

LEGISLATIVE COMMITTEE MINUTES

SB31

Bill as Introduced

SB 31 - AS INTRODUCED

2021 SESSION

21-1043
11/04

SENATE BILL **31**

AN ACT relative to voter checklists and modifying the absentee ballot affidavit.

SPONSORS: Sen. Gray, Dist 6; Sen. Ward, Dist 8; Rep. Lang, Belk. 4

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill modifies the actions required to be taken by supervisors of the checklist upon adding applicants to the checklist, requires the secretary of state to provide certain voter information to chief elections officers in other states, and modifies the absentee ballot affidavit.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty One

AN ACT relative to voter checklists and modifying the absentee ballot affidavit.

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

1 1 General Voter Registration; Action by Supervisors. Amend RSA 654:13 to read as follows:
2 654:13 Action by Supervisors.

3 I. If the supervisors decide to add the name of the applicant to the checklist, then they shall
4 retain the original of the registration form for their own file, which shall be retained in accordance
5 with RSA 33-A:3-a [~~forward one copy to the supervisors of the checklist of the city or town of the~~
6 ~~applicant's last voting address if said address is in the state of Vermont, Maine, Massachusetts,~~
7 ~~Connecticut, or Rhode Island, and send another copy to the clerk of their town or city]. *If the*
8 *applicant entered a place last registered to vote on the voter registration form, the*
9 *supervisors shall enter that data into the statewide centralized voter registration*
10 *database.* Upon entry of the voter record in the statewide centralized voter registration database,
11 the supervisors of the checklist in another New Hampshire city or town will receive notice through
12 the statewide centralized voter registration database that the voter has moved.~~

13 II. If the supervisors decide not to add the name of the applicant to the checklist, they shall
14 send notification in writing to the applicant within 7 days stating the reason for the denial. They
15 shall write the word "REJECTED" and the date of rejection across the registration form. They shall
16 retain the original registration form and a copy of the denial notification in accordance with RSA 33-
17 A:3-a.

18 III. *The secretary of state shall provide information on individuals who report*
19 *being previously registered to vote out of state to the chief elections officer of that state.*
20 *The secretary of state may use secure electronic information transfer. The secretary of*
21 *state shall pursue establishing routine secure electronic transfers of this information*
22 *between states. When electronic information transfer occurs the supervisors of the*
23 *checklist where the person is currently registered will receive notice through the statewide*
24 *centralized voter registration database that the voter has registered in another state.*
25 *Unless the supervisors possess evidence that the notice is inaccurate, they shall remove the*
26 *voter from the checklist as provided in RSA 654:36.*

27 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

28 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
29 following:

From another state
NH

1 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
2 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
3 ~~certificate:~~

4 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~
5 ~~the city or town of _____, New Hampshire, in ward _____; that I will be unable to~~
6 ~~appear at any time during polling hours at my polling place because I will be working on election~~
7 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~
8 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~
9 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise~~
10 ~~absent on election day from said city or town and will be unable to vote in person; that I have~~
11 ~~carefully read (or had read to me because I am blind) the instructions forwarded to me with the~~
12 ~~ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope~~
13 ~~(or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the~~
14 ~~purposes of this certification, the term "working" shall include the care of children and infirm adults,~~
15 ~~with or without compensation.~~

16 ~~(Signature) _____~~

17 ~~In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false~~
18 ~~information when registering to vote or voting is a class A misdemeanor with a maximum sentence~~
19 ~~of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to~~
20 ~~vote or voting is subject to a civil penalty not to exceed \$5,000.~~

21 ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~
22 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~
23 ~~following certificate:~~

24 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~
25 ~~the city or town of _____, New Hampshire, in ward _____; that I will be observing a~~
26 ~~religious commitment which prevents me from voting in person or that on account of physical~~
27 ~~disability I am unable to vote in person; that I have carefully read (or had read to me because I am~~
28 ~~blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally~~
29 ~~marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and~~
30 ~~sealing it in this envelope because I am blind).~~

31 ~~(Signature) _____~~

32 ~~The signature on this affidavit must appear to be executed by the same person who signed~~
33 ~~the absentee ballot application.]~~

34 *I do hereby certify under the penalties for voting fraud set forth below that:*

35 *I am a voter in the city or town of _____, New Hampshire. If I live in a city, I*
36 *live in ward ____.*

37 *One of the following applies to me:*

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1) I will be absent on election day. Absence includes:

a) I will be out-of-town on election day.

b) I will be unable to vote in person because I will be working.

c) I will be unable to vote in person because I will be caring for children or infirm adults, with or without compensation.

d) I am voting absentee on the Monday immediately before the election, the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning that applies to my town/ward, and I have concerns for traveling in the storm.

2) I am unable to vote in person due to disability. Disability includes medical conditions that pose a risk of infection to others or where infection from others carries significant health risk.

3) I am unable to vote in person due to observance of a religious commitment, which prevents me from voting in person.

I have carefully read or had read to me the absentee voting instructions. I personally marked the absentee ballot enclosed in this envelope or, due to a disability, I had assistance in marking the absentee ballot.

