

ACT 10

S.B. NO. 107

A Bill for an Act Relating to Voting.

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

SECTION 1. Chapter 15, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§15- Eligibility of voter after absentee ballot cast. The absentee ballot of any voter who was eligible to vote at the time the ballot was cast shall not be deemed invalid solely because the voter became ineligible to vote after casting the ballot. For the purposes of this section, “cast” means that the voter has:

- (1) Deposited the absentee ballot in the mail for ballots mailed in accordance with section 15-9(a)(1);
- (2) Delivered the absentee ballot to the appropriate county clerk or polling place in accordance with section 15-9(a)(2) or (3); or
- (3) Completed voting in person at an absentee polling place.”

SECTION 2. Chapter 15D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§15D- Eligibility of covered voter after ballot cast. The military-overseas ballot of any covered voter who was eligible to vote at the time the ballot was cast in accordance with this chapter shall not be deemed invalid solely because the covered voter became ineligible to vote after casting the ballot.”

SECTION 3. Section 15-14, Hawaii Revised Statutes, is amended to read as follows:

“§15-14 Ballots; where voting machines are used. In all precincts in which voting machines are used, sections 15-1 to ~~[15-13]~~ 15-12 shall apply; provided that the number and type of absentee ballots to be printed shall be determined at the discretion of the officer charged with printing and furnishing them. The officer may use reasonable facsimiles of the sample ballot used in voting machine precincts.”

SECTION 4. Section 15-13, Hawaii Revised Statutes, is repealed.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 6. This Act shall take effect upon its approval.

(Approved April 17, 2019.)

Note

1. Edited pursuant to HRS §23G-16.5.