

**REGULAR CALENDAR**

**March 9, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Election Law to which was referred HB 1203-FN,**

**AN ACT relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency." Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Fenton Groen**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

Committee:	<b>Election Law</b>
Bill Number:	<b>HB 1203-FN</b>
Title:	<b>relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."</b>
Date:	<b>March 9, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2022-0962h</b>

**STATEMENT OF INTENT**

HB 1203, as introduced, amends the RSA by removing the language of SB 3, passed in 2017, that the NH Supreme Court subsequently ruled unconstitutional. It also restores language that existed in the RSA prior to SB 3. But HB 1203, as written, also added additional language that would have weakened the domicile/residency requirements for voting in NH. As amended, this bill removes the language from SB 3 that the Court found objectionable and retains some language from SB 3 that was not addressed by the court as problematic. It also restores language that was in the RSA prior to SB 3, as needed, relating to forms. While removing HB 1203, as amended, keeps the clear definition of temporary presence and absence found in 654:2, I and II, (a), (b), and (c), it retains language that requires the supervisor of the checklist to follow up on persons who have utilized the voter affidavit to register and vote, by using available public records, and then to refer the registrant's information so the Secretary of State if further investigation is warranted. Provisions are retained that distinguish between voters who register prior to 30 days before an election and those who register 30 days or less before an election. Voters who register more than 30 days before an election will be required to provide documentation to confirm their right to vote in NH before they register. An exception to use an affidavit is allowed to use only if the registrant attests under the penalty of fraud that they do not possess, and are not able to possess, any qualifying documents that prove their right to vote. An example of this circumstance, referred to by the court, is a person who is homeless and does not and cannot possess any of the qualifying documents. Voters who register to vote within 30 days of an election or on election day will be allowed to use a qualified voter affidavit if they do not have the necessary documentation with them when they register. In summary, this amendment removes SB 3 language that the court addressed as objectionable while retaining common sense language that is simply intended to clarify our voting statutes. The majority of the committee believes that the intent of this language is to assure that every voter is legally qualified to vote..

Vote 11-9.

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

### Election Law

**HB 1203-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency." **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen for the **Majority** of Election Law. HB 1203, as introduced, amends the RSA by removing the language of SB 3, passed in 2017, that the NH Supreme Court subsequently ruled unconstitutional. It also restores language that existed in the RSA prior to SB 3. But HB 1203, as written, also added additional language that would have weakened the domicile/residency requirements for voting in NH. As amended, this bill removes the language from SB 3 that the Court found objectionable and retains some language from SB 3 that was not addressed by the court as problematic. It also restores language that was in the RSA prior to SB 3, as needed, relating to forms. While removing HB 1203, as amended, keeps the clear definition of temporary presence and absence found in 654:2, I and II, (a), (b), and (c), it retains language that requires the supervisor of the checklist to follow up on persons who have utilized the voter affidavit to register and vote, by using available public records, and then to refer the registrant's information so the Secretary of State if further investigation is warranted. Provisions are retained that distinguish between voters who register prior to 30 days before an election and those who register 30 days or less before an election. Voters who register more than 30 days before an election will be required to provide documentation to confirm their right to vote in NH before they register. An exception to use an affidavit is allowed to use only if the registrant attests under the penalty of fraud that they do not possess, and are not able to possess, any qualifying documents that prove their right to vote. An example of this circumstance, referred to by the court, is a person who is homeless and does not and cannot possess any of the qualifying documents. Voters who register to vote within 30 days of an election or on election day will be allowed to use a qualified voter affidavit if they do not have the necessary documentation with them when they register. In summary, this amendment removes SB 3 language that the court addressed as objectionable while retaining common sense language that is simply intended to clarify our voting statutes. The majority of the committee believes that the intent of this language is to assure that every voter is legally qualified to vote.. **Vote 11-9.**

Original: House Clerk

Cc: Committee Bill File

**REGULAR CALENDAR**

**March 9, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Election Law to  
which was referred HB 1203-FN,**

**AN ACT relative to domicile residency, voter  
registration, and investigation of voter verification  
letters, and relative to the terms "resident," "inhabitant,"  
"residence," and "residency." Having considered the  
same, and being unable to agree with the Majority,  
report with the following resolution: RESOLVED, that it  
is INEXPEDIENT TO LEGISLATE.**

**Rep. Paul Bergeron**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee:	<b>Election Law</b>
Bill Number:	<b>HB 1203-FN</b>
Title:	<b>relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."</b>
Date:	<b>March 9, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

**STATEMENT OF INTENT**

This bill, as amended, revises statutes that were amended by SB3 during the 2017 session. Those provisions were subsequently struck down by the NH Supreme Court which found that it "imposes unreasonable burdens on the right to vote." The minority agrees that there is a need to clean up the statutes affected by SB3, but this bill does not accomplish that. The bill retains a two-tiered voter registration system which the court found was unnecessary, and it introduces new confusions that will invite new litigation. The minority is concerned that the bill will make ballot access more difficult for citizens who move frequently or who have moved recently.

Rep. Paul Bergeron  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Election Law

**HB 1203-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."  
**INEXPEDIENT TO LEGISLATE.**

Rep. Paul Bergeron for the **Minority** of Election Law. This bill, as amended, revises statutes that were amended by SB3 during the 2017 session. Those provisions were subsequently struck down by the NH Supreme Court which found that it "imposes unreasonable burdens on the right to vote." The minority agrees that there is a need to clean up the statutes affected by SB3, but this bill does not accomplish that. The bill retains a two-tiered voter registration system which the court found was unnecessary, and it introduces new confusions that will invite new litigation. The minority is concerned that the bill will make ballot access more difficult for citizens who move frequently or who have moved recently.

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 1203-FN

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

2

3 AN ACT relative to domicile residency, voter registration, and investigation of voter  
4 verification letters.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Voters; Temporary Absence. RSA 654:2 is repealed and reenacted to read as follows:

9

654:2 Temporary Absence.

10

I. A domicile for voting purposes acquired by any person in any town shall not be  
11 interrupted or lost by a temporary absence therefrom with the intention of returning thereto as his  
12 or her domicile. Domicile for the purpose of voting as defined in RSA 654:1, once existing, continues  
13 to exist until another such domicile is gained. Domicile for purposes of voting is a question of fact  
14 and intention. A voter can have only one domicile for these purposes. No person shall be deemed to  
15 have lost a domicile by reason of his or her presence or absence while the voter or his or her spouse is  
16 employed in the service of the United States; nor while engaged in the navigation of the waters of  
17 the United States or of the high seas; nor while a teacher in or student of any seminary of learning;  
18 nor while confined in any public prison or other penal institution; nor while a patient or confined for  
19 any reason in any nursing, convalescent home or hospital, old folks or old age home, or like  
20 institution or private facility.

21

II.(a) A person present in New Hampshire for temporary purposes shall not gain a domicile  
22 for voting purposes. A person who maintains a voting domicile where he or she came from, to which  
23 he or she intends to return to as his or her voting domicile after a temporary presence in New  
24 Hampshire, does not gain a domicile in New Hampshire regardless of the duration of his or her  
25 presence in New Hampshire.

26

(b) A person who has been present and residing in one town or ward in New Hampshire  
27 for 30 or fewer days is presumed to be present for temporary purposes unless that person has the  
28 intention of making the place in which the person resides his or her one place, more than any other,  
29 from which he or she engages in the domestic, social, and civil activities of participating in  
30 democratic self-government including voting, and has acted to carry out that intent.

31

(c) For the purposes of this chapter, temporary purposes shall include, but are not  
32 limited to, being present in New Hampshire for 30 or fewer days for the purposes of tourism, visiting

Amendment to HB 1203-FN

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1 family or friends, performing short-term work, or volunteering or working to influence voters in an  
2 upcoming election.

3 2 General Voter Registration; Voter Registration Form. Amend RSA 654:7, IV to read as  
4 follows:

5 IV.(a) Standard registration application forms shall be used throughout the state. The  
6 registration forms shall be no larger than 8 1/2 inches by 11 inches.

7 (b) The secretary of state shall prescribe the form of the voter registration form to be  
8 used for voter registrations, transfers, or updates other than those used within 30 days of an election  
9 or at the polling place on election day, which shall be in substantially the following form:

10 \_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire

11 \_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile  
12 to a new town or ward in New Hampshire

13 \_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have  
14 changed my name/address

15 Date \_\_\_\_\_

16 VOTER REGISTRATION FORM

17 (Please print or type)

18 1. Name \_\_\_\_\_

19 Last (suffix) First Full Middle Name

20 2. Domicile Address \_\_\_\_\_

21 Street Ward Number

22 \_\_\_\_\_  
23 Town or City Zip Code

24 3. Mailing Address if different than in 2 \_\_\_\_\_

25 Street

26 \_\_\_\_\_  
27 Town or City Zip Code

28 4. Place and Date of Birth \_\_\_\_\_

29 Town or City State

30 Date \_\_\_\_\_

31 5. Are you a citizen of the United States? Yes \_\_\_ No \_\_\_

32 If a naturalized citizen, give name of court where and date when naturalized

33 \_\_\_\_\_

34 6. Place last registered to vote \_\_\_\_\_

35 Street Ward Number

36 I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or *I am currently*  
37 *registered to vote elsewhere and* I request that my name be removed as a registered voter in



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1 \_\_\_\_\_ (fill in your address where previously registered, street, city/town,  
2 state, and zip code)

3 7. Name under which previously registered, if different from above

4 \_\_\_\_\_

5 8. Party Affiliation (if any) \_\_\_\_\_

6 9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

7 If you do not have a valid driver's license, provide the last four digits of your social security  
8 number \_\_\_\_\_

9 My name is \_\_\_\_\_. I am today registering to vote in the city/town of  
10 \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

11 I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a  
12 United States citizen, and I must be domiciled in this ward/town.

13 I understand that a person can claim only one state and one city/town as his or her domicile at a  
14 time. A domicile is that place, to which upon temporary absence, a person has the intention of  
15 returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in  
16 any other state or any other city/town.

17 In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state  
18 or federal elections in another state.

19 If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a  
20 supervisor of the checklist is available to address my questions or concerns.

21 I acknowledge that I have read and understand the above qualifications for voting and do hereby  
22 swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-  
23 stated city/town, and, if registering on election day, that I have not voted and will not vote at any  
24 other polling place this election.

25 \_\_\_\_\_

26 Date Signature of Applicant

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

31 (c) The secretary of state shall prescribe the form of the voter registration form to be  
32 used only for voter registrations, transfers, or updates starting 30 days before each election and at  
33 the polling place on election day, which shall be in substantially the following form:

34 \_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire

35 \_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a  
36 new town or ward in New Hampshire

37 \_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have

1 changed my name/address  
2 Date registration form is submitted \_\_\_\_\_  
3 Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

4 VOTER REGISTRATION FORM  
5 FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND  
6 AT THE POLLING PLACE ON ELECTION DAY

7 (Please print or type)

8 1. Name \_\_\_\_\_

9 Last (suffix) First Full Middle Name

10 2. Domicile Address \_\_\_\_\_

11 Street Ward Number

12 \_\_\_\_\_  
13 Town or City Zip Code

14 3. Mailing Address if different than in 2 \_\_\_\_\_

15 Street

16 \_\_\_\_\_  
17 Town or City Zip Code

18 4. Place and Date of Birth \_\_\_\_\_

19 Town or City State

20 Date \_\_\_\_\_

21 5. Are you a citizen of the United States? Yes \_\_\_\_ No \_\_\_\_

22 If a naturalized citizen, give name of court where and date when naturalized

23 \_\_\_\_\_  
24 6. Place last registered to vote \_\_\_\_\_

25 Street Ward Number

26 I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or I request that my name  
27 be removed as a registered voter in \_\_\_\_\_ (fill in your address where  
28 previously registered, street, city/town, state, and zip code)

29 7. Name under which previously registered, if different from above

30 \_\_\_\_\_  
31 8. Party Affiliation (if any) \_\_\_\_\_

32 9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

33 If you do not have a valid driver's license, provide the last four digits of your social security  
34 number \_\_\_\_\_

35 My name is \_\_\_\_\_. I am today registering to vote in the city/town of  
36 \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

37 I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a

**Amendment to HB 1203-FN**  
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1 United States citizen, and I must be domiciled in this ward/town.

