.

8 The sum appropriated shall be expended by the office of
9 elections for the purposes of this Act.

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on July 1, 2050;
13 provided that:

14 (1) Section 3 of this Act shall take effect on January 1,
15 2016; and

16 (2) Section 1 of this Act shall take effect on January 1,
17 2018.



Report Title:

Voting; Late Registration; Absentee Polling Places

Description:

Allows voter registration at absentee polling places beginning in 2016 and late voter registration, including on election day, beginning in 2018. Appropriates funds. Effective 7/1/2050.
(SD2)

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

