

## 2017 Election Law Changes

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 33-A:3-a, CXLI(f) Verifiable Action of Domicile Documents.** (f) *Verifiable action of domicile document: until voter is removed from the checklist plus 7 years.*

Chapter 3  
(HB 87) Amended  
Eff. 5.30.17

**RSA 40:3 Pro Tem.** If the moderator is absent from any meeting or is unable to perform the duties of the office of moderator, a moderator pro tempore shall be appointed *by the board of supervisors of the checklist of the town or ward, or by the selectmen of a town or ward where there is no board of supervisors.*

Chapter 200  
(SB 113) NEW  
Eff. 8.4.17

**RSA 652:27 Electronic Poll Books.** I. *Cities and towns are hereby authorized to conduct a trial of electronic poll book devices for voter registration and check-in for elections. The trial shall be compliant with all statutes directly or indirectly related to voter checklists and maintenance of the statewide centralized voter registration database including the processes related to voter registration, voter check-in and check-out, the processing of absentee ballots, the collection of all fields of data required for registration or check-in, and the delivery of that data to the secretary of state in a format compatible with the statewide centralized voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA 659:13, RSA 659:14, and RSA 659:23, as they relate to manual entries on a paper checklist, are hereby waived in order to accommodate an electronic poll book, provided the same information required of the voter is obtained and recorded by the electronic poll book, and can be retrieved and printed at any time including during an election. In addition, nonpublic data related to individual voter data shall remain confidential, and no voter data shall be released or retained by an electronic poll book vendor, including its agents, or any company or individual that provides software, hardware, or services to the vendor for any purpose. An electronic poll book vendor shall not have access to any voter data except as specifically necessary to setup, maintain, or train for an electronic poll book program authorized under RSA 652:27. Adequate back-up systems shall be in place as determined by the local election officials for local elections and the secretary of state for all other elections. A back-up system shall include a “real time” download of voters who have checked in or registered on the day of the election. The electronic poll book shall have the ability to generate a paper voter checklist completely marked to reflect participation in the election up to the time of any system failure or malfunction. A sufficient number of high speed printers shall be available in the polling place to produce a back-up paper checklist for use in the event of a system failure. A marked checklist shall be printed upon the completion of every election along with any reports required by statute and shall be retained by the clerk.*

II. *The cities and towns shall assume all costs associated with electronic poll books. No electronic poll book trial program may proceed unless the electronic poll books system and application has been recommended for approval by an evaluator of electronic election systems using requirements established by the secretary of state. Within 30 days of the effective date of this section, the secretary of state shall designate at least one evaluator of electronic election systems to draft test cases, conduct tests, and make recommendations. Recommendations to the secretary of state from an evaluator of electronic election systems shall be conditioned upon safe use procedures. The secretary of state may approve electronic poll book systems based on recommendations from an evaluator of electronic election systems. No city or town may use an electronic poll book system that has not been approved by the secretary of state. The secretary of state, within 30 days of the effective date of this section, shall prepare requirements for conducting a trial of electronic poll book devices that outline specific conditions that must be met for compliance with this section. An electronic poll book trial program must originate with a city or town election before becoming eligible for use at a state election in the same city or town.*

III. *The city or town clerk shall file with the secretary of state all documentation that is necessary to show that all requirements in this section have been met no later than 30 days before an electronic poll book trial program shall take place. Within 30 days after the initial use of electronic poll books in accordance with this section, the city or town shall submit a report to the secretary of state, who shall review such reports and forward them to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate standing committees with jurisdiction over election law. Each report shall describe the outcome of the program, addressing voter experiences, wait times, voter throughput times, personnel costs, hardware and software costs, and the completeness and accuracy of the data recorded, reported, and submitted for import to the statewide centralized voter registration database.*

*The secretary of state shall file a report with the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate standing committees with*

jurisdiction over election law, no later than November 1, 2021, that lays out a plan for the implementation of an electronic poll book system based on successful electronic poll book trials conducted under RSA 652:27.

**REPEALED** – RSA 652:27 relative to electronic poll books. (Effective Jan. 1, 2023)

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:2, I. Temporary Absence or Presence.** A domicile for voting purposes...(no changes)...such domicile is gained. Domicile for purposes of voting is a question of fact and intention *coupled with a verifiable act or acts carrying out that intent*. A voter can have only one domicile for voting purposes. No person shall be deemed.... (no changes)...or private facility.

