

LEGISLATIVE COMMITTEE MINUTES

# **HB1203**

# Bill as Introduced

HB 1203-FN - AS AMENDED BY THE HOUSE

16Mar2022... 0962h

2022 SESSION

22-2024

11/10

HOUSE BILL ***1203-FN***

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

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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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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

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

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

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

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 RSA 654:2 is repealed and reenacted to read as follows:

2 654:2 Temporary Absence.

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

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

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

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

28 2 General Voter Registration; Voter Registration Form. Amend RSA 654:7, IV to read as  
29 follows:

30 IV.(a) Standard registration application forms shall be used throughout the state. The

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1 registration forms shall be no larger than 8 1/2 inches by 11 inches.

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

5  NEW REGISTRATION I am not registered to vote in New Hampshire

6  TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile  
7 to a new town or ward in New Hampshire

8  NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have  
9 changed my name/address

10 Date \_\_\_\_\_

11 VOTER REGISTRATION FORM

12 (Please print or type)

13 1. Name \_\_\_\_\_

14 Last (suffix)

First

Full Middle Name

15 2. Domicile Address \_\_\_\_\_

16 Street

Ward Number

17 \_\_\_\_\_  
18 Town or City

Zip Code

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

20 Street

21 \_\_\_\_\_  
22 Town or City

Zip Code

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

24 Town or City

State

25 Date \_\_\_\_\_

26 5. Are you a citizen of the United States? Yes  No

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

28 \_\_\_\_\_

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

30 Street

Ward Number

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

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

36 \_\_\_\_\_

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

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

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

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

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

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

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

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

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

20 \_\_\_\_\_

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

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

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

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

34 Date registration form is submitted \_\_\_\_\_

35 Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

36

VOTER REGISTRATION FORM

37

FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND

AT THE POLLING PLACE ON ELECTION DAY

1  
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(Please print or type)

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

                    Last (suffix)                      First                      Full Middle Name

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

                                    Street                      Ward Number

                                    Town or City                      Zip Code

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

                                    Street

                                    Town or City                      Zip Code

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

                                    Town or City                      State

Date \_\_\_\_\_

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

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

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

                                    Street                      Ward Number

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

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

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

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

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

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

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

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 state or any other city/town.

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

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

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

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

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

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

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

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

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

34  
35 \_\_\_\_\_  
36 Date

Signature of Applicant

37 ~~[If this form is used in place of proof of identity, age, or citizenship, I hereby swear that such~~



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1 information is true and accurate to the best of my knowledge.

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

4 ~~Identity yes/no \_\_\_\_\_~~

5 ~~\_\_\_\_\_ (initials)~~

6 ~~Citizenship yes/no \_\_\_\_\_~~

7 ~~\_\_\_\_\_ (initials)~~

8 ~~Age yes/no \_\_\_\_\_~~

9 ~~\_\_\_\_\_ (initials)~~

10

11

12 ~~Applicant \_\_\_\_\_ Election Official~~

13

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

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

21 3 Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12, I to read as  
22 follows:

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

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

33 Date: \_\_\_\_\_

34 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

35 Name: \_\_\_\_\_

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

37 Place of birth: \_\_\_\_\_

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1 Date of birth: \_\_\_\_\_  
2 Date and Place of Naturalization: \_\_\_\_\_  
3 Domicile Address: \_\_\_\_\_  
4 Mailing Address (if different): \_\_\_\_\_  
5 Telephone number (requested but optional) \_\_\_\_\_  
6 Email address (requested but optional) \_\_\_\_\_

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

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

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

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

27  Identity

28  Citizenship

29  Age

30 \_\_\_\_\_

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

32 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age  
33 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
34 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be  
35 retained in accordance with RSA 33-A:3-a, or a sworn statement on the voter registration form used  
36 starting 30 days before an election and on election day.

37 (c) DOMICILE.

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

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

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

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

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

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

(i) Examining public records held by the town or city clerk, municipal assessing and planning offices, tax collector, or other municipal office that may house public records 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)]~~ (ii) 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

1 *voting in any other city/town, and that to the best of my knowledge and belief the*  
2 *information above is true and correct.*

3 \_\_\_\_\_  
4 *(Signature of Applicant)*

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

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

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

17 4 Voter Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:

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

1 subject of the investigation or prosecution.

2 5 Election Procedure; Challenges; Affidavit. Amend RSA 659:30 to read as follows:

3 659:30 Affidavit. The affidavit of a challenged voter, an asserting a challenge form, a qualified  
4 voter affidavit, *a voter domicile affidavit*, or any other affidavit required by the election statutes  
5 may be sworn before any person authorized by law to administer oaths or before any election officer.

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

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

14 7 Repeal. The following are repealed:

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

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

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

19 8 Preservation of Absentee Voting Materials [~~and~~] Election Day Affidavits. Amend RSA 659:101  
20 to read as follows:

21 659:101 Preservation of Absentee Voting Materials, [~~and~~] Election Day Affidavits, *and*  
22 *Domicile Affidavits*. The absentee ballot affidavits and application forms processed by the  
23 moderator as provided in RSA 659:50, the absentee ballots challenged and rejected as provided in  
24 RSA 659:51 and RSA 659:53, and the qualified voter affidavits *and domicile affidavits* as provided  
25 in RSA 654:12 and any other documentary proof of qualifications retained by the town or city clerk,  
26 the supervisors of the checklist, or other election official shall be preserved in accordance with RSA  
27 33-A:3-a. Qualified voter [~~and~~], voter registration, *and domicile* affidavits shall be retained for the  
28 period set forth in RSA 33-A:3-a, and other materials may be destroyed after the election is settled  
29 and all appeals have expired or one year after the election, whichever is longer.

30 9 Disposition of Municipal Records; Domicile Affidavit. Amend RSA 33-A:3-a, CXLI(f) to read as  
31 follows:

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

34 10 Effective Date. This act shall take effect 60 days after its passage.

LBA  
22-2024  
10/27/21

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
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$25,000-\$50,000+	\$25,000-\$50,000+	\$25,000-\$50,000+
<i>Funding Source:</i>	<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



LBA  
22-2024  
Amended 4/12/22

**HB 1203-FN FISCAL NOTE  
AS AMENDED BY THE HOUSE (AMENDMENT #2022-0962h)**

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

FISCAL IMPACT:     State         County         Local         None

**METHODOLOGY:**

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

**AGENCIES CONTACTED:**

Department of State

HB 1203-FN - AS AMENDED BY THE SENATE

16Mar2022... 0962h  
04/28/2022 1660s

2022 SESSION

22-2024  
11/10

HOUSE BILL            ***1203-FN***

AN ACT                relative to voter registration and verification of voter identity.

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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AMENDED ANALYSIS

This bill amends the procedures for determining voter qualifications and voter registration, and allows an authorized election official to use nonpublic information contained in the centralized voter registration database to verify a voter's identity.

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

HB 1203-FN - AS AMENDED BY THE SENATE

16Mar2022... 0962h  
04/28/2022 1660s

22-2024  
11/10

STATE OF NEW HAMPSHIRE

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

AN ACT relative to voter registration and verification of voter identity.

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

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

2 654:2 Temporary Absence.

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

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

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

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

28 2 Voter Registration; Voter Registration Form. Amend RSA 654:7 to read as follows:

29 654:7 Voter Registration; Voter Registration Form.

30 I. Any person registering to vote shall be:

- 1 (a) At least 18 years of age on the day of the next election; and
- 2 (b) A United States citizen; and
- 3 (c) Domiciled in the town or city in which the applicant is registering to vote and not
- 4 otherwise disqualified to vote.

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

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

19 IV.(a) Standard registration application forms shall be used throughout the state. The  
20 registration forms shall be no larger than 8 1/2 inches by 11 inches. *Amendments to the voter*  
21 *registration form may be additional pages attached to or printed on the back of the*  
22 *registration form.*

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

- 26 \_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire
- 27 \_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a
- 28 new town or ward in New Hampshire
- 29 \_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have
- 30 changed my name/address
- 31 Date \_\_\_\_\_

32 VOTER REGISTRATION FORM

33 (Please print or type)

- 34 1. Name
- 35 Last (suffix) First Full Middle Name
- 36
- 37 2. Domicile Address

1 Street Ward Number  
2 Town or City Zip Code

3

4 3. Mailing Address if different than in 2  
5 Street

6 Town or City Zip Code

7

8 4. Place and Date of Birth

9 Town or City State

10 Date\_\_\_\_\_

11

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

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

14

15 6. Place last registered to vote

16 Street Ward Number

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

21

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

23

24 8. Party Affiliation (if any)

25

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

27

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

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

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

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

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- Page 4 -

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

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

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

9

10 Date Signature of Applicant

11

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

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

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

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

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

24 Date registration form is submitted \_\_\_\_\_

25 Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

26 VOTER REGISTRATION FORM

27 FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON  
28 ELECTION DAY

29 (Please print or type)

30 1. Name

31 Last (suffix) First Full Middle Name

32 2. Domicile Address

33 -Street Ward Number

34 -Town or City Zip Code

35 3. Mailing Address if different than in 2

36 -Street

37 -Town or City Zip Code

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1 4. Place and Date of Birth

2 ~~Town or City State~~

3 Date \_\_\_\_\_

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

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

6 6. Place last registered to vote

7 ~~Street Ward Number~~

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

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

12 8. Party Affiliation (if any)

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

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

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

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

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

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

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

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

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

36 \_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not presented  
37 evidence of actions carrying out my intent to be domiciled at this address, that I understand that I

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1 ~~must mail or personally present to the clerk's office evidence of actions carrying out my intent within~~  
2 ~~10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20~~  
3 ~~hours weekly), and that I have received the document produced by the secretary of state that~~  
4 ~~describes the items that may be used as evidence of a verifiable action that establishes domicile.~~

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

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

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

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

19 ~~Date Signature of Applicant~~

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

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

24 ~~Identity yes/no \_\_\_\_\_~~

25 ~~(initials)~~

26 ~~Citizenship yes/no \_\_\_\_\_~~

27 ~~(initials)~~

28 ~~Age yes/no \_\_\_\_\_~~

29 ~~(initials)~~

30 ~~Applicant Election Official~~

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

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



1 ~~V. The secretary of state shall prepare and distribute an addendum to the voter registration~~  
2 ~~form used under subparagraph IV(c) to be distributed to those registrants who register within 30~~  
3 ~~days before the election or on election day and who do not provide proof of domicile or a verifiable~~  
4 ~~action to demonstrate domicile. The "verifiable action of domicile" document shall provide notice of~~  
5 ~~the requirements that registrants must furnish documentary evidence of domicile and shall be in~~  
6 ~~substantially the following form:~~

7 ~~Verifiable Action of Domicile~~

8 ~~As a newly registered voter, you have received this document because you did not provide proof of~~  
9 ~~domicile when you registered to vote. RSA 654:2, IV requires you to provide evidence that you have~~  
10 ~~taken a verifiable act to establish domicile.~~

11 ~~The following checklist shall be used as a guide for what you may use as evidence and shall be~~  
12 ~~submitted to the town or city clerk along with documentation that you are required to provide. Only~~  
13 ~~one item on the list is required to demonstrate a verifiable act.~~

