

# Hawaii

*Voter Registration &  
Voter List Maintenance Guide*

*Provided by*



**Disclaimer:** This is a guide to Arizona's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in this guide or the information linked to on the state site.

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## Who can I contact with election related questions?

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**CHIEF STATE ELECTION OFFICER:  
LIEUTENANT GOVERNOR**

**Physical Address:**

Office of Elections  
802 Lehua Avenue  
Pearl City, HI 96782

**Mailing Address:**

Office of Elections  
802 Lehua Avenue  
Pearl City, HI 96782

**Phone Number:**

808-453-8683

**Email Address:**

[ltgov@hawaii.gov](mailto:ltgov@hawaii.gov)

**Website:**

<https://elections.hawaii.gov/>

## How do I register to vote?

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[Link to register to vote](#)

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### [Hawaii State Constitution, Article II, Suffrage and Elections](#)

Section 1. Every citizen of the United States who shall have attained the age of eighteen years, have been a resident of this State not less than one year next preceding the election and be a voter registered as provided by law, shall be qualified to vote in any state or local election.

Section 2. No person who is non compos mentis shall be qualified to vote. No person convicted of a felony shall be qualified to vote except upon the person's final discharge or earlier as provided by law.

## How do I cancel my voter registration?

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If you wish to cancel your Hawaii voter registration, or need assistance in canceling the voter registration of a deceased relative, please contact your [County Elections Division](#).

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### [§11-17 Removal of names from register, when; reregistration.](#)

(d) The clerk may also remove the name of any registered voter, if the voter so desires and properly notifies the clerk pursuant to the procedures established by the chief election officer.

## How is voter list maintenance handled?

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### §11-17 Removal of names from register, when; reregistration.

(a) The clerk, after every general election, shall remove the names of registered voters who were identified as having an outdated or undeliverable address who did not vote in all elections held during the two previous federal election cycles with the exception of anyone who preregistered pursuant to section 11-12(b). For this purpose, "vote" means the depositing of the ballot in the ballot box regardless of whether the ballot is blank or later rejected for any reason. In the case of voting machines, "vote" means the voter has activated the proper mechanism and fed the ballot into the machine. In the case of an election by mail pursuant to part VIIA, "vote" means the voter has returned the ballot to the chief election officer or clerk by the United States Postal Service, by personal delivery of the ballot to a place of deposit or voter service center, or by electronic transmission under certain circumstances pursuant to part VIIA.

(b) Before removal as noted in subsection (a), the clerk shall identify registered voter names from a postal database containing outdated or undeliverable addresses or by mailing a notice or other correspondence, properly addressed, and receiving a postal notation that the notice or other correspondence was not deliverable.

(c) Upon identification of names of registered voters as prescribed in subsection (b), the clerk shall conduct any notification mailings as required by applicable federal law.

(d) The clerk may also remove the name of any registered voter, if the voter so desires and properly notifies the clerk pursuant to the procedures established by the chief election officer.

(e) Any person whose name has been removed from the register may have that person's name restored in the register by presenting oneself to the clerk and reregistering pursuant to section 11-15, or by making application by mail or otherwise pursuant to procedures established by the clerk. The clerk shall require satisfactory evidence to establish the identity of the applicant. The names of all those persons shall be reentered in the register.

### §11-18 Transfer of registration on removal from one precinct to another in same county.

A registered voter who changes residence from one precinct to another prior to any election shall notify the clerk and change the registration to the proper precinct by the appropriate registration deadline; provided that no change of registration shall be allowed if the change of residence occurs after the close of registration for an election except pursuant to section 11-21(c). The change of registration due to a change of residence may be challenged as provided in section 11-25.

### §11-19 Registration from one county to another.

Whenever a registered voter changes residence from one county to another, the person shall notify the clerk and change the registration to the proper county by the appropriate registration deadline; provided that no change of registration shall be allowed after the close of registration for an election except pursuant to section 11-21(c). Thereupon, if the person applying is legally qualified to register, the clerk shall accept the registration and shall immediately thereafter forward to the clerk of the county in which the person was formerly registered, a notice that the name of the registered voter is to be removed from the general county register of that county.

