

LEGISLATIVE COMMITTEE MINUTES

**HB1157**

# Bill as Introduced

HB 1157 - AS INTRODUCED

2022 SESSION

22-2430  
11/08

HOUSE BILL

***1157***

AN ACT relative to electronic ballot counting devices.

SPONSORS: Rep. Torosian, Rock. 14; Rep. Janigian, Rock. 8

COMMITTEE: Election Law

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ANALYSIS

This bill prohibits electronic ballot counting devices from being connected to the Internet.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1157 - AS INTRODUCED

22-2430  
11/08

STATE OF NEW HAMPSHIRE

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

AN ACT                   relative to electronic ballot counting devices.

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

- 1           1 New Paragraph; Electronic Ballot Counting Devices; Rules; Internet Access. Amend RSA
- 2 656:42 by inserting after paragraph IX the following new paragraph:
- 3           X. No electronic ballot counting device shall have access to or be connected to the Internet.
- 4           2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 62  
HB 1157 - FINAL VERSION

2022 SESSION

22-2430  
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HOUSE BILL            **1157**  
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22-2430  
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*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           62:1 New Paragraph; Electronic Ballot Counting Devices; Rules; Internet Access. Amend RSA  
2 656:42 by inserting after paragraph IX the following new paragraph:

3           X. No electronic ballot counting device shall have access to or be connected to the Internet.

62:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2022  
Effective Date: July 19, 2022

# Committee Minutes

# SENATE CALENDAR NOTICE

## Election Law and Municipal Affairs

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

Date: March 31, 2022

### HEARINGS

Monday

04/04/2022

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Election Law and Municipal Affairs	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.      HB 1153	relative to absentee ballot requests.	
1:15 p.m.      HB 1157	relative to electronic ballot counting devices.	
1:30 p.m.      HB 1203-FN	relative to domicile residency, voter registration, and investigation of voter verification letters.	
1:45 p.m.      HB 1457-FN	relative to chain of custody of ballot boxes after an election.	
2:00 p.m.      HB 1527-FN	relative to vote returns.	
2:15 p.m.      HB 1467-FN	requiring partial audits of additional offices on ballots involved in recounts.	

### EXECUTIVE SESSION MAY FOLLOW

#### Sponsors:

#### **HB 1153**

Rep. Torosian  
Rep. Wuelper

Rep. Gould  
Rep. J. Smith

Rep. Janigian

Rep. Ankarberg

#### **HB 1157**

Rep. Torosian

Rep. Janigian

#### **HB 1203-FN**

Rep. Horrigan  
Rep. Kenney

Rep. Berch  
Rep. Read

Rep. Cohen  
Rep. Spang

Rep. Frost  
Rep. Wall

#### **HB 1457-FN**

Rep. Yakubovich

Rep. Layon

Rep. Gorski

#### **HB 1527-FN**

Rep. Yakubovich

Rep. Ankarberg

Rep. Verville

#### **HB 1467-FN**

Rep. Yakubovich

Rep. Sheehan

Rep. Aron

Rep. S. Boyd

Tricia Melillo 271-3077

James P. Gray  
Chairman



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

HB 1157, relative to electronic ballot counting devices.

**Hearing Date:** April 4, 2022

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill prohibits electronic ballot counting devices from being connected to the Internet.

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**Sponsors:**

Rep. Torosian

Rep. Janigian

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**Who supports the bill:** Representative Peter Torosian, Alvin See, Eric Pauer, Julie Smith, Clarence Skidmore