Voter Signature _____

A person assisting a ~~[disabled or blind]~~ voter **with a disability** shall ~~[make and]~~ sign ~~[a]~~ **this** statement on this envelope ~~[in the space provided]~~ acknowledging the assistance. ~~[The moderator will not compare the voter's signature on this affidavit with the signature on the absentee ballot application when a person assisting the voter has signed the statement on the affidavit that assistance was provided.]~~

I attest that I assisted (print voter name) _____ because the voter is a person with a disability. I marked the ballot and/or this form as instructed by the voter.

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

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

SB 31 - AS AMENDED BY THE SENATE

02/04/2021 0159s

2021 SESSION

21-1043

11/04

SENATE BILL

31

AN ACT

relative to voter checklists and modifying the absentee ballot affidavit.

SPONSORS:

Sen. Gray, Dist 6; Sen. Ward, Dist 8; Rep. Lang, Belk. 4

COMMITTEE:

Election Law and Municipal Affairs

ANALYSIS

This bill modifies the actions required to be taken by supervisors of the checklist upon adding applicants to the checklist, requires the secretary of state to provide certain voter information to chief elections officers in other states, and modifies the absentee ballot affidavit.

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STATE OF NEW HAMPSHIRE

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1 1 General Voter Registration; Action by Supervisors. Amend RSA 654:13 to read as follows:

2 654:13 Action by Supervisors.

3 I. If the supervisors decide to add the name of the applicant to the checklist, then they shall
4 retain the original of the registration form for their own file, which shall be retained in accordance
5 with RSA 33-A:3-a, ~~forward one copy to the supervisors of the checklist of the city or town of the~~
6 ~~applicant's last voting address if said address is in the state of Vermont, Maine, Massachusetts,~~
7 ~~Connecticut, or Rhode Island, and send another copy to the clerk of their town or city].~~ *If the*
8 *applicant entered a place last registered to vote on the voter registration form, the*
9 *supervisors shall enter that data into the statewide centralized voter registration*
10 *database.* Upon entry of the voter record in the statewide centralized voter registration database,
11 the supervisors of the checklist in another New Hampshire city or town will receive notice through
12 the statewide centralized voter registration database that the voter has moved.

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16 retain the original registration form and a copy of the denial notification in accordance with RSA 33-
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18 *III. The secretary of state shall provide information on individuals who report*
19 *being previously registered to vote out of state to the chief elections officer of that state.*
20 *The secretary of state may use secure electronic information transfer. The secretary of*
21 *state shall pursue establishing routine secure electronic transfers of this information*
22 *between states. When electronic information transfer from another state occurs the*
23 *supervisors of the checklist where the person is registered in New Hampshire will receive*
24 *notice through the statewide centralized voter registration database that the voter has*
25 *registered in another state. Unless the supervisors possess evidence that the notice is*
26 *inaccurate, they shall remove the voter from the checklist as provided in RSA 654:36.*

27 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

28 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
29 following:

30 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
31 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~

1 certificate:-

2 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
3 the city or town of _____, New Hampshire, in ward _____; that I will be unable to
4 appear at any time during polling hours at my polling place because I will be working on election
5 day, or I am voting on the Monday immediately prior to the election, the National Weather Service
6 has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or
7 infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise
8 absent on election day from said city or town and will be unable to vote in person; that I have
9 carefully read (or had read to me because I am blind) the instructions forwarded to me with the
10 ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope
11 (or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the
12 purposes of this certification, the term "working" shall include the care of children and infirm adults,
13 with or without compensation:-

14 (Signature) _____

15 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
16 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
17 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
18 vote or voting is subject to a civil penalty not to exceed \$5,000.-

19 (b) ~~Absence Because of Religious Observance or Physical Disability.~~ A person voting by
20 absentee ballot because of religious observance or physical disability shall fill out and sign the
21 following certificate:-

22 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
23 the city or town of _____, New Hampshire, in ward _____; that I will be observing a
24 religious commitment which prevents me from voting in person or that on account of physical
25 disability I am unable to vote in person; that I have carefully read (or had read to me because I am
26 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally marked
27 the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it
28 in this envelope because I am blind):-

29 (Signature) _____

30 The signature on this affidavit must appear to be executed by the same person who signed
31 the absentee ballot application.]

32
33 ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

34
35 *I do hereby certify under the penalties for voting fraud set forth below that:*

36 *I am a voter in the city or town of _____, New Hampshire.*

37 *One of the following applies to me:*

1 **1) I will be absent on election day. Absence includes:**

2 **a) I will be out-of-town on election day.**

3 **b) I will be unable to vote in person because I will be working.**

4 **c) I will be unable to vote in person because I will be caring for children or**
5 **infirm adults, with or without compensation.**

6 **d) I am voting absentee on the Monday immediately before the election, the**
7 **National Weather Service has issued a winter storm warning, blizzard warning, or ice**
8 **storm warning that applies to my town/ward, and I have concerns for traveling in the**
9 **storm.**

10 **2) I am unable to vote in person due to disability. Disability includes medical**
11 **conditions that pose a risk of infection to others or where infection from others carries**
12 **significant health risk.**

13 **3) I am unable to vote in person due to observance of a religious commitment,**
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16 **personally marked the absentee ballot enclosed in this envelope or, due to a disability, I**
17 **had assistance in marking the absentee ballot.**