### §11-20 Transfers; name changes; initiated by clerk.

(a) The clerks shall use all reliable and pertinent information to keep the general register up to date. The county clerks may request information from, but are not limited to, the following sources:

- (1) The office of the lieutenant governor for any change of name;
- (2) Courts for any changes of name, divorces, separations, or other changes affecting voter status;
- (3) The department of health for marriages, deaths, or other changes affecting voter status;
- (4) Utility companies concerning commencement or changes of service;
- (5) Residential apartments, cooperative apartments, and condominiums as to changes of occupancy.

In requesting the information the clerk shall give reasonable notice and time for furnishing the information.

(b) If the clerk has evidence indicating that a voter's registration should be transferred, the clerk shall notify the person by first-class mail of the intent to transfer registration. The notification shall include:

- (1) Any evidence that the clerk may have indicating why a transfer or change should be made;

## **§11-20 CONTINUED**

(2) The residence, precinct, and district of the voter according to current registration lists;

(3) Any alleged new address, precinct, and district;

(4) A reply form which shall contain a space for the voter's agreement or objection to the transfer, the reasons for the objection and space for the voter's signature;

(5) Notice that unless the completed form is returned not later than 4:30 p.m. on the fifteenth day after mailing, the transfer shall be processed.

(c) A voter may contest the transfer on or before election day by presenting evidence that the voter actually resides at the old address which, if found valid by the clerk or the board of registration, shall entitle the voter to be returned to the old voting list.

(d) Notwithstanding section 11-24, the clerk may, at any time, transfer a voter's registration when notice of a change of address is received by registration affidavit or other form or means approved by the chief election officer.

### **§11-21 Change of name, transfer on election day.**

(a) The clerk may designate a registration clerk, who may be an election official, at a voter service center in the county on the day of the election.

(b) These registration clerks shall take applications for change of name from voters who have been married or who have had their names changed since the last election.

(c) Any person whose name appears on the registered voters list whose residence has changed since the last election, and whom the clerk has not transferred under section 11-20, may apply on a form prescribed by the chief election officer on the day of the election for transfer of registration to the precinct of the new residence. Any person so transferring voter registration shall be immediately added to the register of the new precinct.

(d) Where a person was incorrectly placed on a list of voters of a precinct in which the person does not actually reside, the person may correct the registration.

### **§11-22 Changing register; correction of errors.**

(a) The clerk shall correct the register if at any time it shall be manifest to the clerk that the name of a person registered has been accidentally misspelled, or that the person has been misnamed therein, or that the person has been accidentally registered under the wrong precinct, or that the person was accidentally removed pursuant to section 11-17(a), or that the name of the person should be corrected or restored pursuant to section 11-17(b).

(b) In any case where the clerk refuses to correct the register, the person may appeal to the board of registration and the register shall be changed upon a written order of the board of registration, setting forth the reasons for the change.

## **§11-22 CONTINUED**

The order shall be directed to the clerk. The clerk, upon receipt of any order from the board of registration, shall correct the register according to the terms of the order, making on the register a reference to the order.

### **§11-23 Changing register; striking names of disqualified voters.**

Whenever the clerk receives from the department of health or any informing agency, information of the death, loss of voting rights of a person sentenced for a felony as provided in section 831-2, adjudication as an incapacitated person under the provisions of chapter 560, loss of citizenship, or any other disqualification to vote, the clerk may accept the reported information as prima facie evidence to maintain and update the general register. Any person whose name is removed from the register of voters under this section may reregister to vote or appeal in the manner provided by sections 11-26 and 11-51, and the proceedings shall be had upon the appeal as in other appeals under these sections.

### **§11-25 Challenge by voters; grounds; procedure.**

(a) Any registered voter may challenge the right of a person to be or to remain registered as a voter in any precinct for any cause not previously decided by the board of registration or the supreme court in respect to the same person. The challenge shall be in writing, setting forth the grounds upon which it is based, and be signed by the person making the challenge. The challenge shall be delivered to the clerk who shall immediately serve notice thereof on the person challenged. The clerk shall, as soon as possible, investigate and rule on the challenge.

(b) Any voter rightfully in a voter service center may challenge the right to vote of any person who comes to the voter service center for voting purposes. The challenge shall be on the grounds that the voter is not the person the voter alleges to be, or that the voter is not entitled to vote. No other or further challenge shall be allowed. Any person challenged pursuant to this subsection shall first be given the opportunity to make the relevant correction pursuant to section 11-21. The challenge shall be considered and decided immediately by the clerk, and the ruling shall be announced.

