
A BILL FOR AN ACT

RELATED TO ABSENTEE VOTING.

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

1 SECTION 1. Section 15-5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) If mailed absentee ballots are not received by the
4 voter within five days of an election, or a voter otherwise
5 requires a replacement ballot within five days of an election, a
6 [covered] voter [under chapter 15D] may request that absentee
7 ballots be forwarded by [faesimile.] electronic transmission.
8 Upon receipt of such a request and confirmation that proper
9 application was made, the clerk may transmit appropriate ballots
10 [by faesimile], together with a form requiring the affirmations
11 and information required by section 15-6[,7] and a form
12 containing a waiver of the right to secrecy, as provided by
13 section 11-137. The voter may return the voted ballot and
14 executed form by [faesimile] electronic transmission or mail;
15 provided that they are received by the issuing clerk no later
16 than the close of polls on election day. Upon receipt, the
17 clerk shall verify compliance with the requirements of section



1 15-9(c) [7] and prepare the ballots for counting pursuant to
2 section 15-10[-]; provided that if the voter returns multiple
3 voted absentee ballots for the same election, the clerk shall
4 prepare, for counting, only the first absentee ballot returned
5 that is not spoiled. Prior to an election, the clerk shall
6 determine the permissible form or forms of electronic
7 transmission that may be used for the initial transmission of
8 ballots to voters and the return transmission of ballots by
9 voters. The forms of electronic transmission permitted for the
10 initial transmission of ballots may differ from those permitted
11 for the return of ballots by voters. For purposes of this
12 subsection, "electronic transmission" may include facsimile
13 transmission, electronic mail delivery, or the utilization of an
14 online absentee ballot delivery and return system."

15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Office of Elections Package; Absentee Voting; Electronic
Transmission

Description:

Allows the county clerk to electronically transmit absentee ballots if mailed absentee ballots are not received by the voter within five days of an election or if the voter otherwise requires a replacement ballot within the same period. (HD1)

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