*II.(a) A person present in New Hampshire for temporary purposes shall not gain a domicile for voting purposes. A person who maintains a voting domicile where he or she came from, to which he or she intends to return to as his or her voting domicile after a temporary presence in New Hampshire, does not gain a domicile in New Hampshire regardless of the duration of his or her presence in New Hampshire.*

*(b) A person who has been present and residing in one town or ward in New Hampshire for 30 or fewer days is presumed to be present for temporary purposes unless that person has the intention of making the place in which the person resides his or her one place, more than any other, from which he or she engages in the domestic, social, and civil activities of participating in democratic self-government including voting, and has acted to carry out that intent.*

*(c) For the purposes of this chapter, temporary purposes shall include, but are not limited to, being present in New Hampshire for 30 or fewer days for the purposes of tourism, visiting family or friends, performing short-term work, or volunteering or working to influence voters in an upcoming election.*

*(d) For the purposes of voter registration under RSA 654:7, IV(c), an applicant shall demonstrate an intent to make a place his or her domicile by providing documentation showing that the applicant has a domicile at the address provided on the voter registration form. Such documentation may include, but is not limited to:*

*(1) Evidence of residency, as set forth in RSA 654:1, I-a, at an institution of learning in that place;*

*(2) Evidence of renting or leasing an abode at that place for a period of more than 30 days, to include time directly prior to an election day;*

*(3) Evidence of purchasing an abode at that place;*

*(4) A New Hampshire resident motor vehicle registration, driver's license, or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b listing that place as his or her residence.*

*(5) Evidence of enrolling the person's dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of that place, using the address where the registrant resides;*

*(6) Identifying that place as the person's physical residence address on state or federal tax forms, other government-issued identification, or other government forms that show the domicile address;*

*(7) Evidence of providing the address of that place to the United States Post Office as the person's permanent address, provided it is not a postal service or commercial post office box;*

*(8) Evidence of obtaining public utility services for an indefinite period at that place; or*

*(9) Evidence of arranging for a homeless shelter or similar service provider located in the town or ward to receive United States mail on behalf of the individual using that facility's address as the individual's domicile address for voting purposes.*

*(e) An applicant whose domicile is at an abode rented, leased, or owned by another and whose name is not listed on the rental agreement, lease, or deed may provide a written statement from a person who is listed on the rental agreement, lease, or deed, or other reasonable proof of ownership or control of the property or his or her agent who manages the property that the applicant resides at that address, signed by the owner or manager of the property under penalty of voting fraud if false information is provided.*

**III.** *An individual applying for registration as a voter 30 or fewer days before an election shall use the election day registration form required by RSA 654:7, IV(c) which shall require the applicant to provide the date he or she established his or her voting domicile in New Hampshire. The registration*

form shall require the voter to identify and provide evidence of a verifiable action he or she has taken carrying out his or her intent to make the place claimed on the voter registration form his or her domicile.

IV. A person may register on election day through use of an acknowledgement of domicile evidence obligation on the registration form and vote if he or she does not have any document in his or her possession at the polls providing evidence of an action carrying out his or her intent to make the address claimed as his or her voting domicile. A person relying on an acknowledgement of domicile evidence obligation to register must mail or present evidence of an action taken before registering to vote to carry out his or her intent to make the address claimed his or her domicile to the town or city clerk within 10 days following the election, or within 30 days in towns where the clerk's office is open fewer than 20 hours weekly.

V. The supervisors of the checklist, as soon as practical following an election, shall determine which registrants of that election acknowledged there was no evidence of intent to be domiciled at their address or relied solely on an acknowledgement of domicile evidence obligation to register and vote, and, of those registrants, those who failed to mail or present evidence of having taken some action to carry out their intent to establish domicile at the address listed on their voter registration applications to the clerk by the deadline. The supervisors shall attempt to verify that each such person was domiciled at the address claimed on election day by means including, but not limited to:

(a) Examining public records held by the town or city clerk, municipal assessing and planning offices, tax collector, or other municipal office that may house public records containing domicile confirmation; or

(b) Requesting 2 or more municipal officers or their agents or state election officers or their agents to visit the address and verify that the individual was domiciled there on election day. In unincorporated places that have not organized for the purposes of conducting elections, county officers may be asked to perform this function; or

(c) Referring the registrant's information to the secretary of state, who shall cause such further investigation as is warranted.