(c) If neither the challenger nor the challenged voter appeals the ruling of the clerk, then the voter shall either be allowed to vote or be prevented from voting in accordance with the ruling. If an appeal is taken to the board of registration, the challenged voter shall be allowed to vote; provided that the ballot is placed in a sealed envelope to be later counted or rejected in accordance with the ruling on appeal. The chief election officer shall adopt rules in accordance with chapter 91 to safeguard the secrecy of the challenged voter's ballot.

### §11-26 Appeal from ruling on challenge; or failure of clerk to act.

(a) In cases where the clerk, or voter service center officials, rules on a challenge on election day, the person ruled against may appeal from the ruling to the board of registration of the person's county for review under part III. The appeal shall be brought before the challenger and challenged party leave the voter service center. If an appeal is brought, both the challenger and the challenged voter may be parties to the appeal.

(b) In cases where the clerk rules on a challenge, prior to election day, or refuses to register an applicant, or refuses to change the register under section 11-22, the person ruled against may appeal from the ruling to the board of registration of the person's county. The appeal shall be brought within ten days of service of the adverse decision. Service of the decision shall be made personally or by registered mail, which shall be deemed complete upon deposit in the mails, postage prepaid, and addressed to the aggrieved person's last known address. If an appeal from a decision on a challenge prior to election day is brought, both the challenger and the challenged voter may be parties to the appeal.

(c) If the appeal is sustained, the board shall immediately certify that finding to the clerk, who shall thereupon alter the register to correspond to the findings of the board, and when necessary, the clerk shall notify the voter service center officials of the change in the register.

## The National Voter Registration Act of 1993

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Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

## List of voter registration statuses and their definitions

Registration Status	Statute
<p><b>Active</b> - Upon the clerk's approval of the voter registration application or any changes to the voter registration information, the clerk shall proceed to number the application and register the name of the voter in the general county register.</p>	<p><a href="#">§11-15.7 (b)</a></p>
<p><b>Inactive</b> - Voters whose registration is subject to removal after failing to vote for two general election cycles due to a registration address which has been identified as outdated or undeliverable.</p>	<p><a href="#">§11-17</a></p>
<p><b>Canceled</b> - Whenever the clerk receives from the department of health or any informing agency, information of the death, loss of voting rights of a person sentenced for a felony as provided in section 831-2, adjudication as an incapacitated person under the provisions of chapter 560, loss of citizenship, or any other disqualification to vote, the clerk may accept the reported information as prima facie evidence to maintain and update the general register. Any person whose name is removed from the register of voters under this section may reregister to vote or appeal in the manner provided by sections 11-26 and 11-51, and the proceedings shall be had upon the appeal as in other appeals under these sections.</p>	<p><a href="#">§11-23</a></p>

## How do I file a HAVA complaint?

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### [Link to HAVA Complaint Process](#)

Any person who believes a violation of Title III of HAVA has occurred, is occurring, or is about to occur, may file a complaint. You must file the complaint in writing, and it must be notarized, signed, and sworn by the complaint filer.

Complaints should be mailed to:

Office of Elections

802 Lehua Avenue

Pearl City, Hawaii 96782

## How do I file a non-HAVA election complaint?

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### [Link to non-HAVA Election Complaint Process](#)

The duties of the Elections Commission provided under Hawaii Revised Statutes §11-7.5 include to investigate and hold hearings for receiving evidence of any violations and complaints concerning an administrative act of the office of elections.

If you believe a crime has been committed, please file a report with law enforcement.

## Who can I contact regarding an election related complaint?

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### **Hawaii State Elections Commission**

**Physical/Mailing Address:**

Office of Elections  
802 Lehua Avenue  
Pearl City, HI 96782

**Phone Number:**

808-453-8683

**Email Address:**

[elections@hawaii.gov](mailto:elections@hawaii.gov)

**Website:**

<https://elections.hawaii.gov/>

### **Department of the Attorney General**

**Physical/Mailing Address:**

Department of the Attorney General  
425 Queen Street  
Honolulu, HI 96813

**Phone Number:**

808-586-1500

**Email Address:**

[hawaiiag@hawaii.gov](mailto:hawaiiag@hawaii.gov)

**Online Address:**

<https://ag.hawaii.gov/>