

HB 523-FN - AS AMENDED BY THE SENATE

05/20/2021 1384s

2021 SESSION

21-0757

11/08

HOUSE BILL 523-FN

AN ACT requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.

SPONSORS: Rep. Gay, Rock. 8; Rep. M. Pearson, Rock. 34; Rep. Janigian, Rock. 8; Rep. Love, Rock. 6; Rep. W. MacDonald, Rock. 5; Rep. Cushman, Hills. 2; Rep. Elliott, Rock. 8; Rep. Sweeney, Rock. 8; Rep. Prudhomme-O'Brien, Rock. 6; Rep. Doucette, Rock. 8

COMMITTEE: Election Law

ANALYSIS

This bill requires voters who register to vote by using a qualified voter affidavit or sworn statement on the election day registration form instead of other approved identification to have their photograph taken at the time of registration.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

05/20/2021 1384s 21-0757

11/08

STATE OF NEW HAMPSHIRE*In the Year of Our Lord Two Thousand Twenty One*

AN ACT requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.

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

1 New Paragraph; Elections; Determining Qualifications of Applicant; Photograph Required. Amend RSA 654:12 by inserting after paragraph III the following new paragraph:

III-a. The supervisors of the checklist, town or city clerk, or election day official shall take a photograph of any person who registers using a qualified voter affidavit or sworn statement on the general election day registration form. Such photograph shall be retained in the same manner as qualified voter affidavits pursuant to RSA 33-A:3-a, CXLI(e). The photograph may be used for purposes of RSA 659:13, I(c).

2 Elections; Determining Qualifications of Applicant; Photograph Required. Amend RSA 659:13, I(c)(2) to read as follows:

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. ***However, if a photograph was taken under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the photograph is attached to the qualified voter affidavit or sworn statement on the general election day registration form.*** The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in black and white. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other

cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

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

LBA
21-0757
1/8/21

HB 523-FN- FISCAL NOTE AS INTRODUCED

AN ACT requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$33,000	\$0	\$3,300
Funding Source:	☒ General ☐ Education ☐ Highway ☐ Other			

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires the supervisors of the checklist, town or city clerk, or election day official to take a photograph of any person who registers using a qualified voter affidavit or sworn statement on the general election day registration form. Such photograph shall be retained in the same manner as qualified voter affidavits pursuant to RSA 33-A:3-a, CXLI(e).

The Department of State indicates this bill would require that a Polaroid style camera and film be purchased by the state for each of 330 polling places. The Department estimates each camera would cost \$80 and film for each camera would cost \$20. Replacement film would cost \$10 for each camera. Total expenditure for FY 2022 is estimated at \$33,000 (330 cameras x \$100 cost per camera including film). Total expenditure for FY 2024 for replacement film is \$3,300 (330 cameras x \$10 for replacement film).

The New Hampshire Municipal Association states this bill could result in a small expenditure if municipal officials do not already have a camera available for such purpose. It is unknown how many municipalities, if any, would be affected, so any additional municipal expenditures are indeterminable. There is no expected impact on municipal revenues.

It is assumed this bill would be effective July 1, 2021.

AGENCIES CONTACTED:

Department of State and New Hampshire Municipal Association