2 I understand that a person can claim only one state and one city/town as his or her domicile at a  
3 time. A domicile is that place, to which upon temporary absence, a person has the intention of  
4 returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in  
5 any other state or any other city/town.

6 In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state  
7 or federal elections in another state.

8 If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a  
9 supervisor of the checklist is available to address my questions or concerns.

10 I understand that to make the address I have entered above my domicile for voting I must have  
11 an intent to make this the one place from which I participate in democratic self-government and  
12 must have acted to carry out that intent.

13 ~~[I understand that if I have documentary evidence of my intent to be domiciled at this address~~  
14 ~~when registering to vote, I must either present it at the time of registration or I must place my~~  
15 ~~initials next to the following paragraph and mail a copy or present the document at the town or city~~  
16 ~~clerk's office within 10 days following the election (30 days in towns where the clerk's office is open~~  
17 ~~fewer than 20 hours weekly).~~

18 ~~\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not~~  
19 ~~presented evidence of actions carrying out my intent to be domiciled at this address, that I~~  
20 ~~understand that I must mail or personally present to the clerk's office evidence of actions carrying~~  
21 ~~out my intent within 10 days following the election (or 30 days in towns where the clerk's office is~~  
22 ~~open fewer than 20 hours weekly), and that I have received the document produced by the secretary~~  
23 ~~of state that describes the items that may be used as evidence of a verifiable action that establishes~~  
24 ~~domicile.~~

25 ~~Failing to report and provide evidence of a verifiable action will prompt official mail to be sent to~~  
26 ~~your domicile address by the secretary of state to verify the validity of your claim to a voting domicile~~  
27 ~~at this address.~~

28 ~~I understand that if I do not have any documentary evidence of my intent to be domiciled at this~~  
29 ~~address, I must place my initials next to the following paragraph:~~

30 ~~\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I am aware of no~~  
31 ~~documentary evidence of actions carrying out my intent to be domiciled at this address, that I will~~  
32 ~~not be mailing or delivering evidence to the clerk's office, and that I understand that officials will be~~  
33 ~~sending mail to the address on this form or taking other actions to verify my domicile at this~~  
34 ~~address.]~~

35 I acknowledge that I have read and understand the above qualifications for voting and do hereby  
36 swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-  
37 stated city/town, and, if registering on election day, that I have not voted and will not vote at any

**Amendment to HB 1203-FN  
- Page 6 -**

1 other polling place this election.

2

3

4 Date

Signature of Applicant

5 ~~[If this form is used in place of proof of identity, age, or citizenship, I hereby swear that such~~  
6 ~~information is true and accurate to the best of my knowledge.~~

7 ~~This form was executed for purposes of proving (applicant shall circle yes or no and initial each~~  
8 ~~item):~~

9 ~~Identity yes/no~~ \_\_\_\_\_

10 \_\_\_\_\_ (initials)

11 ~~Citizenship yes/no~~ \_\_\_\_\_

12 \_\_\_\_\_ (initials)

13 ~~Age yes/no~~ \_\_\_\_\_

14 \_\_\_\_\_ (initials)

15

16

17 ~~Applicant~~ \_\_\_\_\_

~~Election Official~~

18

19 ~~Notary Public/Justice of the Peace/Official Authorized by RSA 659:30]~~

20 In accordance with RSA 659:34, the penalty for knowingly or purposely providing false  
21 information when registering to vote or voting is a class A misdemeanor with a maximum sentence  
22 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to  
23 vote or voting is subject to a civil penalty not to exceed \$5,000. In accordance with RSA 659:34-a  
24 voting in more than one state in the same election is a class B felony with a maximum sentence of  
25 imprisonment not to exceed 7 years and a fine not to exceed \$4,000.

26 3 Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12, I to read as  
27 follows:

28 I. When determining the qualifications of an applicant, the supervisors of the checklist, or  
29 the town or city clerk, shall require the applicant to present proof of citizenship, age, and domicile,  
30 as provided in the following categories:

31 (a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall  
32 accept from the applicant any one of the following as proof of citizenship: the applicant's birth  
33 certificate, passport, naturalization papers if the applicant is a naturalized citizen, a qualified voter  
34 affidavit, a sworn statement on the voter registration form used starting 30 days before an election  
35 and on election day, or any other reasonable documentation which indicates the applicant is a  
36 United States citizen. The qualified voter affidavit shall be in the following form, and shall be  
37 retained in accordance with RSA 33-A:3-a:

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1 Date: \_\_\_\_\_

2 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

3 Name: \_\_\_\_\_

4 Name at birth if different: \_\_\_\_\_

5 Place of birth: \_\_\_\_\_

6 Date of birth: \_\_\_\_\_

7 Date and Place of Naturalization: \_\_\_\_\_

8 Domicile Address: \_\_\_\_\_

9 Mailing Address (if different): \_\_\_\_\_

10 Telephone number (requested but optional) \_\_\_\_\_

11 Email address (requested but optional) \_\_\_\_\_

12 ***If I am using this form for purposes of identity, I acknowledge my photograph shall be***  
13 ***taken and that photo will be preserved in my voter record.***

14 I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am not in  
15 possession of some or all of the documents necessary to prove my identity, citizenship, and age and  
16 that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this  
17 town (or ward), that I am a United States citizen, that I am at least 18 years of age as of this date or  
18 will be at the next election, and that to the best of my knowledge and belief the information above is  
19 true and correct.

20 \_\_\_\_\_

21 (Signature of applicant)

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

26 On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice  
27 of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose signature  
28 is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name  
29 appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that  
30 the facts contained in this affidavit are true to the best of his or her knowledge and belief.

31 This affidavit was executed for purposes of proving (check all that apply):

32  Identity

33  Citizenship

34  Age

35 \_\_\_\_\_

36 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30.

37 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age

1 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
2 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be  
3 retained in accordance with RSA 33-A:3-a, or a sworn statement on the voter registration form used  
4 starting 30 days before an election and on election day.

5 (c) DOMICILE.

6 (1) Registering more than 30 days in advance of an election.

7 (A) A person who possesses one of the following qualified documents identifying  
8 the applicant's name and the address claimed as domicile must present that document when  
9 applying for registration prior to election day: (i) New Hampshire driver's license or identification  
10 card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle  
11 registration; (iii) a picture identification issued by the United States government that contains a  
12 current address; (iv) government issued check, benefit statement, or tax document. ~~[A person who  
13 possesses such a document, but failed to bring it with the person when seeking to register to vote  
14 shall be required to return when he or she can present one of these documents or to bring the  
15 document and register on election day.]~~

16 (B) A person who *does not have the specific documentation as outlined in*  
17 *subparagraph (A) shall be entitled to present other reasonably similar documentation that*  
18 *would establish a domicile to include, but necessarily be limited to, documentary evidence*  
19 *such as an invoice or canceled mail.* ~~[attests under penalty of voter fraud that he or she does not  
20 possess any of the qualified documents listed in subparagraph (A) may present Any reasonable  
21 documentation of having established a physical presence at the place claimed as domicile, having an  
22 intent to make that place his or her domicile, and having taken a verifiable act to carry out that  
23 intent. The documentation must establish that it is more likely than not that the applicant has a  
24 domicile and intends to maintain that domicile, as defined in this chapter, at least until election day  
25 in the town or ward in which he or she desires to vote. Reasonable documentation may include, but  
26 is not limited to evidence of:~~

27 (i) ~~Residency, as set forth in RSA 654:1, I a, at an institution of learning at  
28 that place;~~

29 (ii) ~~Renting or leasing an abode at that place for a period of more than 30  
30 days, to include time directly prior to an election day;~~

31 (iii) ~~Purchasing an abode at that place;~~

32 (iv) ~~Enrolling the applicant's dependent minor child in a publicly funded  
33 elementary or secondary school which serves the town or ward of that place, using the address where  
34 the registrant resides;~~

35 (v) ~~Listing that place as the person's physical residence address on state or  
36 federal tax forms, other government identification showing the address, or other government forms  
37 showing the address;~~

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1 ~~(vi) Providing the address of that place to the United States Post Office as~~  
2 ~~the person's permanent address, provided it is not a postal service or commercial post office box;~~

3 ~~(vii) Obtaining public utility services for an indefinite period at that place; or~~

4 ~~(viii) Arranging for a homeless shelter or similar service provider located in~~  
5 ~~the town or ward to receive United States mail on behalf of the individual.~~

6 ~~An applicant whose domicile is at an abode of another and whose name is not listed on the document~~  
7 ~~offered as proof of domicile may provide a written statement from a person who is listed as owner,~~  
8 ~~property manager, or tenant on the document that the applicant resides at that address, signed by~~  
9 ~~that person under penalty of voting fraud if false information is provided.]~~

10 ***(C) A person who attests under penalty of voter fraud that he or she does***  
11 ***not possess any qualifying documentation of domicile and will not ever be able to possess***  
12 ***any qualifying documents of domicile shall complete the domicile affidavit.***

13 (2) ~~[Registering within 30 days before an election and on election day.]~~

14 (A) ~~[When registering within 30 days before an election or on election day as~~  
15 ~~provided in RSA 654:7-a, if the applicant does not have in his or her possession at the polls one of the~~  
16 ~~qualified documents listed in subparagraph (1) or other reasonable documentation which establishes~~  
17 ~~that it is more likely than not that the applicant has a domicile at the address claimed in the town or~~  
18 ~~ward in which he or she desires to vote, he or she may execute] ***If the applicant does not have***~~

19 ***reasonable documentation in his or her possession at the place and time of voter***  
20 ***registration, a sworn statement on the general election day voter registration form, or a sworn***  
21 ***statement on the domicile affidavit form. [used starting 30 days before an election and on***  
22 ***election day and initial the acknowledgment of domicile evidence obligation. If the applicant***  
23 ***identifies on his or her application action taken to establish his or her domicile, which he or she has***  
24 ***documentation of, he or she must agree to mail a copy of or present the document in person to the***  
25 ***city or town clerk within 10 days, or where the town clerk's office is open fewer than 20 hours***  
26 ***weekly, within 30 days. Copies of documents provided in compliance with this subparagraph are***  
27 ***exempt from the public disclosure required by RSA 91-A. The clerk shall document receipt of a copy***  
28 ***or completion of verification of a document presented in person and forward verification to the***  
29 ***supervisors of the checklist. An applicant whose voter registration is approved based on an***  
30 ***acknowledgment of a domicile evidence obligation who knowingly or purposely fails to provide a***  
31 ***document to the city or town clerk as required by this paragraph shall be subject to the penalties of***  
32 ***wrongful voting as established in RSA 659:34.] The supervisors of the checklist shall initiate***  
33 ***removing the name from the checklist of any such person who fails to provide proof of domicile by the***  
34 ***deadline by sending the person the notice required by RSA 654:44.***

35 (B) A person registering within 30 days before an election or on election day who  
36 does not possess reasonable documentation of establishing domicile and has taken no verifiable  
37 action to carry out his or her intent to establish domicile at the address claimed on the voter

1 registration application may nonetheless register to vote by initialing the paragraph on the  
2 registration form acknowledging that domicile may be verified. The supervisors of the checklist  
3 shall, as soon as practical following an election at which the person initials such paragraph to  
4 register and vote, attempt to verify that the person was domiciled at the address claimed on election  
5 day by means including, but not limited to:

6 (i) Examining public records held by the town or city clerk, municipal  
7 assessing and planning offices, tax collector, or other municipal office that may house public records  
8 containing domicile confirmation; or

9 ~~[(ii) Requesting 2 or more municipal officers or their agents or state election~~  
10 ~~officers or their agents to visit the address and verify that the individual was domiciled there on~~  
11 ~~election day. In unincorporated places that have not organized for the purposes of conducting~~  
12 ~~elections, county officers may be asked to perform this function; or]~~

13 ~~[(iii) (ii) Referring the registrant's information to the secretary of state, who~~  
14 shall cause such further investigation as is warranted.

