
A BILL FOR AN ACT

RELATING TO VOTING.

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

1 SECTION 1. The State of Hawaii has one of the lowest voter
2 turnout rates in the nation and has relatively low voter
3 registration rates as well. Of the approximately 1,000,000
4 residents of Hawaii of voting age, 706,000 residents were
5 registered to vote in the 2012 general election. Of these
6 706,000 registered voters, 437,000 ballots were cast in the 2012
7 general election.

8 According to a study by Craig Leonard Brians of Virginia
9 Tech and Bernard Grofman of the University of California,
10 Irvine, overall turnout increases from fifty-three per cent to
11 fifty-five per cent when the register's closing date changes
12 from thirty to fifteen days before the election, respectively.
13 The overall turnout further increases to fifty-nine per cent
14 when election-day registration is implemented. Furthermore,
15 voter turnout increases in all socioeconomic spectra. States
16 that have implemented same-day registration policies had an
17 average of seven per cent higher voter turnout than states
18 without same-day registration.



1 Minnesota has seen higher rates of voter turnout since
2 implementing the same-day registration law in 1974. According
3 to the Minnesota Secretary of State, approximately 500,000
4 Minnesotans use same-day registration in a typical presidential
5 election year.

6 In light of national attention for having the lowest voter
7 turnout nationwide, Hawaii has already begun to introduce
8 initiatives in order to increase voter turnout. Act 225,
9 Session Laws of Hawaii 2012, will allow residents to register to
10 vote online starting in 2016. The aim of this bill is to work
11 in tandem with the electronic voter registration system while
12 allowing residents to register to vote on election day.

13 Representative democratic societies require civic
14 participation and easy access to the right to vote in order to
15 bring proper representation of the public into the political
16 arena. The purpose of this Act is to increase civic
17 participation, streamline the voting process, remove temporal
18 barriers to voter registration, and improve ballot operations
19 by:

20 (1) Allowing eligible individuals to register to vote on
21 election day;

22 (2) Extending the voting register to election day; and



1 (3) Requiring each precinct to have enough ballots for at
2 least one-third of its eligible voting population.

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

6 "§11- Election-day registration. (a) Notwithstanding
7 any law to the contrary, an individual who is eligible to vote
8 but has not previously registered may register on election day
9 by appearing in person at the polling place for the county in
10 which the individual maintains residence; provided that in the
11 case of an election conducted by mail, an individual who is
12 eligible to vote may register at any walk-in location designated
13 by the chief election officer or county clerk. The clerk may
14 designate a registration clerk, who may be an election official,
15 at any of the polling places in the county on the day of the
16 election.

17 (b) The registration clerks shall process registration
18 applications for unregistered voters and shall require such
19 voters 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 under penalty



1 of perjury the voter has not and will not vote in any
2 other polling place for that election; and

3 (2) Proof of residence in accordance with section 11-13,
4 which may include:

5 (A) A valid driver's license or state identification
6 card;

7 (B) A document or identification card with the name
8 and address of the voter such as: a bank
9 statement, paycheck, residential lease, current
10 utility bill, or telephone bill;

11 (C) Any other document or identification card that is
12 approved by the clerk as sufficient proof of
13 residence; and

14 (D) An affidavit signed under oath in the presence of
15 a registration clerk or other designated official
16 approved by the election commission to attest to
17 the residency of the person who is seeking voter
18 registration.

19 (c) Registration may be challenged in accordance with
20 section 11-25(b) and is subject to a final decision by the clerk
21 or the registration clerk assigned to the polling place.



1 (d) The clerk shall add voters who properly register on
 2 election day to the general county register. Within thirty days
 3 of registration at the polling place a voter shall receive a
 4 notification by mail that shall include their name, address,
 5 district, and precinct.

6 (e) The chief election officer or the chief election
 7 officer's designee shall maintain a record of the number of
 8 individuals who registered to vote on election day and voted and
 9 the number of individuals who attempted to register on election
 10 day, but were unable to provide proof of residency pursuant to
 11 subsection (b). The record shall be included with the election
 12 returns for each precinct.

13 (f) The chief election officer shall establish rules
 14 pursuant to chapter 91 to implement this section."

15 SECTION 3. Section 11-24, Hawaii Revised Statutes, is
 16 amended to read as follows:

17 "**§11-24 Closing register.** (a) At 4:30 p.m. on the
 18 [~~thirtieth~~] day [~~prior to~~] of each primary, special primary, or
 19 special election[, ~~but if the day is a Saturday, Sunday, or~~
 20 ~~holiday then at 4:30 p.m. on the first working day immediately~~
 21 ~~thereafter,~~] the general county register shall be closed to
 22 registration for persons seeking to vote at the primary, special



1 primary, or special election and remain closed to registration
2 until after the election, subject to change only as provided in
3 sections 11-21(c), 11-22, 11-25, 11-26, and this section.

4 (b) Notwithstanding the closing of the register for
5 registration to vote at the primary or special primary election,
6 the register shall remain open for the registration of persons
7 seeking to vote at the general or special general election,
8 until 4:30 p.m. on the [~~thirtieth~~] day [~~prior to~~] of the general
9 or special general election[~~, but if the day is a Saturday,~~
10 ~~Sunday, or holiday then at 4:30 p.m. on the first working day~~
11 ~~immediately thereafter,~~] at the end of which period the general
12 county register shall be closed to registration and remain
13 closed until after the general or special general election next
14 following, subject to change only as provided in sections 11-
15 21(c), 11-22, 11-25, and 11-26."

16 SECTION 4. Section 11-119, Hawaii Revised Statutes, is
17 amended by amending subsection (d) to read as follows:

18 "(d) Each precinct shall receive a sufficient number of
19 ballots based on the number of registered voters and the
20 expected spoilage in the election concerned[~~-~~]; provided that
21 the number of ballots received shall not be less than one-third
22 of the precinct's total of-voting-age population. A sufficient



1 number of absentee ballots shall be delivered to each clerk not
2 later than 4:30 p.m. on the fifteenth day prior to the date of
3 any election."

4 SECTION 5. This Act shall take effect on July 1, 2013;
5 provided that sections 2 to 4 shall apply to all primary,
6 special, nonpartisan, and general elections, beginning with the
7 primary election of 2016.

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INTRODUCED BY:

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JAN 18 2013



H.B. NO. 511

Report Title:

Voter Registration; Election-Day Registration

Description:

Allows election-day voter registration. Requires the closing of the voting register to be extended to election day. Requires each precinct to have enough ballots for one-third of its eligible voting population.

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