14 ~~To establish that you have engaged in a verifiable act establishing domicile, provide evidence that~~  
15 ~~you have done at least one of the following:~~

16 ~~\_\_\_ established residency, as set forth in RSA 654:1, I a, at an institution of learning at the address~~  
17 ~~on the voter registration form~~

18 ~~\_\_\_ rented or leased an abode, for a period of more than 30 days, to include time directly prior to an~~  
19 ~~election day at the address listed on the voter registration form~~

20 ~~\_\_\_ purchased an abode at the address listed on the voter registration form~~

21 ~~\_\_\_ obtained a New Hampshire resident motor vehicle registration, driver's license, or identification~~  
22 ~~card issued under RSA 260:21, RSA 260:21 a, or RSA 260:21 b listing the address on the voter~~  
23 ~~registration form~~

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

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

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

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

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

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

~~1 arranged for a homeless shelter or similar service provider to receive United States mail on your  
2 behalf. Enter name of the shelter or provider: \_\_\_\_\_~~

~~3 describe what other verifiable action or actions you have taken to make the address listed on  
4 your voter registration form your one voting domicile: \_\_\_\_\_~~

~~5 If you have no other proof of a verifiable act establishing domicile, and your domicile is at an abode  
6 rented, leased, or purchased by another and your name is not listed on the rental agreement, lease,  
7 or deed, you are required to provide a written statement, signed under penalty of voting fraud if false  
8 information is provided, from a person who is listed on such document, or other reasonable proof of  
9 ownership or control of the property, attesting that you reside at that address, signed by that person  
10 or his or her agent who manages the property.~~

~~11 This verifiable action of domicile form, along with your written statement or other documentation  
12 proving a verifiable act, shall be delivered to the town or city clerk, by mail or in person, with 10  
13 days, or within 30 days if the clerk's office is open fewer than 20 hours weekly.~~

~~14 Name~~

~~15 Last (suffix) First Full Middle Name~~

~~16 Domicile Address~~

~~17 Street Ward Number~~

~~18 Town or City Zip Code~~

~~19 Date Signature of Applicant~~

~~20 This document was received by the clerk, who examined and returned it to the applicant after  
21 making a copy of the evidence of verifiable action, said copy to be attached to the verifiable action of  
22 domicile form.~~

~~23 Date Signature of Clerk~~

~~24 The clerk shall forward the completed form and attachment or attachments to the supervisors of the  
25 checklist as soon as possible, but not later than their next meeting. The supervisors of the checklist  
26 shall attach the form and attachments to the voter registration form.]~~

*27 The secretary of state shall prescribe an amendment to the voter registration based on  
28 the following:*

*29 (1) The secretary state may collect additional voluntary information to  
30 assist in the location of the voter after the election, if necessary. Such additional  
31 information may include, but is not limited to: phone numbers, email addresses, employer  
32 information, social service agency information, vehicle license plate number, and state of  
33 registration, social media account information, or a relative or friend's name and address.*

*34 (2) Document voter verification by an authorized election official or by a  
35 registered voter whose name was on the checklist at the opening of the polls and has valid  
36 identification documentation.*

1           3 General Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12 to  
2 read as follows:

3           654:12 Determining Qualifications of Applicant.

4           I. ~~[When determining the qualifications of an applicant]~~ ***After the applicant has proven***  
5 ***his or her identity as required in paragraph III of this section***, the supervisors of the  
6 checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age,  
7 and domicile, as provided in the following categories:

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

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

16 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

17 Name: \_\_\_\_\_

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

19 Place of birth: \_\_\_\_\_

20 Date of birth: \_\_\_\_\_

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

22 Domicile Address: \_\_\_\_\_

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

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

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

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

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

34 (Signature of applicant)

35 In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information  
36 when registering to vote or voting is a class A misdemeanor with a maximum sentence of

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

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

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

9  Identity

10  Citizenship

11  Age

12 \_\_\_\_\_

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

14 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age  
15 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
16 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be  
17 retained in accordance with RSA 33-A:3-a[, or a sworn statement on the voter registration form used  
18 starting 30 days before an election and on election day].

19 (c) DOMICILE.

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

21 ~~[(A)] (1)~~ A person who possesses one of the following qualified documents  
22 identifying the applicant's name and the address claimed as domicile must present that document  
23 when applying for registration [~~prior to election day~~]: ~~[(i)] (A)~~ New Hampshire driver's license or  
24 identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; ~~[(ii)] (B)~~ New  
25 Hampshire resident vehicle registration; ~~[(iii)] (C)~~ a picture identification issued by the United  
26 States government that contains a current address; ~~[(iv)] (D)~~ government issued check, *pay stub*,  
27 benefit statement, or tax document. [~~A person who possesses such a document, but failed to bring it  
28 with the person when seeking to register to vote shall be required to return when he or she can  
29 present one of these documents or to bring the document and register on election day.~~

30 ~~(B) A person who attests under penalty of voter fraud that he or she does not  
31 possess any of the qualified documents listed in subparagraph (A) may present any reasonable  
32 documentation of having established a physical presence at the place claimed as domicile, having an  
33 intent to make that place his or her domicile, and having taken a verifiable act to carry out that  
34 intent. The documentation must establish that it is more likely than not that the applicant has a  
35 domicile and intends to maintain that domicile, as defined in this chapter, at least until election day  
36 in the town or ward in which he or she desires to vote. Reasonable]~~

1                   (2) *Additional documentation for the purpose of establishing a voter's*  
2 *domicile* may include, but is not limited to, evidence of:

3                   ~~[(i)]~~ (A) Residency, as set forth in RSA 654:1, I-a, at an institution of  
4 learning at that place;

5                   ~~[(ii)]~~ (B) Renting or leasing an abode ~~[at that place for a period of more than~~  
6 ~~30 days, to include time directly prior to an election day];~~

7                   ~~[(iii)]~~ (C) Purchasing an abode at that place;

8                   ~~[(iv)]~~ (D) Enrolling the applicant's dependent minor child in a publicly  
9 funded elementary or secondary school which serves the town or ward of that place, using the  
10 address where the registrant resides;

11                   ~~[(v)]~~ (E) Listing that place as the person's physical residence address on  
12 state or federal tax forms, other government identification showing the address, or other government  
13 forms showing the address;

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

16                   ~~[(vii)]~~ (G) Obtaining public utility services for an indefinite period at that  
17 place; ~~[or]~~

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

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

24                   ***(I) A qualified voter affidavit, or any other reasonable documentation***  
25 ***which indicates the applicant meets the domicile requirements.***

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

27                   ~~(A) When registering within 30 days before an election or on election day as~~  
28 ~~provided in RSA 654:7-a, if the applicant does not have in his or her possession at the polls one of the~~  
29 ~~qualified documents listed in subparagraph (1) or other reasonable documentation which establishes~~  
30 ~~that it is more likely than not that the applicant has a domicile at the address claimed in the town or~~  
31 ~~ward in which he or she desires to vote, he or she may execute a sworn statement on the voter~~  
32 ~~registration form used starting 30 days before an election and on election day and initial the~~  
33 ~~acknowledgment of domicile evidence obligation. If the applicant identifies on his or her application~~  
34 ~~action taken to establish his or her domicile, which he or she has documentation of, he or she must~~  
35 ~~agree to mail a copy of or present the document in person to the city or town clerk within 10 days, or~~  
36 ~~where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of~~  
37 ~~documents provided in compliance with this subparagraph are exempt from the public disclosure~~

1 required by RSA 91 A. The clerk shall document receipt of a copy or completion of verification of a  
 2 document presented in person and forward verification to the supervisors of the checklist. An  
 3 applicant whose voter registration is approved based on an acknowledgment of a domicile evidence  
 4 obligation who knowingly or purposely fails to provide a document to the city or town clerk as  
 5 required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA  
 6 659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any  
 7 such person who fails to provide proof of domicile by the deadline by sending the person the notice  
 8 required by RSA 654:44.

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

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

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

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

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

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

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

- 35 (1) New Hampshire driver's license.
- 36 (2) New Hampshire vehicle registration.

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

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

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

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

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

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

14 III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration  
15 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,  
16 and domicile relate to the applicant. A person who has in his or her immediate possession a photo  
17 identification approved for use by paragraph II must present that identification when applying for  
18 registration. A person who does not have an approved photo identification with him or her may  
19 establish identity through completion of the qualified voter affidavit, which shall be retained in  
20 accordance with RSA 33-A:3-a [~~or a sworn statement on the voter registration form used starting 30  
21 days before an election and on election day~~]. Residents of a nursing home or similar facility may  
22 prove their identity through verification of identity by the administrator of the facility or by his or  
23 her designee. For the purposes of this section, the application of a person whose identity has been  
24 verified by an official of a nursing home or similar facility shall be treated in the same manner as the  
25 application of a person who proved his or her identity with a photo identification.

26 III-a. *The supervisors of the checklist and the town or city clerks may use the  
27 nonpublic information contained in the centralized voter registration database and other  
28 records, that they have access to, held by the state of New Hampshire, the town or city clerk,  
29 municipal assessing and planning offices, tax collector, or other municipal office records  
30 that contain records that confirm the identity, citizenship, age, or domicile information  
31 provided by the applicant.*

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

1 IV. Any person who is applying for registration as a voter and who is currently *or was*  
2 *previously* registered to vote in a different town or ward in New Hampshire shall complete the voter  
3 registration form provided for in RSA 654:7. If the election official receiving the application confirms  
4 through the centralized voter registration database required by RSA 654:45 that the applicant is  
5 currently *or was previously* registered to vote in New Hampshire, the applicant shall prove  
6 identity and domicile, but shall not be required to prove his or her age or citizenship.