15 (C) Any case where supervisors are unable to verify the applicant's domicile or  
16 where evidence exists of voting fraud shall be promptly reported to the secretary of state and to the  
17 attorney general, who shall cause such further investigation as is warranted.

18 ***DOMICILE AFFIDAVIT***

19 ***Date:*** \_\_\_\_\_

20 ***Name:*** \_\_\_\_\_

21 ***Current Domicile Address:*** \_\_\_\_\_

22 ***Street*** ***Ward Number***

23 \_\_\_\_\_  
24 ***Town or City*** ***Zip Code***

25 ***Current Mailing Address (if different):*** \_\_\_\_\_

26 ***Street*** ***Ward Number***

27 \_\_\_\_\_  
28 ***Town or City*** ***Zip Code***

29 ***Telephone Number (requested but optional):*** \_\_\_\_\_

30 ***Email Address (requested but optional):*** \_\_\_\_\_

31 ***Date when current domicile was established: Month:*** \_\_\_\_\_ ***Year:*** \_\_\_\_\_

32 ***Place and Date of Birth:*** \_\_\_\_\_

33 ***Address of Last Previous Domicile:*** \_\_\_\_\_

34 ***Street*** ***Ward Number***

35 \_\_\_\_\_  
36 ***Town or City*** ***Zip Code***

37 ***I hereby swear and affirm, under the penalties for voting fraud set forth below, that I***



1 *am not currently in possession of necessary documents to prove my domicile and that my*  
2 *established domicile is at the current domicile address I have entered above. I understand*  
3 *that a person can claim only one state and one city/town as his or her domicile at a time. A*  
4 *domicile is that place, to which upon temporary absence, a person has the intention of*  
5 *returning. By registering or voting today, I am acknowledging that I am not domiciled or*  
6 *voting in any other city/town, and that to the best of my knowledge and belief the*  
7 *information above is true and correct.*

8 \_\_\_\_\_  
9 *(Signature of Applicant)*

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

14 *On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice*  
15 *of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose*  
16 *signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the*  
17 *person whose name appears above, and he or she subscribed his or her name to the*  
18 *foregoing affidavit and swore that the facts contained in this affidavit are true to the best*  
19 *or his or her knowledge and belief.*

20 \_\_\_\_\_  
21 *Notary Public/Justice of the Peace/Official Authorized by RSA 659:30.*

22 4 Voter Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:

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

**Amendment to HB 1203-FN**  
**- Page 12 -**

1 voter *and domicile* affidavits, affidavits of religious exemption, absentee registration affidavits, and  
2 applications for absentee ballots, if necessary to resolve a challenge to an individual registering to  
3 vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law  
4 enforcement access and use of such records for the investigation or prosecution of crimes unrelated  
5 to election law violations shall be limited to the records of the specific individuals who are the  
6 subject of the investigation or prosecution.

7 5 Election Procedure; Challenges; Affidavit. Amend RSA 659:30 to read as follows:

8 659:30 Affidavit. The affidavit of a challenged voter, an asserting a challenge form, a qualified  
9 voter affidavit, *a voter domicile affidavit*, or any other affidavit required by the election statutes  
10 may be sworn before any person authorized by law to administer oaths or before any election officer.

11 6 Wrongful Voting; Penalties for Voter Fraud. Amend RSA 659:34, I(a) to read as follows:

12 (a) When registering to vote; when obtaining an official ballot; when casting a vote by  
13 official ballot; or when applying for a photo identification card for voting purposes, purposely or  
14 knowingly makes a false material statement regarding his or her qualifications as a voter to an  
15 election officer or submits a voter registration form, an election day registration affidavit, a qualified  
16 voter affidavit, *a domicile affidavit*, a challenged voter affidavit, an affidavit of religious  
17 exemption, an identification card voucher, or an absentee registration affidavit containing false  
18 material information regarding his or her qualifications as a voter;

19 7 Repeal. The following are repealed:

20 I. RSA 659:34, I(h)-(i), relative to penalties for voter fraud.

21 II. RSA 654:7, V, relative to the "verifiable action of domicile" addendum to the voter  
22 registration form.

23 III. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.

24 8 Preservation of Absentee Voting Materials [~~and~~] Election Day Affidavits. Amend RSA 659:101  
25 to read as follows:

26 659:101 Preservation of Absentee Voting Materials, [~~and~~] Election Day Affidavits, *and*  
27 *Domicile Affidavits*. The absentee ballot affidavits and application forms processed by the  
28 moderator as provided in RSA 659:50, the absentee ballots challenged and rejected as provided in  
29 RSA 659:51 and RSA 659:53, and the qualified voter affidavits *and domicile affidavits* as provided  
30 in RSA 654:12 and any other documentary proof of qualifications retained by the town or city clerk,  
31 the supervisors of the checklist, or other election official shall be preserved in accordance with RSA  
32 33-A:3-a. Qualified voter [~~and~~], voter registration, *and domicile* affidavits shall be retained for the  
33 period set forth in RSA 33-A:3-a, and other materials may be destroyed after the election is settled  
34 and all appeals have expired or one year after the election, whichever is longer.

35 9 Disposition of Municipal Records; Domicile Affidavit. Amend RSA 33-A:3-a, CXLI(f) to read as  
36 follows:

37 (f) [~~Verifiable action of domicile document~~] *Domicile affidavit*: until voter is removed

**1 from checklist plus 7 years.**

**2 10 Effective Date. This act shall take effect 60 days after its passage.**

2022-0962h

**AMENDED ANALYSIS**

This bill modifies the definition of domicile for voting purposes, modifies forms and procedures used for voter registration, and removes the requirement that the secretary of state conduct post-election voter registration inquiries.





2022 SESSION

Election Law

Bill # HB 1203 Motion: OTP/A. AM #: 2022-0962H Exec Session Date: 3/9/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Alexander, Joe H.	✓		
<del>Cote, David E.</del> <u>Wendy Chase</u>		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
<del>Sandler, Catt</del> <u>Linda Massimile</u>		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
<b>TOTAL VOTE:</b>	<b>11</b>	<b>9</b>	



1/21/2021 9:37:57 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Election Law

Bill #: HB 1203 Motion: OTP AM #: 20210921H Exec Session Date: 3-9-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Mooney, <del>Maureen C.</del> <i>Alexander</i>	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
<del>Cote, David E.</del> <i>Wendy Chase</i>		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
<del>Sandler, Catt</del> <i>LINDA Maximilla</i>		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
<b>TOTAL VOTE:</b>	<b>11</b>	<b>9</b>	

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1203-FN

**BILL TITLE:** relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."

**DATE:** February 10, 2022

**LOB ROOM:** 306-308                      **Time Public Hearing Called to Order:**

**Time Adjourned:**

**Committee Members:** Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Torosian, Berry, Groen, Qualey, Alexander Jr., Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

**Bill Sponsors:**

Rep. Horrigan

Rep. Berch

Rep. Cohen

Rep. Frost

Rep. Kenney

Rep. Read

Rep. Spang

Rep. Wall

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Rep Tim Horrigan - Last year bill #538 was a prior bill - Found ITL.

- Purpose is to overturn SB3, SB318, HB1264

David Scanlon - Secretary of State

- One thing in the bill is okay
- Domicile = residence in many states they are the same.
- Neighbor states describe students different
- Leave it alone
- SB3 - that language is \_\_\_\_\_ that people think it is in effect.
- Clean it up





# House Remote Testify

## Election Law Committee Testify List for Bill HB1203 on 2022-02-10

Support: 108 Oppose: 20 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
thompson, julia	durham, NH maple371@gmail.com	A Member of the Public	Myself	Support	No	No	2/5/2022 5:18 PM
smith, jennifer	Pembroke, NH jaycmd7699@gmail.com	A Member of the Public	Myself	Support	No	No	2/5/2022 5:59 PM
Kowalski, Carol	Grantham, NH carol@kaszeta.org	A Member of the Public	Myself	Support	No	No	2/6/2022 4:36 PM
Dinzeo, David	Dover, NH dinz00@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2022 5:00 PM
Dargie, Paul	Milford, NH pauldargie@gmail.com	An Elected Official	Myself	Oppose	No	No	2/6/2022 5:46 PM
Orkin, Susan	Grantham, NH susanorkin@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/6/2022 6:26 PM
Hatcher, Phil	Dover, NH phil.hatcher@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2022 9:19 PM
Zaenglein, Barbara	AMHERST, NH bzaenglein@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2022 9:56 PM
Zaenglein, Eric	Amherst, NH henley11@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2022 10:01 PM
Aronson, Laura	Manchester, NH laura@mlans.net	A Member of the Public	Myself	Support	No	No	2/6/2022 10:15 PM
Reed, Barbara	North Swanzey, NH BDRreed74@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2022 10:38 PM
English, Eileen	New Boston, NH eilanah@yahoo.com	A Member of the Public	Myself	Support	No	No	2/7/2022 1:23 AM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 7:30 AM

Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:06 AM
Mooney, Bridget	Wilton, NH Bridget@moonchick.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:14 AM
Lieberman, Sheryl	Merrimack, NH saml54@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2022 9:28 AM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	2/7/2022 9:52 AM
Gibbs, Elizabeth	Newport, NH Chezedg@yahoo.com	A Member of the Public	Myself	Support	No	No	2/7/2022 10:05 AM
Hamer, Gary	Manchester, NH grhamer@aol.com	A Member of the Public	Myself	Support	No	No	2/7/2022 11:29 AM
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	2/7/2022 11:40 AM
Collyer, Anne	Newton, NH anniecollyer34@gmail.com	An Elected Official	Myself	Oppose	No	No	2/7/2022 11:46 AM
Josephson, Helina	Canaan, NH helinahappy@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 12:39 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Support	No	No	2/7/2022 12:42 PM
Hurley, Paula	Concord, NH graffymanor@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2022 12:44 PM
Bouchard, Donald	MANCHESTER, NH donaldjbouchard@gmail.com	An Elected Official	Myself	Support	No	No	2/7/2022 1:02 PM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Support	No	No	2/7/2022 1:35 PM
Shamel, Susan	Hillsborough, NH Susanshamel@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 2:03 PM
Thorn, Andrea	Newmarket, NH dreathorn@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 2:03 PM
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2022 3:01 PM
Mattlage, Linda	Concord, NH l.mattlage@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 3:05 PM
Robinson, Ellis	Grantham, NH ellismmrobinson@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 3:43 PM

olson, alix	canaan, NH alixmartha22@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 3:54 PM
Weber, Jill	Mont Vernon, NH jill@frazilfarms.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:14 PM
Martin, Patricia	rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:27 PM
Thomas, Anne	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:27 PM
Merlone, Lynn	Rindge, NH prulone@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:27 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 4:27 PM
Findley, Sally	Grantham, NH findley.se@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2022 5:29 PM
Peterson, Susan	Newton, NH susanrp@aol.com	A Member of the Public	Myself	Support	No	No	2/7/2022 6:16 PM
Brennan, Barb	Hooksett, NH barbbrennan84@gmail.com	An Elected Official	Myself	Oppose	No	No	2/7/2022 6:21 PM
Pidgeon, Dawna	Enfield, NH dawna.pidgeon@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2022 6:32 PM
Turnbull, Shauna	Andover, NH shaunaturnbull@yahoo.com	A Member of the Public	Myself	Support	No	No	2/7/2022 7:31 PM
Chase-Rowell, Lauren	Nottingham, NH laurencoderowell@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 7:49 PM
Rich, Cecilia	Somersworth, NH cecilia.rich@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/7/2022 8:29 PM
Sauvageau, Shirley	Rochester, NH nh7sam@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:02 PM
Gluck, Tammy	Newton, NH Tammykgluck@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:47 PM
Jones, Jennifer	BRENTWOOD, NH jennjones123@hotmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:54 PM
Jones, Nate	BRENTWOOD, NH nate_jones@hotmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 9:54 PM
Verschueren, James	Dover, NH jd.verschueren@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2022 11:05 PM

Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	2/7/2022 11:11 PM
Richardson, Bryan	Alexandria, NH marks-dad@ipatriots.us	A Member of the Public	Myself	Oppose	No	No	2/8/2022 1:40 AM
Hatch, Sally	Concord, NH SALLYHATCH@COMCAST.COM	A Member of the Public	Myself	Support	No	No	2/8/2022 6:26 AM
Bergevin, Leslie	Loudon, NH leslie.bergevin@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 7:12 AM
Smith, Suzanne	Hebron, NH zanne719@gmail.com	An Elected Official	Myself	Support	No	No	2/8/2022 7:57 AM
Douville, Linda	Grantham, NH lmdanp@aol.com	A Member of the Public	Myself	Oppose	No	No	2/8/2022 8:05 AM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 8:29 AM
FRIEDRICH, ED	Loudon, NH erfriedrich@yahoo.com	A Member of the Public	Myself	Support	No	No	2/8/2022 9:05 AM
Weston, Joyce	Plymouth, NH jweston14@roadrunner.com	An Elected Official	Myself	Support	No	No	2/8/2022 9:44 AM
Umiker, Richard	Randolph, NH rick.umiker@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 10:04 AM
orion, Janice	Cornish, NH jorion@myfairpoint.net	A Member of the Public	Myself	Support	No	No	2/8/2022 10:27 AM
Kelley, Mary	Dover, NH midgekelly1@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 10:35 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 10:44 AM
DeMark, Harriet	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 10:44 AM
Hamblet, Joan	Portsmouth, NH jhamblet4@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 10:44 AM
Wazir, Safiya	Concord, NH S.wazir@leg.state.nh.us	An Elected Official	Myself and my constituents	Support	No	No	2/8/2022 11:06 AM
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 11:25 AM
Magruder, Joe	CONCORD, NH joe.magruder@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 12:04 PM

Richards, Martha	Holderness, NH Maplerichards@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 12:33 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/8/2022 1:58 PM
jelleme, lisa	Andover, NH ljelleme@hotmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 2:15 PM
Leavitt, Deborah	Dover, NH daleavitt77@comcast.net	A Member of the Public	Myself	Support	No	No	2/8/2022 4:30 PM
Bose, Mathew	Bow, NH matbose@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 7:21 PM
Tilli-Pauling, Marianne	Amherst, NH m.tillipauling@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 9:05 PM
Tilli-Pauling, Nigel	Amherst, NH N.tillipauling@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 9:13 PM
Grassie, Chuck	Rochester, NH chuck.grassie@leg.state.nh.us	An Elected Official	Strafford 11	Support	No	No	2/8/2022 10:24 PM
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 7:00 AM
Palmer, William	Cornish, NH wspalmer56@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 9:01 AM
Brown, Nancy	Hopkinton, NH wcbnpb@comcast.net	A Member of the Public	Myself	Support	No	No	2/9/2022 10:30 AM
Murray, Kate	New Castle, NH dr.karma2000@gmail.com	An Elected Official	Myself	Support	No	No	2/9/2022 11:38 AM
Kaufman, Judith	Cornish, NH jpk52@aol.com	A Member of the Public	Myself	Support	No	No	2/9/2022 11:55 AM
DePuy, Charles	Lebanon, NH c.depuy@yahoo.com	A Member of the Public	Myself	Support	No	No	2/9/2022 11:58 AM
Almy, Susan	Lebanon, NH Susan.almy@comcast.net	An Elected Official	Myself	Support	No	No	2/9/2022 1:13 PM
Laker-Phelps, Gail	Chichester, NH lpsart@tds.net	A Member of the Public	Myself	Support	No	No	2/9/2022 1:13 PM
Lewandowski, Jean	Nashua, NH jlewando@hotmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 2:26 PM
Rettew, Annie	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 2:27 PM

Cahill-Yeaton, Miriam	Epsom, NH nmyeaton.mims@yahoo.com	A Member of the Public	Myself	Support	No	No	2/9/2022 3:09 PM
Terwilliger, Linda	Gilford, NH lindaterwilliger364@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 4:18 PM
Kiely, Cecilia	Nottingham, NH cecilia.kiely@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 4:19 PM
Stinson, Benjamin	CONCORD, NH benrkstinson@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 6:41 PM
Cook, Barbara	Canterbury, NH Bdc7@aol.com	A Member of the Public	Myself	Support	No	No	2/9/2022 7:03 PM
Hull, Ethel	Concord, NH ehullphd@psychotherapyastransformation.com	A Member of the Public	Myself	Support	No	No	2/9/2022 7:04 PM
Willing, Maura	Concord, NH Maura.Willing@Comcast.net	A Member of the Public	Myself	Support	No	No	2/9/2022 7:04 PM
Robinson, Steven	Northwood, NH Nikkiandme@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/9/2022 7:12 PM
Hallock, Linda	Cornish, NH LINDASH@MAIL.COM	A Member of the Public	Myself	Support	No	No	2/9/2022 7:43 PM
Bourassa, Cheryl	Concord, NH cbourassa59@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 8:07 PM
Hampton, Doris	Canterbury, NH dandmhamp38@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 8:35 PM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 9:40 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 9:56 PM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 9:57 PM
Lindpaintner, Lyn	Concord, NH lynlin@bluewin.ch	A Member of the Public	Myself	Support	No	No	2/9/2022 10:41 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 11:24 PM
Loveless, eric	bedford, NH lovelessej@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2022 11:39 PM
Chester, Russan	Bedford, NH russan.chester@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2022 11:39 PM

Chadwick, Ray	Bedford, NH rfchadwick@juno.com	A Member of the Public	Myself	Oppose	No	No	2/9/2022 11:48 PM
Clark, Denise	Milford, NH denise.m.clark03055@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 12:17 AM
Termini, Marcella	MANCHESTER, NH marcellatermini@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 5:18 AM
Ellermann, Maureen	Concord, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	2/10/2022 6:32 AM
Goegel, Kate	Canterbury, NH, NH hackleboropqr@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2022 7:02 AM
Newick, Catharine	Canterbury, NH csnewick@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 7:36 AM
Gulla, Carol	NEWMARKET, NH crgulla@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 7:46 AM
Dewey, Karen	NEWPORT, NH pkdewey@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/10/2022 7:49 AM
Hodsdon, Alan	CANTERBURY, NH alan.hodsdon@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 8:08 AM
Cawley, David	Concord, NH dcawley7@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 8:12 AM
Saba, Robin	CANDIA, NH rbrooks230@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2022 8:41 AM
Diehl, Stanford	Concord, NH loki1958@yahoo.com	A Member of the Public	Myself	Support	No	No	2/10/2022 8:42 AM
Portnoy, Fred	Canterbury, NH fportnoy@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 8:47 AM
Emerson, Anne	Canterbury, NH ademerson4180@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 8:59 AM
Wilke, Mary	Concord, NH wilke.mary@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 9:13 AM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2022 9:34 AM
Howard, Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Belknap 8	Oppose	No	No	2/10/2022 9:41 AM
Anastasia, Patricia F	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 11:42 AM



Strakalaitis, Judith	Derry, NH judystrakalaitis@derrynh.org	An Elected Official	Myself	Support	No	No	2/10/2022 11:57 AM
Nastasi, Sue	Rollinsford, NH ctcoastmetro@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2022 12:00 PM
Meuse, David	Portsmouth, NH David.Meuse@leg.state.nh.us	An Elected Official	Rockingham 29	Support	No	No	2/10/2022 12:43 PM
Chappelle, Maura	Jefferson, NH MauraChappelle@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 12:46 PM
Sweeney, Margaret	Campton, NH ms975@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2022 2:26 PM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Support	No	No	2/10/2022 6:28 PM
Woods, Renia	Bow, NH renia.woods1@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2022 11:03 PM

HB 1203-FN - AS INTRODUCED

2022 SESSION

22-2024

11/10

HOUSE BILL **1203-FN**

AN ACT relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."

SPONSORS: Rep. Horrigan, Straf. 6; Rep. Berch, Ches. 1; Rep. Cohen, Hills. 28; Rep. Frost, Straf. 16; Rep. Kenney, Straf. 6; Rep. Read, Rock. 17; Rep. Spang, Straf. 6; Rep. Wall, Straf. 6

COMMITTEE: Election Law

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ANALYSIS

This bill modifies the definition of domicile for voting purposes, modifies forms and procedures used for voter registration, and removes the requirement that the secretary of state conduct post-election voter registration inquiries. This bill also amends the general statutory definitions of "resident or inhabitant" and "residence or residency" to include an intent to maintain a principal place of physical presence for the indefinite future. The bill restores language removed from the law in 2018, 370 (HB 1264).

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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 Two*

AN ACT relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."

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

1 1 Voter; Office Holder; Claim of Domicile. Amend RSA 654:1, I to read as follows:

2 I. Every inhabitant of the state, having a single established domicile for voting purposes,  
3 being a citizen of the United States, of the age provided for in Article 11 of Part First of the  
4 Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town,  
5 ward, or unincorporated place in which he or she is domiciled. An inhabitant's domicile for voting  
6 purposes is that one place where a person, more than any other place, has established a physical  
7 presence and manifests an intent to maintain a single continuous presence for domestic, social, and  
8 civil purposes relevant to participating in democratic self-government. A person has the right to  
9 change domicile at any time, however a mere intention to change domicile in the future does not, of  
10 itself, terminate an established domicile before the person actually moves. ***A person's claim of***  
11 ***domicile for voting purposes shall not be conclusive of the person's residence for any other***  
12 ***legal purpose.***

13 2 Voters; Temporary Absence. Amend RSA 654:2 to read as follows:

14 654:2 Temporary Absence [~~or Presence~~].

