

JAN 15 2025

A BILL FOR AN ACT

RELATING TO VOTING.

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

1 SECTION 1. Section 11-15.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~§11-15.5~~§~~] **Duties of all state agencies; voter**
4 **registration.** (a) Each state agency that deals with the public
5 shall make available to each member of the public eighteen years
6 of age or older an application in the form of an affidavit for
7 voter registration pursuant to section 11-15. The application
8 shall be available by mail, online, or in person depending on
9 the manner in which the agency's services are requested by the
10 person. The form of the application may be identical to that
11 described and found in public telephone directories.

12 (b) Subject to compliance with all applicable federal laws
13 and regulations, the department of human services shall
14 automatically transmit voter registration for any medicaid
15 applicant who is of sufficient age to register to vote and has
16 been verified as a United States citizen as part of an
17 application to the department of human services med-QUEST



1 division. For each applicant, the department of human services
2 shall electronically transmit the information set forth in 11-
3 15.7(b) to the county clerk of the county of the applicant's
4 residence. The office of elections and clerk of each county
5 shall process the information according to the requirements
6 established in section 11-15.7, to the extent applicable as
7 determined by the office of elections.

8 (c) Any state agency may be designated by the office of
9 elections to implement automatic voter registration if the
10 agency collects, processes, or stores the following information
11 as part of providing assistance or services:

- 12 (1) Name;
13 (2) Residential address;
14 (3) Date of birth; and
15 (4) Proof of United States citizenship or external
16 verification of United States citizenship.

17 Upon approval from the office of elections, an agency
18 designated by the office of elections to implement automatic
19 voter registration may establish and implement, a procedure to
20 automatically and electronically transmit voter registration
21 information to the county clerk of the individual's residence;



1 provided that the agency shall comply with the requirements in
2 section 11-15.7, to the extent applicable as determined by the
3 office of elections."

4 SECTION 2. Section 11-15.7, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~§~~11-15.7~~]~~ **Automatic registration.** [~~(a)~~ ~~An~~
7 ~~application for voter registration shall be a part of the~~
8 ~~application for issuance of an identification card under section~~
9 ~~286-303 and the application for issuance of a driver's license~~
10 ~~under section 286-111. Applications for an identification card~~
11 ~~or driver's license shall not be processed until the applicant~~
12 ~~completes the portion of the application related to voter~~
13 ~~registration and indicates the applicant's choice of whether to~~
14 ~~register to vote. If already registered to vote, the applicant~~
15 ~~shall be offered the opportunity to decline any changes being~~
16 ~~made to their name and address for voter registration purposes.]~~

17 (a) The submission of the application for the issuance of
18 [~~an~~] a new, renewed, or duplicate identification card under
19 section 286-303 [~~or~~], the application for a new, renewed, or
20 duplicate driver's license under [~~section~~] sections 286-107 or
21 286-111, or an application for an instruction permit under



1 section 286-110 shall be deemed to authorize the examiner of
2 drivers to collect and transmit the information necessary to
3 register the applicant as a voter if the applicant [~~made such a~~
4 ~~choice or to make changes to the applicant's voter registration~~
5 ~~information unless the applicant declined such changes.~~] is of
6 sufficient age to register or pre-register to vote, has provided
7 a state residence address, and has presented documentation
8 demonstrating United States citizenship.

9 (b) The examiner of drivers shall electronically transmit
10 the [~~necessary~~] following information to the clerk of the county
11 in which the applicant resides, [~~election officials, and the~~
12 ~~online voter registration system pursuant to subsection (c).~~]
13 the applicant's:

- 14 (1) Name;
- 15 (2) Date of birth;
- 16 (3) Driver's license or state identification number;
- 17 (4) Residence address or mailing address, if different
18 from the applicant's residence address;
- 19 (5) County of residence;
- 20 (6) Citizenship status;
- 21 (7) Signature as a digitized image;



1 (8) Last four digits of the applicant's social security
2 number, if available;

3 (9) Telephone number, if available; and

4 (10) E-mail address, if available.

5 (c) The examiner of drivers shall not transmit any
6 ~~information [necessary to register an applicant as a voter if~~
7 ~~the applicant made a choice not to be registered to vote nor~~
8 ~~transmit any information necessary to make changes to the~~
9 ~~applicant's voter registration information if the applicant~~
10 ~~declined such changes. The examiner of drivers shall not~~
11 ~~transmit any information related to a voter application or~~
12 ~~changes to the applicant's voter registration information if the~~
13 ~~applicant presents a document demonstrating a lack of United~~
14 ~~States citizenship.]~~ under this section unless the applicant
15 presents a document demonstrating proof of United States
16 citizenship or records maintained by the examiner of drivers
17 conclusively indicate that the applicant provided documentation
18 demonstrating United States citizenship as part of a previous
19 transaction. If the applicant provides documentation during the
20 transaction indicating that the applicant is not a United States
21 citizen, the applicant's information shall not be transmitted to



