

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 ElectionNet 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: NHVotes@sos.nh.gov (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 **not** mail an absentee ballot. Include the special instructions for Accessible Electronic Absentee Ballot Use. Use the *ElectioNet* 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 *ElectioNet*;
- 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:

NHVotes@sos.nh.gov

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

Precinct:
Concord
Ward 04
(05104)

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.

For Governor
Vote for not more than 1

Dan Feltes
 Andru Volinsky
 Write-In: _____

For United States Senator
Vote for not more than 1

Tom Alciere
 Paul J. Krautmann
 Jeanne Shaheen
 Write-In: _____

For Representative in Congress
Vote for not more than 1

Joseph Mirzoeff
 Ann McLane Kuster
 Write-In: _____

For Executive Councilor
Vote for not more than 1

Leah Plunkett
 John D. Shea
 Emmett Soldati
 Jay Surdukowski
 Craig Thompson
 Cinde Warmington
 Write-In: _____

For State Senator
Vote for not more than 1

Paul W. Hodes
 Becky Whitley
 Candace C.W. Bouchard
 Write-In: _____

**For State Representative
Merrimack District 14**
Vote for not more than 1

Jim MacKay
 Roy R. Schweiker
 Write-In: _____

**For State Representatives
Merrimack District 27**
Vote for not more than 2

Art Ellison
 Rebecca McWilliams
 Write-In: _____
 Write-In: _____

For Sheriff
Vote for not more than 1

Keith Mitchell
 David A. Croft
 Michael Labrecque
 Write-In: _____

For County Attorney
Vote for not more than 1

Robin A. Davis
 Write-In: _____

For County Treasurer

Vote for not more than 1

Kathleen G. Donnelly

Write-In: _____

For Register of Probate

Vote for not more than 1

Jane Bradstreet

Erica S. Davis

Write-In: _____

For County Commissioner

Vote for not more than 1

Tara Reardon

Write-In: _____

For Register of Deeds

Vote for not more than 1

Susan Cragin

Write-In: _____

ABSENTEE BALLOT AND OFFICIAL BALLOT FOR
CONCORD WARD 04
REPUBLICAN
STATE PRIMARY ELECTION

Precinct:
Concord
Ward 04
(05104)

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.

For Governor
Vote for not more than 1

- Chris Sununu
- Karen Testerman
- Nobody
- Write-In: _____

For Executive Councilor
Vote for not more than 1

- Stewart I. Levenson
- Jim Beard
- Write-In: _____

For State Representatives
Merrimack District 27
Vote for not more than 2

- Japhet Stevens
- Mike Visconti
- Write-In: _____
- Write-In: _____

For United States Senator
Vote for not more than 1

- Don Bolduc
- Andy Martin
- Corky Messner
- Gerard Beloin
- Write-In: _____

For State Senator
Vote for not more than 1

- Linda Rae Banfill
- Write-In: _____

For Sheriff
Vote for not more than 1

- James S. Valiquet
- Dennis A. Crawford
- Write-In: _____

For Representative in Congress
Vote for not more than 1

- Lynne Ferrari Blankenbeker
- Eli D. Clemmer
- Steven Negron
- Matthew D. Bjelobrk
- Write-In: _____

For State Representative
Merrimack District 14
Vote for not more than 1

- Donna Davey
- Write-In: _____

For County Attorney
Vote for not more than 1

- Paul Halvorsen
- Write-In: _____

For County Treasurer
Vote for not more than 1

- Write-In: _____

For Register of Deeds

Vote for not more than 1

Write-In: _____

For Register of Probate

Vote for not more than 1

Scott Maltzie

Write-In: _____

For County Commissioner

Vote for not more than 1

Write-In: _____

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: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

Write-In: _____

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

I,

Last Name

First Name

Middle 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. <https://sos.nh.gov/elections/voters/absentee-ballots/request-an-absentee-ballot/> 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

Voter ID # _____

Date Returned: ____/____/____

Date Mailed: ____/____/____

Date Requested: ____/____/____

I. I hereby declare that (check one)

I am a duly qualified voter who is currently registered to vote in this town/ward.

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.

II. I will be entitled to vote by absentee ballot because (check one):

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)).

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

III. I am requesting an official absentee ballot for the following election(s):

*State Primary Election to be held on September 8, 2020.

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):**

Republican Party

Democratic Party

and am requesting a ballot for that party's primary.

Turn Over – You Must Complete Page 3

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Last Name: _____
 First : _____

IV. Applicant's Name (Please Print):

Last Name First Name Middle Name (Jr., Sr., II,III)

Applicant's Voting Domicile (home address):

Street Number Street Name Apt/Unit City/Town Ward Zip Code

Mail the ballot to me at this address (if different than the home address)

Street or PO Box # Street name Apt/Unit City/Town State Zip Code

Applicant's Phone Number: (_____) _____ - _____
(Cell phone or number where you can be contacted prior to and on election day)

Applicant's Email Address: _____@_____

My typed name in the following space serves as my legal signature.

Applicant's Signature: _____ Date Signed: _____

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form.

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____ Print Name _____

Mail/fax/ or hand deliver this completed form to your local City/Town Clerk.

For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>
Visit the web site: <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx> to track your absentee ballot. You may verify receipt of your application, obtain the date when your absentee ballot was mailed to you, the date the clerk receives your completed absentee ballot, and after the election learn if your absentee ballot was rejected/not counted and why. Contact your clerk if you have questions regarding the information on the "Voter Information Look-up / Absentee Ballot Search" site.

For Official Use Only:
Voter Verified
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Electronic only 8/20