18
19 **Voter Signature _____**

20 A person assisting a ~~[disabled or blind]~~ voter **with a disability** shall ~~[make and]~~ sign ~~[a]~~
21 **this** statement on this envelope ~~[in the space provided]~~ acknowledging the assistance. ~~[The~~
22 ~~moderator will not compare the voter's signature on this affidavit with the signature on the absentee~~
23 ~~ballot application when a person assisting the voter has signed the statement on the affidavit that~~
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CHAPTER 175
SB 31 - FINAL VERSION

02/04/2021 0159s
3Jun2021... 1486h
06/24/2021 1947CofC

2021 SESSION

21-1043
11/04

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10 *database.* Upon entry of the voter record in the statewide centralized voter registration database,
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27 175:2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

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CHAPTER 175
SB 31 - FINAL VERSION
- Page 2 -

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5 ~~the city or town of _____, New Hampshire, in ward _____; that I will be unable to~~
6 ~~appear at any time during polling hours at my polling place because I will be working on election~~
7 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~
8 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~
9 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise~~
10 ~~absent on election day from said city or town and will be unable to vote in person; that I have~~
11 ~~carefully read (or had read to me because I am blind) the instructions forwarded to me with the~~
12 ~~ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope~~
13 ~~(or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the~~
14 ~~purposes of this certification, the term "working" shall include the care of children and infirm adults,~~
15 ~~with or without compensation.~~

16 ~~(Signature) _____~~

17 ~~In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false~~
18 ~~information when registering to vote or voting is a class A misdemeanor with a maximum sentence~~
19 ~~of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to~~
20 ~~vote or voting is subject to a civil penalty not to exceed \$5,000.~~

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31 ~~(Signature) _____~~

32 ~~The signature on this affidavit must appear to be executed by the same person who signed~~
33 ~~the absentee ballot application.]~~

34
35 **YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE**

36
37 ***I do hereby certify under the penalties for voting fraud set forth below that:***

CHAPTER 175
SB 31 - FINAL VERSION
- Page 3 -

1 *I am a voter in the city or town of _____, New Hampshire.*

2 *One of the following applies to me:*

3 *1) I will be absent on election day. Absence includes:*

4 *a) I will be out-of-town on election day.*

5 *b) I will be unable to vote in person because I will be working.*

6 *c) I will be unable to vote in person because I will be caring for children or*
7 *infirm adults, with or without compensation.*

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10 *storm warning that applies to my town/ward, and I have concerns for traveling in the*
11 *storm.*

12 *2) I am unable to vote in person due to disability.*

13 *3) I am unable to vote in person due to observance of a religious commitment,*
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15 *I have carefully read or had read to me the absentee voting instructions. I*
16 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*
17 *had assistance in marking the absentee ballot.*

18
19 *Voter Signature _____*

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21 *this* statement on this envelope [in the space provided] acknowledging the assistance. [The
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23 ballot application when a person assisting the voter has signed the statement on the affidavit that
24 assistance was provided.]

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CHAPTER 175
SB 31 - FINAL VERSION
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4 day, or I am voting on the Monday immediately prior to the election, the National Weather Service
5 has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or
6 infirm, have a physical disability, or have to care for children or infirm adults, or I am confined to a
7 penal institution for a misdemeanor or while awaiting trial, or I will be otherwise absent on election
8 day from said city or town and will be unable to vote in person; that I have carefully read (or had
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32
33 **YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE**

34
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SB 31 - FINAL VERSION
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1 **1) I will be absent on election day. Absence includes:**

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10 **2) I am unable to vote in person due to disability.**

11 **3) I am unable to vote in person due to observance of a religious commitment,**
12 **which prevents me from voting in person.**

13 **4) I am confined to a penal institution for a misdemeanor or while awaiting**
14 **trial.**

15 **I have carefully read or had read to me the absentee voting instructions. I**
16 **personally marked the absentee ballot enclosed in this envelope or, due to a disability, I**
17 **had assistance in marking the absentee ballot.**

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27 **voter.**

28 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
29 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
30 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
31 vote or voting is subject to a civil penalty not to exceed \$5,000.

32 175:4 Contingency. If HB 555 of the 2021 legislative session becomes law, then section 3 of this
33 act shall take effect at 12:01 a.m. on the effective date of HB 555 and section 2 of this act shall not
34 take effect. If HB 555 does not become law, then section 3 of this act shall not take effect and section
35 2 of this act shall take effect 60 days after its passage.

36 175:5 Effective Date.

