

STAND. COM. REP. NO.

2109

Honolulu, Hawaii

FEB 08 2018

RE: S.B. No. 461  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 461 entitled:

"A BILL FOR AN ACT RELATING TO CLASS C FELONIES,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the maximum monetary penalty for providing false information during the process of registering to vote.

Your Committee received testimony in support of this measure from the Office of Elections, Department of the Prosecuting Attorney of the County of Maui, Maui County Police Department, and Common Cause Hawaii.

Your Committee finds that the acknowledgements currently required of persons registering to vote are inconsistent with state statutes related to voter fraud. As a result, persons registering to vote on the day of an election receive obsolete information about their responsibilities as voters and the potential consequences of committing voter fraud. This measure will clarify the penalties associated with committing voter fraud and ensure that the acknowledgements required of persons registering to vote are consistent with other related state statutes.

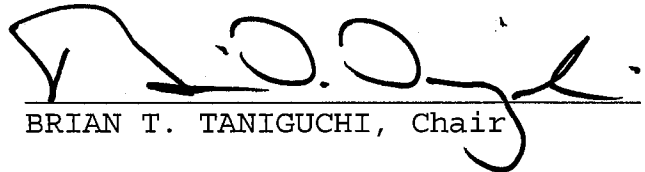
Your Committee has amended this measure by:



- (1) Replacing language requiring persons registering to vote to acknowledge that providing false information is a class C felony with language requiring persons registering to vote to acknowledge that voter fraud is a class C felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding five years, or both; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 461, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 461, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 461</b>	Committee Referral: <b>JDC</b>	Date: <b>2/2/18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <span style="font-family: cursive; font-size: 1.2em; margin-left: 100px;">Karl Rhoads</span>				
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\*Only one measure per Record of Votes