7 V.(a) The election official approving the application for registration as voter of a person who  
8 does not present an approved form of photo identification as proof of identity when registering, shall  
9 mark the voter registration form to indicate that no photo identification was presented and shall  
10 inform the person that, if he or she is a first-time election day registrant in New Hampshire, he or  
11 she will receive a letter of identity verification. The person entering the voter information into the  
12 centralized voter registration database shall determine if the person is listed in the system as having  
13 been previously registered in the town or ward reported by the applicant on the voter registration  
14 form. If the person is a new registrant who has not been previously registered anywhere in New  
15 Hampshire or if the centralized voter registration database does not confirm a previous registration  
16 claimed on the voter registration form, the election official shall cause the record created in the  
17 centralized voter registration database to indicate that the person is a new applicant in New  
18 Hampshire and that no photo identification was presented. When municipalities enter information  
19 on people who register on election day into the centralized voter registration database, to the extent  
20 practical applicants who are registering for the first time in New Hampshire and who also register  
21 without presenting an approved photo identification shall be entered first. ~~[The person entering the~~  
22 ~~voter information of election day residents into the centralized voter registration database shall~~  
23 ~~cause the records to indicate if the voter executed a sworn statement on the voter registration form~~  
24 ~~used starting 30 days before an election and on election day.]~~

25 (b) The secretary of state shall cause a letter of identity verification to be mailed by first  
26 class mail to each voter identified at any election as a first-time election day registrant in New  
27 Hampshire who also did not verify his or her identity with an approved photo identification. The  
28 letter shall be mailed by January 10 in every odd-numbered year in the case of persons registering at  
29 a state primary or general election, or within 90 days after any other election. The secretary of state  
30 shall mark the envelope with instructions to the United States Post Office not to forward the letter  
31 and to provide address correction information. The letter shall notify the person that a person who  
32 was unable to present photo identification registered or registered and voted using his or her name  
33 and address and instruct the person to return the letter within 45 days with a written confirmation  
34 that the person registered and voted or to contact the attorney general immediately if he or she did  
35 not register and vote. Any voter under a protective order pursuant to RSA 173-B, and whose name  
36 does not appear on the checklist as provided under RSA 654:25, shall not be subject to the provisions  
37 of paragraph V. *The secretary of state may establish and implement a process for the voter*



1 *to respond to the letter of identity verification by an electronic communication such as an*  
 2 *email message or a text message.*

3 (c) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant  
 4 to subparagraph (b) that are returned as undeliverable by the United States Post Office and those  
 5 persons who were mailed letters under subparagraph (b) and have not confirmed their registration.  
 6 The inquiry may include consulting with, and examining public records held by, municipal officials,  
 7 which contain information relevant to a person's qualifications to vote in New Hampshire, and  
 8 interviewing persons living at the address listed on the voter registration form. After such inquiry,  
 9 the secretary of state shall prepare and forward to the attorney general for investigation a list of  
 10 those people whose identity or eligibility to vote could not be confirmed. Upon receipt of notice from  
 11 a person who receives a letter of identity verification that the person did not register and vote, or  
 12 upon receipt of a referral from the secretary of state, the attorney general shall cause an  
 13 investigation to be made to determine whether fraudulent registration or voting occurred.

14 ~~(d) [Within 90 days of each election, the secretary of state shall cause a list of persons~~  
 15 ~~executing sworn statements on the voter registration form used starting 30 days before an election~~  
 16 ~~and on election day since the prior election to be forwarded to the attorney general and the division~~  
 17 ~~of motor vehicles. The secretary of state shall send a letter to each such person informing him or her~~  
 18 ~~of a driver's obligation to obtain a New Hampshire driver's license within 60 days of becoming a New~~  
 19 ~~Hampshire resident. The letter shall be mailed within 60 days after the election, except that if the~~  
 20 ~~election is a state primary election, the letter shall be mailed 60 days after the general election, and~~  
 21 ~~if the election is a regularly scheduled municipal election, the letter shall be mailed by the July 1 or~~  
 22 ~~January 1 next following the election. The secretary of state shall mark the envelope with~~  
 23 ~~instructions to the United States Post Office not to forward the letter and to provide address~~  
 24 ~~correction information.~~

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

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

1 4 Voting Procedures; Obtaining a Ballot. RSA 659:13, I(c) is repealed and reenacted to read as  
2 follows:

3 (c)(1) If the voter does not have a valid photo identification, the ballot clerk shall direct  
4 the voter to see the supervisor of the checklist.

5 (2) The supervisor of the checklist shall review the voter's qualifications and  
6 determine if the voter's identity can be verified. This review may include verification by the voter of  
7 nonpublic data contained in the centralized voter registration database or verification by a  
8 moderator or supervisor of the checklist, or the clerk of a town, ward, or city, or by a registered voter  
9 whose name was on the checklist at the opening of the polls and who possesses valid identification  
10 documentation. Other than an authorized election official, no registered voter whose name was on  
11 the checklist at the opening of the polls and who possesses valid identification documentation shall  
12 verify the identity of more than 2 voters in each election. Verification of identity shall be  
13 documented on a form provided by the secretary of state.

14 (3) If the supervisor of the checklist cannot verify the voter's identity, the supervisor  
15 of the checklist shall inform the voter that he or she may execute a challenged voter affidavit. The  
16 voter shall receive an explanatory document prepared by the secretary of state explaining the proof  
17 of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall  
18 mark the checklist in accordance with uniform procedures developed by the secretary of state.

19 (4) The person entering voter information into the centralized voter registration  
20 database shall cause the records to indicate when a voter has not presented a valid photo  
21 identification and has executed a challenged voter affidavit.

22 5 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

23 (b) In addition to the forms of photo identification authorized in subparagraph (a), the  
24 identification requirements of paragraph I may be satisfied by verification of the person's identity by  
25 a moderator or supervisor of the checklist or the clerk of a town, ward, or city, *or by a registered*  
26 *voter whose name was on the checklist at the opening of the polls and who possesses valid*  
27 *identification documentation*, provided that if any person authorized to challenge a voter under  
28 RSA 659:27 objects to such verification, identifies the reason for the objection in writing, and states  
29 the specific source of the information or personal knowledge upon which the challenge of the photo  
30 identification is based, the voter shall be required to execute a challenged voter affidavit as if no  
31 verification was made. *Other than an authorized election official, no registered voter whose*  
32 *name was on the checklist at the opening of the polls and who possesses valid*  
33 *identification documentation shall verify the identity of more than 2 voters in each*  
34 *election.*

35 6 Repeals. The following are repealed:

36 I. RSA 33-A:3-a, CXLI(f), relative to retention of municipal records of verifiable action of  
37 domicile.

**HB 1203-FN - AS AMENDED BY THE SENATE**

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- 1           II. RSA 659:34, I(h) - (i), relative to certain penalties for voter fraud.
- 2           III. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.
- 3           7 Effective Date. This act shall take effect 60 days after its passage.

LBA  
22-2024  
Amended 5/9/22

**HB 1203-FN- FISCAL NOTE  
AS AMENDED BY THE SENATE (AMENDMENT # 2022-1882s)**

AN ACT           relative to voter registration and verification of voter identity.

**FISCAL IMPACT:**     State        County     Local        None

**METHODOLOGY:**

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

**AGENCIES CONTACTED:**

Department of State and New Hampshire Municipal Association

# Amendments

Amendment to HB 1203-FN

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

2

3 AN ACT relative to voter registration and verification of voter identity.

4

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

6

7 1 Voters; Temporary Absence. RSA 654:2 is repealed and reenacted to read as follows:

8 654:2 Temporary Absence.

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

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

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

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

Amendment to HB 1203-FN

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1 upcoming election.

2 2 Voter Registration; Voter Registration Form. Amend RSA 654:7 to read as follows:

3 654:7 Voter Registration; Voter Registration Form.

4 I. Any person registering to vote shall be:

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

6 (b) A United States citizen; and

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

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

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

23 IV.(a) Standard registration application forms shall be used throughout the state. The  
24 registration forms shall be no larger than 8 1/2 inches by 11 inches. ***Amendments to the voter***  
25 ***registration form may be additional pages attached to or printed on the back of the***  
26 ***registration form.***

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

30  NEW REGISTRATION I am not registered to vote in New Hampshire

31  TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a  
32 new town or ward in New Hampshire

33  NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have  
34 changed my name/address

35 Date \_\_\_\_\_

36 VOTER REGISTRATION FORM

37 (Please print or type)

Amendment to HB 1203-FN  
- Page 3 -

1 1. Name  
2 Last (suffix) First Full Middle Name  
3  
4 2. Domicile Address  
5 Street Ward Number  
6 Town or City Zip Code  
7  
8 3. Mailing Address if different than in 2  
9 Street  
10 Town or City Zip Code  
11  
12 4. Place and Date of Birth  
13 Town or City State  
14 Date \_\_\_\_\_  
15  
16 5. Are you a citizen of the United States? Yes \_\_\_\_ No \_\_\_\_  
17 If a naturalized citizen, give name of court where and date when naturalized  
18  
19 6. Place last registered to vote  
20 Street Ward Number  
21 I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or ***I am currently***  
22 ***registered to vote elsewhere and*** I request that my name be removed as a registered voter in  
23 \_\_\_\_\_ (fill in your address where previously registered, street, city/town,  
24 state, and zip code)  
25  
26 7. Name under which previously registered, if different from above  
27  
28 8. Party Affiliation (if any)  
29  
30 9. Driver's License Number \_\_\_\_\_ State  
31  
32 If you do not have a valid driver's license, provide the last four digits of your social security number  
33 \_\_\_\_\_  
34 My name is \_\_\_\_\_. I am today registering to vote in the city/town of  
35 \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.  
36 I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United  
37 States citizen, and I must be domiciled in this ward/town.



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

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

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

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

13

14 Date Signature of Applicant

15

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

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

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

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

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

28 Date registration form is submitted \_\_\_\_\_

29 Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

30 ~~VOTER REGISTRATION FORM~~

31 ~~FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON~~  
32 ~~ELECTION DAY~~

33 (Please print or type)

34 1. Name

35 Last (suffix) First Full Middle Name

36 2. Domicile Address

37 -Street Ward Number

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1 ~~Town or City Zip Code~~

2 3. Mailing Address if different than in 2

3 ~~Street~~

4 ~~Town or City Zip Code~~

5 4. Place and Date of Birth

6 ~~Town or City State~~

7 Date \_\_\_\_\_

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

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

10 6. Place last registered to vote

11 ~~Street Ward Number~~

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

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

16 8. Party Affiliation (if any)

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

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

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

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

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

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

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

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

35 I understand that if I have documentary evidence of my intent to be domiciled at this address when  
36 registering to vote, I must either present it at the time of registration or I must place my initials  
37 next to the following paragraph and mail a copy or present the document at the town or city clerk's

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1 office within 10 days following the election (30 days in towns where the clerk's office is open fewer  
2 than 20 hours weekly).