VI. Any case where supervisors are unable to verify the applicant's domicile or where evidence exists of voting fraud shall be promptly reported to the secretary of state and to the attorney general, who shall cause such further investigation as is warranted. After receiving confirmation from the secretary of state that an individual is not domiciled at the address provided, the supervisors shall also initiate removal of the person from the checklist by sending the person the notice required by RSA 654:44.

**RSA 654:7, III, IV(b) and IV(c) Voter Registration Form.** III. If an applicant is unable to provide the proof of qualifications as required in RSA 654:12, he or she may register by completing the necessary affidavits, pursuant to RSA 654:12, and completing the form in subparagraph IV(b), unless the person is registering *within 30 days before an election or at the polling place on election day*. If an applicant is registering at the polling place on election day and is unable to provide the proof of qualifications as required.....(no changes).....administering oaths for other purposes.

IV. (b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, transfers, or updates other than those *used within 30 days of an election or at the polling place on election day*, which shall be in substantially the following form:

The current form remains the same except for the following:

6. Place last registered to vote Street \_\_\_\_\_ Ward number \_\_\_\_\_

*I am not currently registered to vote elsewhere (initial here \_\_\_\_ ), or I request that my name be removed as a registered voter in \_\_\_\_\_ (fill in your address where previously registered, street, city/town, state, and zip code)*

And

In accordance with RSA 659:34, the penalty for knowingly or *purposely* providing false information.....(no changes)... not to exceed \$5,000.

IV. (c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, transfers, or updates *starting 30 days before each election and at the polling place on election day*, which shall be in substantially the following form:

\_\_\_ NEW REGISTRATION – no changes

\_\_\_ TRANSFER – no changes

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\_\_\_NAME CHANGE/ADDRESS UPDATE – no changes

Date registration form is submitted \_\_\_\_\_

Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON ELECTION DAY

6. Place last registered to vote Street \_\_\_\_\_ Ward number \_\_\_\_\_

I am not currently registered to vote elsewhere (initial here \_\_\_\_), or I request that my name be removed as a registered voter in \_\_\_\_\_ (fill in your address where previously registered, street, city/town, state, and zip code)

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisors of the checklist is available to address my questions or concerns.

*I understand that to make the address I have entered above my domicile for voting I must have an intent to make this the one place from which I participate in democratic self-government and must have acted to carry out that intent.*

*I understand that if I have documentary evidence of my intent to be domiciled at this address when registering to vote, I must either present it at the time of registration or I must place my initials next to the following paragraph and mail a copy or present the document at the town or city clerk's office within 10 days following the election (30 days in towns where the clerk's office is open fewer than 20 hours weekly).*

\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not presented evidence of actions carrying out my intent to be domiciled at this address, that I understand that I must mail or personally present to the clerk's office evidence of actions carrying out my intent within 10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20 hours weekly), and that I have received the document produced by the secretary of state that describes the items that may be used as evidence of a verifiable action that establishes domicile.

*Failing to report and provide evidence of a verifiable action will prompt official mail to be sent to your domicile address by the secretary of state to verify the validity of your claim to a voting domicile at this address.*

*I understand that if I do not have any documentary evidence of my intent to be domiciled at this address, I must place my initials next to the following paragraph:*

\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I am aware of no documentary evidence of actions carrying out my intent to be domiciled at this address, that I will not be mailing or delivering evidence to the clerk's office, and that I understand that officials will be sending mail to the address on this form or taking other actions to verify my domicile at this address.

If this form is used in place of identity, age, or citizenship, I hereby swear that such information is true and accurate to the best of my knowledge.