15 [~~I~~] A domicile for voting purposes acquired by any person in any town shall not be  
16 interrupted or lost by a temporary absence therefrom with the intention of returning thereto as his  
17 or her domicile. Domicile for the purpose of voting as defined in RSA 654:1, once existing, continues  
18 to exist until another such domicile is gained. Domicile for purposes of voting is a question of fact  
19 and intention [~~coupled with a verifiable act or acts carrying out that intent~~]. A voter can have only  
20 one domicile for [~~voting~~] ***these*** purposes. No person shall be deemed to have lost a domicile by  
21 reason of his or her presence or absence while the voter or his or her spouse is employed in the  
22 service of the United States; nor while engaged in the navigation of the waters of the United States  
23 or of the high seas; nor while a teacher in or student of any seminary of learning; nor while confined  
24 in any public prison or other penal institution; nor while a patient or confined for any reason in any  
25 nursing, convalescent home or hospital, old folks or old age home, or like institution or private  
26 facility.

27 [~~II.(a)~~] ~~A person present in New Hampshire for temporary purposes shall not gain a domicile~~  
28 ~~for voting purposes. A person who maintains a voting domicile where he or she came from, to which~~  
29 ~~he or she intends to return to as his or her voting domicile after a temporary presence in New~~

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1 ~~Hampshire, does not gain a domicile in New Hampshire regardless of the duration of his or her~~  
2 ~~presence in New Hampshire.~~

3 ~~(b) A person who has been present and residing in one town or ward in New Hampshire~~  
4 ~~for 30 or fewer days is presumed to be present for temporary purposes unless that person has the~~  
5 ~~intention of making the place in which the person resides his or her one place, more than any other,~~  
6 ~~from which he or she engages in the domestic, social, and civil activities of participating in~~  
7 ~~democratic self-government including voting, and has acted to carry out that intent.~~

8 ~~(c) For the purposes of this chapter, temporary purposes shall include, but are not~~  
9 ~~limited to, being present in New Hampshire for 30 or fewer days for the purposes of tourism, visiting~~  
10 ~~family or friends, performing short-term work, or volunteering or working to influence voters in an~~  
11 ~~upcoming election.~~

12 ~~(d) For the purposes of voter registration under RSA 654:7, IV(c), an applicant shall~~  
13 ~~demonstrate an intent to make a place his or her domicile by providing documentation showing that~~  
14 ~~the applicant has a domicile at the address provided on the voter registration form. Such~~  
15 ~~documentation may include, but is not limited to:~~

16 ~~(1) Evidence of residency, as set forth in RSA 654:1, I-a, at an institution of learning~~  
17 ~~in that place;~~

18 ~~(2) Evidence of renting or leasing an abode at that place for a period of more than 30~~  
19 ~~days, to include time directly prior to an election day;~~

20 ~~(3) Evidence of purchasing an abode at that place;~~

21 ~~(4) A New Hampshire resident motor vehicle registration, driver's license, or~~  
22 ~~identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b listing that place as his~~  
23 ~~or her residence;~~

24 ~~(5) Evidence of enrolling the person's dependent minor child in a publicly funded~~  
25 ~~elementary or secondary school which serves the town or ward of that place, using the address where~~  
26 ~~the registrant resides;~~

27 ~~(6) Identifying that place as the person's physical residence address on state or~~  
28 ~~federal tax forms, other government-issued identification, or other government forms that show the~~  
29 ~~domicile address;~~

30 ~~(7) Evidence of providing the address of that place to the United States Post Office~~  
31 ~~as the person's permanent address, provided it is not a postal service or commercial post office box;~~

32 ~~(8) Evidence of obtaining public utility services for an indefinite period at that place;~~

33 ~~or~~

34 ~~(9) Evidence of arranging for a homeless shelter or similar service provider located~~  
35 ~~in the town or ward to receive United States mail on behalf of the individual using that facility's~~  
36 ~~address as the individual's domicile address for voting purposes.~~

37 ~~(e) An applicant whose domicile is at an abode rented, leased, or owned by another and~~

1 ~~whose name is not listed on the rental agreement, lease, or deed may provide a written statement~~  
2 ~~from a person who is listed on the rental agreement, lease, or deed, or other reasonable proof of~~  
3 ~~ownership or control of the property or his or her agent who manages the property that the applicant~~  
4 ~~resides at that address, signed by the owner or manager of the property under penalty of voting~~  
5 ~~fraud if false information is provided.~~

6 ~~III. An individual applying for registration as a voter 30 or fewer days before an election~~  
7 ~~shall use the election day registration form required by RSA 654:7, IV(e) which shall require the~~  
8 ~~applicant to provide the date he or she established his or her voting domicile in New Hampshire.~~  
9 ~~The registration form shall require the voter to identify and provide evidence of a verifiable action he~~  
10 ~~or she has taken carrying out his or her intent to make the place claimed on the voter registration~~  
11 ~~form his or her domicile.~~

12 ~~IV. A person may register on election day through use of an acknowledgment of domicile~~  
13 ~~evidence obligation on the registration form and vote if he or she does not have any document in his~~  
14 ~~or her possession at the polls providing evidence of an action carrying out his or her intent to make~~  
15 ~~the address claimed as his or her voting domicile. A person relying on an acknowledgment of~~  
16 ~~domicile evidence obligation to register must mail or present evidence of an action taken before~~  
17 ~~registering to vote to carry out his or her intent to make the address claimed his or her domicile to~~  
18 ~~the town or city clerk within 10 days following the election, or within 30 days in towns where the~~  
19 ~~clerk's office is open fewer than 20 hours weekly.~~

20 ~~V. The supervisors of the checklist, as soon as practical following an election, shall~~  
21 ~~determine which registrants of that election acknowledged there was no evidence of intent to be~~  
22 ~~domiciled at their address or relied solely on an acknowledgment of domicile evidence obligation to~~  
23 ~~register and vote, and, of those registrants, those who failed to mail or present evidence of having~~  
24 ~~taken some action to carry out their intent to establish domicile at the address listed on their voter~~  
25 ~~registration applications to the clerk by the deadline. The supervisors shall attempt to verify that~~  
26 ~~each such person was domiciled at the address claimed on election day by means including, but not~~  
27 ~~limited to:~~

28 ~~(a) Examining public records held by the town or city clerk, municipal assessing and~~  
29 ~~planning offices, tax collector, or other municipal office that may house public records containing~~  
30 ~~domicile confirmation; or~~

31 ~~(b) Requesting 2 or more municipal officers or their agents or state election officers or~~  
32 ~~their agents to visit the address and verify that the individual was domiciled there on election day.~~  
33 ~~In unincorporated places that have not organized for the purposes of conducting elections, county~~  
34 ~~officers may be asked to perform this function; or~~

35 ~~(c) Referring the registrant's information to the secretary of state, who shall cause such~~  
36 ~~further investigation as is warranted.~~

37 ~~VI. Any case where supervisors are unable to verify the applicant's domicile or where~~

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1 ~~evidence exists of voting fraud shall be promptly reported to the secretary of state and to the~~  
2 ~~attorney general, who shall cause such further investigation as is warranted. After receiving~~  
3 ~~confirmation from the secretary of state that an individual is not domiciled at the address provided,~~  
4 ~~the supervisors shall also initiate removal of the person from the checklist by sending the person the~~  
5 ~~notice required by RSA 654:44.]~~

6 3 General Voter Registration; Voter Registration Form. Amend RSA 654:7 to read as follows:

7 654:7 ~~[Voter Registration;]~~ Voter Registration Form.

8 ~~[I. Any person registering to vote shall be:~~

9 ~~(a) At least 18 years of age on the day of the next election; and~~

10 ~~(b) A United States citizen; and~~

11 ~~(c) Domiciled in the town or city in which the applicant is registering to vote and not~~  
12 ~~otherwise disqualified to vote.~~

13 ~~II. The applicant shall be required to produce appropriate proof of qualifications as provided~~  
14 ~~in RSA 654:12 and fill out the form as prescribed in paragraph IV.]~~

15 ~~[III.] I. [If an applicant is unable to provide the proof of qualifications as required in RSA~~  
16 ~~654:12, he or she may register by completing the necessary affidavits, pursuant to RSA 654:12, and~~  
17 ~~completing the form in subparagraph IV(b), unless the person is registering within 30 days before an~~  
18 ~~election or at the polling place on election day.] If an applicant is registering at the polling place on~~  
19 ~~**the date of the general** election [day] and is unable to provide the proof of qualifications as~~  
20 ~~required in RSA 654:12, he or she may register by completing the form in subparagraph [IV(e)] **II(c)**~~  
21 ~~under oath, which oath may be witnessed by an election official or any other person, working in~~  
22 ~~conjunction with the supervisors of the checklist, who is authorized by law to administer oaths,~~  
23 ~~including, but not limited to, any justice of the peace or notary public; should the applicant not~~  
24 ~~otherwise have proof of identity and therefore be relying upon the form for proof of identity, the act~~  
25 ~~of swearing to the form shall constitute sufficient proof of identity for the purposes of any person~~  
26 ~~administering the oath, notwithstanding any language to the contrary in any laws relating to the~~  
27 ~~administering of oaths for other purposes.~~

28 ~~[IV.] II.(a) Standard registration application forms shall be used throughout the state. The~~  
29 ~~registration forms shall be no larger than 8 1/2 inches by 11 inches.~~

30 (b) The secretary of state shall prescribe the form of the voter registration form to be  
31 used for voter registrations, transfers, or updates other than those ~~[used within 30 days of an~~  
32 ~~election or]~~ at the polling place on **the date of a general** election [day], which shall be in  
33 substantially the following form:

34 \_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire

35 \_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile  
36 to a new town or ward in New Hampshire

37 \_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have

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1 changed my name/address  
2 Date \_\_\_\_\_

3 VOTER REGISTRATION FORM

4 (Please print or type)

5 1. Name \_\_\_\_\_  
6 Last (suffix) First Full Middle Name

7 2. [Domicile] Address \_\_\_\_\_  
8 Street Ward Number

9 \_\_\_\_\_  
10 Town or City Zip Code

11 3. Mailing Address if different than in 2 \_\_\_\_\_  
12 Street

13 \_\_\_\_\_  
14 Town or City Zip Code

15 4. Place and Date of Birth \_\_\_\_\_  
16 Town or City State

17 Date \_\_\_\_\_

18 5. Are you a citizen of the United States? Yes \_\_\_\_ No \_\_\_\_

19 If a naturalized citizen, give name of court where and date when naturalized  
20 \_\_\_\_\_

21 6. Place last registered to vote \_\_\_\_\_  
22 Street Ward Number

23 [~~I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or I request that my name~~  
24 ~~be removed as a registered voter in \_\_\_\_\_ (fill in your address where~~  
25 ~~previously registered, street, city/town, state, and zip code)]~~

26 7. Name under which previously registered, if different from above  
27 \_\_\_\_\_

28 8. Party Affiliation (if any) \_\_\_\_\_

29 9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

30 If you do not have a valid driver's license, provide the last four digits of your social security  
31 number \_\_\_\_\_

32 My name is \_\_\_\_\_. I am today registering to vote in the city/town of  
33 \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

34 I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a  
35 United States citizen, and I must be domiciled in this ward/town. ***I understand that I can claim***  
36 ***only one city/town as my domicile at a time. A domicile is that place, more than any other,***  
37 ***where I sleep most nights of the year, or to which I intend to return after a temporary***

1 **absence. By registering to vote today, I acknowledge that I am not registering to vote or**  
2 **voting in any other city/town.**

3 [~~I understand that a person can claim only one state and one city/town as his or her domicile at a~~  
4 ~~time. A domicile is that place, to which upon temporary absence, a person has the intention of~~  
5 ~~returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in~~  
6 ~~any other state or any other city/town.~~

7 ~~In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state~~  
8 ~~or federal elections in another state.~~

9 ~~If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a~~  
10 ~~supervisor of the checklist is available to address my questions or concerns.]~~

11 I acknowledge that I have read and understand the above qualifications for voting and do hereby  
12 swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-  
13 stated city/town, and, if registering on election day, that I have not voted and will not vote at any  
14 other polling place this election.

