

JAN 21 2016

A BILL FOR AN ACT

RELATING TO CLASS C FELONIES.

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

1 SECTION 1. Act 166, Session Laws of Hawaii 2014, is
2 amended by amending section 1 to read as follows:

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

6 "§11- Late registration. (a) Notwithstanding the
7 closing of the general county register pursuant to section 11-
8 24, a person who is eligible to vote but is not registered to
9 vote may register by appearing in person:

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

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

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



1 to the day of the election and at each of the polling places in
2 the county on the day of the election.

3 (c) The registration clerk shall process applications for
4 any person not registered to vote who submits a signed affidavit
5 in accordance with section 11-15, which shall include a sworn
6 affirmation:

7 (1) Of the person's qualification to vote;

8 (2) Acknowledging that the person has not voted and will
9 not vote at any other polling place for that election
10 and has not cast and will not cast any absentee ballot
11 pursuant to chapter 15 for that election; and

12 (3) Acknowledging that providing false information may
13 result in a class C felony, punishable by a fine not
14 exceeding [~~\$1,000~~] \$10,000 or imprisonment not
15 exceeding five years, or both.

16 (d) The registration clerk may accept, as prima facie
17 evidence, the allegation of the person in the application
18 regarding the person's residence in accordance with section 11-
19 15(b), unless the allegation is contested by a qualified voter.
20 The registration clerk may demand that the person furnish



1 substantiating evidence to the other allegations of the person's
2 application in accordance with section 11-15(b).

3 (e) Registration may be challenged in accordance with
4 section 11-25.

5 (f) Notwithstanding subsection (a), registration pursuant
6 to this section may also be used by a person who is registered
7 to vote but whose name cannot be found on the precinct list for
8 the polling place associated with the person's residence.

9 (g) The clerk of each county shall add persons who
10 properly register under this section to the respective general
11 county register. Within thirty days of registration at the
12 polling place, the county clerk shall mail to the person a
13 notice including the person's name, current street address,
14 district and precinct, and date of registration. A notice
15 mailed pursuant to this subsection shall serve as prima facie
16 evidence that the person is a registered voter as of the date of
17 registration."

18 SECTION 2. Section 15-7, Hawaii Revised Statutes, is
19 amended by amending subsection (e) to read as follows:

20 "(e) The registration clerk shall process applications for
21 any person not registered to vote who submits a signed affidavit



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1 in accordance with section 11-15, which shall include a sworn
2 affirmation:

- 3 (1) Of the person's qualification to vote;
- 4 (2) Acknowledging that the person has not voted and will
5 not vote at any other polling place for that election
6 and has not cast and will not cast any absentee ballot
7 pursuant to chapter 15 for that election; and
- 8 (3) Acknowledging that providing false information may
9 result in a class C felony, punishable by a fine not
10 exceeding [~~\$1,000~~] \$10,000 or imprisonment not
11 exceeding five years, or both."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval;
15 provided that section 1 shall take effect on January 1, 2018.

16

INTRODUCED BY:


BY REQUEST



S.B. NO. 2114

Report Title:

Elections; False Voter Information; Penalties

Description:

Increases the fine from \$1,000 to \$10,000 for a person who provides false information when registering to vote late or at an absentee polling place.

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