This form was executed for the purposes of proving (applicant shall circle yes or no and initial such item):

Identity yes/no \_\_\_ initials

Citizenship yes/no \_\_\_ initials

Age yes/no \_\_\_ initials

Signature of Applicant \_\_\_\_\_ Signature of Election Officials \_\_\_\_\_

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or *purposely* providing false information.....(no changes).... not to exceed \$5,000. *In accordance with RSA 659:34-a voting in more than one state in the same election is a class B felony with a maximum sentence of imprisonment not to exceed 7 years and a fine not to exceed \$4,000.*

*V. The secretary of state shall prepare and distribute an addendum to the voter registration form used under subparagraph IV(c) to be distributed to those registrants who register within 30 days before the election or on election day and who do not provide proof of domicile or a verifiable action to demonstrate domicile. The "verifiable action of domicile" document shall provide notice of the requirements that registrants must furnish documentary evidence of domicile and shall be in substantially the following form:*

*Verifiable Action of Domicile*

*As a newly registered voter, you have received this document because you did not provide proof of domicile when you registered to vote. RSA 654:2, IV requires you to provide evidence that you have taken a verifiable act to establish domicile.*

*The following checklist shall be used as a guide for what you may use as evidence and shall be submitted to the town or city clerk along with documentation that you are required to provide. Only one item on the list is required to demonstrate a verifiable act.*

*To establish that you have engaged in a verifiable act establishing domicile, provide evidence that you have done at least one of the following:*

*\_\_\_ established residency, as set forth in RSA 654:1, I-a, at an institution of learning at the address on the voter registration form.*

*\_\_\_ rented or leased an abode, for a period of more than 30 days, to include time directly prior to an election day at the address listed on the voter registration form.*

*\_\_\_ purchased an abode at the address listed on the voter registration form.*

*\_\_\_ obtained a New Hampshire resident motor vehicle registration, driver's license, or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b listing the address on the voter registration form.*

*\_\_\_ enrolled a dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of the address where the registrant resides, as listed on the voter registration form.*

*Identified the address on the voter registration form as your physical residence address on:*

*\_\_\_ state or federal tax forms*

*\_\_\_ other government-issued forms or identification. Describe form of identification: \_\_\_\_\_*

*\_\_\_ provided the address on the voter registration form to the United States Post Office as your permanent address, provided it is not a postal service or commercial post office box, where mail is delivered to your home. This can be by listing the address on the voter registration form as your new address on a Postal Service permanent change of address form and providing a copy of the receipt, or an online emailed receipt.*

*\_\_\_ obtained public utility services (electricity, cable, gas, water, etc.) for an indefinite period at the address on the voter registration form. List services obtained: \_\_\_\_\_*

*\_\_\_ arranged for a homeless shelter or similar service provider to receive United States mail on your behalf. Enter name of the shelter or provider: \_\_\_\_\_*

*\_\_\_ describe what other verifiable action or actions you have taken to make the address listed on your voter registration form your one voting domicile: \_\_\_\_\_*

*If you have no other proof of a verifiable act establishing domicile, and your domicile is at an abode rented, leased, or purchased by another and your name is not listed on the rental agreement, lease, or deed, you are required to provide a written statement, signed under penalty of voting fraud if false information is provided, from a person who is listed on such document, or other reasonable proof of ownership or control of the property, attesting that you reside at that address, signed by that person or his or her agent who manages the property.*

*This verifiable action of domicile form, along with your written statement or other documentation proving a verifiable act, shall be delivered to the town or city clerk, by mail or in person, within 10 days, or within 30 days if the clerk's office is open fewer than 20 hours weekly.*

Name \_\_\_\_\_ (Last (suffix) First Full Middle Name)

Domicile Address \_\_\_\_\_ (Street/Ward Number/Town or City/Zip Code)

Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_

*This document was received by the clerk, who examined and returned it to the applicant after making a copy of the evidence of verifiable action, said copy to be attached to the verifiable action of domicile form.*

Date \_\_\_\_\_ Signature of Clerk \_\_\_\_\_

*The clerk shall forward the completed form and attachment or attachments to the supervisors of the checklist as soon as possible, not later than their next meeting. The supervisors of the checklist shall attach the form and attachments to the voter registration form.*

**RSA 654:7-b Effect of Registration on Election Day.** Any person who registers to vote on election day according to the provisions of RSA 654:7-a shall be registered to vote at all subsequent town, city, school district, village district, state, and federal elections *unless the person's name is removed from the checklist in accordance with the provisions of this chapter.*

**RSA 654:12, I(a)-(c) Determining Qualifications of Applicant.**

(a) CITIZENSHIP. The supervisors...(no changes)... if the applicant is a naturalized citizen, a qualified voter affidavit, a sworn statement on the voter registration form *used starting 30 days before an election and on election day*, or any other reasonable documentation which indicates the applicant is a United States Citizen. The qualified voter affidavit shall be in the following form and shall be retained in accordance with RSA 33-A:3-a.

