

Provisional Voting

The Help America Vote Act of 2002 (HAVA) establishes the right for a voter to cast a provisional ballot if:

- Voter's name does not appear on the official list of registered voters; or
- An election official asserts that the voter is not eligible to vote.

Fail-Safe Voting

A fail-safe voter is a person who is a first-time voter who has mailed the voter registration application and has not provided the required HAVA identification either at the time of registration, at the polling place, or when returning a voted absentee ballot. In such a situation, the voter is able to submit a provisional ballot. The voter must provide the Clerk's Office acceptable identification for the ballot to be counted, by the following deadlines:

Primary Election: August 16, 2016
General Election: November 10, 2016

Casting a Provisional Ballot

A voter is permitted to cast a provisional ballot upon completing a written affirmation stating that the individual is:

- A registered voter in the jurisdiction in which the individual desires to vote; and
- Eligible to vote in that election.

The Clerk's Office will determine if a provisional ballot is to be counted in accordance with State Law. The voter will be able to verify if the ballot did or did not count, and the reason why it was not counted, by calling a toll-free number provided or through the Office of Elections website at www.elections.hawaii.gov.

For complete information, please refer to HAVA, Title III, Sections 302 & 303.

This FACTSHEET is intended for informational purposes only and should not be used as an authority on Hawaii election law. Requirements and/or deadlines may change. Consult the Hawaii Revised Statutes and other sources for more detailed requirements.

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Neighbor Island Toll Free: 1-800-442-VOTE (8683)
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