

Bill as Introduced

HB 593 - AS AMENDED BY THE HOUSE

7Mar2019... 0473h

2019 SESSION

19-0667

11/05

HOUSE BILL **593**

AN ACT relative to updating official voter checklists.

SPONSORS: Rep. Gay, Rock. 8; Rep. McBride, Rock. 8

COMMITTEE: Election Law

ANALYSIS

This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to updating official voter checklists.

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

1 1 New Sections; Unofficial Reports of Death. Amend RSA 654 by inserting after section 37 the
2 following new sections:

3 654:37-a Unofficial Reports of Death. If the supervisors of the checklist learn of the death of a
4 voter but do not receive notice as outlined in RSA 654:37, they shall mail to the last known address
5 of the voter a 30-day letter specifically for updating the checklist upon the death of a voter. Such
6 letter shall include the contact information for the supervisors' of the checklist to which a response
7 may be sent. If there is no response within 30 days, the supervisors will remove that voter's name
8 from the checklist. If there is a response confirming the death within 30 days, the supervisors may
9 remove the voter's name upon receipt of the confirmation of death.

10 2 Voters and Checklists; Removing Names from the Checklist; Notice Required. Amend RSA
11 654:44, II to read as follows:

12 II. The provisions of this section do not apply to the removal of the names of persons for
13 whom the supervisors have received a report of transfer or death as provided in RSA 654:36, [or]
14 654:37, or 654:37-a, nor to the removal of names during the period for verification of the checklist as
15 provided in RSA 654:38 or 654:39, nor to the removal of names of persons for whom they have
16 received a notice from a duly authorized board of registration from a community outside New
17 Hampshire stating that a person whose name is on the checklist of the town or ward in New
18 Hampshire has registered to vote outside New Hampshire.

19 3 Effective Date. This act shall take effect 60 days after its passage.

HB 593 - AS AMENDED BY THE SENATE

7Mar2019... 0473h
05/23/2019 2038s

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HOUSE BILL

593

AN ACT relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

SPONSORS: Rep. Gay, Rock. 8; Rep. McBride, Rock. 8

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address. The bill also expands the exemption for certain voter information under the New Hampshire right to know law.

Explanation: Matter added to current law appears in *bold italics*.
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15 provided in RSA 654:38 or 654:39, nor to the removal of names of persons for whom they have
16 received a notice from a duly authorized board of registration from a community outside New
17 Hampshire stating that a person whose name is on the checklist of the town or ward in New
18 Hampshire has registered to vote outside New Hampshire.

19 3 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:

20 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
21 city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if
22 any, of registered voters, except as otherwise provided by statute, is public information subject to
23 RSA 91-A. All other information on the voter registration form, absentee registration affidavit,
24 qualified voter affidavits, *domicile affidavits*, affidavit of religious exemption, ~~and~~ application for
25 absentee ballot, *and contact information, including but not limited to a phone number and*
26 *email address, provided to the secretary of state or other election officials for the purpose*
27 *of receiving information about elections* shall be treated as confidential information and the
28 records containing this information shall be exempt from the public disclosure provisions of RSA 91-
29 -A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified

HB 593 - AS AMENDED BY THE SENATE

- Page 2 -

1 voter affidavits are public records subject to RSA 91-A for the sole purpose of challenging an
2 individual registering to vote or voting, challenging ballots to be recounted, to the extent that such
3 ballot challenges are specifically authorized by law, or determining the accuracy of any qualified
4 voter affidavit. Election officials and law enforcement personnel in furtherance of their official
5 duties may access and may disclose information from the voter registration form, qualified voter
6 affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for
7 absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or
8 if necessary to investigate or prosecute election law violations or any crime. Law enforcement access
9 and use of such records for the investigation or prosecution of crimes unrelated to election law
10 violations shall be limited to the records of the specific individuals who are the subject of the
11 investigation or prosecution.

12 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 331
HB 593 - FINAL VERSION

7Mar2019... 0473h
05/23/2019 2038s
27Jun2019... 2675-EBA

2019 SESSION

19-0667
11/05

HOUSE BILL **593**

AN ACT relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

SPONSORS: Rep. Gay, Rock. 8; Rep. McBride, Rock. 8

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address. The bill also expands the exemption for certain voter information under the New Hampshire right to know law.