The QUALIFIED VOTER AFFIDAVIT remains the same except the word "purposefully" is changed to "*purposely*" in the penalty paragraph.

(b) AGE. Any reasonable documentation....(no changes)....or a sworn statement on the voter registration form *used starting 30 days before an election and on election day.*

(c) DOMICILE. (1) *Registering more than 30 days in advance of an election.*

(A) *A person who possesses one of the following qualified documents identifying the applicant's name and the address claimed as domicile must present that document when applying for registration prior to election day: (i) New Hampshire driver's license or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle registration; (iii) a picture identification issued by the United States government that contains a current address; (iv) government issued check, benefit statement, or tax document. A person who possesses such a document, but failed to bring it with the person when seeking to register to vote shall be required to return when he or she can present one of these documents or to bring the document and register on election day.*

(B) *A person who attests under penalty of voter fraud that he or she does not possess any of the qualified documents listed in subparagraph (A) may present any reasonable documentation of having established a physical presence at the place claimed as domicile, having an intent to make that place his or her domicile, and having taken a verifiable act to carry out that intent. The documentation must establish that it is more likely than not that the applicant has a domicile and intends to maintain that domicile, as defined in this chapter, at least until election day in the town or ward in which he or she desires to vote.*

*Reasonable documentation may include, but is not limited to evidence of:*

- (i) Residency, as set forth in RSA 654:1, I-a, at an institution of learning at that place;*
- (ii) Renting or leasing an abode at that place for a period of more than 30 days, to include time directly prior to an election day;*
- (iii) Purchasing an abode at that place;*
- (iv) Enrolling the applicant's dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of that place, using the address where the registrant resides;*
- (v) Listing that place as the person's physical residence address on state or federal tax forms, other government identification showing the address, or other government forms showing the address;*
- (vi) Providing the address of that place to the United States Post Office as the person's permanent address, provided it is not a postal service or commercial post office box;*
- (vii) Obtaining public utility services for an indefinite period at that place; or*
- (viii) Arranging for a homeless shelter or similar service provider located in the town or ward to receive United States mail on behalf of the individual. An applicant whose domicile is at an abode of another and whose name is not listed on the document offered as proof of domicile may provide a written statement from a person who is listed as owner, property manager, or tenant on the document that the applicant resides at that address, signed by that person under penalty of voting fraud if false information is provided.*

(2) *Registering within 30 days before an election and on election day.*

(A) *When registering within 30 days before an election or on election day as provided in RSA 654:7-a, if the applicant does not have in his or her possession at the polls one of the qualified documents listed in subparagraph (1) or other reasonable documentation which establishes that it is more likely than not that the applicant has a domicile at the address claimed in the town or ward in which he or she desires to vote, he or she may execute a sworn statement on the voter registration form used starting 30 days before an election and on election day and initial the acknowledgement of domicile evidence obligation. If the applicant identifies on his or her application action taken to establish his or her domicile, which he or she has documentation of, he or she must agree to mail a copy of or present the document in person to the city*

or town clerk within 10 days, or where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of documents provided in compliance with this subparagraph are exempt from the public disclosure required by RSA 91-A. The clerk shall document receipt of a copy or completion of verification of a document presented in person and forward verification to the supervisors of the checklist. An applicant whose voter registration is approved based on an acknowledgment of a domicile evidence obligation who knowingly or purposely fails to provide a document to the city or town clerk as required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA 659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any such person who fails to provide proof of domicile by the deadline by sending the person the notice required by RSA 654:44.

(B) A person registering within 30 days before an election or on election day who does not possess reasonable documentation of establishing domicile and has taken no verifiable action to carry out his or her intent to establish domicile at the address claimed on the voter registration application may nonetheless register to vote by initialing the paragraph on the registration form acknowledging that domicile may be verified. The supervisors of the checklist shall, as soon as practical following an election at which the person initials such paragraph to register and vote, attempt to verify that the person was domiciled at the address claimed on election day by means including, but not limited to:

(i) Examining public records held by the town or city clerk, municipal assessing and planning offices, tax collector, or other municipal office that may house public records containing domicile confirmation; or

(ii) Requesting 2 or more municipal officers or their agents or state election officers or their agents to visit the address and verify that the individual was domiciled there on election day. In unincorporated places that have not organized for the purposes of conducting elections, county officers may be asked to perform this function; or

(iii) Referring the registrant's information to the secretary of state, who shall cause such further investigation as is warranted.