37 I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

CHAPTER 175
SB 31 - FINAL VERSION
- Page 6 -

II. The remainder of this act shall take effect 60 days after its passage.

Approved: July 30, 2021

Effective Date:

I. Sections 2-3 shall take effect as provided in section 4.

II. Remainder shall take effect September 28, 2021.

Amendments

Amendment to SB 31

1 Amend RSA 654:13, III as inserted by section 1 of the bill by replacing it with the following:

2

3 *III. The secretary of state shall provide information on individuals who report*
4 *being previously registered to vote out of state to the chief elections officer of that state.*
5 *The secretary of state may use secure electronic information transfer. The secretary of*
6 *state shall pursue establishing routine secure electronic transfers of this information*
7 *between states. When electronic information transfer from another state occurs the*
8 *supervisors of the checklist where the person is registered in New Hampshire will receive*
9 *notice through the statewide centralized voter registration database that the voter has*
10 *registered in another state. Unless the supervisors possess evidence that the notice is*
11 *inaccurate, they shall remove the voter from the checklist as provided in RSA 654:36.*

12

13 Amend the bill by replacing section 2 with the following:

14

15 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

16 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
17 following:

18 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
19 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
20 ~~certificate:~~

21 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~
22 ~~the city or town of _____, New Hampshire, in ward _____; that I will be unable to~~
23 ~~appear at any time during polling hours at my polling place because I will be working on election~~
24 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~
25 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~
26 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise~~
27 ~~absent on election day from said city or town and will be unable to vote in person; that I have~~
28 ~~carefully read (or had read to me because I am blind) the instructions forwarded to me with the~~
29 ~~ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope~~
30 ~~(or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the~~
31 ~~purposes of this certification, the term "working" shall include the care of children and infirm adults,~~
32 ~~with or without compensation.~~

1 (Signature) _____

2 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
3 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
4 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
5 vote or voting is subject to a civil penalty not to exceed \$5,000.

6 (b) ~~Absence Because of Religious Observance or Physical Disability.~~ A person voting by
7 absentee ballot because of religious observance or physical disability shall fill out and sign the
8 following certificate:

9 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
10 the city or town of _____, New Hampshire, in ward _____; that I will be observing a
11 religious commitment which prevents me from voting in person or that on account of physical
12 disability I am unable to vote in person; that I have carefully read (or had read to me because I am
13 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally
14 marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and
15 sealing it in this envelope because I am blind).

16 (Signature) _____

17 The signature on this affidavit must appear to be executed by the same person who signed
18 the absentee ballot application.]

19

20 **YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE**

21

22 *I do hereby certify under the penalties for voting fraud set forth below that:*

23 *I am a voter in the city or town of _____, New Hampshire.*

24 *One of the following applies to me:*

25 *1) I will be absent on election day. Absence includes:*

26 *a) I will be out-of-town on election day.*

27 *b) I will be unable to vote in person because I will be working.*

28 *c) I will be unable to vote in person because I will be caring for children or*
29 *infirm adults, with or without compensation.*

30 *d) I am voting absentee on the Monday immediately before the election, the*
31 *National Weather Service has issued a winter storm warning, blizzard warning, or ice*
32 *storm warning that applies to my town/ward, and I have concerns for traveling in the*
33 *storm.*

34 *2) I am unable to vote in person due to disability. Disability includes medical*
35 *conditions that pose a risk of infection to others or where infection from others carries*
36 *significant health risk.*

1 3) *I am unable to vote in person due to observance of a religious commitment,*
2 *which prevents me from voting in person.*

3 *I have carefully read or had read to me the absentee voting instructions. I*
4 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*
5 *had assistance in marking the absentee ballot.*

6
7 Voter Signature _____

8 A person assisting a [~~disabled or blind~~] voter *with a disability* shall [~~make and~~] sign [~~a~~]
9 *this* statement on this envelope [~~in the space provided~~] acknowledging the assistance. [~~The~~
10 ~~moderator will not compare the voter's signature on this affidavit with the signature on the absentee~~
11 ~~ballot application when a person assisting the voter has signed the statement on the affidavit that~~
12 ~~assistance was provided.]~~

13 *I attest that I assisted (print voter name) _____ because the voter*
14 *is a person with a disability. I marked the ballot and/or this form as instructed by the*
15 *voter.*

16 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
17 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
18 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
19 vote or voting is subject to a civil penalty not to exceed \$5,000.

Amendment to SB 31

1 Amend RSA 654:13, III as inserted by section 1 of the bill by replacing it with the following:

2
3 ***III. The secretary of state shall provide information on individuals who report***
4 ***being previously registered to vote out of state to the chief elections officer of that state.***
5 ***The secretary of state may use secure electronic information transfer. The secretary of***
6 ***state shall pursue establishing routine secure electronic transfers of this information***
7 ***between states. When electronic information transfer from another state occurs the***
8 ***supervisors of the checklist where the person is registered in New Hampshire will receive***
9 ***notice through the statewide centralized voter registration database that the voter has***
10 ***registered in another state. Unless the supervisors possess evidence that the notice is***
11 ***inaccurate, they shall remove the voter from the checklist as provided in RSA 654:36.***

12
13 Amend the bill by replacing section 2 with the following:

14
15 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

16 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
17 following:

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19 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
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22 ~~the city or town of _____, New Hampshire, in ward _____; that I will be unable to~~
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24 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~
25 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~
26 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise~~
27 ~~absent on election day from said city or town and will be unable to vote in person; that I have~~
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29 ~~ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope~~
30 ~~(or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the~~
31 ~~purposes of this certification, the term "working" shall include the care of children and infirm adults,~~
32 ~~with or without compensation.~~

Amendment to SB 31

- Page 2 -

1 (Signature) _____

2 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
3 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
4 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
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8 following certificate:

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12 disability I am unable to vote in person; that I have carefully read (or had read to me because I am
13 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally
14 marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and
15 sealing it in this envelope because I am blind).

