

**SB 54 - AS AMENDED BY THE SENATE**

03/04/2021 0422s

2021 SESSION

21-0925

11/10

**SENATE BILL 54**

AN ACT relative to the absentee ballot application form.

SPONSORS: Sen. Giuda, Dist 2; Sen. Daniels, Dist 11; Rep. Pearl, Merr. 26; Rep. W. MacDonald, Rock. 5; Rep. M. Pearson, Rock. 34;  
Rep. Weyler, Rock. 13

COMMITTEE: Election Law and Municipal Affairs

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AMENDED ANALYSIS

This bill requires that applications for absentee ballots include identity information.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to the absentee ballot application form.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Absentee Ballot Application Form. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability:

I hereby declare that (check one):

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

\_\_\_\_\_ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

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

\_\_\_\_\_ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

\_\_\_\_\_ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

\_\_\_\_\_ I cannot appear in public on election day because of observance of a religious commitment.

\_\_\_\_\_ I am unable to vote in person due to a disability.

\_\_\_\_\_ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment shall include the care of children and infirm adults, with or without compensation.

For use only on the Monday immediately prior to the election: I cannot appear at my polling place on election day because the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to my city, town, or unincorporated place and either (check one):

\_\_\_\_\_ I am elderly or infirm or I have a physical disability, and would otherwise vote in person but I have concerns for my safety traveling in the storm.

\_\_\_\_\_ I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in person but will need to care for children or infirm adults.

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.

I am requesting an official absentee ballot for the following election (check one):

\_\_\_\_\_ Presidential Primary to be held on \_\_\_\_\_

(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

\_\_\_\_\_ State Primary to be held on \_\_\_\_\_

(MM/DD/YYYY)

\_\_\_\_\_ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

\_\_\_\_\_ Republican Party

\_\_\_\_\_ Democratic Party

\_\_\_\_\_ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

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

Please print:

Applicant's Name:

\_\_\_\_\_

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

***Identity Information (please provide one or more of the following, or contact the town clerk for assistance):***

\_\_\_\_\_

***(Driver's License or Nondriver's Picture Identification Card Number and State of Issuance)***

\_\_\_\_\_

***(Last 4 digits of applicant's social security number)***

\_\_\_\_\_

***(Other - contact town clerk)***

Applicant's Voting Domicile (home address):

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(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):

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

Applicant's Phone Number : \_\_\_\_\_

Applicant's Email Address : \_\_\_\_\_

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

Date Signed: \_\_\_\_\_

(MM/DD/YYYY)

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

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

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. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

2 New Section; Absentee Ballot Application Procedure; Identity Information. Amend RSA 657 by inserting after section 6 the following new section:

657:6-a Absentee Ballot Application Procedure; Identity Information. Identity information sufficient to satisfy the requirements of RSA 657:4, I shall include a driver's license number and state of issuance, a nondriver's picture identification card number and state of issuance, the last 4 digits of a social security number, or any other information or records that the town clerk may verify. The town clerk is authorized to verify driver's license and nondriver's picture identification card information, when provided, with the department of safety, division of motor vehicles or local law enforcement. The statewide centralized voter registration database shall be reviewed and updated based on any information provided with the absentee ballot application.

3 Effective Date. This act shall take effect 60 days after its passage.