Explanation: Matter added to current law appears in *bold italics*.
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CHAPTER 331
HB 593 - FINAL VERSION

7Mar2019... 0473h
05/23/2019 2038s
27Jun2019... 2675-EBA

19-0667
11/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

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

1 331:1 New Sections; Unofficial Reports of Death. Amend RSA 654 by inserting after section 37
2 the following new sections:

3 654:37-a Unofficial Reports of Death. If the supervisors of the checklist learn of the death of a
4 voter but do not receive notice as outlined in RSA 654:37, they shall mail to the last known address
5 of the voter a 30-day letter specifically for updating the checklist upon the death of a voter. Such
6 letter shall include the contact information for the supervisors of the checklist to which a response
7 may be sent. If there is no response within 30 days, the supervisors will remove that voter's name
8 from the checklist. If there is a response confirming the death within 30 days, the supervisors may
9 remove the voter's name upon receipt of the confirmation of death.

10 331:2 Voters and Checklists; Removing Names from the Checklist; Notice Required. Amend
11 RSA 654:44, II to read as follows:

12 II. The provisions of this section do not apply to the removal of the names of persons for
13 whom the supervisors have received a report of transfer or death as provided in RSA 654:36, [or]
14 654:37, *or 654:37-a*, nor to the removal of names during the period for verification of the checklist as
15 provided in RSA 654:38 or 654:39, nor to the removal of names of persons for whom they have
16 received a notice from a duly authorized board of registration from a community outside New
17 Hampshire stating that a person whose name is on the checklist of the town or ward in New
18 Hampshire has registered to vote outside New Hampshire.

19 331:3 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as
20 follows:

21 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
22 city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if
23 any, of registered voters, except as otherwise provided by statute, is public information subject to
24 RSA 91-A. All other information on the voter registration form, absentee registration affidavit,
25 qualified voter affidavits, *domicile affidavits*, affidavit of religious exemption, [and] application for
26 absentee ballot, *and contact information, including but not limited to a phone number and*
27 *email address, provided to the secretary of state or other election officials for the purpose*
28 *of receiving information about elections* shall be treated as confidential information and the

CHAPTER 331
HB 593 - FINAL VERSION
- Page 2 -

1 records containing this information shall be exempt from the public disclosure provisions of RSA 91-
2 A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified
3 voter affidavits are public records subject to RSA 91-A for the sole purpose of challenging an
4 individual registering to vote or voting, challenging ballots to be recounted, to the extent that such
5 ballot challenges are specifically authorized by law, or determining the accuracy of any qualified
6 voter affidavit. Election officials and law enforcement personnel in furtherance of their official
7 duties may access and may disclose information from the voter registration form, qualified voter
8 affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for
9 absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or
10 if necessary to investigate or prosecute election law violations or any crime. Law enforcement access
11 and use of such records for the investigation or prosecution of crimes unrelated to election law
12 violations shall be limited to the records of the specific individuals who are the subject of the
13 investigation or prosecution.

14 331:4 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as
15 follows:

16 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
17 city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if
18 any, of registered voters, except as otherwise provided by statute, is public information subject to
19 RSA 91-A. All other information on the voter registration form, absentee registration affidavit,
20 qualified voter affidavits and domicile affidavits, affidavit of religious exemption, [~~and~~] application
21 for absentee ballot, *and contact information, including but not limited to a phone number
22 and email address, provided to the secretary of state or other election officials for the
23 purpose of receiving information about elections* shall be treated as confidential information
24 and the records containing this information shall be exempt from the public disclosure provisions of
25 RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing,
26 qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of
27 challenging an individual registering to vote or voting, challenging ballots to be recounted, to the
28 extent that such ballot challenges are specifically authorized by law, or determining the accuracy of
29 any qualified voter or domicile affidavit. Election officials and law enforcement personnel in
30 furtherance of their official duties may access and may disclose information from the voter
31 registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee
32 registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an
33 individual registering to vote or voting, or if necessary to investigate or prosecute election law
34 violations or any crime. Law enforcement access and use of such records for the investigation or
35 prosecution of crimes unrelated to election law violations shall be limited to the records of the
36 specific individuals who are the subject of the investigation or prosecution.

CHAPTER 331
HB 593 - FINAL VERSION
- Page 3 -

1 331:5 Contingency; HB 105-FN. If HB 105-FN of the 2019 regular legislative session becomes
2 law, section 4 of this act shall take effect at 12:01 a.m. on the date that HB 105-FN takes effect and
3 section 3 of this act shall not take effect. If HB 105-FN does not become law, section 3 of this act
4 shall take effect 60 days after its passage and section 4 of this act shall not take effect.

5 331:6 Effective Date.

- 6 I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.
 II. The remainder of this act shall take effect 60 days after its passage.

Approved: August 16, 2019

Effective Date:

- I. Sections 3 and 4 shall take effect as provided in section 5.
II. Remainder shall take effect October 15, 2019.

Amendments

Amendment to HB 593

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to updating official voter checklists and expanding the voter information
4 exemption under the right to know law.

