#### STATE OF NEW HAMPSHIRE

TO:	New Hampshire Election Officials
FROM:	William M. Gardner, Secretary of State of New Hampshire - Department of State
RE:	Accessible Absentee Voting
DATE:	Friday August 28, 2020

Voting processes and facilities must be accessible to voters with disabilities in accordance with the Americans with Disabilities Act.

New Hampshire provides an accessible voting opportunity, currently the one4all tablet, at each polling place. That system remains in place and must be set up at each polling place for each 2020 election.

We will now provide a similar accessible voting opportunity for a voter with print disabilities who is legally entitled to vote by absentee from a location other than the polling place. The current state of the technology carries cybersecurity risks for the voter. It will produce a ballot that looks different from other ballots. The ballots must be hand counted. The application form to use the system gives appropriate notice to voters of these risks.

New Hampshire is implementing a new system so that a voter with a print disability will be able to use a computer to mark his or her choices on an electronic ballot. This will occur at the voter's computer. This technology does not transmit the voter's choices over the internet.

The Application for an Accessible Electronic Absentee Ballot will be available on the Secretary of State's web site and we encourage clerks to make them available locally. A copy is attached. Only voters who have a disability that makes use of the system necessary may use the electronic application and the system. The application will have the voter's signature as a typed name. The typed name must be accepted as a valid signature. Voters may e-mail the completed application to their clerk. As with all applications for an absentee ballot, this form may also be used to request absentee voter registration forms and instructions. See section below on absentee registration.

There is no available data on how many voters statewide have such a disability, however, based on the experience in a couple of states who have implemented this type of system, the number of system users is expected to be very low. Many towns and cities may have no voters using this new system.

#### Clerk's Duties

Upon receipt of an Application for an Accessible Electronic Absentee Ballot, clerks are encouraged to immediately call the Elections Division help desk. Elections Division staff will assist in completing the necessary steps.

Clerks must:

• Enter the voter into ElectioNet in the usual manner for an absentee ballot request;

- Immediately make a scan of the application and e-mail it to the Secretary of State's Elections Division at: <u>NHVotes@sos.nh.gov</u> (Alternatively fax a copy to us.);
- Call the Help Desk to confirm receipt;
- Promptly mail absentee voters who request an accessible electronic absentee ballot the same envelopes sent to all absentee voters. Do <u>not</u> mail an absentee ballot. Include the special instructions for Accessible Electronic Absentee Ballot Use. Use the Electio*Net* labels or hand enter the clerk's return address and the voter name and ID number on the outer mailing envelope the voter will use to return the marked absentee ballot;
- Upon receipt of a returned completed absentee ballot envelope, which is believed to contain a marked absentee ballot, process it in the usual manner, documenting receipt in Electio*Net*;
- When you print the clerk's list of absentee voters for the Moderator to use on election day, note if any of the ballots returned were Accessible Electronic Absentee Ballots. This ensures the moderator will expect an affidavit on a separate piece of paper, signed with the voter's typed name, and a ballot that will look different from the regular election day and absentee ballots. Review this memo with the moderator to ensure it is understood these are legitimate absentee ballots that, provided the affidavit has the typed name of the voter, must be cast and hand counted.

The voter will print the marked ballot at home. The ballot will not be identical in appearance to the ballots used by other absentee and election day voters. Like UOCAVA electronic ballots that UOCAVA voters print themselves, the ballot may be on any type and size of paper. These accessible electronic absentee ballots are legitimate ballots. Moderators must accept and hand count these ballots, provided the affidavit, which will likely be on a separate sheet of paper, has the typed name of the voter in the signature block. The attached sample primary ballots are purposely overvoted, they show a completed oval for each candidate on the ballot. They provide an example of the appearance of the accessible electronic absentee ballot. These ballots may print onto two or more pages of paper.

The system will allow a voter with a print disability to complete an electronic absentee ballot affidavit, sign the affidavit by typing their name using their computer, print the signed affidavit, and return it with the marked absentee ballot. Moderators must accept the typed name as the voter's signature on the special Electronic Absentee Ballot Affidavit. The voter will use this form, printed on a separate piece of paper in place of signing the affidavit envelope. If, however, the voter chooses to sign the affidavit envelope or have a person assisting the voter sign the affidavit envelope as assisting the voter, accept either as a properly signed affidavit.