**Who opposes the bill:** Constance Bonenfant, Kent Hackmann, Phil Hatcher, Susan Richman, Janet Lucas

**Summary of testimony presented in support:**

**Representative Torosian**

- This bill ensures that New Hampshire's vote count machines will never be connected to the internet.
- He has received many emails regarding voter integrity and the concern of hacking.
- The language in this bill states that municipalities can never connect vote count devices to the internet.
- This will prevent hackers from interfering with NH elections.
- It is a small step towards bringing back confidence in
- This bill is supported by both the current Secretary of State and his predecessor.
- It amends RSA 656:42 stating that no ballot counting devices shall have access to the internet.
- A lot of towns are on the verge of buying new vote count machines with improved technology.
- Senator Birdsell commented that most of the new machines will have internet capability and asked if this would limit the number of new machines available for municipalities to purchase.
  - Rep. Torosian replied it will not because the internet connection can be disabled on all of the new machines.
- Senator Birdsell asked if this legislation would prevent them from being online just during the voting process.
  - Rep. Torosian replied that it would prohibit the machines from being online at all.
- Senator Perkins Kwoka asked if they considered whether future devices may want to be connected to the internet with the appropriate security software.
  - Rep. Torosian replied that did not come up in committee but if they pass this legislation it can always be amended in the future. Currently, there is no good reason for the devices to be connected. He believes this is a common sense approach to ensure that voting integrity is preserved in the state of New Hampshire.

**Summary of testimony presented in opposition:** None

TJM

Date Hearing Report completed: April 7, 2022

# Speakers



## Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB1157 on 2022  
Support: 3 Oppose: 6

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Pauer, Eric	A Member of the Public	Myself	Support
Smith, Julie	A Member of the Public	Myself	Support
Bonenfant, Constance	A Member of the Public	Myself	Oppose
Hackmann, Kent	A Member of the Public	Myself	Oppose
Hatcher, Phil	A Member of the Public	Myself	Oppose
Richman, Susan	A Member of the Public	Myself	Oppose
Lucas, Janet	A Member of the Public	Myself	Oppose
SKIDMORE, CLARENCE	A Member of the Public	Myself	Support
Nastasi, Sue	A Member of the Public	Myself	Oppose

# Voting Sheets

**Senate Election Law  
& Municipal Affairs Committee  
EXECUTIVE SESSION RECORD  
2022 Session**

Bill HB 1157

Hearing date: 4-4-22

Executive Session date: 4-4-22

Motion of: OTP Vote: 5-0

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

Motion of: Consent Vote: 5-0

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

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

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

Reported out by: Sen. Gray

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Committee Report





## General Court of New Hampshire - Bill Status System

**Docket of HB1157**

Docket Abbreviations

**Bill Title:** relative to electronic ballot counting devices.*Official Docket of HB1157.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
11/17/2021	H	<b>Introduced</b> 01/05/2022 and referred to Election Law
1/8/2022	H	Public Hearing: 01/13/2022 02:30 am LOB 306-308
2/3/2022	H	Executive Session: 02/03/2022 10:30 a.m. LOB306-308
2/3/2022	H	Executive Session: 02/03/2022 10:30 a.m. LOB306-308
3/1/2022	H	Committee Report: Ought to Pass (Vote 20-0; CC)
3/11/2022	H	<b>Ought to Pass:</b> MA VV 03/10/2022 <b>HJ 5</b>
3/15/2022	S	Introduced 02/24/2022 and Referred to Election Law and Municipal Affairs; <b>SJ 5</b>
3/31/2022	S	<b>Hearing:</b> 04/04/2022, Room 100, SH, 01:15 pm; <b>SC 14</b>
4/6/2022	S	Committee Report: Ought to Pass, 04/14/2022; Vote 5-0; CC; <b>SC 15</b>
4/14/2022	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 04/14/2022; <b>SJ 8</b>
5/13/2022	S	Enrolled Adopted, VV, (In recess 05/12/2022); <b>SJ 13</b>
5/13/2022	H	Enrolled (in recess of) 05/12/2022
5/24/2022	H	Signed by Governor Sununu 05/20/2022; Chapter 62; Eff. 07/19/2022

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HB 1157 Senate Committee: ELMA

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

Final docket found on Bill Status

**Bill Hearing Documents: (Legislative Aides)**

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

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

Hearing Report

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

**Committee Action Documents: (Legislative Aides)**

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

- amendment # \_\_\_\_\_ - amendment # \_\_\_\_\_

- amendment # \_\_\_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

**Floor Action Documents: (Clerk's Office)**

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

- amendment # \_\_\_\_\_ - amendment # \_\_\_\_\_

- amendment # \_\_\_\_\_ - amendment # \_\_\_\_\_

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

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

Enrolled Bill Amendment(s)

Governor's Veto Message

**All available versions of the bill: (Clerk's Office)**

as amended by the senate

as amended by the house

final version

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

Tricia Meullo  
Committee Aide

6/22/22  
Date

Senate Clerk's Office AK