
A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

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

1 SECTION 1. The legislature finds that voter turnout in the
2 State remains low and continues to decline. In 2016, Hawaii had
3 the lowest voter turnout in the United States. Only 52.6 per
4 cent of registered Hawaii voters cast ballots in the 2018
5 general election. This represents a sharp decline in voter
6 turnout over the years, as approximately ninety-three per cent
7 of registered voters cast ballots in the State's first
8 gubernatorial election in 1959.

9 Additionally, the State has a historically low rate of
10 registering voters. According to a 2016 estimate from the
11 United States Census Bureau, Hawaii had the lowest percentage of
12 registered voters in the country. In 2016, only 49.8 per cent
13 of qualified voters were registered to vote, well below the
14 national average of 64.2 per cent. Therefore, of the 1,111,117
15 people in Hawaii who were qualified to vote in the 2016
16 election, 557,780 were not registered to vote.



1 The legislature also finds that states with both the
2 highest voter registration rate and highest voter turnout have
3 adopted automatic voter registration programs. Massachusetts,
4 Oregon, and Colorado have all adopted automatic voter
5 registration programs, and each of those states' voter
6 registration rates are some of the highest in the nation, at
7 68.1 per cent, 67.4 per cent, and 68.2 per cent, respectively.
8 Moreover, Massachusetts had the eighth highest voter turnout in
9 the 2016 election at 68.1 per cent, and Oregon had the highest
10 at 80.33 per cent.

11 In 2018, thirty-one per cent of qualified voters in the
12 United States between the ages of eighteen to twenty-nine voted.
13 This represented a ten per cent increase in voter turnout for
14 the same age group from the 2016 election. Recent world events
15 have ignited a passion in younger generations around civic
16 engagement, and have led many sixteen and seventeen year-olds to
17 become passionate about voting, and many would vote if given the
18 opportunity.

19 The legislature further finds that voting at a young age
20 creates and empowers lifelong voters. Data show that after an
21 individual votes once, the individual often becomes a habitual



1 voter. Therefore, by facilitating the ability of those sixteen
2 years of age and older to preregister or register to vote, the
3 State will be empowering a new generation of lifelong voters.

4 Currently, the department of education requires students to
5 receive four social studies credits to graduate from a public
6 high school. In the course, "Participation in a Democracy,"
7 which is required for graduation, students explore what is meant
8 by actively engaging in civic duties such as voting. This
9 course, and civics education in general, could be enhanced by
10 actively engaging students in the process of voting.

11 The legislature further finds that voting is the
12 cornerstone of American democracy and, while other states have
13 been in the news for suppressing voters, Hawaii, by
14 automatically registering qualified voters, can convey a message
15 that voting is an unquestioned fundamental right that should be
16 exercised. The State allows those who are sixteen and seventeen
17 years old to preregister to vote, but too many of those
18 individuals do not know they have the option, and thus do not
19 preregister to vote, and often fail to register even after
20 turning eighteen years old.



1 Accordingly, the purpose of this Act is increase voter
2 participation and encourage civic engagement in our schools by
3 establishing a process for the automatic preregistering of
4 public school-enrolled sixteen- and seventeen-year-olds to vote.

5 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
6 by adding a new section to part II to be appropriately
7 designated and to read as follows:

8 "§11- Automatic voter registration; opt-out. (a)

9 Beginning January 1, 2020, any person who:

10 (1) Is enrolled in a public high school;

11 (2) Is otherwise qualified to register to vote under this
12 part;

13 (3) Is at least sixteen years of age but will not be
14 eighteen years of age by the date of the next
15 election; and

16 (4) Properly completes and submits a voter registration
17 affidavit,

18 shall be automatically preregistered to vote as provided in
19 subsection (d).

20 (b) Between January 1 and January 31 of each year, the
21 superintendent of education shall provide to each student who is



1 at least sixteen years of age but not yet eighteen years of age
2 a voter affidavit containing the information required by section
3 11-15 to allow the student to preregister to vote or to opt-out
4 of preregistering to vote. Within five calendar days of
5 collection of a completed voter registration affidavit, the
6 superintendent of education shall electronically transmit the
7 voter registration information to the clerk of the county in
8 which the applicant resides, election officials, and the
9 statewide voter registration system pursuant to subsection (e);
10 provided that the superintendent of education shall not transmit
11 any information necessary to register an applicant as a voter if
12 that applicant affirmatively declines to preregister to vote.