15 \_\_\_\_\_  
16 Date Signature of Applicant

17 In accordance with RSA 659:34, the penalty for knowingly or purposely 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 (c) The secretary of state shall prescribe the form of the voter registration form to be  
22 used only for voter registrations, transfers, or updates [~~starting 30 days before each election and~~] at  
23 the polling place on **the day of a state general** election [~~day~~], which shall be in substantially the  
24 following form:

- 25 \_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire
- 26 \_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a  
27 new town or ward in New Hampshire
- 28 \_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have  
29 changed my name/address
- 30 Date [~~registration form is submitted~~] \_\_\_\_\_
- 31 [~~Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_~~]

32 VOTER REGISTRATION FORM  
33 FOR USE [~~STARTING 30 DAYS BEFORE AN ELECTION AND~~] AT THE POLLING PLACE ON  
34 **THE DAY OF A STATE GENERAL ELECTION [DAY]**

35 (Please print or type)

36 1. Name \_\_\_\_\_  
37 Last (suffix) First Full Middle Name









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1 ~~identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b listing the address on~~  
2 ~~the voter registration form~~

3 ~~\_\_\_ enrolled a dependent minor child in a publicly funded elementary or secondary school which~~  
4 ~~serves the town or ward of the address where the registrant resides, as listed on the voter~~  
5 ~~registration form~~

6 ~~Identified the address on the voter registration form as your physical residence address on:~~

7 ~~\_\_\_ state or federal tax forms~~

8 ~~\_\_\_ other government-issued forms or identification. Describe form of identification:~~

9 \_\_\_\_\_

10 ~~\_\_\_ provided the address on the voter registration form to the United States Post Office as your~~  
11 ~~permanent address, provided it is not a postal service or commercial post office box, where mail is~~  
12 ~~delivered to your home. This can be by listing the address on the voter registration form as your new~~  
13 ~~address on a Postal Service permanent change of address form and providing a copy of the receipt, or~~  
14 ~~an online emailed receipt~~

15 ~~\_\_\_ obtained public utility services (electricity, cable, gas, water, etc.) for an indefinite period at~~  
16 ~~the address on the voter registration form. List services obtained: \_\_\_\_\_~~

17 ~~\_\_\_ arranged for a homeless shelter or similar service provider to receive United States mail on~~  
18 ~~your behalf. Enter name of the shelter or provider: \_\_\_\_\_~~

19 ~~\_\_\_ describe what other verifiable action or actions you have taken to make the address listed on~~  
20 ~~your voter registration form your one voting domicile: \_\_\_\_\_~~

21 ~~If you have no other proof of a verifiable act establishing domicile, and your domicile is at an~~  
22 ~~abode rented, leased, or purchased by another and your name is not listed on the rental agreement,~~  
23 ~~lease, or deed, you are required to provide a written statement, signed under penalty of voting fraud~~  
24 ~~if false information is provided, from a person who is listed on such document, or other reasonable~~  
25 ~~proof of ownership or control of the property, attesting that you reside at that address, signed by~~  
26 ~~that person or his or her agent who manages the property.~~

27 ~~This verifiable action of domicile form, along with your written statement or other~~  
28 ~~documentation proving a verifiable act, shall be delivered to the town or city clerk, by mail or in~~  
29 ~~person, with 10 days, or within 30 days if the clerk's office is open fewer than 20 hours weekly.~~

30 Name \_\_\_\_\_

31 Last (suffix) \_\_\_\_\_ First \_\_\_\_\_ Full Middle Name \_\_\_\_\_

32 Domicile Address \_\_\_\_\_

33 Street \_\_\_\_\_ Ward Number \_\_\_\_\_

34 \_\_\_\_\_

35 Town or City \_\_\_\_\_ Zip Code \_\_\_\_\_

36 \_\_\_\_\_

37 Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_

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1       ~~This document was received by the clerk, who examined and returned it to the applicant after~~  
2 ~~making a copy of the evidence of verifiable action, said copy to be attached to the verifiable action of~~  
3 ~~domicile form.~~

4 \_\_\_\_\_  
5 Date \_\_\_\_\_ Signature of Clerk

6       ~~The clerk shall forward the completed form and attachment or attachments to the supervisors of~~  
7 ~~the checklist as soon as possible, but not later than their next meeting. The supervisors of the~~  
8 ~~checklist shall attach the form and attachments to the voter registration form.]~~

9       4 General Voter Registration; Registering at the Polling Place; Election Day Registration.  
10 Amend RSA 654:7-a, I to read as follows:

11           I. The provisions of this section and those of RSA 654:7-b shall be used as an additional  
12 procedure for voter registration. For the purposes of this section and RSA 654:7-b, the term "election  
13 day" shall refer to state primary and to state general elections, to all town, city, school district, and  
14 village district elections, and to all official ballot meetings where persons may vote by absentee  
15 ballot. A person who registers to vote on election day according to the provisions of this section shall  
16 also be required to complete the voter registration form provided for in RSA 654:7[-IV(e)]. The  
17 provisions of this section and those of RSA 654:7-b shall apply notwithstanding any provision of RSA  
18 654 to the contrary.

19       5 General Voter Registration; Effect of Registration on Election Day. Amend RSA 654:7-b to  
20 read as follows:

21       654:7-b Effect of Registration on Election Day. Any person who registers to vote on election day  
22 according to the provisions of RSA 654:7-a shall be registered to vote at all subsequent town, [city,  
23 school district, village district,] state, and federal elections [unless the person's name is removed  
24 from the checklist in accordance with the provisions of this chapter].

25       6 Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12 to read as  
26 follows:

27       654:12 Determining Qualifications of Applicant.

28           I. When determining the qualifications of an applicant, the supervisors of the checklist, or  
29 the town or city clerk, shall require the applicant to present proof of citizenship, age, and domicile,  
30 as provided in the following categories:

31           (a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall  
32 accept from the applicant any one of the following as proof of citizenship: the applicant's birth  
33 certificate, passport, naturalization papers if the applicant is a naturalized citizen, a qualified voter  
34 affidavit, a sworn statement on the *general election day* voter registration form [used starting 30  
35 days before an election and on election day], or any other reasonable documentation which indicates  
36 the applicant is a United States citizen. The qualified voter affidavit shall be in the following form,  
37 and shall be retained in accordance with RSA 33-A:3-a:

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1 Date: \_\_\_\_\_

2 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

3 Name: \_\_\_\_\_

4 Name at birth if different: \_\_\_\_\_

5 Place of birth: \_\_\_\_\_

6 Date of birth: \_\_\_\_\_

7 Date and Place of Naturalization: \_\_\_\_\_

8 Domicile Address: \_\_\_\_\_

9 Mailing Address (if different): \_\_\_\_\_

10 Telephone number (requested but optional) \_\_\_\_\_

11 Email address (requested but optional) \_\_\_\_\_

12 I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am not in  
13 possession of some or all of the documents necessary to prove my identity, citizenship, and age and  
14 that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this  
15 town (or ward), that I am a United States citizen, that I am at least 18 years of age as of this date or  
16 will be at the next election, and that to the best of my knowledge and belief the information above is  
17 true and correct.

18 \_\_\_\_\_

19 (Signature of applicant)

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

24 On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice  
25 of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose signature  
26 is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name  
27 appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that  
28 the facts contained in this affidavit are true to the best of his or her knowledge and belief.

29 This affidavit was executed for purposes of proving (check all that apply):

30  Identity

31  Citizenship

32  Age

33 \_\_\_\_\_

34 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30.

35 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age  
36 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
37 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be

1 retained in accordance with RSA 33-A:3-a, or a sworn statement on the *general election day* voter  
2 registration form [~~used starting 30 days before an election and on election day~~].

3 (c) DOMICILE.

4 [~~(1) Registering more than 30 days in advance of an election.~~

5 (A) ~~A person who possesses one of the following qualified documents identifying  
6 the applicant's name and the address claimed as domicile must present that document when  
7 applying for registration prior to election day: (i) New Hampshire driver's license or identification  
8 card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle  
9 registration; (iii) a picture identification issued by the United States government that contains a  
10 current address; (iv) government issued check, benefit statement, or tax document. A person who  
11 possesses such a document, but failed to bring it with the person when seeking to register to vote  
12 shall be required to return when he or she can present one of these documents or to bring the  
13 document and register on election day.~~

14 (B) ~~A person who attests under penalty of voter fraud that he or she does not  
15 possess any of the qualified documents listed in subparagraph (A) may present] Any reasonable  
16 documentation *which indicates* [of having established a physical presence at the place claimed as  
17 domicile, having an intent to make that place his or her domicile, and having taken a verifiable act  
18 to carry out that intent. The documentation must establish that it is more likely than not] that the  
19 applicant has a domicile and intends to maintain [that] a domicile, as defined in this chapter, [at  
20 least until election day] in the town, *city*, or ward in which he or she desires to vote[. Reasonable  
21 documentation may include, but is not limited to evidence of:~~

22 (i) ~~Residency, as set forth in RSA 654:1, I-a, at an institution of learning at  
23 that place;~~

24 (ii) ~~Renting or leasing an abode at that place for a period of more than 30  
25 days, to include time directly prior to an election day;~~

26 (iii) ~~Purchasing an abode at that place;~~

27 (iv) ~~Enrolling the applicant's dependent minor child in a publicly funded  
28 elementary or secondary school which serves the town or ward of that place, using the address where  
29 the registrant resides;~~

30 (v) ~~Listing that place as the person's physical residence address on state or  
31 federal tax forms, other government identification showing the address, or other government forms  
32 showing the address;~~

33 (vi) ~~Providing the address of that place to the United States Post Office as  
34 the person's permanent address, provided it is not a postal service or commercial post office box;~~

35 (vii) ~~Obtaining public utility services for an indefinite period at that place; or~~

36 (viii) ~~Arranging for a homeless shelter or similar service provider located in  
37 the town or ward to receive United States mail on behalf of the individual.~~

1 ~~An applicant whose domicile is at an abode of another and whose name is not listed on the document~~  
2 ~~offered as proof of domicile may provide a written statement from a person who is listed as owner,~~  
3 ~~property manager, or tenant on the document that the applicant resides at that address, signed by~~  
4 ~~that person under penalty of voting fraud if false information is provided.~~