16 (Signature) _____

17 The signature on this affidavit must appear to be executed by the same person who signed
18 the absentee ballot application.]

19
20 **YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE**

21
22 *I do hereby certify under the penalties for voting fraud set forth below that:*

23 *I am a voter in the city or town of _____, New Hampshire.*

24 *One of the following applies to me:*

25 *1) I will be absent on election day. Absence includes:*

26 *a) I will be out-of-town on election day.*

27 *b) I will be unable to vote in person because I will be working.*

28 *c) I will be unable to vote in person because I will be caring for children or*
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31 *National Weather Service has issued a winter storm warning, blizzard warning, or ice*
32 *storm warning that applies to my town/ward, and I have concerns for traveling in the*
33 *storm.*

34 *2) I am unable to vote in person due to disability. Disability includes medical*
35 *conditions that pose a risk of infection to others or where infection from others carries*
36 *significant health risk.*

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2 *which prevents me from voting in person.*

3 *I have carefully read or had read to me the absentee voting instructions. I*
4 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*
5 *had assistance in marking the absentee ballot.*

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8 A person assisting a [~~disabled or blind~~] voter *with a disability* shall [~~make and~~] sign [~~a~~]
9 *this* statement on this envelope [~~in the space provided~~] acknowledging the assistance. [~~The~~
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14 *is a person with a disability. I marked the ballot and/or this form as instructed by the*
15 *voter.*

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18 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
19 vote or voting is subject to a civil penalty not to exceed \$5,000.

Committee Minutes

SENATE CALENDAR NOTICE

Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Regina Birdsell, Vice Chair
Sen Ruth Ward, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: January 13, 2021

HEARINGS

	Thursday	01/21/2021
	(Day)	(Date)
Election Law and Municipal Affairs	REMOTE	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m. SB 30	permitting the towns of Tilton and Northfield to redraw their boundary lines.	
9:10 a.m. SB 31	relative to voter checklists and modifying the absentee ballot affidavit.	
9:20 a.m. SB 46	relative to the use of electronic poll books by cities and towns.	
9:35 a.m. SB 43	relative to the allocation of electoral college votes.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/97950833624>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,97950833624# or 16465588656,97950833624#
4. Webinar ID: [979 5083 3624](https://www.zoom.us/j/97950833624)
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 30

Sen. Giuda
Rep. Lang

Sen. French
Rep. Harvey-Bolia

Rep. Hill
Rep. Cross

Rep. Pearl

SB 31

Sen. Gray

Sen. Ward

Rep. Lang

SB 46

Sen. Perkins Kwoka
Sen. Soucy

Sen. Rosenwald

Sen. Gray

Sen. Sherman

SB 43

Sen. Avard
Sen. Giuda

Sen. Gannon
Rep. Piemonte

Sen. Bradley
Rep. Baldasaro

Sen. Ricciardi
Rep. Welch

Tricia Melillo 271-3077

James P. Gray
Chairman

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

SB 31, relative to voter checklists and modifying the absentee ballot affidavit.

Hearing Date: January 21, 2021

Time Opened: 9:14 a.m.

Time Closed: 9:37 a.m.

Members of the Committee Present: Senators Gray, Birdsell, Ward, Soucy and Perkins Kwoka

Members of the Committee Absent : None

Bill Analysis: This bill modifies the actions required to be taken by supervisors of the checklist upon adding applicants to the checklist, requires the secretary of state to provide certain voter information to chief elections officers in other states, and modifies the absentee ballot affidavit.

Sponsors:

Sen. Gray

Sen. Ward

Rep. Lang

Who supports the bill: Senator James Gray, Senator Ruth Ward, Kristin Swan, Judith Ackerson, Kenneth Ackerson, William Yacopucci, Daniel Healey, Sherry Farrell, Ruth Heath, Judy Strakalaitis

Who opposes the bill: Susan Richman

Summary of testimony presented in support:

Senator James Gray

- The thrust of this bill is that some of the people that request absentee ballot are confused about which of the two affidavits to sign. One, which is for claiming a disability, or the other stating that they will be away, or they have an illness which prevents voting at the polling place.
- This bill would put both statements on one affidavit, with a clearly defined choice, and make the process less confusing.
- As a moderator he has seen people not sign either one because they did not know which one to sign.

David Scanlan – Deputy Secretary of State

- He thinks this is a good idea but would like to suggest a couple of changes.
- On page 1, line 22, where it talks about sharing information with other states, he would like to clarify the statement by inserting “from another state” after the word **transfers**, deleting the word **currently**, and then after the word **registered**, add “in New Hampshire”.
- This will make it clear that when they receive information from another state, that a NH voter has registered to vote there, we will forward that information to the Supervisor of the Checklist in the town that they were registered in.
- The Supervisor can then take the appropriate action to update the Checklist.
- **Senator Perkins Kwoka** asked which system of electronic transfer they are contemplating. She commented that there is one that 31 other states are using to verify when voters have moved and is wondering if NH is contemplating using that system for this procedure.
 - Mr. Scanlan answered, not at the moment. He continued, stating that the program she is referring to is known as ERIC. The way this language is written, it gives NH the flexibility to utilize that system when they reach the point to join . It also gives them the

flexibility to deal individually, with any state in the Country, as they do with all the other NE States.