5

6 Amend the bill by inserting after section 2 the following and renumbering the original section 3 to
7 read as 4:

8

9 3 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:

10 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
11 city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if
12 any, of registered voters, except as otherwise provided by statute, is public information subject to
13 RSA 91-A. All other information on the voter registration form, absentee registration affidavit,
14 qualified voter affidavits, *domicile affidavits*, affidavit of religious exemption, [~~and~~] application
15 for absentee ballot, *and contact information, including but not limited to a phone number*
16 *and email address, provided to the secretary of state or other election officials for the*
17 *purpose of receiving information about elections* shall be treated as confidential information
18 and the records containing this information shall be exempt from the public disclosure provisions of
19 RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing,
20 qualified voter affidavits are public records subject to RSA 91-A for the sole purpose of challenging
21 an individual registering to vote or voting, challenging ballots to be recounted, to the extent that
22 such ballot challenges are specifically authorized by law, or determining the accuracy of any
23 qualified voter affidavit. Election officials and law enforcement personnel in furtherance of their
24 official duties may access and may disclose information from the voter registration form, qualified
25 voter affidavits, affidavits of religious exemption, absentee registration affidavits, and applications
26 for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting,
27 or if necessary to investigate or prosecute election law violations or any crime. Law enforcement
28 access and use of such records for the investigation or prosecution of crimes unrelated to election
29 law violations shall be limited to the records of the specific individuals who are the subject of the
30 investigation or prosecution.

2019-2038s

AMENDED ANALYSIS

This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address. The bill also expands the exemption for certain voter information under the New Hampshire right to know law.

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Election Law and Municipal Affairs

Sen Melanie Levesque, Chair
Sen Tom Sherman, Vice Chair
Sen Jon Morgan, Member
Sen Regina Birdsell, Member
Sen James Gray, Member

Date: May 8, 2019

HEARINGS

Thursday	05/16/2019	
(Day)	(Date)	
Election Law and Municipal Affairs	LOB 102	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

10:00 a.m. **HB 544** relative to the governance of the Manchester school district.

10:30 a.m. **HB 588** relative to presidential nominations.

11:00 a.m. **HB 593** relative to updating official voter checklists.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 544

Rep. Long

HB 588

Rep. Huot

HB 593

Rep. Gay

Rep. McBride

Tricia Melillo 271-3077

Melanie Levesque
Chairman

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

HB 593, relative to updating official voter checklists.

Hearing Date: May 16, 2019

Members of the Committee Present: Senators Levesque, Sherman, Morgan, Birdsell and Gray

Members of the Committee Absent : None

Bill Analysis: This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address.

Sponsors:

Rep. Gay

Rep. McBride

Who supports the bill: Representative Hoelzel, Alvin See

Who opposes the bill: None

Who is neutral on the bill:

Summary of testimony presented in support:

Representative Hoelzel

- She is introducing this bill on behalf of Representative Gay.
- This legislation offers another way of updating the voter checklist

David Scanlon – Deputy Secretary of State

- The current process is that the death information is received by the clerk from the division of vital records and the clerk informs the supervisor of the checklist.
- It can take some time for voters that have passed in states farther away.
- When they receive the notice, they can confirm and remove from the name from the checklist.
- This bill will allow the supervisor of checklist if he/she hears of a death in the community to send the voter a 30-day letter and if there is no response then the voters name can be removed from the checklist.
- The nature of the letter will be looked at to make sure it is worded with sensitivity.
- Senator Birdsell asked if this happens a lot where the clerks hear about it on the side and then confirm with the supervisor of the checklist. Mr. Scanlan answered yes it does and when they receive the response they can remove the name.
- Senator Birdsell asked if once they get confirmation are they supposed to notify vital statistics. Mr. Scanlan answered no because vital statistics will get that information immediately. He continued that it is those cases where someone is out of state and passes away that it takes time for vital records to get word to the municipality.
- Senator Birdsell asked if they are confident that vital records will hear about it. Mr.

Scanlan stated that yes, they are confident.

- Senator Gray commented that the person does not get taken off the list they just get marked inactive. Mr. Scanlan replied yes that is correct.
- Senator Levesque asked if the sample that they have is what gets sent to the voter. Mr. Scanlan remarked that it is a standard domicile confirmation letter to give the voter an opportunity to respond.
- Senator Levesque asked if the green sample is in the event of death and are they all used now. Mr. Scanlan replied that the 30-day letter is being used , the green sample is a suggestion of a death confirmation letter that could be used with the passage of this legislation.
- Senator Levesque asked what does the bill bring to the process if clerks are doing this now. Mr. Scanlan replied that it is being done informally but it is not in statute this will put it in statute.