(C) Any case where supervisors are unable to verify the applicant's domicile or where evidence exists of voting fraud shall be promptly reported to the secretary of state and to the attorney general, who shall cause such further investigation as is warranted.

*DOMICILE AFFIDAVIT under this section is repealed*

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:12, II(b) Qualifications of Applicants.** (b) Any one of the following is presumptive evidence of the identity of an applicant sufficient to satisfy the identity requirement for an official authorized by RSA 659:30 to take the oath of an applicant swearing to a qualified voter, domicile, or election day affidavit or a sworn statement on the voter registration form *used starting 30 days before an election and on election day*.

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:12, III Qualifications of Applicants.** To prove the qualifications....(no changes)....with RSA 33-A:3-a, or a sworn statement on the voter registration form *used starting 30 days before an election and on election day*. Resident of a .... (no changes)....with a photo identification.

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:12, V(a) Determining Qualifications of Applicant.** No changes until the LAST sentence. The person entering the voter information of election day residents into the centralized voter registration database shall cause the records to indicate if the voter executed a sworn statement on the voter registration form *used starting 30 days before an election and on election day*.

Chapter 222  
(HB 552)  
Amended  
Eff. 7.10.17

**RSA 654:12, V(c) Letters of Identity Verification.** (c) The secretary of state shall *conduct an inquiry regarding* any letters mailed pursuant to subparagraph (b) that are returned as undeliverable by the United States Post Office *and those* persons who were mailed letters under subparagraph (b) and have not confirmed their registration. *The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the voter registration form.* After such inquiry, the secretary of state shall prepare and forward to the attorney general for investigation a list of those people whose identity or eligibility to vote could not be confirmed. Upon receipt of notice from a person who receives a letter of identity verification that the person did not register and vote, or upon receipt of a referral from the secretary of state, the attorney general shall cause an investigation to be made to determine whether fraudulent registration or voting occurred.

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:12, V(d) Determining Qualifications of Applicant.** (d) Within 90 days of each election, the secretary of state shall cause a list of persons executing sworn statements on the voter registration form *used starting 30 days before an election and on election day* since the prior election to be forwarded.....no further changes in paragraph.....

Chapter 222  
(HB 552)  
Amended  
Eff 7.10.17

**RSA 654:12, V(e)-(f) Letters of Driver's Obligation.** (e) The secretary of state shall *conduct an inquiry regarding* any letters mailed pursuant to subparagraph (d) that are returned as undeliverable by the United States Post Office. *The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the letters. After such inquiry, the secretary of state shall prepare and forward to the attorney general for investigation a list of those people whose eligibility to vote could not be confirmed.* The attorney general shall cause an investigation to be made to determine whether fraudulent registration or voting occurred.

(f) Upon completion of any investigation authorized under *RSA 654:12, the secretary of state and the attorney general shall forward a report summarizing the results of the inquiry and investigation, respectively, to the speaker of the house of representatives, the president of the senate, and the chairpersons of the appropriate house and senate standing committee with jurisdiction over election law.*

Chapter 237  
(HB 247) NEW  
Eff. 9.16.17

**RSA 654:13-a Retention of Voter Registration Forms.** *All voter registration forms and other records relating to voter registration shall be retained securely in a municipal office under the direction of the town or city clerk. Those forms and records shall be readily accessible to the supervisors of the checklist. Any voter registration documents submitted at a meeting of the supervisors of the checklist or at the polling place shall be filed at the office of the town or city clerk within 10 days of the meeting or election at which it was submitted.*

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 654:31-a Right to Know Exemption.** The only changes in this paragraph is the removal of the phrases "and domicile" {3 times} and "or domicile" {once} before the word affidavit(s).

**RSA 654:45, VIII Centralized Voter Registration Database; Information Shared With Other States.**

(a) The secretary of state may enter..... no changes.....nature remains confidential.

