

STAND. COM. REP. NO. 340

Honolulu, Hawaii  
February 13, 2019

RE: H.B. No. 428  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 428 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to require an automatic recount of election votes when the difference between the two candidates with the highest number of votes is less than 0.5 percent of the apparently prevailing candidate's vote total.

Common Cause Hawaii and an individual testified in support. The Office of Elections, Office of the Kaua'i County Clerk, and League of Women Voters of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Requiring an automatic recount of votes cast for a candidate or on a ballot question when the difference in the number of votes cast for the top two candidates or on the question is equal to or less than 100 votes or 0.5 percent, whichever is greater;
- (2) Shortening the time for the completion and public announcement of the results of a mandatory recount from



the 15th day to the seventh day following the election;  
and

- (3) Changing its effective date to January 28, 2081 and upon ratification of a constitutional amendment allowing the recount of votes cast at an election to be conducted in a manner provided by law.

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 H.B. No. 428, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 428, H.D. 1, and be referred to your Committee on Finance.

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



---

CHRIS LEE, Chair



