

STAND. COM. REP. NO.

2743

Honolulu, Hawaii

FEB 21 2024

RE: S.B. No. 2334
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2334 entitled:

"A BILL FOR AN ACT RELATING TO ELECTION AUDITS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the Chief Election Officer must audit all elections in the randomly selected precincts as a condition of using an electronic voting system to create an electronic tally of ballots.

Your Committee received testimony in support of this measure from the Hawaii Young Republicans.

Your Committee received testimony in opposition to this measure from fifty-four individuals.

Your Committee received comments on this measure from the Office of Elections and one individual.

Your Committee finds that existing law requires the Chief Election Officer, as a condition of using an electronic voting system to create an electronic tally of ballots, to audit the vote counts in ten percent of the precincts where an electronic voting system was used and select the precincts to audit at random. However, the language of existing law is ambiguous as to whether the Chief Election Officer must audit all the elections in those



precincts, or whether it is acceptable for the Chief Election Officer to audit only a single election in those precincts. This measure will remove the ambiguity to existing law and provide clarity necessary for effectively auditing elections in the State.

Your Committee has amended this measure by:

- (1) Reducing the number of randomly selected precincts employing an electronic voting system that the Chief Election Officer is required to conduct a post-election, pre-certification audit of from ten percent to five percent;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) 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. 2334, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2334, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2334	Committee Referral: JDC	Date: 02/01/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	0	1	0

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**