

ACT 253

S.B. NO. 2430

A Bill for an Act Relating to Election.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 353, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“**§353- Reports to county clerk.** Whenever the paroling authority grants or revokes parole for any citizen of eighteen years of age or over, the paroling authority, in each case, shall make and promptly transmit to the clerk of the county in which the citizen resides, a certificate showing the fact of the granting or revoking of parole within twenty days after the granting or revoking of parole. The certificate shall include:

- (1) The name, date of birth, and social security number of the citizen and any known aliases;
- (2) The citizen’s address or last known address; and
- (3) The date of the grant or revocation of parole.”

SECTION 2. Section 806-76, Hawaii Revised Statutes, is amended to read as follows:

“**§806-76 Court proceedings; reports to county clerk.** Whenever in any circuit court, family court, or district court any citizen of eighteen years of age or over is:

- (1) Convicted of any felony[;] and sentenced to a term of imprisonment; or
- ~~(2) By reason of insanity acquitted of any such crime; or~~
- ~~(3)~~ (2) Adjudged insane or feeble-minded or otherwise legally incompetent,

the clerk of the court [shall], in each case within [ten] twenty days thereafter [make and promptly transmit], shall report to the clerk of [each county a certificate showing] the county in which the citizen is located the fact of the conviction or adjudication and [a sufficient identifying description of the citizen,] the citizen’s name, any known aliases, date of birth, social security number, and to the extent readily ascertainable by the clerk of the court, the residence address or last known

residence address. For a citizen convicted of any felony and sentenced to a term of imprisonment, copies of the judgment of conviction and sentence and mittimus (warrant of commitment) shall be provided to the clerk of the county.”

SECTION 3. Section 831-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A person sentenced for a felony, from the time of the person’s sentence until the person’s final discharge, may not:

- (1) Vote in an election, but if [~~execution of sentence is suspended with or without~~] the defendant [~~being~~] is placed on probation or the defendant is paroled after commitment to imprisonment, the defendant may vote during the period of the [~~suspension~~] probation or parole; or
- (2) Become a candidate for or hold public office.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved June 30, 2006.)

Note

1. Edited pursuant to HRS §23G-16.5.