- **Senator Perkins Kwoka** asked if under this language the Secretary of State is contemplating developing an independent system or is the intention to eventually join ERIC.
 - Mr. Scanlan replied that all of the options are open at this point.

Daniel Healey – Town Clerk, Derry

- They have found that on the affidavit envelope, which side to sign is very confusing for voters and they get many calls looking for guidance.
- This bill will clear up that confusion especially when there is no need for it to be divided like that.
- He would like to ask that the question of which Ward the voter lives in be removed. This is on line 34, page 2.
- The outside envelope already indicates the Ward, and that is what they look at to sort the ballots not the affidavit envelope.
- The question of which Ward is another subject of a lot of calls to the Clerk's office. Voters do not know which one they live in.
- Another change he suggested is at the top of the envelope, the words "please sign this envelope and place ballot inside."
- They have had quite a few voters that did not put the ballot in the correct envelope or sign the envelope at all.
- There are good changes in this bill that will make it a lot easier for the voter.

Sherry Farrell – NH City and Town Clerks Association

- They are in full support of the bill and the testimony given by Dan Healy who is the Co-Chair of their Legislative Committee.
- The affidavit envelope causes a lot of phone calls to every Clerk's office in the State.
- It confuses voters and these simple changes will make a big difference in the process for everyone.

Senator Gray

- The notification piece is when a voter has let the town know that they have previously been registered in another state.
- He envisioned contacting that Secretary of State's office to confirm registration of the voter.
- Putting that information in ERIC would be much more overkill than what is needed because they would already have the State that the voter was previously registered in.
- He asked if Mr. Scanlan could comment on dropping the question of which Ward the voter lives in.
 - Mr. Scanlan replied that if they are discussing having the city on the envelope and not the Ward, that may be difficult for the Supervisors of the Checklist to process.
- Senator Gray stated that the Committee can discuss this in executive session but in his town he believes the Ward of the voter is confirmed elsewhere besides the envelope.

Senator Soucy asked Mr. Healey if the cities were in favor of removing the Ward.

- Mr. Healey answered that they had an executive meeting yesterday with the Town Clerk Association. The Ward is on the outside of the envelope. He is not sure if Mr. Scanlan knows that it is on the envelope and not the voter registration part of the bill. They sort the ballots using the Ward on the outside of the envelope. In Derry, they processed about 6500 absentee ballots and they never looked inside the envelopes to sort them into districts.

Senator Birdsell asked if the Ward indicated on the outside envelope is how they sort them.

- Mr. Healey answered that they have the Ward pre-printed on the envelope when the ballots are requested.

Senator Soucy clarified that this change will be for the ease of the voter, removing the question of which Ward from the affidavit envelope because it is already on the exterior envelope.

- Mr. Healey replied yes. The voter calls and questions because they are nervous that their vote will not count if they put the wrong Ward on the affidavit. He explained that they tear open the outside envelope just to see if the voter signed the inside one with the ballot. The inner envelope stays inside the outer envelope with the Ward or District on it and gets sorted and distributed using that.

Tina Guilford – Town Moderator, Derry

- Half of the 6500 absentee ballots they processed did not have the district # filled in.
- She received many calls because voters were confused about their Ward/District.
- They do need something at the top of the affidavit that says, “please place your absentee ballot inside the envelope.”
- She agrees that they only need one signature on the affidavit and what district it says on the inside makes no difference.

Liz Tentarelli

- She confirmed that there was a lot of confusion with voters about which Ward and which side of the envelope to sign.
- Most of the towns are so small they do not have Wards.
- She supports all of the changes in this legislation.

Sherry Farrell

- In Londonderry they do not have Wards, so getting that question off would make it a lot easier for everyone.

Summary of testimony presented in opposition: None

TJM

Date Hearing Report completed: January 22, 2021

Speakers

Election Law and Municipal Affairs Committee Testify List for Bill SB31 on 2021-01-21
 Support: 10 Oppose: 1 Neutral: 0 Total to Testify: 3

Name	Title	Representing	Position	Testifying
Gray Senator James	An Elected Official	Senate District 6	Support	Yes
HEALEY DANIEL	An Elected Official	NHCTCA NHCTCA New Hampshire City and Town Clerks Association	Support	Yes
Farrell Sherry Ward Senator	An Elected Official	President	Support	Yes
Ruth	An Elected Official	Senate District 8	Support	No
Heath Ruth	A Member of the Public	Myself	Support	No
Richman Susan	A Member of the Public	Myself	Oppose	No
Strakalaitis Judy	An Elected Official	Myself	Support	No
Yacopucci William Swan Moderator Lebanon Ward 1	A Member of the Public	Myself	Support	No
Kristin	An Elected Official	Myself	Support	No
Ackerson Judith	A Member of the Public	Myself	Support	No
Ackerson Kenneth	A Member of the Public	Myself	Support	No