13 (c) The clerk shall determine whether the applicant is
14 currently preregistered in the general county register. If the
15 applicant is not currently preregistered, the clerk shall
16 determine whether the applicant is at least sixteen years of age
17 but not yet eighteen years of age or older and a citizen of the
18 United States.

19 (d) Upon determination that the applicant is eligible to
20 preregister to vote and not currently preregistered, the clerk
21 shall provide written notification to the applicant of the



1 process to opt out of the automatic voter preregistration;
2 provided that if the applicant does not opt out of
3 preregistration by the applicant's eighteenth birthday, the
4 clerk shall assign a transaction number to the preregistration
5 in a manner that is substantially similar to the numbering of
6 affidavits as required by section 11-15(c), and on the
7 applicant's eighteenth birthday shall automatically register the
8 name of the voter in the general county register as provided in
9 section 11-14.

10 (e) Databases maintained or operated by the department of
11 education for implementation of this section shall be directly
12 accessible and provided electronically to election officials and
13 the statewide voter registration system to allow for the timely
14 processing of voter registration affidavits, ensure the
15 integrity of the voter registration rolls, and for any other
16 government purpose, as determined by the superintendent of
17 education, and upon request by the chief election officer to the
18 superintendent of education for the electronic transmission of
19 the information; provided that the chief election officer shall
20 establish and implement an information privacy policy that:



- 1 (1) Specifies each class of internal users who shall have
2 authorized access to the statewide voter registration
3 system, specifies for each class the permissions and
4 levels of access to be granted, and sets forth other
5 safeguards to protect the privacy of the information
6 on the statewide voter registration system;
- 7 (2) Prohibits any disclosure or transmission of any
8 information not necessary to voter registration;
- 9 (3) Protects against public disclosure of full or partial
10 social security numbers, driver's license numbers, and
11 signatures;
- 12 (4) Prohibits public disclosure of an individual's
13 decision not to register to vote;
- 14 (5) Prohibits the superintendent of education from
15 transmitting to county clerks information other than
16 that required for voter registration or specified
17 information relevant to the administration of
18 elections;
- 19 (6) Prohibits agencies from sharing individuals'
20 citizenship status or information regarding country of
21 origin with any federal agency;



- 1 (7) Prohibits the disclosure of information relating to
- 2 persons eligible for confidentiality of record
- 3 information pursuant to section 11-14.5 and informs
- 4 individuals of the confidentiality protections
- 5 available under section 11-14.5; and
- 6 (8) Prohibits the disclosure of any information that is
- 7 considered to be confidential pursuant to chapter
- 8 302A."

9 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
 10 amended by adding a new section to part II, subpart C, to be
 11 appropriately designated and to read as follows:

12 **"§302A- Automatic voter preregistration. The board and**
 13 **the superintendent shall adopt policies as necessary to**
 14 **facilitate the preregistration of qualifying students to vote as**
 15 **provided in section 11- ."**

16 SECTION 4. There is appropriated out of the general
 17 revenues of the State of Hawaii the sum of \$ or so much
 18 thereof as may be necessary for fiscal year 2019-2020 and the
 19 same sum or so much thereof as may be necessary for fiscal year
 20 2020-2021 for the electronic transmission, receipt, and



1 processing of voter preregistration information pursuant to this
2 Act.

3 The sums appropriated shall be expended by the office of
4 elections for the purposes of this Act.

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect on January 1, 2020;
8 provided that section 4 shall take effect on July 1, 2019.

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INTRODUCED BY:

S. C. Wil

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JAN 24 2019



Report Title:

Automatic Voter Preregistration; Department of Education; Opt out; Appropriations

Description:

Beginning on 1/1/2020, provides that any public high school student who is at least sixteen years old but not yet eighteen years old, is otherwise eligible to vote, and submits a voter affidavit shall be automatically preregistered to vote if that person is not already preregistered to vote; provided that upon receipt of notification from the respective county clerk the applicant shall have until their eighteenth birthday to opt out of automatic voter registration. Appropriates funds.

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