## Absentee Voter with a Print Disability

The voter will receive e-mails from the state that provide:

- A link to a web site where the voter can access their Accessible Electronic Absentee Ballot;
- A unique PIN number to gain access to the ballot for that voter's town/ward (and political party at a primary).

To access the Accessible Electronic Absentee Ballot the voter must:

- Use the e-mailed link to access the system;
- Enter the voter's name as it is recorded in the election records;
- Enter the voter's date-of-birth as it is recorded in the election records;

• Enter the voter's unique PIN number.

The site will then present the voter with accessible instructions on opening, marking, printing and returning the Accessible Electronic Absentee Ballot.

The voter is instructed:

- To return the printed ballot sealed inside the inner affidavit envelope;
- To return the printed Electronic Absentee Ballot Affidavit sealed in the outer mailing envelope;
- To deliver their absentee ballot to the clerk by US mail, by personal delivery, or by personal delivery by the voter's delivery agent.

### On Or In Advance Of Election Day

It is best practice for the September 8, 2020 state primary and November 3, 2020 general election to partially pre-process absentee ballots prior to the election, as temporarily authorized under RSA 659:55-a (2020).

Clerks and Moderators processing absentee ballots who encounter an unsigned affidavit envelope (no voter signature and no signature by a person assisting the voter) where there is no separate completed Electronic Absentee Ballot Affidavit in the outer envelope, must examine the inner envelope, without unfolding or displaying the marked ballot, to determine if the separate affidavit form is in the inner envelope before rejecting the absentee ballot for no signature.

As you do with UOCAVA ballots, federal office only ballots, and federal write-in absentee ballots, if you have any question regarding the legitimacy of a ballot contact the Secretary of State or the Attorney General's office.

While not explicitly required by law, it is also best practice to attempt to notify any absentee voter whose ballot has been rejected for any reason, including voters who submit Accessible Electronic Absentee Ballots. If you choose to make this notification, it is also best practice to explain to any voter whose absentee ballot has been rejected what opportunity exists, if any, to cure the defect that caused the rejection and how and where the voter may correct the defect.

Voters with disabilities who vote in person at a polling place are provided with the one4all tablet based assistive technology that allows a voter with disabilities to privately and independently mark a paper ballot. Due to the COVID-19 pandemic, some voters with disabilities indicate they do not want to risk exposure to COVID-19 by voting in person at a polling place. Implementation of this technology in New Hampshire will afford such voters with a disability with an equal opportunity to vote absentee privately and independently using a computer at their home or location of their choice.

### ACCESSIBLE ABSENTEE VOTER REGISTRATION

An Accessible Electronic Voter Registration Form and an Accessible Electronic Absentee Voter Registration Affidavit – Disability including COVID is available to be used only by voters with a disability who due to the disability are unable to complete the paper form by hand. Each form is a

fillable PDF document. For each form, local election officials must accept the applicant's typed name in the signature box as the voter's legal signature.

These forms and accessible instructions are available from the Secretary of State. Give an applicant who would like this form the Application for an Accessible Electronic Absentee Ballot and instruct them to mark the choice in section I of that form, which reads:

"I am unable to register in person and complete an application by hand due to a print disability (including voters with a print disability with concern for the novel coronavirus, COVID-19), and request that the forms necessary for absentee electronic voter registration be sent to me with the link to access an electronic absentee ballot."

Upon receipt of such a request, immediately contact the Elections Division help desk and scan/fax a copy of the complete application to the Elections Division: <u>NHVotes@sos.nh.gov</u>

The Elections Division will e-mail the applicant the necessary electronic files. The e-mail will instruct the applicant to complete the forms and e-mail them to the clerk. The clerk will print the e-mailed attachments, then submit them to the Supervisors of the Checklist for approval.