Testimony

Tricia Melillo

From: Pete Basiliere <nhref@me.com>
Sent: Thursday, January 21, 2021 9:02 AM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: SB 31 - Absentee Ballot Affidavit Envelopes - Moderator Input

Dear committee members,

As you consider the language used on absentee ballot affidavit envelopes, please consider the following points:

- Incorporating the bulk of the RSA's affidavit language, plus space for signing, on one side of the envelope, makes the text very difficult to read. The font and point size should be large enough to be easily read.
- The current affidavit envelope layout places the entire text on one side of the envelope. I strongly recommend taking advantage of the space on the flap side. This side could be where the signatures go (with the RSA text on the reverse side of the envelope.)
- If the affidavit language and signature lines are to be on one side of the envelope, please encourage or require the Secretary of State to print simple instructions on the currently blank (flap) side of the envelope. The language could be as simple as:

IMPORTANT - BEFORE RETURNING YOUR BALLOT

Place your marked ballot in this envelope and seal it

Sign the affidavit where appropriate on the opposite side of this envelope

I have more than 40 years of printing and mailing industry experience. I managed Liberty Mutual's high volume mailing operation in Dover and the Paralyzed Veterans of America's production facilities in Wilton and Merrimack for many years. These format changes are easily made, if authorized, and have negligible cost.

Thank you for considering my input,

Pete Basiliere

Milford Town & School District Moderator

Voting Sheets

**Senate Election Law
& Municipal Affairs Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # SB 31

Hearing date: 1-21-2021

Executive Session date: 1-28-21

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP 00655 Vote: 6-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 6-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consent w/ B 6-0

Reported out by: Sen. Gray

Notes: Line 22 -

Dropping Ward
Ballot put into affidavit envelope

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, January 28, 2021

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **SB 31**

AN ACT

relative to voter checklists and modifying the
absentee ballot affidavit.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0159s

Senator James Gray
For the Committee

This bill as amended will make needed changes to the affidavit envelope for absentee ballots and add clarifying language to RSA 654:13, section III. The intent of the changes on the envelope are to make it less confusing for absentee voters to complete the affidavit and submit their ballot. The language in RSA 654:13, section III, clarifies that it is electronic information transfers from another state, regarding a voter that is registered in New Hampshire.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of SB31

Docket Abbreviations

Bill Title: relative to voter checklists and modifying the absentee ballot affidavit.*Official Docket of SB31.:*

Date	Body	Description
1/12/2021	S	Introduced 01/06/2021 and Referred to Election Law and Municipal Affairs; SJ 3
1/13/2021	S	Remote Hearing: 01/21/2021, 09:10 am; Links to join the hearing can be found in the Senate Calendar; SC 7
1/28/2021	S	Committee Report: Ought to Pass with Amendment #2021-0159s , 02/04/2021; Vote 5-0; CC; SC 9
2/4/2021	S	Committee Amendment #2021-0159s , RC 23Y-1N , AA; 02/04/2021; SJ 3
2/4/2021	S	Ought to Pass with Amendment 2021-0159s, RC 23Y-1N , MA; OT3rdg; 02/04/2021; SJ 3
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Election Law HJ 4 P. 48
3/25/2021	H	Public Hearing: 03/31/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/95912119642 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/29/2021	H	Full Committee Work Session: 05/05/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/98783397971 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/12/2021	H	Executive Session: 05/19/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/99392215410
5/26/2021	H	Majority Committee Report: Ought to Pass with Amendment #2021-1486h (Vote 14-6; RC) HC 26 P. 21
5/26/2021	H	Minority Committee Report: Inexpedient to Legislate
6/3/2021	H	Amendment #2021-1486h : AA VV 06/03/2021 HJ 8 P. 135
6/3/2021	H	Ought to Pass with Amendment 2021-1486h: MA DV 214-162 06/03/2021 HJ 8 P. 135
6/10/2021	S	Sen. Gray Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/10/2021; SJ 19
6/10/2021	S	President Appoints: Senators Gray, Birdsell, Perkins Kwoka; 06/10/2021;
6/10/2021	H	House Accedes to Senate Request for CofC (Rep. B. Griffin): MA VV 06/10/2021
6/10/2021	H	Speaker Appoints: Reps. Sweeney, Hayward, Mooney, Prudhomme-O'Brien 06/10/2021
6/11/2021	S	Committee of Conference Meeting: 06/14/2021, 11:00 a.m., Room Senate Chamber, SH
6/16/2021	H	Conference Committee Report #2021-1947c Filed 06/10/2021; House Amendment + New Amendment

6/24/2021	H	Conference Committee Report 2021-1947c: Adopted, DV 203-170 06/24/2021
6/24/2021	S	Conference Committee Report #2021-1947c, Adopted, VV; 06/24/2021; SJ 20
7/15/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/15/2021	H	Enrolled (in recess of) 06/24/2021
8/3/2021	S	Signed by the Governor on 07/30/2021; Chapter 0175
8/3/2021	S	I. Sections 2 & 3 Effective as provided in Section 4
8/3/2021	S	II. Remainder Effective 09/28/2021