1 the clerk and the applicant shall not be offered a voter
2 registration opportunity. If the documents provided by the
3 applicant do not provide sufficient information to verify
4 citizenship status, or if the examiner of drivers is unable to
5 verify that proof of citizenship was presented during a previous
6 transaction, the examiner of drivers shall provide information
7 during the transaction regarding voter registration and
8 eligibility criteria, including instructions that the applicant
9 may only register to vote if the applicant is a United States
10 citizen. Nothing in this section shall be construed to:

- 11 (1) Amend the substantive qualifications for voter
12 registration in the State;
13 (2) Require documentary proof of citizenship for voter
14 registration;
15 (3) Require the examiner of drivers to maintain or
16 validate official records of voter registration; or
17 (4) Authorize the examiner of drivers to request
18 documentation establishing an applicant's citizenship
19 solely for the purposes of voter registration.

20 ~~[(b)]~~ (d) Upon receipt of the ~~[completed voter~~
21 ~~registration application or changes to the]~~ applicant's voter



1 registration information transmitted from the examiner of
2 drivers, the clerk shall review and [~~either approve or reject~~
3 ~~the voter registration application in accordance with this part;~~
4 ~~provided that approved~~] determine whether the applicant is
5 currently registered in the statewide voter registration system.
6 If the applicant is not currently registered in the statewide
7 voter registration system, the clerk shall mail a notice to the
8 applicant as described in subsection (e). If the applicant is
9 already currently registered, the clerk shall compare
10 information transmitted from the examiner of drivers to the
11 voter registration record and update the registration record as
12 needed. If the record was updated, the clerk shall mail a
13 notice as described in subsection (e) to the voter. Approved
14 voter registration applications received from the examiner of
15 drivers pursuant to this section shall be treated as having a
16 valid signature for purposes of section 11-15(c), whether
17 transmitted electronically or by facsimile transmission.

18 (e) Upon [~~the clerk's approval of the voter registration~~
19 application or any changes to the voter registration
20 information,] creating or updating a voter registration record
21 under this section, the clerk shall promptly mail the person a



1 notice that contains a postage-paid pre-addressed return form by
2 which the person may decline to be registered or have their
3 information updated. The notice shall include instructions to
4 applicants who request confidentiality under section 11-14.5 or
5 request large print ballots. Voter registration records created
6 under this section shall be exempt from disclosure until
7 twenty-one days after the mailing of the notice. If a person
8 returns the notice declining to be registered, the person's
9 registration shall be canceled and the person shall be deemed to
10 have never registered; provided that if the person has voted in
11 an election after the transfer of the person's record but before
12 the notice is returned, the returned form shall be of no force
13 and effect and the person shall be registered as of the date of
14 the person's qualifying transaction with the examiner of
15 drivers.

16 If the applicant does not decline registration within the
17 prescribed period, the clerk shall proceed to number the
18 application and register the name of the voter in the general
19 county register as provided in section 11-14 or make approved
20 changes to the voter's existing voter registration information
21 as applicable. The date of registration shall be the date of



1 the person's qualifying transaction with the examiner of
2 drivers.

3 ~~(e)~~ (f) Databases maintained or operated by the counties
4 or the department of transportation containing driver's license
5 or identification card information, including any documents or
6 images, shall be accessible and provided electronically to
7 election officials and the online voter registration system to
8 allow for the timely processing of voter applications, ensure
9 the integrity of the voter registration polls, and for any other
10 voter registration or election purposes, as determined by the
11 director of transportation. Records of applicants who are
12 ineligible to register or who declined registration shall be
13 exempt from disclosure under chapter 92F.

14 (g) Any person who submits a qualifying application under
15 this section that is dated during the twenty-one days before an
16 election shall be provided, at the time of application, with a
17 notice advising the applicant of the procedures to register to
18 vote on election day. An otherwise eligible individual who
19 declines to register or update a registration shall be offered a
20 new registration opportunity with each qualifying application
21 submitted under this section.



1 (h) Unless an ineligible individual willfully and
2 knowingly takes affirmative steps to register to vote knowing
3 that the individual is not eligible to do so, the record and
4 signature of an ineligible individual that is transmitted under
5 this section shall not constitute a completed voter registration
6 form, and that individual shall not be considered to have
7 affirmatively registered to vote."

8 SECTION 3. Section 286-111, Hawaii Revised Statutes, is
9 amended by amending subsection (f) to read as follows:

10 "(f) An application for a new or renewed driver's license,
11 provisional license, or instruction permit shall [~~include the~~
12 ~~voter registration application required under~~] serve as a voter
13 registration application for eligible applicants under the
14 procedures prescribed in section 11-15.7. The examiner of
15 drivers shall consult with the office of elections to ensure
16 that the form contains spaces for all information required to
17 registered to vote."