3 ~~\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not presented  
4 evidence of actions carrying out my intent to be domiciled at this address, that I understand that I  
5 must mail or personally present to the clerk's office evidence of actions carrying out my intent within  
6 10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20  
7 hours weekly), and that I have received the document produced by the secretary of state that  
8 describes the items that may be used as evidence of a verifiable action that establishes domicile.~~

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

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

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

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

23 ~~Date Signature of Applicant~~

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

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

28 Identity yes/no \_\_\_\_\_

29 (initials)

30 Citizenship yes/no \_\_\_\_\_

31 (initials)

32 Age yes/no \_\_\_\_\_

33 (initials)

34 ~~Applicant Election Official~~

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

36 ~~In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information  
37 when registering to vote or voting is a class A misdemeanor with a maximum sentence of~~

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1 ~~imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to~~  
2 ~~vote or voting is subject to a civil penalty not to exceed \$5,000. In accordance with RSA 659:34 a~~  
3 ~~voting in more than one state in the same election is a class B felony with a maximum sentence of~~  
4 ~~imprisonment not to exceed 7 years and a fine not to exceed \$4,000.~~

5 ~~V. The secretary of state shall prepare and distribute an addendum to the voter registration~~  
6 ~~form used under subparagraph IV(e) to be distributed to those registrants who register within 30~~  
7 ~~days before the election or on election day and who do not provide proof of domicile or a verifiable~~  
8 ~~action to demonstrate domicile. The "verifiable action of domicile" document shall provide notice of~~  
9 ~~the requirements that registrants must furnish documentary evidence of domicile and shall be in~~  
10 ~~substantially the following form:~~

11 ~~Verifiable Action of Domicile~~

12 ~~As a newly registered voter, you have received this document because you did not provide proof of~~  
13 ~~domicile when you registered to vote. RSA 654:2, IV requires you to provide evidence that you have~~  
14 ~~taken a verifiable act to establish domicile.~~

15 ~~The following checklist shall be used as a guide for what you may use as evidence and shall be~~  
16 ~~submitted to the town or city clerk along with documentation that you are required to provide. Only~~  
17 ~~one item on the list is required to demonstrate a verifiable act.~~

18 ~~To establish that you have engaged in a verifiable act establishing domicile, provide evidence that~~  
19 ~~you have done at least one of the following:~~

20 ~~\_\_\_ established residency, as set forth in RSA 654:1, I a, at an institution of learning at the address~~  
21 ~~on the voter registration form~~

22 ~~\_\_\_ rented or leased an abode, for a period of more than 30 days, to include time directly prior to an~~  
23 ~~election day at the address listed on the voter registration form~~

24 ~~\_\_\_ purchased an abode at the address listed on the voter registration form~~

25 ~~\_\_\_ obtained a New Hampshire resident motor vehicle registration, driver's license, or identification~~  
26 ~~card issued under RSA 260:21, RSA 260:21 a, or RSA 260:21 b listing the address on the voter~~  
27 ~~registration form~~

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

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

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

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

34 ~~\_\_\_ provided the address on the voter registration form to the United States Post Office as your~~  
35 ~~permanent address, provided it is not a postal service or commercial post office box, where mail is~~  
36 ~~delivered to your home. This can be by listing the address on the voter registration form as your new~~

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1 ~~address on a Postal Service permanent change of address form and providing a copy of the receipt, or~~  
2 ~~an online emailed receipt~~

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

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

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

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

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

18 ~~Name~~

19 ~~Last (suffix) First Full Middle Name~~

20 ~~Domicile Address~~

21 ~~Street Ward Number~~

22 ~~Town or City Zip Code~~

23 ~~Date Signature of Applicant~~

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

27 ~~Date Signature of Clerk~~

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

31 *The secretary of state shall prescribe an amendment to the voter registration based on*  
32 *the following:*

33 *(1) The secretary state may collect additional voluntary information to*  
34 *assist in the location of the voter after the election, if necessary. Such additional*  
35 *information may include, but is not limited to: phone numbers, email addresses, employer*  
36 *information, social service agency information, vehicle license plate number, and state of*  
37 *registration, social media account information, or a relative or friend's name and address.*

1                   (2) *Document voter verification by an authorized election official or by a*  
2 *registered voter whose name was on the checklist at the opening of the polls and has valid*  
3 *identification documentation.*

4           3 General Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12 to  
5 read as follows:

6           654:12 Determining Qualifications of Applicant.

7           I. [~~When determining the qualifications of an applicant~~] *After the applicant has proven*  
8 *his or her identity as required in paragraph III of this section*, the supervisors of the  
9 checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age,  
10 and domicile, as provided in the following categories:

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

18 Date: \_\_\_\_\_

19 **QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)**

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

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

22 Place of birth: \_\_\_\_\_

23 Date of birth: \_\_\_\_\_

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

25 Domicile Address: \_\_\_\_\_

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

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

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

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

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

37 (Signature of applicant)

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

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

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

11  Identity

12  Citizenship

13  Age

14 \_\_\_\_\_

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

16 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age  
17 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
18 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be  
19 retained in accordance with RSA 33-A:3-a~~], or a sworn statement on the voter registration form used~~  
20 ~~starting 30 days before an election and on election day].~~

21 (c) DOMICILE.

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

23 ~~[(A)]~~ (I) A person who possesses one of the following qualified documents  
24 identifying the applicant's name and the address claimed as domicile must present that document  
25 when applying for registration ~~[prior to election day]:~~ [(i)] (A) New Hampshire driver's license or  
26 identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; [(ii)] (B) New  
27 Hampshire resident vehicle registration; [(iii)] (C) a picture identification issued by the United  
28 States government that contains a current address; [(iv)] (D) government issued check, *pay stub*,  
29 benefit statement, or tax document. ~~[A person who possesses such a document, but failed to bring it~~  
30 ~~with the person when seeking to register to vote shall be required to return when he or she can~~  
31 ~~present one of these documents or to bring the document and register on election day.~~

32 ~~\_\_\_\_\_ (B) A person who attests under penalty of voter fraud that he or she does not~~  
33 ~~possess any of the qualified documents listed in subparagraph (A) may present any reasonable~~  
34 ~~documentation of having established a physical presence at the place claimed as domicile, having an~~  
35 ~~intent to make that place his or her domicile, and having taken a verifiable act to carry out that~~  
36 ~~intent. The documentation must establish that it is more likely than not that the applicant has a~~

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1 domicile and intends to maintain that domicile, as defined in this chapter, at least until election day  
2 in the town or ward in which he or she desires to vote. Reasonable]

3 (2) *Additional documentation for the purpose of establishing a voter's*  
4 *domicile* may include, but is not limited to, evidence of:

5 [(i)] (A) Residency, as set forth in RSA 654:1, I-a, at an institution of  
6 learning at that place;

7 [(ii)] (B) Renting or leasing an abode [at that place for a period of more than  
8 30 days, to include time directly prior to an election day];

9 [(iii)] (C) Purchasing an abode at that place;

10 [(iv)] (D) Enrolling the applicant's dependent minor child in a publicly  
11 funded elementary or secondary school which serves the town or ward of that place, using the  
12 address where the registrant resides;

13 [(v)] (E) Listing that place as the person's physical residence address on  
14 state or federal tax forms, other government identification showing the address, or other government  
15 forms showing the address;

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

18 [(vii)] (G) Obtaining public utility services for an indefinite period at that  
19 place; [or]

20 [(viii)] (H) Arranging for a homeless shelter or similar service provider  
21 located in the town or ward to receive United States mail on behalf of the individual.

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

26 (I) *A qualified voter affidavit, or any other reasonable documentation*  
27 *which indicates the applicant meets the domicile requirements.*

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

29 (A) ~~When registering within 30 days before an election or on election day as~~  
30 ~~provided in RSA 654:7 a, if the applicant does not have in his or her possession at the polls one of the~~  
31 ~~qualified documents listed in subparagraph (1) or other reasonable documentation which establishes~~  
32 ~~that it is more likely than not that the applicant has a domicile at the address claimed in the town or~~  
33 ~~ward in which he or she desires to vote, he or she may execute a sworn statement on the voter~~  
34 ~~registration form used starting 30 days before an election and on election day and initial the~~  
35 ~~acknowledgment of domicile evidence obligation. If the applicant identifies on his or her application~~  
36 ~~action taken to establish his or her domicile, which he or she has documentation of, he or she must~~  
37 ~~agree to mail a copy of or present the document in person to the city or town clerk within 10 days, or~~



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1 ~~where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of~~  
2 ~~documents provided in compliance with this subparagraph are exempt from the public disclosure~~  
3 ~~required by RSA 91-A. The clerk shall document receipt of a copy or completion of verification of a~~  
4 ~~document presented in person and forward verification to the supervisors of the checklist. An~~  
5 ~~applicant whose voter registration is approved based on an acknowledgment of a domicile evidence~~  
6 ~~obligation who knowingly or purposely fails to provide a document to the city or town clerk as~~  
7 ~~required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA~~  
8 ~~659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any~~  
9 ~~such person who fails to provide proof of domicile by the deadline by sending the person the notice~~  
10 ~~required by RSA 654:44.~~

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

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

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

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

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

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

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

37 (1) New Hampshire driver's license.

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1 (2) New Hampshire vehicle registration.

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

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

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

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

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

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

15 III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration  
16 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,  
17 and domicile relate to the applicant. A person who has in his or her immediate possession a photo  
18 identification approved for use by paragraph II must present that identification when applying for  
19 registration. A person who does not have an approved photo identification with him or her may  
20 establish identity through completion of the qualified voter affidavit, which shall be retained in  
21 accordance with RSA 33-A:3-a [~~or a sworn statement on the voter registration form used starting 30~~  
22 ~~days before an election and on election day~~]. Residents of a nursing home or similar facility may  
23 prove their identity through verification of identity by the administrator of the facility or by his or  
24 her designee. For the purposes of this section, the application of a person whose identity has been  
25 verified by an official of a nursing home or similar facility shall be treated in the same manner as the  
26 application of a person who proved his or her identity with a photo identification.

27 III-a. *The supervisors of the checklist and the town or city clerks may use the*  
28 *nonpublic information contained in the centralized voter registration database and other*  
29 *records, that they have access to, held by the state of New Hampshire, the town or city clerk,*  
30 *municipal assessing and planning offices, tax collector, or other municipal office records*  
31 *that contain records that confirm the identity, citizenship, age, or domicile information*  
32 *provided by the applicant.*

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

1 IV. Any person who is applying for registration as a voter and who is currently *or was*  
2 *previously* registered to vote in a different town or ward in New Hampshire shall complete the voter  
3 registration form provided for in RSA 654:7. If the election official receiving the application confirms  
4 through the centralized voter registration database required by RSA 654:45 that the applicant is  
5 currently *or was previously* registered to vote in New Hampshire, the applicant shall prove  
6 identity and domicile, but shall not be required to prove his or her age or citizenship.

7 V.(a) The election official approving the application for registration as voter of a person who  
8 does not present an approved form of photo identification as proof of identity when registering, shall  
9 mark the voter registration form to indicate that no photo identification was presented and shall  
10 inform the person that, if he or she is a first-time election day registrant in New Hampshire, he or  
11 she will receive a letter of identity verification. The person entering the voter information into the  
12 centralized voter registration database shall determine if the person is listed in the system as having  
13 been previously registered in the town or ward reported by the applicant on the voter registration  
14 form. If the person is a new registrant who has not been previously registered anywhere in New  
15 Hampshire or if the centralized voter registration database does not confirm a previous registration  
16 claimed on the voter registration form, the election official shall cause the record created in the  
17 centralized voter registration database to indicate that the person is a new applicant in New  
18 Hampshire and that no photo identification was presented. When municipalities enter information  
19 on people who register on election day into the centralized voter registration database, to the extent  
20 practical applicants who are registering for the first time in New Hampshire and who also register  
21 without presenting an approved photo identification shall be entered first. ~~[The person entering the~~  
22 ~~voter information of election day residents into the centralized voter registration database shall~~  
23 ~~cause the records to indicate if the voter executed a sworn statement on the voter registration form~~  
24 ~~used starting 30 days before an election and on election day.]~~

25 (b) The secretary of state shall cause a letter of identity verification to be mailed by first  
26 class mail to each voter identified at any election as a first-time election day registrant in New  
27 Hampshire who also did not verify his or her identity with an approved photo identification. The  
28 letter shall be mailed by January 10 in every odd-numbered year in the case of persons registering at  
29 a state primary or general election, or within 90 days after any other election. The secretary of state  
30 shall mark the envelope with instructions to the United States Post Office not to forward the letter  
31 and to provide address correction information. The letter shall notify the person that a person who  
32 was unable to present photo identification registered or registered and voted using his or her name  
33 and address and instruct the person to return the letter within 45 days with a written confirmation  
34 that the person registered and voted or to contact the attorney general immediately if he or she did  
35 not register and vote. Any voter under a protective order pursuant to RSA 173-B, and whose name  
36 does not appear on the checklist as provided under RSA 654:25, shall not be subject to the provisions  
37 of paragraph V. *The secretary of state may establish and implement a process for the voter*

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1 *to respond to the letter of identity verification by an electronic communication such as an*  
2 *email message or a text message.*

3 (c) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant  
4 to subparagraph (b) that are returned as undeliverable by the United States Post Office and those  
5 persons who were mailed letters under subparagraph (b) and have not confirmed their registration.  
6 The inquiry may include consulting with, and examining public records held by, municipal officials,  
7 which contain information relevant to a person's qualifications to vote in New Hampshire, and  
8 interviewing persons living at the address listed on the voter registration form. After such inquiry,  
9 the secretary of state shall prepare and forward to the attorney general for investigation a list of  
10 those people whose identity or eligibility to vote could not be confirmed. Upon receipt of notice from  
11 a person who receives a letter of identity verification that the person did not register and vote, or  
12 upon receipt of a referral from the secretary of state, the attorney general shall cause an  
13 investigation to be made to determine whether fraudulent registration or voting occurred.