## Supervisors of the Checklist

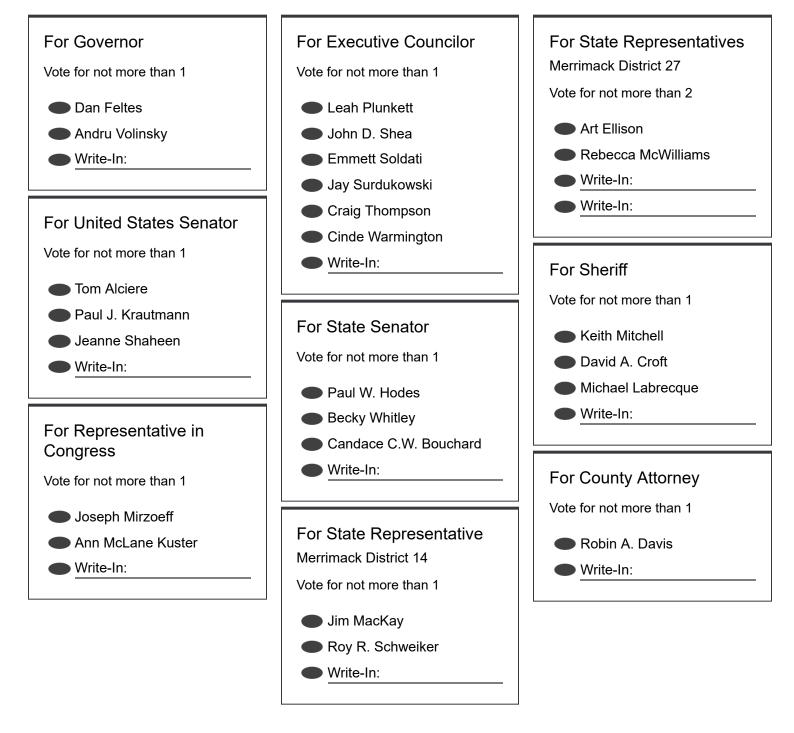
Supervisors of the Checklist who receive a completed and printed electronic voter registration form, electronic absentee voter registration form, and copies of proof of identity and domicile from a voter with a print disability must accept the voter's name typed and printed on these forms as a legitimate signature. Only applicants who certify on the application for an electronic absentee ballot and electronic voter registration form that the applicant has a disability that prevents the person from completing and signing the form by hand are authorized to use these typed signature forms.

# ABSENTEE BALLOT AND OFFICIAL BALLOT FOR CONCORD WARD 04 DEMOCRATIC STATE PRIMARY ELECTION September 08, 2020

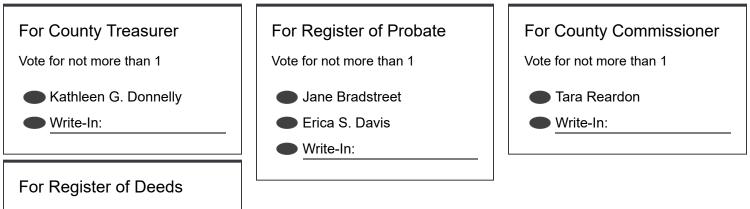
INSTRUCTIONS TO VOTERS

To vote, fill in the oval(s) next to your choice(s).

To write-in a candidate not on the ballot, write the name on the line provided for the office and fill in the oval next to the write-in line.



Precinct: Concord Ward 04 (05104)



Vote for not more than 1

Susan Cragin

Write-In:

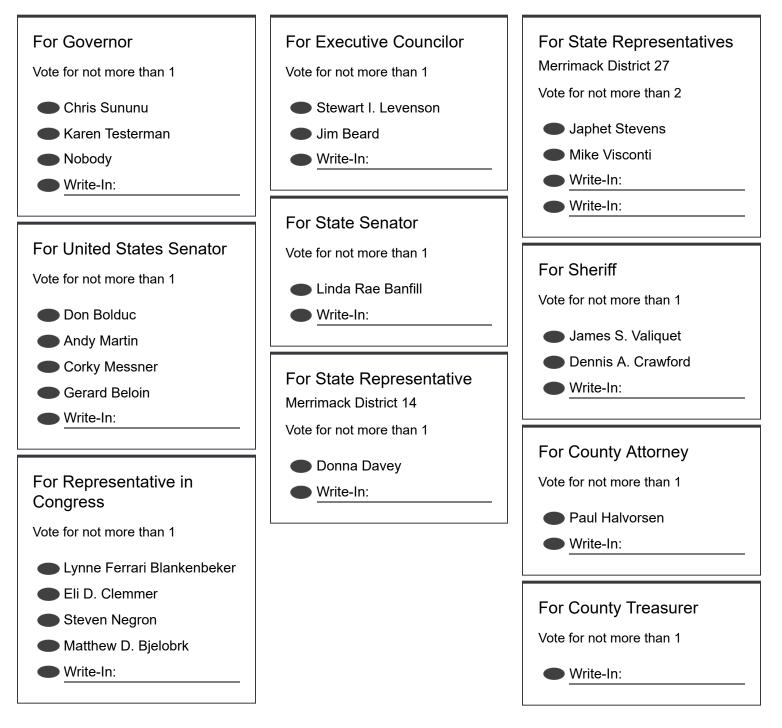
# ABSENTEE BALLOT AND OFFICIAL BALLOT FOR CONCORD WARD 04 REPUBLICAN STATE PRIMARY ELECTION September 08, 2020

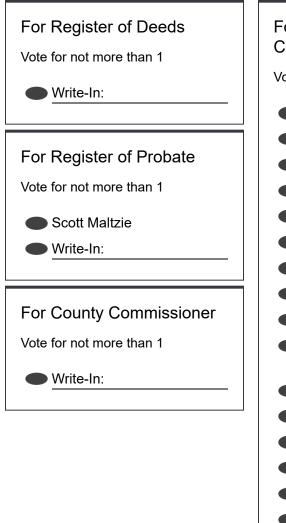
Precinct: Concord Ward 04 (05104)

INSTRUCTIONS TO VOTERS

To vote, fill in the oval(s) next to your choice(s).

To write-in a candidate not on the ballot, write the name on the line provided for the office and fill in the oval next to the write-in line.





For Delegates to the State Convention
Vote for not more than 13
Laurence R. Weissbrot
Chris Wood
Peter Bragdon
Christopher Ellms, Jr.
Kenneth L. Georgevits
Kerry L. Marsh
Carrie McGee
Charles C. McGee
Jeff Newman
Jonathan Edwards
Rasmussen
Carol J. Soucy
Terrance Tutor
Robert C. Washburn, Sr.
Write-In:

### CERTIFICATION AND APPLICATION FOR AN ACCESSIBLE ELECTRONIC ABSENTEE BALLOT

I,

Last NameFirst NameMiddle Name

whose domicile address is that which is entered on page 3 below, DO HEREBY CERTIFY, subject to the penalties of misusing an absentee ballot pursuant to RSA 657:24, that:

I am a person with a disability that prevents me from voting privately and independently by marking a paper absentee ballot by hand; and

I acknowledge that because I am using my own computer to access and complete my accessible absentee ballot and the process involves transmitting some information over the internet, there are cybersecurity and privacy risks. I accept those risks by applying for an accessible electronic ballot; and

I acknowledge that I will need to print my completed accessible ballot using my own printer. The ballot physically and in appearance will not be identical to the ballots used by voters marking a paper ballot in-person or absentee; and

I acknowledge the election officials at my polling place will be required to hand count my completed accessible absentee ballot; and

I understand that it is essential to provide my email address on this form. That e-mail address will be used to send me information to access my electronic accessible ballot; and

I understand it is essential to provide my phone number on this form so the clerk and Secretary of State's Office can call me if any questions come up during this process; and

I am the person who applied for this accessible ballot and my typed name in the following space serves as my legal signature.

Signature

Date

After sending this form to your town or city clerk, please call the Secretary of State's Election Division Hotline, 1-833-726-0034, Monday-Friday 8:00 AM to 4:30 PM to notify us that you have submitted an application to use the electronic system. Also, call this number if you need assistance.

If you do not qualify to use an electronic absentee ballot and/or electronic voter registration, please download, complete, and submit an Absentee Ballot Application form to your town or city clerk. <u>https://sos.nh.gov/elections/voters/absentee-ballots/request-an-absentee-ballot/</u> Your town/city clerk will mail paper forms and a paper absentee ballot to you.