(b) *The secretary of state shall investigate any duplicate matches of voters resulting from any comparisons of the statewide centralized voter registration database with other states. If the investigation results in the inability to confirm the eligibility of a person or persons who voted, or there is reason to believe a person or persons voted who were not eligible, the secretary of state shall forward the results to the attorney general for further investigation or prosecution.*

(c) *Upon completion of any investigation authorized under RSA 654:45, VIII(b), the attorney general and the secretary of state shall forward a report summarizing the results of the investigation to the speaker of the house of representatives, the president of the senate, and the chairpersons of the appropriate house and senate standing committees with jurisdiction over election law.*

Chapter 222  
(HB 552) Amended  
Eff. 7.10.17

**RSA 654:45, IX** relative to sharing voter information with other states - **REPEALED**

Chapter 49  
(SB 108)  
Amended  
Eff. 7.11.17

**RSA 657:4, I Absentee Voting Forms:** Adds the following to the application for absentee ballots form:  
*Applicant's Phone Number (optional): \_\_\_\_\_*  
*Applicant's Email Address (optional): \_\_\_\_\_*

**RSA 657:4, I Absentee Voting Forms:** Changes the following after new information added above.

Applicant's Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_ (MM/DD/YYYY)

*The applicant must sign this form to receive an absentee ballot. The signature on this form must match the signature on the affidavit envelope in which the absentee ballot is returned, or the ballot may be rejected. Any person who assists a voter with a disability in executing this form shall make a statement acknowledging the assistance on the application form to assist the moderator when comparing signatures on election day.*

Chapter 216  
(SB 248) Amended  
Eff. 7.11.17 12:01  
a.m.



Chapter 216  
(SB 248) Amended  
Eff. 7.10.17

**RSA 657:7, II(b) Absentee Voting; Affidavit Envelopes.** (b) Add after signature of applicant:  
*The signature on this affidavit must match the signature on the application for an absentee ballot or the ballot may be rejected. A person assisting a blind voter or voter with a disability who needs assistance executing this affidavit shall make and sign a statement on this envelope acknowledging the assistance in order to assist the moderator when comparing signatures on election day.*

Chapter 216  
(SB 248) Amended  
Eff. 7.10.17

**RSA 657:17 Procedure by Voter.** After marking the ballot, the voter or the person assisting a blind voter or voter with a disability who is unable to mark his or her ballot shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit *on the envelope*. A person assisting a blind voter or voter with a disability who needs assistance executing the affidavit shall sign a statement on the affidavit envelope acknowledging the assistance. The voter or the person assisting the blind voter or voter with a disability who needs assistance shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter shall...no changes in rest of paragraph....on the day of the election.

Chapter 196  
(HB 389) Amended  
Eff. 9.3.17

**RSA 657:22 Cutoff.** In any state election, a town or city clerk shall not accept any completed absentee ballots delivered to the clerk after 5:00 p.m. on election day except as provided in RSA 657:21-a, V and RSA 659:20-a. No changes in the rest of the paragraph.

Chapter 67  
(HB 430)  
Amended  
Eff. July 1, 2018

**RSA 659:13, I(b) Obtaining a Ballot; Use of Out-of-State Identification.** The voter, unless challenged as provided for in RSA 659:27 through 659:33, shall then be asked to present... no changes.....obtained his or her ballot. If the photo identification is an out-of-state driver's license or nondriver's identification card, the ballot clerk shall record the state of issuance on the checklist in accordance with uniform procedures developed by the secretary of state in a color designated for such entries and the supervisors of the checklist or designee shall *record the state of issuance of the voter's driver's license or identification card in the statewide centralized voter registration database* within 30 days of the election. The voter shall then be allowed to enter the space enclosed by the guardrail to mark and cast his or her ballot.

Chapter 222  
(HB 552)  
Amended  
Eff 7.10.17

**RSA 659:13, IV(b) Letters of Identity Verification.** (b) The secretary of state shall *conduct an inquiry regarding* any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. *The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the letters. After such inquiry, the secretary of state shall prepare and forward to the attorney general for investigation a list of those people whose identity or eligibility to vote could not be confirmed.* The attorney general shall cause an investigation to be made to determine whether fraudulent voting occurred.

Chapter 196  
(HB 389)  
Amended  
Eff. 9.3.17

**RSA 659:20-a Assistance in Voting; Disabled Voter.** Any voter, *after appearing at the polling place location prior to the closing of the polls to vote in person*, who declares to the moderator under oath that said voter is unable to access a polling place due to disability shall, upon the voter's request, have *the required documents* delivered to the voter outside the guardrail by the town or ward clerk or one of his or her assistants. The absentee ballot delivered by the town or ward clerk shall be processed using the same procedures as any other absentee ballot except that the *cutoff time listed in RSA 657:22 shall not apply*.