14 ~~(d) [Within 90 days of each election, the secretary of state shall cause a list of persons~~  
15 ~~executing sworn statements on the voter registration form used starting 30 days before an election~~  
16 ~~and on election day since the prior election to be forwarded to the attorney general and the division~~  
17 ~~of motor vehicles. The secretary of state shall send a letter to each such person informing him or her~~  
18 ~~of a driver's obligation to obtain a New Hampshire driver's license within 60 days of becoming a New~~  
19 ~~Hampshire resident. The letter shall be mailed within 60 days after the election, except that if the~~  
20 ~~election is a state primary election, the letter shall be mailed 60 days after the general election, and~~  
21 ~~if the election is a regularly scheduled municipal election, the letter shall be mailed by the July 1 or~~  
22 ~~January 1 next following the election. The secretary of state shall mark the envelope with~~  
23 ~~instructions to the United States Post Office not to forward the letter and to provide address~~  
24 ~~correction information.~~

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

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

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1       4 Voting Procedures; Obtaining a Ballot. RSA 659:13, I(c) is repealed and reenacted to read as  
2 follows:

3           (c)(1) If the voter does not have a valid photo identification, the ballot clerk shall direct  
4 the voter to see the supervisor of the checklist.

5           (2) The supervisor of the checklist shall review the voter's qualifications and  
6 determine if the voter's identity can be verified. This review may include verification by the voter of  
7 nonpublic data contained in the centralized voter registration database or verification by a  
8 moderator or supervisor of the checklist, or the clerk of a town, ward, or city, or by a registered voter  
9 whose name was on the checklist at the opening of the polls and who possesses valid identification  
10 documentation. Other than an authorized election official, no registered voter whose name was on  
11 the checklist at the opening of the polls and who possesses valid identification documentation shall  
12 verify the identity of more than 2 voters in each election. Verification of identity shall be  
13 documented on a form provided by the secretary of state.

14           (3) If the supervisor of the checklist cannot verify the voter's identity, the supervisor  
15 of the checklist shall inform the voter that he or she may execute a challenged voter affidavit. The  
16 voter shall receive an explanatory document prepared by the secretary of state explaining the proof  
17 of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall  
18 mark the checklist in accordance with uniform procedures developed by the secretary of state.

19           (4) The person entering voter information into the centralized voter registration  
20 database shall cause the records to indicate when a voter has not presented a valid photo  
21 identification and has executed a challenged voter affidavit.

22       5 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

23           (b) In addition to the forms of photo identification authorized in subparagraph (a), the  
24 identification requirements of paragraph I may be satisfied by verification of the person's identity by  
25 a moderator or supervisor of the checklist or the clerk of a town, ward, or city, **or by a registered**  
26 **voter whose name was on the checklist at the opening of the polls and who possesses valid**  
27 **identification documentation**, provided that if any person authorized to challenge a voter under  
28 RSA 659:27 objects to such verification, identifies the reason for the objection in writing, and states  
29 the specific source of the information or personal knowledge upon which the challenge of the photo  
30 identification is based, the voter shall be required to execute a challenged voter affidavit as if no  
31 verification was made. **Other than an authorized election official, no registered voter whose**  
32 **name was on the checklist at the opening of the polls and who possesses valid**  
33 **identification documentation shall verify the identity of more than 2 voters in each**  
34 **election.**

35       6 Repeals. The following are repealed:

36           I. RSA 33-A:3-a, CXLI(f), relative to retention of municipal records of verifiable action of  
37 domicile.

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- 1           II. RSA 659:34, I(h) - (i), relative to certain penalties for voter fraud.
- 2           III. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.
- 3           7 Effective Date. This act shall take effect 60 days after its passage.

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2022-1560s

**AMENDED ANALYSIS**

This bill amends the procedures for determining voter qualifications and voter registration, and allows an authorized election official to use nonpublic information contained in the centralized voter registration database to verify a voter's identity.

Amendment to HB 1203-FN

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

2

3 AN ACT relative to voter registration and verification of voter identity.

4

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

6

7 1 Voters; Temporary Absence. RSA 654:2 is repealed and reenacted to read as follows:

8

654:2 Temporary Absence.

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

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

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

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



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1 upcoming election.

2 2 Voter Registration; Voter Registration Form. Amend RSA 654:7 to read as follows:

3 654:7 Voter Registration; Voter Registration Form.

4 I. Any person registering to vote shall be:

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

6 (b) A United States citizen; and

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

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

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

23 IV.(a) Standard registration application forms shall be used throughout the state. The  
24 registration forms shall be no larger than 8 1/2 inches by 11 inches. *Amendments to the voter*  
25 *registration form may be additional pages attached to or printed on the back of the*  
26 *registration form.*

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

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

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

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

35 Date \_\_\_\_\_

36 VOTER REGISTRATION FORM

37 (Please print or type)

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1 1. Name

2 Last (suffix) First Full Middle Name

3

4 2. Domicile Address

5 Street Ward Number

6 Town or City Zip Code

7

8 3. Mailing Address if different than in 2

9 Street

10 Town or City Zip Code

11

12 4. Place and Date of Birth

13 Town or City State

14 Date \_\_\_\_\_

15

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

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

18

19 6. Place last registered to vote

20 Street Ward Number

21 I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or *I am currently*

22 *registered to vote elsewhere and* I request that my name be removed as a registered voter in

23 \_\_\_\_\_ (fill in your address where previously registered, street, city/town,

24 state, and zip code)

25

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

27

28 8. Party Affiliation (if any)

29

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

31

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

33 \_\_\_\_\_

34 My name is \_\_\_\_\_. I am today registering to vote in the city/town of

35 \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

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

37 States citizen, and I must be domiciled in this ward/town.

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

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

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

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

13

14 Date Signature of Applicant

15

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

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

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

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

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

28 Date registration form is submitted \_\_\_\_\_

29 Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_

30 ~~VOTER REGISTRATION FORM~~

31 ~~FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON~~  
32 ~~ELECTION DAY~~

33 (Please print or type)

34 ~~1. Name~~

35 ~~Last (suffix) First Full Middle Name~~

36 ~~2. Domicile Address~~

37 ~~Street Ward Number~~

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1 ~~Town or City Zip Code~~  
2 ~~3. Mailing Address if different than in 2~~  
3 ~~Street~~  
4 ~~Town or City Zip Code~~  
5 ~~4. Place and Date of Birth~~  
6 ~~Town or City State~~  
7 ~~Date \_\_\_\_\_~~  
8 ~~5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_~~  
9 ~~If a naturalized citizen, give name of court where and date when naturalized~~  
10 ~~6. Place last registered to vote~~  
11 ~~Street Ward Number~~  
12 ~~I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or I request that my name~~  
13 ~~be removed as a registered voter in \_\_\_\_\_ (fill in your address where~~  
14 ~~previously registered, street, city/town, state, and zip code)~~  
15 ~~7. Name under which previously registered, if different from above~~  
16 ~~8. Party Affiliation (if any)~~  
17 ~~9. Driver's License Number \_\_\_\_\_ State~~  
18 ~~If you do not have a valid driver's license, provide the last four digits of your social security number~~  
19 ~~\_\_\_\_\_~~  
20 ~~My name is \_\_\_\_\_ I am today registering to vote in the city/town of~~  
21 ~~\_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.~~  
22 ~~I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United~~  
23 ~~States citizen, and I must be domiciled in this ward/town.~~  
24 ~~I understand that a person can claim only one state and one city/town as his or her domicile at a~~  
25 ~~time. A domicile is that place, to which upon temporary absence, a person has the intention of~~  
26 ~~returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in~~  
27 ~~any other state or any other city/town.~~  
28 ~~In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or~~  
29 ~~federal elections in another state.~~  
30 ~~If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a~~  
31 ~~supervisor of the checklist is available to address my questions or concerns.~~  
32 ~~I understand that to make the address I have entered above my domicile for voting I must have an~~  
33 ~~intent to make this the one place from which I participate in democratic self government and must~~  
34 ~~have acted to carry out that intent.~~  
35 ~~I understand that if I have documentary evidence of my intent to be domiciled at this address when~~  
36 ~~registering to vote, I must either present it at the time of registration or I must place my initials~~  
37 ~~next to the following paragraph and mail a copy or present the document at the town or city clerk's~~

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1 office within 10 days following the election (30 days in towns where the clerk's office is open fewer  
2 than 20 hours weekly).

