

**FACTSHEET**  
**RULES TO DETERMINE RESIDENCY**

The following are the rules that determine one's residency during an election, according to the Hawaii Revised Statutes §11-13:

1. *The residence of a person is that place in which that person's habitation is fixed, and to which, whenever the person is absent, the person has the intention to return;*
2. *A person does not gain residence in any precinct into which the person comes without the present intention of establishing the person's permanent dwelling place within such precinct;*
3. *If a person resides with the person's family in one place, and does business in another, the former is the person's place of residence; but any person having a family, who establishes the person's dwelling place other than with the person's family, with the intention of remaining there shall be considered a resident where the person has established such dwelling place;*
4. *The mere intention to acquire a new residence without physical presence at such place, does not establish residency, neither does mere physical presence without the concurrent present intention to establish such place as the person's residence;*
5. *A person does not gain or lose a residence solely by reason of the person's presence or absence while employed in the service of the United States or of this State, or while a student of an institution of learning, or while kept in an institution or asylum, or while confined in a prison;*
6. *No member of the armed forces of the United States, the member's spouse or the member's dependent is a resident of this State solely by reason of being stationed in the State;*
7. *A person loses the person's residence in this State if the person votes in an election held in another state by absentee ballot or in person.*

**Note:** There is no express prohibition which prevents active duty military and their dependents from claiming residency in the State of Hawaii, and therefore registering to vote. Taken in its entirety this above section, HRS §11-13, calls for an individual to positively determine their residency status and therefore the fulfillment of one of the qualifications to register to vote.

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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This information is available in alternate formats (i.e., large print, taped materials, etc.). If you require special assistance contact the Office of Elections at 453-VOTE (8683).