NH House

NH Senate

Other Referrals

1 Committee of Conference Report on SB 31, relative to voter checklists and modifying the absentee
2 ballot affidavit.

3

4 Recommendation:

5

6 That the Senate recede from its position of nonconcurrence with the House amendment, and
7 concur with the House amendment, and

8

9 That the Senate and House adopt the following new amendment to the bill as amended by the
10 House, and pass the bill as so amended:

11

12

13 Amend the bill by replacing all after section 2 with the following:

14

15 3 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

16 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
17 following:

18 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
19 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
20 ~~certificate:~~

21 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~
22 ~~the city or town of _____, New Hampshire, in ward _____; that I will be unable to~~
23 ~~appear at any time during polling hours at my polling place because I will be working on election~~
24 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~
25 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~
26 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I am confined to a~~
27 ~~penal institution for a misdemeanor or while awaiting trial, or I will be otherwise absent on election~~
28 ~~day from said city or town and will be unable to vote in person; that I have carefully read (or had~~
29 ~~read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed, and~~
30 ~~that I personally marked the ballot within and sealed it in this envelope (or had assistance in~~
31 ~~marking the ballot and sealing it in this envelope because I am blind). For the purposes of this~~
32 ~~certification, the term "working" shall include the care of children and infirm adults, with or without~~
33 ~~compensation.~~

34 (Signature) _____

Committee of Conference Report on SB 31

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1 ~~In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false~~
2 ~~information when registering to vote or voting is a class A misdemeanor with a maximum sentence~~
3 ~~of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to~~
4 ~~vote or voting is subject to a civil penalty not to exceed \$5,000.~~

5 ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~
6 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~
7 ~~following certificate:~~

8 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~
9 ~~the city or town of _____, New Hampshire, in ward _____; that I will be observing a~~
10 ~~religious commitment which prevents me from voting in person or that on account of physical~~
11 ~~disability I am unable to vote in person; that I have carefully read (or had read to me because I am~~
12 ~~blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally~~
13 ~~marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and~~
14 ~~sealing it in this envelope because I am blind).~~

15 ~~(Signature) _____~~

16 ~~The signature on this affidavit must appear to be executed by the same person who signed~~
17 ~~the absentee ballot application.]~~

18
19 ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

20
21 ***I do hereby certify under the penalties for voting fraud set forth below that:***

22 ***I am a voter in the city or town of _____, New Hampshire.***

23 ***One of the following applies to me:***

24 ***1) I will be absent on election day. Absence includes:***

25 ***a) I will be out-of-town on election day.***

26 ***b) I will be unable to vote in person because I will be working.***

27 ***c) I will be unable to vote in person because I will be caring for children or***
28 ***infirm adults, with or without compensation.***

29 ***d) I am voting absentee on the Monday immediately before the election, the***
30 ***National Weather Service has issued a winter storm warning, blizzard warning, or ice***
31 ***storm warning that applies to my town/ward, and I have concerns for traveling in the***
32 ***storm.***

33 ***2) I am unable to vote in person due to disability.***

34 ***3) I am unable to vote in person due to observance of a religious commitment,***
35 ***which prevents me from voting in person.***

36 ***4) I am confined to a penal institution for a misdemeanor or while awaiting***
37 ***trial.***

Committee of Conference Report on SB 31

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1 *I have carefully read or had read to me the absentee voting instructions. I*
2 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*
3 *had assistance in marking the absentee ballot.*

4
5 *Voter Signature* _____

6 A person assisting a ~~[disabled or blind]~~ voter *with a disability* shall ~~[make and]~~ sign ~~[a]~~
7 *this* statement on this envelope ~~[in the space provided]~~ acknowledging the assistance. ~~[The~~
8 ~~moderator will not compare the voter's signature on this affidavit with the signature on the absentee~~
9 ~~ballot application when a person assisting the voter has signed the statement on the affidavit that~~
10 ~~assistance was provided.]~~

11 *I attest that I assisted (print voter name) _____ because the voter*
12 *is a person with a disability. I marked the ballot and/or this form as instructed by the*
13 *voter.*

14 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
15 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
16 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
17 vote or voting is subject to a civil penalty not to exceed \$5,000.

18 4 Contingency. If HB 555 of the 2021 legislative session becomes law, then section 3 of this act
19 shall take effect at 12:01 a.m. on the effective date of HB 555 and section 2 of this act shall not take
20 effect. If HB 555 does not become law, then section 3 of this act shall not take effect and section 2 of
21 this act shall take effect 60 days after its passage.

22 5 Effective Date.

23 I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

24 II. The remainder of this act shall take effect 60 days after its passage.

Committee of Conference Report on SB 31
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The signatures below attest to the authenticity of this Report on SB 31, relative to voter checklists and modifying the absentee ballot affidavit.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Gray, Dist. 6

Rep. Sweeney, Rock. 8

Sen. Birdsell, Dist. 19

Rep. Hayward, Straf. 1

Sen. Perkins Kwoka, Dist. 21

Rep. Mooney, Hills. 21

Rep. Prudhomme-O'Brien, Rock. 6

Senate Inventory Checklist for Archives

Bill Number: SB 31

Senate Committee: ELMA

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

N/A 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 # 00655 - amendment # 01595

___ - 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)

___ 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

8/3/21
Date

Senate Clerk's Office