3 ~~\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not presented~~  
4 ~~evidence of actions carrying out my intent to be domiciled at this address, that I understand that I~~  
5 ~~must mail or personally present to the clerk's office evidence of actions carrying out my intent within~~  
6 ~~10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20~~  
7 ~~hours weekly), and that I have received the document produced by the secretary of state that~~  
8 ~~describes the items that may be used as evidence of a verifiable action that establishes domicile.~~

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

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

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

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

23 ~~Date Signature of Applicant~~

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

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

28 ~~Identity yes/no \_\_\_\_\_~~

29 ~~(initials)~~

30 ~~Citizenship yes/no \_\_\_\_\_~~

31 ~~(initials)~~

32 ~~Age yes/no \_\_\_\_\_~~

33 ~~(initials)~~

34 ~~Applicant Election Official~~

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

36 ~~In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information~~  
37 ~~when registering to vote or voting is a class A misdemeanor with a maximum sentence of~~

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1 ~~imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to~~  
2 ~~vote or voting is subject to a civil penalty not to exceed \$5,000. In accordance with RSA 659:34 a~~  
3 ~~voting in more than one state in the same election is a class B felony with a maximum sentence of~~  
4 ~~imprisonment not to exceed 7 years and a fine not to exceed \$4,000.~~

5 V. ~~The secretary of state shall prepare and distribute an addendum to the voter registration~~  
6 ~~form used under subparagraph IV(e) to be distributed to those registrants who register within 30~~  
7 ~~days before the election or on election day and who do not provide proof of domicile or a verifiable~~  
8 ~~action to demonstrate domicile. The "verifiable action of domicile" document shall provide notice of~~  
9 ~~the requirements that registrants must furnish documentary evidence of domicile and shall be in~~  
10 ~~substantially the following form:~~

11 ~~Verifiable Action of Domicile~~

12 ~~As a newly registered voter, you have received this document because you did not provide proof of~~  
13 ~~domicile when you registered to vote. RSA 654:2, IV requires you to provide evidence that you have~~  
14 ~~taken a verifiable act to establish domicile.~~

15 ~~The following checklist shall be used as a guide for what you may use as evidence and shall be~~  
16 ~~submitted to the town or city clerk along with documentation that you are required to provide. Only~~  
17 ~~one item on the list is required to demonstrate a verifiable act.~~

18 ~~To establish that you have engaged in a verifiable act establishing domicile, provide evidence that~~  
19 ~~you have done at least one of the following:~~

20 ~~\_\_\_ established residency, as set forth in RSA 654:1, I-a, at an institution of learning at the address~~  
21 ~~on the voter registration form~~

22 ~~\_\_\_ rented or leased an abode, for a period of more than 30 days, to include time directly prior to an~~  
23 ~~election day at the address listed on the voter registration form~~

24 ~~\_\_\_ purchased an abode at the address listed on the voter registration form~~

25 ~~\_\_\_ obtained a New Hampshire resident motor vehicle registration, driver's license, or identification~~  
26 ~~card issued under RSA 260:21, RSA 260:21 a, or RSA 260:21 b listing the address on the voter~~  
27 ~~registration form~~

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

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

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

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

34 ~~\_\_\_ provided the address on the voter registration form to the United States Post Office as your~~  
35 ~~permanent address, provided it is not a postal service or commercial post office box, where mail is~~  
36 ~~delivered to your home. This can be by listing the address on the voter registration form as your new~~

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1 ~~address on a Postal Service permanent change of address form and providing a copy of the receipt, or~~  
2 ~~an online emailed receipt~~

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

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

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

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

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

18 ~~Name~~

19 ~~Last (suffix) First Full Middle Name~~

20 ~~Domicile Address~~

21 ~~Street Ward Number~~

22 ~~Town or City Zip Code~~

23 ~~Date Signature of Applicant~~

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

27 ~~Date Signature of Clerk~~

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

31 *The secretary of state shall prescribe an amendment to the voter registration based on*  
32 *the following:*

33 *(1) The secretary state may collect additional voluntary information to*  
34 *assist in the location of the voter after the election, if necessary. Such additional*  
35 *information may include, but is not limited to: phone numbers, email addresses, employer*  
36 *information, social service agency information, vehicle license plate number, and state of*  
37 *registration, social media account information, or a relative or friend's name and address.*

1                   (2) *Document voter verification by an authorized election official or by a*  
2 *registered voter whose name was on the checklist at the opening of the polls and has valid*  
3 *identification documentation.*

4           3 General Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12 to  
5 read as follows:

6           654:12 Determining Qualifications of Applicant.

7           I. ~~[When determining the qualifications of an applicant]~~ *After the applicant has proven*  
8 *his or her identity as required in paragraph III of this section*, the supervisors of the  
9 checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age,  
10 and domicile, as provided in the following categories:

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

18 Date: \_\_\_\_\_

19 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

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

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

22 Place of birth: \_\_\_\_\_

23 Date of birth: \_\_\_\_\_

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

25 Domicile Address: \_\_\_\_\_

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

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

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

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

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

37 (Signature of applicant)



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

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

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

- 11  Identity  
12  Citizenship  
13  Age

14 \_\_\_\_\_  
15 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

16 (b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age  
17 or older at the next election, or, if the applicant does not have reasonable documentation in his or  
18 her possession at the place and time of voter registration, a qualified voter affidavit, which shall be  
19 retained in accordance with RSA 33-A:3-a~~[or a sworn statement on the voter registration form used~~  
20 ~~starting 30 days before an election and on election day].~~

21 (c) DOMICILE.

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

23 ~~[(A)] (I) A person who possesses one of the following qualified documents~~  
24 ~~identifying the applicant's name and the address claimed as domicile must present that document~~  
25 ~~when applying for registration [prior to election day]: [(i)] (A) New Hampshire driver's license or~~  
26 ~~identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; [(ii)] (B) New~~  
27 ~~Hampshire resident vehicle registration; [(iii)] (C) a picture identification issued by the United~~  
28 ~~States government that contains a current address; [(iv)] (D) government issued check, *pay stub*,~~  
29 ~~benefit statement, or tax document. [A person who possesses such a document, but failed to bring it~~  
30 ~~with the person when seeking to register to vote shall be required to return when he or she can~~  
31 ~~present one of these documents or to bring the document and register on election day.~~

32 ~~(B) A person who attests under penalty of voter fraud that he or she does not~~  
33 ~~possess any of the qualified documents listed in subparagraph (A) may present any reasonable~~  
34 ~~documentation of having established a physical presence at the place claimed as domicile, having an~~  
35 ~~intent to make that place his or her domicile, and having taken a verifiable act to carry out that~~  
36 ~~intent. The documentation must establish that it is more likely than not that the applicant has a~~

1 ~~domicile and intends to maintain that domicile, as defined in this chapter, at least until election day~~  
2 ~~in the town or ward in which he or she desires to vote. Reasonable]~~

3           (2) *Additional documentation for the purpose of establishing a voter's*  
4 *domicile* may include, but is not limited to, evidence of:

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

7                   ~~(ii)~~ (B) Renting or leasing an abode ~~[at that place for a period of more than~~  
8 ~~30 days, to include time directly prior to an election day];~~

9                   ~~(iii)~~ (C) Purchasing an abode at that place;

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

13                   ~~(v)~~ (E) Listing that place as the person's physical residence address on  
14 state or federal tax forms, other government identification showing the address, or other government  
15 forms showing the address;

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

18                   ~~(vii)~~ (G) Obtaining public utility services for an indefinite period at that  
19 place; ~~[or]~~

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

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

26                   (I) *A qualified voter affidavit, or any other reasonable documentation*  
27 *which indicates the applicant meets the domicile requirements.*

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

29                   ~~(A) When registering within 30 days before an election or on election day as~~  
30 ~~provided in RSA 654:7 a, if the applicant does not have in his or her possession at the polls one of the~~  
31 ~~qualified documents listed in subparagraph (1) or other reasonable documentation which establishes~~  
32 ~~that it is more likely than not that the applicant has a domicile at the address claimed in the town or~~  
33 ~~ward in which he or she desires to vote, he or she may execute a sworn statement on the voter~~  
34 ~~registration form used starting 30 days before an election and on election day and initial the~~  
35 ~~acknowledgment of domicile evidence obligation. If the applicant identifies on his or her application~~  
36 ~~action taken to establish his or her domicile, which he or she has documentation of, he or she must~~  
37 ~~agree to mail a copy of or present the document in person to the city or town clerk within 10 days, or~~

1 where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of  
2 documents provided in compliance with this subparagraph are exempt from the public disclosure  
3 required by RSA 91-A. The clerk shall document receipt of a copy or completion of verification of a  
4 document presented in person and forward verification to the supervisors of the checklist. An  
5 applicant whose voter registration is approved based on an acknowledgment of a domicile evidence  
6 obligation who knowingly or purposely fails to provide a document to the city or town clerk as  
7 required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA  
8 659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any  
9 such person who fails to provide proof of domicile by the deadline by sending the person the notice  
10 required by RSA 654:44.

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

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

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

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

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

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

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

37 (1) New Hampshire driver's license.

1 (2) New Hampshire vehicle registration.

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

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

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

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

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

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

15 III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration  
16 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,  
17 and domicile relate to the applicant. A person who has in his or her immediate possession a photo  
18 identification approved for use by paragraph II must present that identification when applying for  
19 registration. A person who does not have an approved photo identification with him or her may  
20 establish identity through completion of the qualified voter affidavit, which shall be retained in  
21 accordance with RSA 33-A:3-a [~~or a sworn statement on the voter registration form used starting 30  
22 days before an election and on election day~~]. Residents of a nursing home or similar facility may  
23 prove their identity through verification of identity by the administrator of the facility or by his or  
24 her designee. For the purposes of this section, the application of a person whose identity has been  
25 verified by an official of a nursing home or similar facility shall be treated in the same manner as the  
26 application of a person who proved his or her identity with a photo identification.

27 III-a. *The supervisors of the checklist and the town or city clerks may use the*  
28 *nonpublic information contained in the centralized voter registration database and other*  
29 *records, that they have access to, held by the state of New Hampshire, the town or city clerk,*  
30 *municipal assessing and planning offices, tax collector, or other municipal office records*  
31 *that contain records that confirm the identity, citizenship, age, or domicile information*  
32 *provided by the applicant.*

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

1 IV. Any person who is applying for registration as a voter and who is currently *or was*  
2 *previously* registered to vote in a different town or ward in New Hampshire shall complete the voter  
3 registration form provided for in RSA 654:7. If the election official receiving the application confirms  
4 through the centralized voter registration database required by RSA 654:45 that the applicant is  
5 currently *or was previously* registered to vote in New Hampshire, the applicant shall prove  
6 identity and domicile, but shall not be required to prove his or her age or citizenship.

7 V.(a) The election official approving the application for registration as voter of a person who  
8 does not present an approved form of photo identification as proof of identity when registering, shall  
9 mark the voter registration form to indicate that no photo identification was presented and shall  
10 inform the person that, if he or she is a first-time election day registrant in New Hampshire, he or  
11 she will receive a letter of identity verification. The person entering the voter information into the  
12 centralized voter registration database shall determine if the person is listed in the system as having  
13 been previously registered in the town or ward reported by the applicant on the voter registration  
14 form. If the person is a new registrant who has not been previously registered anywhere in New  
15 Hampshire or if the centralized voter registration database does not confirm a previous registration  
16 claimed on the voter registration form, the election official shall cause the record created in the  
17 centralized voter registration database to indicate that the person is a new applicant in New  
18 Hampshire and that no photo identification was presented. When municipalities enter information  
19 on people who register on election day into the centralized voter registration database, to the extent  
20 practical applicants who are registering for the first time in New Hampshire and who also register  
21 without presenting an approved photo identification shall be entered first. ~~[The person entering the~~  
22 ~~voter information of election day residents into the centralized voter registration database shall~~  
23 ~~cause the records to indicate if the voter executed a sworn statement on the voter registration form~~  
24 ~~used starting 30 days before an election and on election day.]~~

25 (b) The secretary of state shall cause a letter of identity verification to be mailed by first  
26 class mail to each voter identified at any election as a first-time election day registrant in New  
27 Hampshire who also did not verify his or her identity with an approved photo identification. The  
28 letter shall be mailed by January 10 in every odd-numbered year in the case of persons registering at  
29 a state primary or general election, or within 90 days after any other election. The secretary of state  
30 shall mark the envelope with instructions to the United States Post Office not to forward the letter  
31 and to provide address correction information. The letter shall notify the person that a person who  
32 was unable to present photo identification registered or registered and voted using his or her name  
33 and address and instruct the person to return the letter within 45 days with a written confirmation  
34 that the person registered and voted or to contact the attorney general immediately if he or she did  
35 not register and vote. Any voter under a protective order pursuant to RSA 173-B, and whose name  
36 does not appear on the checklist as provided under RSA 654:25, shall not be subject to the provisions  
37 of paragraph V. *The secretary of state may establish and implement a process for the voter*

1 *to respond to the letter of identity verification by an electronic communication such as an*  
2 *email message or a text message.*

3 (c) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant  
4 to subparagraph (b) that are returned as undeliverable by the United States Post Office and those  
5 persons who were mailed letters under subparagraph (b) and have not confirmed their registration.  
6 The inquiry may include consulting with, and examining public records held by, municipal officials,  
7 which contain information relevant to a person's qualifications to vote in New Hampshire, and  
8 interviewing persons living at the address listed on the voter registration form. After such inquiry,  
9 the secretary of state shall prepare and forward to the attorney general for investigation a list of  
10 those people whose identity or eligibility to vote could not be confirmed. Upon receipt of notice from  
11 a person who receives a letter of identity verification that the person did not register and vote, or  
12 upon receipt of a referral from the secretary of state, the attorney general shall cause an  
13 investigation to be made to determine whether fraudulent registration or voting occurred.