Summary of testimony presented in opposition: None

TM

Date Hearing Report completed: May 17, 2019

Speakers

Voting Sheets

Senate Election Law & Municipal Affairs Committee EXECUTIVE SESSION RECORD 2019 Session

Bill # **HB 593**

Hearing date: 5/16/19

Executive Session date: _____

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Levesque, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Amend SOS Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Levesque, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Levesque, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consent S - M 5-0

Reported out by: Sen. Birdsell

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, May 16, 2019

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 593**

AN ACT relative to updating official voter checklists.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 2038s

Senator Regina Birdsell
For the Committee

This bill outlines procedures that supervisors of the checklist must follow when they receive informal reports that a voter has died or has changed address. It will add to statute what is currently standard operating procedure. The amendment was requested by the Secretary of State and will make domicile information collected by the Secretary of State's office exempt from the Right to Know law.

Tricia Melillo 271-3077

Docket of HB593

Docket Abbreviations

Bill Title: (New Title) relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

Official Docket of HB593.:

Date	Body	Description
1/15/2019	H	Introduced 01/03/2019 and referred to Election Law HJ 3 P. 21
1/23/2019	H	Public Hearing: 01/30/2019 11:00 am LOB 308
2/6/2019	H	==RECESSED== Executive Session: 02/13/2019 11:00 am LOB 308
2/13/2019	H	==CONTINUED== Executive Session: 02/20/2019 11:00 am LOB 308
2/21/2019	H	Committee Report: Ought to Pass with Amendment #2019-0473h for 03/07/2019 (Vote 20-0; CC) HC 14 P. 4
3/7/2019	H	Amendment #2019-0473h : AA VV 03/07/2019 HJ 8 P. 6
3/7/2019	H	Ought to Pass with Amendment 2019-0473h: MA VV 03/07/2019 HJ 8 P. 6
3/19/2019	S	Introduced 03/14/2019 and Referred to Election Law and Municipal Affairs; SJ 9
5/8/2019	S	Hearing: 05/16/2019, Room 102, LOB, 11:00 am; SC 22
5/16/2019	S	Committee Report: Ought to Pass with Amendment #2019-2038s , 05/23/2019; Vote 5-0; CC; SC 23
5/23/2019	S	Committee Amendment #2019-2038s , AA, VV; 05/23/2019; SJ 17
5/23/2019	S	Ought to Pass with Amendment 2019-2038s, MA, VV; OT3rdg; 05/23/2019; SJ 17
6/13/2019	H	House Concurs with Senate Amendment 2038s (Rep. Moynihan): MA VV 06/13/2019 HJ 19 P. 3
7/15/2019	S	Enrolled Bill Amendment #2019-2675e Adopted, VV, (In recess of 06/27/2019); SJ 21
7/18/2019	H	Enrolled Bill Amendment #2019-2675e : AA VV 06/27/2019 HJ 20 P. 58
7/29/2019	S	Enrolled (In recess 06/27/2019); SJ 21
7/29/2019	H	Enrolled 06/27/2019 HJ 20 P. 59
8/21/2019	H	Signed by Governor Sununu 08/16/2019; Chapter 331; I. Sec. 3 & 4 Eff: as provided in Sec. 5 II. Rem. Eff: 10/15/2019

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 593

Senate Committee: Elec. Law + MA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 2038 - amendment # _____

- amendment # _____ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # _____ - amendment # _____

- amendment # _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s) 2675

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office jm

July 5, 2019
2019-2675-EBA
01/10

Enrolled Bill Amendment to HB 593

The Committee on Enrolled Bills to which was referred HB 593

AN ACT relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 593

This enrolled bill amendment inserts a contingency to resolve a conflict with HB 105-FN of the 2019 regular legislative session.

Enrolled Bill Amendment to HB 593

Amend the bill by replacing all after section 3 with the following:

4 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:
654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, qualified voter affidavits and domicile affidavits, affidavit of religious exemption, ~~and~~ application for absentee ballot, ***and contact information, including but not limited to a phone number and email address, provided to the secretary of state or other election officials for the purpose of receiving information about elections*** shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of

ENROLLED BILL AMENDMENT TO HB 593

- Page 2 -

any qualified voter or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

5 Contingency; HB 105-FN. If HB 105-FN of the 2019 regular legislative session becomes law, section 4 of this act shall take effect at 12:01 a.m. on the date that HB 105-FN takes effect and section 3 of this act shall not take effect. If HB 105-FN does not become law, section 3 of this act shall take effect 60 days after its passage and section 4 of this act shall not take effect.

6 Effective Date.

- I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.
- II. The remainder of this act shall take effect 60 days after its passage.