18 SECTION 4. Section 286-111.5, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "~~{}~~**\$286-111.5{}** **Voter registration.** [~~a~~] A qualified
21 applicant for a new or renewed motor vehicle driver's license



1 shall automatically be registered to vote with the clerk of the
2 appropriate county upon completion of the driver's license
3 application and [~~application for voter registration~~]
4 confirmation of eligibility as required in section 11-15.7 [~~if~~
5 ~~the qualified applicant makes a choice to register to vote on~~
6 ~~the application form. If already registered to vote, the~~
7 ~~qualified applicant shall be offered the opportunity to decline~~
8 ~~any changes being made to their name and address for voter~~
9 ~~registration purposes.~~

10 ~~(b) The submission of the application for voter~~
11 ~~registration together with the license or permit application~~
12 ~~shall be deemed to authorize the examiner of drivers to collect~~
13 ~~and transmit the information necessary to register the qualified~~
14 ~~applicant as a voter if the applicant made such a choice or to~~
15 ~~make changes to the qualified applicant's voter registration~~
16 ~~information unless the applicant declined such changes. The~~
17 ~~examiner of drivers shall electronically transmit the necessary~~
18 ~~information to the clerk of the county in which the qualified~~
19 ~~applicant resides, election officials, and the online voter~~
20 ~~registration system pursuant to section 11-15.7(e).~~



1 ~~The examiner of drivers shall not transmit any information~~
2 ~~necessary to register a qualified applicant as a voter if the~~
3 ~~applicant made a choice not to be registered to vote nor~~
4 ~~transmit any information necessary to make changes to the~~
5 ~~qualified applicant's voter registration information if the~~
6 ~~applicant declined such changes. The examiner of drivers shall~~
7 ~~not transmit any information related to a voter application or~~
8 ~~changes to the applicant's voter registration information if the~~
9 ~~applicant presents a document demonstrating a lack of United~~
10 ~~States citizenship.~~

11 ~~(c) For the purposes of this section, "qualified~~
12 ~~applicant" means a person who qualifies to register as a voter~~
13 ~~by law]."~~

14 SECTION 5. Section 286-303, Hawaii Revised Statutes, is
15 amended by amending subsection (e) to read as follows:

16 "(e) An application for an identification card or renewal
17 of an identification card from the examiner of drivers shall
18 [~~include the~~] serve as a voter registration application
19 [~~required under~~] in accordance with section 11-15.7."

20 SECTION 6. Section 286-303.5, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "~~[+]§286-303.5[+]~~ **Voter registration.** (a) A qualified
2 applicant for a new, renewal, or duplicate identification card
3 shall automatically be registered to vote with the clerk of the
4 appropriate county upon completion of an application for
5 identification card and ~~[the application for voter registration]~~
6 confirmation of eligibility as required by section 11-15.7 ~~[if~~
7 ~~the qualified applicant makes a choice to be registered to vote.~~
8 ~~If already registered to vote, the qualified applicant shall be~~
9 ~~offered the opportunity to decline any changes being made to~~
10 ~~their name and address for voter registration purposes.~~

11 ~~(b) The submission of the application for voter~~
12 ~~registration together with the application for the~~
13 ~~identification card shall be deemed to authorize the examiner of~~
14 ~~drivers to collect and transmit the information necessary to~~
15 ~~register the qualified applicant as a voter if the applicant~~
16 ~~made such a choice or to make changes to the qualified~~
17 ~~applicant's voter registration information unless the applicant~~
18 ~~declined such changes. The examiner of drivers shall~~
19 ~~electronically transmit the necessary information to the clerk~~
20 ~~of the county in which the qualified applicant resides, election~~



1 ~~officials, and the online voter registration system pursuant to~~
2 ~~section 11-15.7(e).~~

3 ~~The examiner of drivers shall not transmit any information~~
4 ~~necessary to register a qualified applicant as a voter if the~~
5 ~~applicant made a choice not to be registered to vote nor~~
6 ~~transmit any information necessary to make changes to the~~
7 ~~qualified applicant's voter registration information if the~~
8 ~~applicant declined such changes. The examiner of drivers shall~~
9 ~~not transmit any information related to a voter application or~~
10 ~~changes to the applicant's voter registration information if the~~
11 ~~applicant presents a document demonstrating a lack of United~~
12 ~~States citizenship.~~

13 ~~(e) For the purposes of this section, "qualified~~
14 ~~applicant" means a person who qualifies to register as a voter~~
15 ~~by law]."~~

16 SECTION 7. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 8. This Act shall take effect on January 30, 2026.

19

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'ASL', is written over a horizontal line.

S.B. NO. 81

Report Title:

Voter Registration; Department of Human Services; Med-QUEST;
Office of Elections; Examiner of Drivers

Description:

Requires the Department of Human Services' Med-QUEST division to automatically transmit applicants' voter registration information to the Office of Elections and clerk of the county of the applicant's residence, subject to certain conditions. Authorizes the Office of Elections to designate state agencies for automatic voter registration if the agency collects, processes, or stores certain information. Updates methods for automatic voter registration conducted by the Examiner of Drivers. Makes conforming amendments. Effective 1/30/2026.

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