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ACT 5

H.B. NO. 2900

A Bill for an Act Relating to Electronic Voting.

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

SECTION 1. Section 16-41, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Voter verifiable paper audit trail” means the paper record that constitutes a complete record of ballot selections that is verified by the voter. The record may also be used to assess the accuracy of the voting machine’s electronic record and to verify the election results.”

SECTION 2. Section 16-42, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) When used at primary or special primary elections, the automatic tabulating equipment of the electronic voting system shall count only votes for the candidates of one party, or nonpartisans. In all elections, the equipment shall reject all votes for an office when the number of votes therefor exceeds the number that the voter is entitled to cast.

No electronic voting system shall be used in any election unless it generates a paper ballot or voter verifiable paper audit trail that may be inspected and corrected by the voter before the vote is cast, and unless every paper ballot or voter verifiable paper audit trail is retained as the definitive record of the vote cast.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 13, 2006.)