**RSA 659:30 Affidavit. RSA 659:34, I(a)** In these 2 sections the reference to "domicile affidavit" is removed.

**RSA 659:34, I(f)-(g) Wrongful Voting; Penalties for Voter Fraud.**

(f) Gives a false name or answer if under examination as to his or her qualifications as a voter before the supervisors of the checklist or moderator;

(g) Presents falsified proof of identity, *domicile, or verifiable action of domicile* at any election;

(h) *Registers to vote on election day using an affidavit to satisfy proof of being qualified, represents on the affidavit that the person possesses proof that he or she does not have in his or her possession at the polling place, and purposely and knowingly fails to provide a copy of the document by mail or present the document in person to the town or city clerk by the deadline established in RSA 654:12; or*

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

(i) *Purposely and knowingly provides false information in a written and signed statement or other documentation that another person is domiciled at an address that is owned, leased, rented, or managed by the individual providing the statement for the purposes of voter registration and that statement is used for voter registration purposes.*

Chapter 216  
SB 248) Amended  
Eff. 7.10.17

**RSA 659:50, III. Processing Absentee Ballots.** III. The signature on the affidavit appears to be executed by the same person who signed the application, *unless the voter received assistance because the voter is blind or has a disability*; and

Chapter 205  
(SB 3) Amended  
Eff. 9.8.17

**RSA 659:101 Preservation of Absentee Voting Materials and Election Day Affidavits.** Removes the references to domicile affidavits.

Chapter 5  
(HB 127)  
Amended  
Eff. 5.30.17  
AND  
Chapter 191  
(HB 303)  
Amend  
Eff. 8.29.17

**RSA 661:9, I and II(a) Vacancy; County Officers; County Convention.** I. If a vacancy...no changes...for the unexpired term by *a majority of the ballots cast*. If a vacancy....no changes.... leave the office vacant.

II-a. If a vacancy occurs in the office of a county commissioner, the members of the county convention, *or, if the vacancy occurs in Hillsborough county, the members of the county convention representing the cities and towns in the commissioners district*, shall fill the vacancy by *a majority of the ballots cast* until the next biennial election of county officers. If the term filled is less than the unexpired term, then notwithstanding any provisions of RSA 653:1, VI, the commissioner district filled pursuant to this paragraph shall be added to the next biennial election ballot to be chosen by the voters of the county for a 2-year term.

Chapter 4  
(HB 123) New  
Eff. 5.30.17

**RSA 676:7, V Zoning Board of Adjustment; Public Hearing; Continuance.** *V. If the board of adjustment finds that it cannot conclude the public hearing within the time available, it may vote to continue the hearing to a specified time and place with no additional notice required.*

**RSA 669:64 Filling of Vacancies; Supervisors of the Checklist.** Vacancies in the board of supervisors shall be filled *within 45 days* by appointment made by the remaining supervisors. If there is only one member of the board, or if the whole board shall be vacant, *or if the remaining supervisors fail to fill the vacancy within 45 days*, the moderator shall make the appointments. If a town elects supervisors by means of the partisan ballot system, any such appointee shall be of the same political party as the supervisor whose place he is filling.

Chapter 72  
(HB 453)  
Amended  
Eff. 8.1.17

**RSA 671:15 Cooperative School District; Checklist.** An updated checklist shall be used at all school district elections and meetings for the same purposes as checklists are used by towns as provided in RSA 669:5. The supervisors of the town checklist, acting as supervisors of the school district checklist, shall correct, certify, and post the checklist for the district as provided in RSA 654:25-654:31.

**REPEALED- RSA 671:16** relative to checklists in school districts that have not adopted the town checklist.

**REPEALED- RSA 671:24** relative to adoption of town checklist.

Chapter 64  
(HB 391)  
Amended  
Eff. 8.1.17

Chapter 3  
(HB 87)  
Amended  
Eff. 5.30.17

**RSA 671:33, III School District Elections; Vacancies in the Office of Moderator.** III. Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school district clerk shall serve as moderator *or shall appoint a moderator pro tempore*.