5 ~~(2) Registering within 30 days before an election and on election day.~~

6 ~~(A) When registering within 30 days before an election or on election day as~~  
7 ~~provided in RSA 654:7-a, if the applicant does not have in his or her possession at the polls one of the~~  
8 ~~qualified documents listed in subparagraph (1) or other reasonable documentation which establishes~~  
9 ~~that it is more likely than not that the applicant has a domicile at the address claimed in the town or~~  
10 ~~ward in which he or she desires to vote, he or she may execute], **or if the applicant does not have**~~  
11 ~~**reasonable documentation in his or her possession at the place and time of voter**~~  
12 ~~**registration, a sworn statement on the *general election day* voter registration form, *or affidavit***~~  
13 ~~**in the following form:** [used starting 30 days before an election and on election day and initial the~~  
14 ~~acknowledgment of domicile evidence obligation. If the applicant identifies on his or her application~~  
15 ~~action taken to establish his or her domicile, which he or she has documentation of, he or she must~~  
16 ~~agree to mail a copy of or present the document in person to the city or town clerk within 10 days, or~~  
17 ~~where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of~~  
18 ~~documents provided in compliance with this subparagraph are exempt from the public disclosure~~  
19 ~~required by RSA 91-A. The clerk shall document receipt of a copy or completion of verification of a~~  
20 ~~document presented in person and forward verification to the supervisors of the checklist. An~~  
21 ~~applicant whose voter registration is approved based on an acknowledgment of a domicile evidence~~  
22 ~~obligation who knowingly or purposely fails to provide a document to the city or town clerk as~~  
23 ~~required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA~~  
24 ~~659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any~~  
25 ~~such person who fails to provide proof of domicile by the deadline by sending the person the notice~~  
26 ~~required by RSA 654:44.~~

27 ~~(B) A person registering within 30 days before an election or on election day who~~  
28 ~~does not possess reasonable documentation of establishing domicile and has taken no verifiable~~  
29 ~~action to carry out his or her intent to establish domicile at the address claimed on the voter~~  
30 ~~registration application may nonetheless register to vote by initialing the paragraph on the~~  
31 ~~registration form acknowledging that domicile may be verified. The supervisors of the checklist~~  
32 ~~shall, as soon as practical following an election at which the person initials such paragraph to~~  
33 ~~register and vote, attempt to verify that the person was domiciled at the address claimed on election~~  
34 ~~day by means including, but not limited to:~~

35 ~~(i) Examining public records held by the town or city clerk, municipal~~  
36 ~~assessing and planning offices, tax collector, or other municipal office that may house public records~~  
37 ~~containing domicile confirmation; or~~



~~(ii) Requesting 2 or more municipal officers or their agents or state election officers or their agents to visit the address and verify that the individual was domiciled there on election day. In unincorporated places that have not organized for the purposes of conducting elections, county officers may be asked to perform this function; or~~

~~(iii) Referring the registrant's information to the secretary of state, who shall cause such further investigation as is warranted.~~

~~(C) Any case where supervisors are unable to verify the applicant's domicile or where evidence exists of voting fraud shall be promptly reported to the secretary of state and to the attorney general, who shall cause such further investigation as is warranted.]~~

**DOMICILE AFFIDAVIT**

*Date:* \_\_\_\_\_

*Name:* \_\_\_\_\_

*Current Domicile Address:* \_\_\_\_\_

*Street* *Ward Number*

\_\_\_\_\_  
*Town or City* *Zip Code*

*Current Mailing Address (if different):* \_\_\_\_\_

*Street* *Ward Number*

\_\_\_\_\_  
*Town or City* *Zip Code*

*Telephone Number (requested but optional):* \_\_\_\_\_

*Email Address (requested but optional):* \_\_\_\_\_

*Date when current domicile was established: Month:* \_\_\_\_\_ *Year:* \_\_\_\_\_

*Place and Date of Birth:* \_\_\_\_\_

*Address of Last Previous Domicile:* \_\_\_\_\_

*Street* *Ward Number*

\_\_\_\_\_  
*Town or City* *Zip Code*

*I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am not currently in possession of necessary documents to prove my domicile and that my established domicile is at the current domicile address I have entered above. I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other city/town, and that to the best of my knowledge and belief the information above is true and correct.*

\_\_\_\_\_

1        *(Signature of Applicant)*

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

6        *On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice*  
7 *of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose*  
8 *signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the*  
9 *person whose name appears above, and he or she subscribed his or her name to the*  
10 *foregoing affidavit and swore that the facts contained in this affidavit are true to the best*  
11 *or his or her knowledge and belief.*

12        \_\_\_\_\_  
13        *Notary Public/Justice of the Peace/Official Authorized by RSA 659:30.*

14        II. The supervisors may refuse to add the name of an applicant to the checklist if he or she  
15 fails to present the evidence or an affidavit as required by this section. Without limiting the  
16 acceptance of other forms of proof of domicile or identity deemed reasonable by the supervisors:

17        (a) Any one of the following documents is presumptive evidence that the individual  
18 seeking to vote meets the domicile requirement, provided the document is currently valid, was  
19 issued to or in the name of the applicant, and shows the address the applicant claims as a domicile:

20                (1) New Hampshire driver's license.

21                (2) New Hampshire vehicle registration.

22                (3) Armed services identification, or other photo identification issued by the United  
23 States government.

24        (b) Any one of the following is presumptive evidence of the identity of an applicant  
25 sufficient to satisfy the identity requirement for an official authorized by RSA 659:30 to take the  
26 oath of an applicant swearing to a qualified voter, domicile, or election day affidavit or a sworn  
27 statement on the **general election day** voter registration form [~~used starting 30 days before an~~  
28 ~~election and on election day~~]:

29                (1) Photo driver's license issued by any state or the federal government.

30                (2) United States passport, armed services identification, or other photo  
31 identification issued by the United States government.

32                (3) Photo identification issued by local or state government.

33        (c) The presumptions established in this paragraph may be defeated by evidence  
34 establishing that it is more likely than not that the applicant is not qualified as a voter.

35        III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration  
36 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,  
37 and domicile relate to the applicant. A person who has in his or her immediate possession a photo

1 identification approved for use by paragraph II must present that identification when applying for  
 2 registration. A person who does not have an approved photo identification with him or her may  
 3 establish identity through *any reasonable means, including, but not limited to: photo*  
 4 *identification not approved by paragraph II, but determined to be legitimate by the*  
 5 *supervisors of the checklist or clerk, verification of the person's identity by another person*  
 6 *registered as a voter and known to the supervisor or clerk, or* completion of the qualified voter  
 7 affidavit, which shall be retained in accordance with RSA 33-A:3-a, or a sworn statement on the  
 8 *general election day* voter registration form [~~used starting 30 days before an election and on~~  
 9 ~~election day~~]. Residents of a nursing home or similar facility may prove their identity through  
 10 verification of identity by the administrator of the facility or by his or her designee. For the purposes  
 11 of this section, the application of a person whose identity has been verified by an official of a nursing  
 12 home or similar facility shall be treated in the same manner as the application of a person who  
 13 proved his or her identity with a photo identification.

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

19 IV. Any person who is applying for registration as a voter and who is currently registered to  
 20 vote in a different town or ward in New Hampshire shall complete the voter registration form  
 21 provided for in RSA 654:7. If the election official receiving the application confirms through the  
 22 centralized voter registration database required by RSA 654:45 that the applicant is currently  
 23 registered to vote in New Hampshire, the applicant shall prove identity and domicile, but shall not  
 24 be required to prove his or her age or citizenship.

25 V.(a) The election official approving the application for registration as voter of a person who  
 26 does not present an approved form of photo identification as proof of identity when registering, shall  
 27 mark the voter registration form to indicate that no photo identification was presented and shall  
 28 inform the person that, if he or she is a first-time election day registrant in New Hampshire, he or  
 29 she will receive a letter of identity verification. The person entering the voter information into the  
 30 centralized voter registration database shall determine if the person is listed in the system as having  
 31 been previously registered in the town or ward reported by the applicant on the voter registration  
 32 form. If the person is a new registrant who has not been previously registered anywhere in New  
 33 Hampshire or if the centralized voter registration database does not confirm a previous registration  
 34 claimed on the voter registration form, the election official shall cause the record created in the  
 35 centralized voter registration database to indicate that the person is a new applicant in New  
 36 Hampshire and that no photo identification was presented. When municipalities enter information  
 37 on people who register on election day into the centralized voter registration database, to the extent

1 practical applicants who are registering for the first time in New Hampshire and who also register  
 2 without presenting an approved photo identification shall be entered first. ~~[The person entering the  
 3 voter information of election day residents into the centralized voter registration database shall  
 4 cause the records to indicate if the voter executed a sworn statement on the voter registration form  
 5 used starting 30 days before an election and on election day.]~~

6 (b) The secretary of state shall cause a letter of identity verification to be mailed by first  
 7 class mail to each voter identified at ~~[any]~~ **a state general** election as a first-time election day  
 8 registrant in New Hampshire who also did not verify his or her identity with an approved photo  
 9 identification. The letter shall be mailed by January 10 in every odd-numbered year in the case of  
 10 persons registering at a state primary or general election, or within 90 days after any other election.  
 11 The secretary of state shall mark the envelope with instructions to the United States Post Office not  
 12 to forward the letter and to provide address correction information. The letter shall notify the  
 13 person that a person who was unable to present photo identification registered or registered and  
 14 voted using his or her name and address and instruct the person to return the letter within 45 days  
 15 with a written confirmation that the person registered and voted or to contact the attorney general  
 16 immediately if he or she did not register and vote. Any voter under a protective order pursuant to  
 17 RSA 173-B, and whose name does not appear on the checklist as provided under RSA 654:25, shall  
 18 not be subject to the provisions of paragraph V.

19 (c) The secretary of state shall ~~[conduct an inquiry regarding]~~ **cause** any letters mailed  
 20 pursuant to subparagraph (b) that are returned as undeliverable by the United States Post Office **to**  
 21 **be referred to the attorney general. The secretary of state shall also prepare and forward**  
 22 **to the attorney general a list of all** ~~[and those]~~ persons who were mailed letters under  
 23 subparagraph (b) and have not confirmed their registration. ~~[The inquiry may include consulting  
 24 with, and examining public records held by, municipal officials, which contain information relevant  
 25 to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address  
 26 listed on the voter registration form. After such inquiry, the secretary of state shall prepare and  
 27 forward to the attorney general for investigation a list of those people whose identity or eligibility to  
 28 vote could not be confirmed.]~~ Upon receipt of notice from a person who receives a letter of identity  
 29 verification that the person did not register and vote, or upon receipt of a referral from the secretary  
 30 of state, the attorney general shall cause an investigation to be made to determine whether  
 31 fraudulent registration or voting occurred.