14 ~~(d) [Within 90 days of each election, the secretary of state shall cause a list of persons~~  
15 ~~executing sworn statements on the voter registration form used starting 30 days before an election~~  
16 ~~and on election day since the prior election to be forwarded to the attorney general and the division~~  
17 ~~of motor vehicles. The secretary of state shall send a letter to each such person informing him or her~~  
18 ~~of a driver's obligation to obtain a New Hampshire driver's license within 60 days of becoming a New~~  
19 ~~Hampshire resident. The letter shall be mailed within 60 days after the election, except that if the~~  
20 ~~election is a state primary election, the letter shall be mailed 60 days after the general election, and~~  
21 ~~if the election is a regularly scheduled municipal election, the letter shall be mailed by the July 1 or~~  
22 ~~January 1 next following the election. The secretary of state shall mark the envelope with~~  
23 ~~instructions to the United States Post Office not to forward the letter and to provide address~~  
24 ~~correction information.~~

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

33 (f) Upon completion of any investigation authorized under RSA 654:12, the secretary of  
34 state and the attorney general shall forward a report summarizing the results of the inquiry and  
35 investigation, respectively, to the speaker of the house of representatives, the president of the  
36 senate, and the chairpersons of the appropriate house and senate standing committees with  
37 jurisdiction over election law.

Amendment to HB 1203-FN

- Page 16 -

1           4 Voting Procedures; Obtaining a Ballot. RSA 659:13, I(c) is repealed and reenacted to read as  
2 follows:

3                   (c)(1) If the voter does not have a valid photo identification, the ballot clerk shall direct  
4 the voter to see the supervisor of the checklist.

5                   (2) The supervisor of the checklist shall review the voter's qualifications and  
6 determine if the voter's identity can be verified. This review may include verification by the voter of  
7 nonpublic data contained in the centralized voter registration database or verification by a  
8 moderator or supervisor of the checklist, or the clerk of a town, ward, or city, or by a registered voter  
9 whose name was on the checklist at the opening of the polls and who possesses valid identification  
10 documentation. Other than an authorized election official, no registered voter whose name was on  
11 the checklist at the opening of the polls and who possesses valid identification documentation shall  
12 verify the identity of more than 2 voters in each election. Verification of identity shall be  
13 documented on a form provided by the secretary of state.

14                   (3) If the supervisor of the checklist cannot verify the voter's identity, the supervisor  
15 of the checklist shall inform the voter that he or she may execute a challenged voter affidavit. The  
16 voter shall receive an explanatory document prepared by the secretary of state explaining the proof  
17 of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall  
18 mark the checklist in accordance with uniform procedures developed by the secretary of state.

19                   (4) The person entering voter information into the centralized voter registration  
20 database shall cause the records to indicate when a voter has not presented a valid photo  
21 identification and has executed a challenged voter affidavit.

22           5 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

23                   (b) In addition to the forms of photo identification authorized in subparagraph (a), the  
24 identification requirements of paragraph I may be satisfied by verification of the person's identity by  
25 a moderator or supervisor of the checklist or the clerk of a town, ward, or city, *or by a registered*  
26 *voter whose name was on the checklist at the opening of the polls and who possesses valid*  
27 *identification documentation*, provided that if any person authorized to challenge a voter under  
28 RSA 659:27 objects to such verification, identifies the reason for the objection in writing, and states  
29 the specific source of the information or personal knowledge upon which the challenge of the photo  
30 identification is based, the voter shall be required to execute a challenged voter affidavit as if no  
31 verification was made. *Other than an authorized election official, no registered voter whose*  
32 *name was on the checklist at the opening of the polls and who possesses valid*  
33 *identification documentation shall verify the identity of more than 2 voters in each*  
34 *election.*

35           6 Repeals. The following are repealed:

36                   I. RSA 33-A:3-a, CXLI(f), relative to retention of municipal records of verifiable action of  
37 domicile.

Amendment to HB 1203-FN

- Page 17 -

- 1           II. RSA 659:34, I(h) - (i), relative to certain penalties for voter fraud.
- 2           III. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.
- 3           7 Effective Date. This act shall take effect 60 days after its passage.



2022-1660s

AMENDED ANALYSIS

This bill amends the procedures for determining voter qualifications and voter registration, and allows an authorized election official to use nonpublic information contained in the centralized voter registration database to verify a voter's identity.

# Committee Minutes

# SENATE CALENDAR NOTICE

## Election Law and Municipal Affairs

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

Date: 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. <b>HB 1153</b>	relative to absentee ballot requests.	
1:15 p.m. <b>HB 1157</b>	relative to electronic ballot counting devices.	
1:30 p.m. <b>HB 1203-FN</b>	relative to domicile residency, voter registration, and investigation of voter verification letters.	
1:45 p.m. <b>HB 1457-FN</b>	relative to chain of custody of ballot boxes after an election.	
2:00 p.m. <b>HB 1527-FN</b>	relative to vote returns.	
2:15 p.m. <b>HB 1467-FN</b>	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 1203-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters.

**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 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.

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**Sponsors:**

Rep. Horrigan

Rep. Berch

Rep. Cohen

Rep. Frost

Rep. Kenney

Rep. Read

Rep. Spang

Rep. Wall

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**Who supports the bill:** Representative Barbara Griffin, David Scanlan, Secretary of State, Constance Bonenfant, Kent Hackmann, Katherine Tucker, Janet Lucas, Anne Dontonville, Clarence Skidmore, Sue Nastasi

**Who opposes the bill:** Representative Timothy Horrigan, Representative Paul Bergeron, Representative Lisa Post, Alvin See, Michael O'Brien, Sara Lobdell, William Secord, Bev Cotton, Eric Pauer, Julie Smith, Ray Chadwick, Doreen Desmarais, Scott Burns, Martha Clark, Bob Perry, Jill Weber, Ruth Perencevich, Susan Richman, Claudia Damon, Elizabeth Nelson, Barbara Reed, Boyd Smith, Charlie Post, Philip Auger, Annie Rettew, Sheryl Liberman, Andrew Jones, Gary Devore, Maureen Ellermann, Elissa Rasmussen, Lynn Merlone, Patricia Martin, Jane Hershey, Anne Thomas, Ellis Robinson

**Summary of testimony presented in support:**

**Representative Barbara Griffin**

- This bill was presented to them as taking SB 3 provisions out of the law and putting the statutes back to the way they were before it.
- The need to do that had become apparent as they heard testimony in committee.
- There were places in statute that SB 3 had not been rescinded which caused confusion.
- The majority of the House Election Law Committee believed that the original bill did more than just removing the SB 3 provisions.
- It added language like "indefinite future,"
- It added a new provision stating that "a person's domicile for voting purposes shall not be conclusive of a person's residence for any other legal purpose."
- This was far outside the bounds of what was SB 3 and contrary to the Supreme Court's advisory opinion in what was HB 1264.
- There were provisions in the original bill regarding the interstate voter crosscheck program.
- There were many provisions throughout the bill that were not related to SB 3.
- In recognition of the fact that SB 3 language needs to come out of the books and that HB 1264 is now codified they drafted an amendment.
- The amendment eliminates the domicile voter affidavit which was the 1203 form.
- It kept some provisions of 1203 in that it has a form to use 30 days before the election.

- When you register you need to bring proofs of domicile, if you don't have those proofs you are asked to go get them.
- When it is closer to the election the affidavit form can be used to prove domicile.
- Senator Perkins Kwoka asked if she is anticipating any further changes to this version. On page nine, lines 6, and 7 it references that a person "will not ever be able to provide proof."
  - Rep. Griffin replied that was to address the issue of someone who does not have a permanent domicile, for instance, someone who lives in a homeless shelter.
- Senator Soucy asked why it says "will not ever" because they may someday.
  - Rep. Griffin replied that it only refers to that address during that election.
- Senator Gray commented that there was an amendment drafted to SB 418 that dealt with a lot of these issues and asked if she and some others could take a look at that amendment and see if it could be incorporated here.
  - Rep. Griffin replied that she would be happy to.

#### **David Scanlan – Secretary of State**

- He agrees with the amended version of HB 1203 which removes the language of SB 3, which the court found unconstitutional, from statutes.

#### **Summary of testimony presented in opposition:**

##### **Representative Paul Bergeron**

- He agrees that the language on page 9, lines 5-7 is problematic.
- He gave a story about a woman who moved in with her new husband in Nashua and all the bills were in his name.
- She had no proof of domicile yet when she came to register to vote.
- They were able to register her because they had just issued her marriage license and the Nashua address was on it.
- With the language on page 9 of this bill, they would not have been able to register her because she could not swear that she would not ever have any proof of domicile.
- He also has concerns about the two tiered registration system that exists in HB 1203 as amended.
- The supreme court stated that there was no need for the two tiered registration system.
- There is one form for someone who is registering more than 30 days from the election and one form that is for someone registering within 30 days of the election.
- On the first form (more than 30 days) page 3, line 18 of the form, it says "if registering on election day" but this form cannot be use on election day.
- On the form to be used within 30 days, page 5, lines 5-7, this language makes it hard to register a homeless person or a person in a nursing home that would have to sign to say that they will be at that address forever.
- Someone should not be forced to sign a statement saying that they intend to stay there indefinitely.
- Senator Gray stated that RSA 654:1 is the paragraph that they look at for domicile and it does have words that say your domicile is that place more than any other that you intend to stay and asked how does that language differ from what he sees in this bill.
  - Rep. Bergeron replied that he would suggest using the words that are in the statute and not add new ones that cause confusion. For consistencies sake use "more than any other."

##### **Alvin See**

- Any person should have their domicile be for all purposes of life.
- There should not be a distinction between voting and any other purposes.
- That is not to stop anyone from changing their domicile whenever they need to.

