

JAN 23 2015

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# 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, a ~~[covered]~~ voter ~~[under~~  
5 ~~chapter 15D]~~ may request that absentee ballots be forwarded by  
6 ~~[facsimile.]~~ electronic transmission. Upon receipt of such a  
7 request and confirmation that proper application was made, the  
8 clerk may transmit appropriate ballots ~~[by facsimile]~~ together  
9 with a form requiring the affirmations and information required  
10 by section 15-6, and a form containing a waiver of the right to  
11 secrecy, as provided by section 11-137. The voter may return  
12 the voted ballot and executed form by ~~[facsimile]~~ electronic  
13 transmission or mail; provided that they are received by the  
14 issuing clerk no later than the close of polls on election day.  
15 Upon receipt, the clerk shall verify compliance with the  
16 requirements of section 15-9(c), and prepare the ballots for  
17 counting pursuant to section 15-10. The clerk shall determine,



1 prior to an election, which form or forms of electronic  
 2 transmission shall be authorized for the initial transmission of  
 3 ballots to voters and the return transmission of ballots by  
 4 voters. The forms of electronic transmission authorized for the  
 5 initial transmission of ballots may differ from those authorized  
 6 for the return of ballots by voters. For purposes of this  
 7 subsection, "electronic transmission" may include facsimile  
 8 transmission, electronic mail delivery, or the utilization of an  
 9 online absentee ballot delivery and return system."

10 SECTION 2. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:   
 By Request



**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.

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