32 ~~[(d) Within 90 days of each election, the secretary of state shall cause a list of persons  
 33 executing sworn statements on the voter registration form used starting 30 days before an election  
 34 and on election day since the prior election to be forwarded to the attorney general and the division  
 35 of motor vehicles. The secretary of state shall send a letter to each such person informing him or her  
 36 of a driver's obligation to obtain a New Hampshire driver's license within 60 days of becoming a New  
 37 Hampshire resident. The letter shall be mailed within 60 days after the election, except that if the~~

1 ~~election is a state primary election, the letter shall be mailed 60 days after the general election, and~~  
 2 ~~if the election is a regularly scheduled municipal election, the letter shall be mailed by the July 1 or~~  
 3 ~~January 1 next following the election. The secretary of state shall mark the envelope with~~  
 4 ~~instructions to the United States Post Office not to forward the letter and to provide address~~  
 5 ~~correction information.~~

6 ~~(e) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant~~  
 7 ~~to subparagraph (d) that are returned as undeliverable by the United States Post Office. The~~  
 8 ~~inquiry may include consulting with, and examining public records held by, municipal officials,~~  
 9 ~~which contain information relevant to a person's qualifications to vote in New Hampshire, and~~  
 10 ~~interviewing persons living at the address listed on the letters. After such inquiry, the secretary of~~  
 11 ~~state shall prepare and forward to the attorney general for investigation a list of those people whose~~  
 12 ~~eligibility to vote could not be confirmed. The attorney general shall cause an investigation to be~~  
 13 ~~made to determine whether fraudulent registration or voting occurred.~~

14 ~~(f) Upon completion of any investigation authorized under RSA 654:12, the secretary of~~  
 15 ~~state and the attorney general shall forward a report summarizing the results of the inquiry and~~  
 16 ~~investigation, respectively, to the speaker of the house of representatives, the president of the~~  
 17 ~~senate, and the chairpersons of the appropriate house and senate standing committees with~~  
 18 ~~jurisdiction over election law.]~~

19 7 Voter 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, application for  
 25 absentee ballot, and contact information, including but not limited to a phone number and email  
 26 address, provided to the secretary of state or other election officials for the purpose of receiving  
 27 information about elections shall be treated as confidential information and the records containing  
 28 this information shall be exempt from the public disclosure provisions of RSA 91-A, except as  
 29 provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified voter **and**  
 30 **domicile** affidavits are public records subject to RSA 91-A for the sole purpose of challenging an  
 31 individual registering to vote or voting, challenging ballots to be recounted, to the extent that such  
 32 ballot challenges are specifically authorized by law, or determining the accuracy of any qualified  
 33 voter **or domicile** affidavit. Election officials and law enforcement personnel in furtherance of their  
 34 official duties may access and may disclose information from the voter registration form, qualified  
 35 voter **and domicile** affidavits, affidavits of religious exemption, absentee registration affidavits, and  
 36 applications for absentee ballots, if necessary to resolve a challenge to an individual registering to  
 37 vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law

1 enforcement access and use of such records for the investigation or prosecution of crimes unrelated  
2 to election law violations shall be limited to the records of the specific individuals who are the  
3 subject of the investigation or prosecution.

4 8 Voters and Checklists; Centralized Voter Registration Database. Amend RSA 654:45, VIII to  
5 read as follows:

6 VIII.(a) The secretary of state may ~~[enter into an agreement to share]~~ **become a member of**  
7 **a program or organization whose membership is composed of state, local, District of**  
8 **Columbia, or voting territory election officials from the United States and whose purposes**  
9 **is to share and exchange information to improve the accuracy and efficiency of voter**  
10 **registration systems. The secretary of state may enter into a membership agreement with**  
11 **such program or organization no later than January 1, 2023 and shall remain in good**  
12 **standing with such program or organization thereafter. On or before January 15, 2023, the**  
13 **secretary of state shall file a report with the speaker of the house of representatives, the**  
14 **president of the senate, and the chairpersons of the appropriate house and senate standing**  
15 **committees with jurisdiction over election law, that outlines the basis for the**  
16 **determination to participate or not participate in such program or organization. The**  
17 **report shall take into account such factors as standards, policies and procedures, security**  
18 **requirements, and usability. The secretary of state shall share with such program or**  
19 **organization** voter information or data from the statewide centralized voter registration database  
20 for the purpose of comparing duplicate voter information with other states or groups of states. The  
21 secretary of state shall only provide information that is necessary for matching duplicate voter  
22 information with other states and shall take precautions to make sure that information in the  
23 database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit  
24 input from the department of safety and the department of information technology and shall ensure  
25 that any information or data shared between the agencies **is protected by security processes and**  
26 **protocols and that any information or data** that is of a confidential nature remains confidential.

27 (b) The secretary of state shall investigate any duplicate matches of voters resulting  
28 from any comparisons of the statewide centralized voter registration database **and other voter**  
29 **information or data** with other states. If the investigation results in the inability to confirm the  
30 eligibility of a person or persons who voted, or there is reason to believe a person or persons voted  
31 who were not eligible, the secretary of state shall forward the results to the attorney general for  
32 further investigation or prosecution.

33 (c) **Upon the effective date of subparagraph (a), the secretary of state shall cease**  
34 **any activity or data transfer with the Kansas-based Interstate Voter Registration**  
35 **Crosscheck Program.**

36 (d) Upon completion of any investigation authorized under RSA 654:45, VIII(b), the  
37 attorney general and the secretary of state shall forward a report summarizing the results of the

1 investigation to the speaker of the house of representatives, the president of the senate, and the  
2 chairpersons of the appropriate house and senate standing committees with jurisdiction over election  
3 law.

4 9 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, IV(b) to read as follows:

5 (b) The secretary of state shall ~~[conduct an inquiry regarding]~~ **prepare a list of voters**  
6 **from** any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the  
7 United States Post Office and of voters who were mailed letters under subparagraph (a) and have  
8 not responded to the secretary of state. ~~[The inquiry may include consulting with, and examining~~  
9 ~~public records held by, municipal officials, which contain information relevant to a person's~~  
10 ~~qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the~~  
11 ~~letters. After such inquiry, the secretary of state shall prepare and forward to the attorney general~~  
12 ~~for investigation a list of those people whose identity or eligibility to vote could not be confirmed.]~~  
13 **The secretary of state shall revise the list based on input solicited from the supervisors of**  
14 **the checklist. The secretary of state shall forward the revised list of names to** the attorney  
15 general **who** shall cause an investigation to be made to determine whether fraudulent voting  
16 occurred.

17 10 Election Procedure; Challenges; Affidavit. Amend RSA 659:30 to read as follows:

18 659:30 Affidavit. The affidavit of a challenged voter, an asserting a challenge form, a qualified  
19 voter affidavit, **a voter domicile affidavit**, or any other affidavit required by the election statutes  
20 may be sworn before any person authorized by law to administer oaths or before any election officer.

21 11 Wrongful Voting; Penalties for Voter Fraud. Amend RSA 659:34, I(a) to read as follows:

22 (a) When registering to vote; when obtaining an official ballot; when casting a vote by  
23 official ballot; or when applying for a photo identification card for voting purposes, purposely or  
24 knowingly makes a false material statement regarding his or her qualifications as a voter to an  
25 election officer or submits a voter registration form, an election day registration affidavit, a qualified  
26 voter affidavit, **a domicile affidavit**, a challenged voter affidavit, an affidavit of religious  
27 exemption, an identification card voucher, or an absentee registration affidavit containing false  
28 material information regarding his or her qualifications as a voter;

29 12 Wrongful Voting; Penalties for Voting Fraud. Amend RSA 659:34, I(f)-(g) to read as follows:

30 (f) Gives a false name or answer if under examination as to his or her qualifications as a  
31 voter before the supervisors of the checklist or moderator; **or**

32 (g) Presents falsified proof of identity~~[-domicile, or verifiable action of domicile at any~~  
33 ~~election;]~~.

34 13 Repeal. The following are repealed:

35 I. RSA 659:34, I(h)-(i), relative to penalties for voter fraud.

36 II. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.

37 14 Preservation of Absentee Voting Materials ~~[and]~~ Election Day Affidavits. Amend RSA

1 659:101 to read as follows:

2 659:101 Preservation of Absentee Voting Materials, ~~and~~ Election Day Affidavits, **and**  
3 **Domicile Affidavits**. The absentee ballot affidavits and application forms processed by the  
4 moderator as provided in RSA 659:50, the absentee ballots challenged and rejected as provided in  
5 RSA 659:51 and RSA 659:53, and the qualified voter affidavits **and domicile affidavits** as provided  
6 in RSA 654:12 and any other documentary proof of qualifications retained by the town or city clerk,  
7 the supervisors of the checklist, or other election official shall be preserved in accordance with RSA  
8 33-A:3-a. Qualified voter ~~and~~, voter registration, **and domicile** affidavits shall be retained for the  
9 period set forth in RSA 33-A:3-a, and other materials may be destroyed after the election is settled  
10 and all appeals have expired or one year after the election, whichever is longer.

11 15 Disposition of Municipal Records; Domicile Affidavit. Amend RSA 33-A:3-a, CXLI(f) to read  
12 as follows:

13 (f) ~~[Verifiable action of domicile document]~~ **Domicile affidavit:** until voter is removed  
14 from checklist plus 7 years.

15 16 Statutory Construction; Resident; Inhabitant. Amend RSA 21:6 and 21:6-a to read as  
16 follows:

17 21:6 Resident; Inhabitant. A resident or inhabitant or both of this state and of any city, town or  
18 other political subdivision of this state shall be a person who is domiciled or has a place of abode or  
19 both in this state and in any city, town or other political subdivision of this state, and who has,  
20 through all of his or her actions, demonstrated a current intent to designate that place of abode as  
21 his or her principal place of physical presence **for the indefinite future** to the exclusion of all  
22 others.

23 21:6-a Residence. Residence or residency shall mean a person's place of abode or domicile. The  
24 place of abode or domicile is that designated by a person as his or her principal place of physical  
25 presence **for the indefinite future** to the exclusion of all others. Such residence or residency shall  
26 not be interrupted or lost by a temporary absence from it, if there is an intent to return to such  
27 residence or residency as the principal place of physical presence.

28 17 Funding. Funding for implementation of section 8 of this act shall be provided by grants  
29 received pursuant to the 2018 Help America Vote Act Election Security Award and section 101 of the  
30 Help America Vote Act of 2002, Public Law 107-252.

31 18 Elections; Determining Qualifications of Applicant; Photograph Required. Amend RSA  
32 659:13, I(c)(2) to read as follows:

33 (2) If the voter executes a challenged voter affidavit, the moderator or the  
34 moderator's designee shall take a photograph of the voter and immediately print and attach the  
35 photograph to, and thus make it a part of, the affidavit form. ~~[However, if a photograph was taken~~  
36 ~~under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the~~  
37 ~~photograph is attached to the qualified voter affidavit or sworn statement on the general election day~~



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1 ~~registration form.]~~ The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in  
2 black and white. The moderator or his or her designee who took the photograph and the voter shall  
3 then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from  
4 the camera in the presence of the voter. If the moderator or his or her designee is unable to take the  
5 voter's photograph due to equipment failure or other cause beyond the moderator's or his or her  
6 designee's reasonable control, the voter may execute a challenged voter affidavit without a  
7 photograph.

8       19 Effective Date. This act shall take effect 60 days after its passage.

**HB 1203-FN- FISCAL NOTE  
 AS INTRODUCED**

AN ACT relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."

**FISCAL IMPACT:**     State                     County                     Local                     None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$25,000-\$50,000+	\$25,000-\$50,000+	\$25,000-\$50,000+
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Help America Vote Act			

**METHODOLOGY:**

The bill removes legislation relative to domicile requirements for elections, which was considered unconstitutional by the Supreme Court. The Department of State indicates to the extent the voter registration related forms have not already been changed to accommodate the ruling, and are required by this legislation, the Department could absorb the costs into their budget. This bill also authorizes the Department of State to join other states, the District of Columbia and U.S. territories to exchange voter registration data to keep the voter checklist up to date. The Department of State notes the estimated base cost of joining the program would be between \$25,000 and \$50,000 in Federal Help America Vote Act funds, as stated in the bill.

It is assumed any fiscal impact from this bill will not occur until FY 2023.

**AGENCIES CONTACTED:**

Department of State