## Michael O'Brien – America Votes

- He agrees with the concerns that Representative Bergeron raised.
- He believes that if they can fix the words in those two sections it would alleviate some of the problems.
- Senator Soucy asked if he would agree that using the existing language in 654:1 might clarify and be more consistent.
  - Mr. O'Brien replied that yes that is a good suggestion to keep it consistent and less confusing for voters.

TJM

Date Hearing Report completed: April 8, 2022

# Speakers

# Senate Election Law and Municipal Affairs Committee

## SIGN-IN SHEET

Date: April 4, 2022      Time: 1:30 p.m.

HB 1203-FN    AN ACT relative to domicile residency, voter registration, and investigation of voter verification letters.  
 PRIME: Representative Horrigan

Name/Representing (please print neatly)

Name/Representing (please print neatly)	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
✓ REP. PAUL BERGERON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ Alvin See	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
✓ Rep. Timothy Horrigan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ Barbara O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ Michael D'Brin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
✓ DAVID SCANLAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>



## Senate Remote Testify

### Election Law and Municipal Affairs Committee Testify List for Bill HB1203 on 202

Support: 7 Oppose: 26

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Lobdell, Sara	A Member of the Public	Myself	Oppose
Secord, William	A Member of the Public	Myself	Oppose
Cotton, Bev	A Member of the Public	Myself	Oppose
Pauer, Eric	A Member of the Public	Myself	Oppose
Smith, Julie	A Member of the Public	Myself	Oppose
Bonenfant, Constance	A Member of the Public	Myself	Support
Chadwick, Ray	A Member of the Public	Myself	Oppose
Tentarelli, Liz	A Member of the Public	Myself	Support
Desmarais, Dorcen	A Member of the Public	Myself	Oppose
Hackmann, Kent	A Member of the Public	Myself	Support
Burns, Scott	A Member of the Public	Myself	Oppose
Clark, Martha	A Member of the Public	Myself	Oppose
Perry, Bob	A Member of the Public	Myself	Oppose
Weber, Jill	A Member of the Public	Myself	Oppose
perencevich, ruth	A Member of the Public	Myself	Oppose
Richman, Susan	A Member of the Public	Myself	Oppose
Damon, Claudia	A Member of the Public	Myself	Oppose
Nelson, Elizabeth	A Member of the Public	Myself	Oppose
Reed, Barbara	A Member of the Public	Myself	Oppose
Smith, Boyd	A Member of the Public	Myself	Oppose
Tucker, Katherine	A Member of the Public	Myself	Support
post, Lisa em	An Elected Official	Myself	Oppose
Lucas, Janet	A Member of the Public	Myself	Support
Dontonville, Anne	A Member of the Public	Myself	Support
Post, Charlie	An Elected Official	Myself	Oppose
Auger, Philip	A Member of the Public	Myself	Oppose
Rettew, Annie	A Member of the Public	Myself	Oppose
Liberman, Sheryl	A Member of the Public	Myself	Oppose
Jones, Andrew	A Member of the Public	Myself	Oppose
Devore, Gary	A Member of the Public	Myself	Oppose
Ellermann, Maureen	A Member of the Public	Myself	Oppose
SKIDMORE, CLARENCE	A Member of the Public	Myself	Support
Rasmussen, Elissa	A Member of the Public	Myself	Oppose

# Testimony

## Testimony Against HB 1203 (as Amended by the House)

Rep. Timothy Horrigan (Strafford 6); April 4, 2022

Senate Election Law & Municipal Affairs Committee

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Amendment #2022-0962h to HB 1203 is so poorly drafted, it is hard to tell exactly what it does— even though I have re-read its convoluted language many times. But I was still able to discern that it does nothing that the underlying bill was intended to do. In fact, in fact it does pretty much the exact opposite of what I and the other sponsors intended.

The original version of HB 1203 was an exact repeat, aside from the effective date, of HB 538 (2021) which was one of many 2021 bills which were voted Inexpedient to Legislate in committee but never made it to the floor. HB 538 (2021) was in turn a combination of HB 105 (2019) and HB 106 (2019) which were both vetoed by Governor Sununu in 2019.

The basic aim of my bill as introduced was to put the voter-registration law back the way it was before 2017. It would have undone HB 1264 (2018) and, more importantly, it would have undone SB 3 (2017). SB 3 created an entirely new set of voter-registration forms which were complicated and contradictory. Moreover, after several years of both state and federal litigation, SB 3 was overturned by the NH Supreme Court in 2021, on the grounds that it interfered with citizens' right to vote.

SB 3 didn't just effect students' right to vote, but student voting is of special concern to me because I live in Durham, which is a college town. I think student voting is a good thing, but the controversy over student voting isn't about me. It's about the right to vote: everyone's right to vote. The federal and state constitutions both clearly state, as does federal voting law, that US citizens have the right to vote where they live.

If you are over the age of 18, and if you are a US citizen, then you have the right to vote in the community where you live. It doesn't matter why you moved there. It doesn't matter how long ago you moved there. And it certainly doesn't matter where your parents live or vote. This is true even if you recently moved to New Hampshire and still have family living somewhere else.

Article 11 Part 1 of our state constitution states (in part):

**All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile.**

That means, if you live here, you can vote here. Period.

HB 1203 as introduced protects your right to vote. As amended by the NH House, it does not. Please restore HB 1203 to its original form, or failing that, please kill it altogether.

## Tricia Melillo

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**From:** Ray Chadwick <rfchadwick@juno.com>  
**Sent:** Sunday, April 3, 2022 11:54 AM  
**To:** James.Grey@leg.state.nh.us; Regina.Birdsell@leg.stste.nh.us; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo  
**Cc:** dmc2015@comcast.net; danmcguire@gmail.com  
**Subject:** Granite State Taxpayers Opposes HB 1203

Election Law and Municipal Affairs Committee Members

### **Granite State Taxpayers Opposes HB 1203**

This bill modifies the definition of domicile for voting purposes and restores language removed from the law in 2018, 370 (HB 1264).

#### **HB1203 has the intent to authorize voting in NH by out of state residents.**

HB 203 is a reprise of previous efforts (HB 538, HB 106, HB 1279, HB 1653) to repeal HB 1264 and award voting rights in New Hampshire to residents of other states.

New Hampshire was unique in the country in allowing people to vote who are residents of other states. HB 1264 defined residency to close a loophole allowing residents of other states to vote here. GST supported HB1264, so we obviously oppose HB 1203, as we did its predecessors.

The Secretary of State reported that, in 2016, 6,540 people used an out of state driver's license to register to vote in New Hampshire. Of that total, 491 used an out of state driver's license to change registration from one town to another town within New Hampshire. While an out of state driver's license provides proof of identity, it also proves residency in another state.

HB1264 complied with the United States Supreme Court decision in *DUNN v. BLUMSTEIN*, March 21, 1972, which stated: *"We have in the past noted approvingly that the States have the power to require that voters be bona fide residents of the relevant political subdivision."*

On July 12, 2018, a NH Supreme Court Opinion on whether New Hampshire should continue to allow residents of other states to vote in New Hampshire, stated *"not only does New Hampshire have no such constitutional obligation but, quite the contrary, it has a compelling state interest not to do so."* Subsequently, a US District Court agreed.

Requiring residency, and providing proof thereof, is the expectation in 49 other states and the District of Columbia. Of those, 47 states and the District of Columbia require proof of duration of actual residency before being able to vote. Of those jurisdictions, 27 require 30 days residency.

With all of that background and court decisions, it's difficult to understand how some members of the New Hampshire General Court remain so committed to giving residents of other states a right to vote here. They apparently believe they gain electoral advantage from such voters.

For these reasons, Granite State Taxpayers opposes House Bill 1203.

### **Granite State Taxpayers recommends a vote AGAINST HB 1203.**

Thank you for your attention and for your commitment to the citizens of New Hampshire.

Ray Chadwick, Chairman  
Granite State Taxpayers

# Voting Sheets

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

Bill **HB 1203-FN**

Hearing date: 4/4/22

Executive Session date: 4/18/22

Motion of: OTP 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input checked="" 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"/>

Motion of: Amend 1560s Vote: 3-2

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Motion of: OTP/A Vote: 3-2

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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reported out by: Sen. Gray

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

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Monday, April 18, 2022

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred HB 1203-FN

AN ACT

relative to domicile residency, voter registration,  
and investigation of voter verification letters.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 3-2

AMENDMENT # 1660s

Senator James Gray  
For the Committee

Tricia Melillo 271-3077



## General Court of New Hampshire - Bill Status System

**Docket of HB1203**

Docket Abbreviations

**Bill Title:** (Second New Title) relative to voter registration and verification of voter identity.*Official Docket of HB1203.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
11/18/2021	H	<b>Introduced</b> 01/05/2022 and referred to Election Law
2/10/2022	H	Public Hearing: 02/10/2022 11:30 a.m. LOB306-308
3/9/2022	H	Executive Session: 03/09/2022 10:00 a.m. LOB306-308
3/9/2022	H	Majority Committee Report: Ought to Pass with Amendment <b>#2022-0962h</b> (NT) (Vote 11-9; RC)
3/9/2022	H	Minority Committee Report: Inexpedient to Legislate
3/17/2022	H	Amendment <b>#2022-0962h</b> : AA VV 03/16/2022 <b>HJ 7</b>
3/17/2022	H	<b>Ought to Pass with Amendment</b> 2022-0962h: MA DV 185-163 03/16/2022 <b>HJ 7</b>
3/22/2022	S	Introduced 03/17/2022 and Referred to Election Law and Municipal Affairs; <b>SJ 6</b>
3/31/2022	S	<b>Hearing:</b> 04/04/2022, Room 100, SH, 01:30 pm; <b>SC 14</b>
4/20/2022	S	Committee Report: Ought to Pass with Amendment <b>#2022-1660s</b> , 04/28/2022; <b>SC 17</b>
4/28/2022	S	Sen. Soucy Moved to divide the Question on Committee Amendment <b>#2022-1660s</b> : Sections 1 and 7 and then the remainder of the amendment with the effective date; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	The Chair ruled the Question Divisible; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	Committee Amendment <b>#2022-1660s</b> : Sections 1 and 7, <b>RC</b> 14Y-10N, AA; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	Committee Amendment <b>#2022-1660s</b> : Remainder of Amendment with the effective date, AA, VV; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	Sen. Soucy Moved to divide the Question on the motion of <b>Ought to Pass with Amendment</b> : Sections 1 and 7 and then the remainder of the bill as amended with the effective date; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	The Chair ruled the Question Divisible; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	<b>Ought to Pass with Amendment</b> 2022-1660s: Sections 1 and 7, <b>RC</b> 14Y-10N, MA; 04/28/2022; <b>SJ 10</b>
4/28/2022	S	<b>Ought to Pass with Amendment</b> 2022-1660s: Remainder of the bill with the effective date, MA, VV; OT3rdg; 04/28/2022; <b>SJ 10</b>
5/13/2022	H	House Non-Concurs with Senate Amendment (Rep. B. Griffin): MA VV 05/12/2022 <b>HJ 13</b>

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HB 1203-FN 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 # 1560s - amendment # \_\_\_\_\_
- amendment # 1660s - 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 Melillo  
Committee Aide

6/22/22  
Date

Senate Clerk's Office AK