	STATE OF NEW HAMPSHIRE Application for State Election Electronic Absentee Ballot - Americans with Disabilities Act Application for Electronic Voter Registration Form Print Disability, including voters with a print disability who have a concern for COVID-19
For Official Use Only Voter Not registered	<ul> <li>I hereby declare that (check one)         <ul> <li>I am a duly qualified voter who is currently registered to vote in this town/ward.</li> <li>I am unable to register in person and complete an application by hand due to a print disability (including voters with a print disability with concern for the novel coronavirus, COVID-19), and request that the forms necessary for absentee electronic voter registration be sent to me with the link to access an electronic absentee ballot.</li> </ul> </li> </ul>
# (	II. I will be entitled to vote by absentee ballot because (check one):
Voter ID #	I am unable to vote in person due to a disability that prevents me from privately and independently marking a paper absentee ballot by hand, (including voters with this disability who seek to vote by absentee due to concern for the novel coronavirus (COVID-19)).
Date Returned:	Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24
	<b>III.</b> I am requesting an official absentee ballot for the following election(s):
Date Mailed:	*State Primary Election to be held on September 8, 2020.
Date 1	State General Election to be held on November 3, 2020
	*For primary elections, I am a member of or I am now declaring my affiliation with the (check one):
Date Requested:	Republican Party Democratic Party
Date	and am requesting a ballot for that party's primary.
	Turn Over – You Must Complete Page 3 Page 2 of 3
Last Name:	

Last Name	First Na	me	Middle Na	ame (Jr.,	Sr., II,III
Applicant's Voting I	Domicile (home ac	ddress):			
Street Number	Street Name	Apt/Unit	City/Town	Ward	Zip Cod
Mail the ballot to me	e at this address (if	f different t	han the home add	lress)	
Street or PO Box #	Street name	Apt/Unit	City/Town	State	Zip Cod
Applicant's Phone N (Cell phone or numb	Number: () per where you can	- be contacte	d prior to and on e	lection day)	
Applicant's Email A	ddress:		@		
My typed name in th					
Applicant's Signatur	·e·				
			Date Sign	ned:	
The applicant must assists a voter with a space provided on th I attest that I assiste	sign this form to t a disability in exec he application for	receive an a cuting this f m.	bsentee ballot. An form shall print an	y person who ad sign his or	) witnesse her name
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The applicant must assists a voter with a space provided on the I attest that I assisted	sign this form to a a disability in exec the application for ed the applicant i	receive an a cuting this f m. in executing Print P	<i>bsentee ballot. An</i> <i>form shall print an</i> g this form becau Name	ay person who ad sign his or se he or she	o witnesse her name has a disa
The applicant must assists a voter with a space provided on th I attest that I assiste Signature	sign this form to a a disability in exec the application form ed the applicant i liver this completed ses and fax number s://app.sos.nh.gov/Pu ion, obtain the date v ee ballot, and after the k if you have questic	receive an a cuting this f m. in executing Print N d form to your s: https://ap bblic/Absented when your abs e election lea	bsentee ballot. An form shall print an g this form becau Name ur local City/Town p.sos.nh.gov/Publi Ballot.aspx to track y entee ballot was mai m if your absentee ba	y person who ad sign his or se he or she <u>Clerk.</u> <u>c/ClerkDetail</u> your absentee b led to you, the o allot was rejected	has a disa
The applicant must assists a voter with a space provided on the I attest that I assisted Signature Mail/fax/ or hand del For local clerk address Visit the web site: https receipt of your applicat your completed absented why. Contact your cler	sign this form to the disability in exect the application form the application form the application form the applicant is the applicant is diver this completed as and fax numbers://app.sos.nh.gov/Pution, obtain the date were ballot, and after the figure have question as the application of the appl	receive an a cuting this f m. in executing Print N d form to your s: https://ap bblic/Absented when your abs e election lea	bsentee ballot. An form shall print an g this form becau Name ur local City/Town p.sos.nh.gov/Publi Ballot.aspx to track y entee ballot was mai m if your absentee ba	y person who ad sign his or se he or she <u>Clerk.</u> <u>c/ClerkDetail</u> your absentee b led to you, the o allot was rejected	has a disa