

JAN 19 2017

A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Section 11-112, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) The ballot shall contain the names of the candidates,
4 ~~[their party affiliation or nonpartisanship in partisan election~~
5 ~~contests,~~] the offices for which they are running, and the
6 district in which the election is being held. The ballot shall
7 not contain the party affiliation or nonpartisanship of
8 candidates in partisan election contests. In multimember races
9 the ballot shall state that the voter shall not vote for more
10 than the number of seats available or the number of candidates
11 listed where such number is less than the seats available.

12 The ballot shall also contain an option to specifically
13 select none of the candidates for each office."

14 SECTION 2. Section 12-21, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§12-21 Official [party] ballots.** The primary or special
17 primary ballot shall be clearly designated as such. The names



1 of all the candidates [~~of each party qualifying under section~~
2 ~~11-61 or 11-62 and of nonpartisan candidates may~~] shall be
3 printed on [~~separate ballots, or on~~] a single ballot. [~~The name~~
4 ~~of each party and the nonpartisan designation shall be~~
5 ~~distinctly printed and sufficiently separate from each other.~~
6 ~~The names of all candidates shall be printed on the ballot as~~
7 ~~provided in section 11-115.~~] When the names of all candidates
8 [~~of the same party for the same office~~] exceed the maximum
9 number of voting positions on a single side of a ballot card,
10 the excess names may be arranged and listed on both sides of the
11 ballot card and additional ballot cards if necessary. [~~When~~
12 ~~separate ballots for each party are not used, the order in which~~
13 ~~parties appear on the ballot, including nonpartisan, shall be~~
14 ~~determined by lot.~~]

15 The chief election officer or the county clerk, in the case
16 of county elections, shall approve printed samples or proofs of
17 the [~~respective party~~] ballots as to uniformity of size, weight,
18 shape, and thickness prior to final printing of the official
19 ballots."

20 SECTION 3. Section 12-31, Hawaii Revised Statutes, is
21 amended to read as follows:



S.B. NO. 106

1 "~~§12-31 [Selection of party ballot; voting.]~~ Voting. No
2 person eligible to vote in any primary or special primary
3 election shall be required to state a party preference or
4 nonpartisanship as a condition of voting. Each voter shall be
5 issued [the] a primary or special primary ballot [~~for each party~~
6 ~~and the nonpartisan primary or special primary ballot.~~ A voter
7 ~~shall be entitled to vote only for candidates of one party or~~
8 ~~only for nonpartisan candidates.~~ If the primary or special
9 ~~primary ballot is marked contrary to this paragraph, the ballot~~
10 ~~shall not be counted.~~

11 ~~In any primary or special primary election in the year 1979~~
12 ~~and thereafter, a voter shall be entitled to select and to vote~~
13 ~~the ballot of any one party or nonpartisan, regardless of which~~
14 ~~ballot the voter voted in any preceding primary or special~~
15 ~~primary election.]~~ listing all eligible candidates for the
16 appropriate positions without reference to party or nonpartisan
17 affiliations."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



S.B. NO. 106

1 SECTION 5. This Act shall take effect upon its approval
2 and shall apply to primary, general, and special elections
3 beginning 2017.

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INTRODUCED BY: Hal Rhoads (B/R)



S.B. NO. 106

Report Title:

Elections; Ballots; Party Affiliations or Nonpartisanship of Candidates

Description:

Deletes required references to party affiliations or nonpartisanship on primary, general, and special election ballots. Applies to all general, primary, and special elections beginning in 2017.

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