HB 1572-LOCAL - AS INTRODUCED

2020 SESSION

11/06

HOUSE BILL 1572-LOCAL

AN ACT establishing the New Hampshire local election participation act.

SPONSORS: Rep. Rogers, Merr. 28

COMMITTEE: Municipal and County Government

ANALYSIS

This bill establishes the New Hampshire local election participation act.

Explanation: Matter added to current law appears in bold italics.
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
1. Findings and Purpose. The general court hereby finds that the accessibility, integrity, and
2. efficiency of the voting system are of utmost importance to New Hampshire's political system;
3. however, local elections in New Hampshire, as elsewhere in the country, often suffer from very low
4. voter participation. Voter participation is too often reduced due to factors of weather, modern work
5. schedules, family obligations, health issues, mobility challenges, and geographic distance. Mail
6. ballot or "vote at home" models for local elections have been established in other states, with turnout
7. often 3 times higher than prior similar elections. At the same time, no material evidence of fraud
8. and abuse has been seen. Therefore, the purpose of this local election participation act is to increase
9. voter engagement and participation in New Hampshire's local elections, while ensuring the integrity
10. and efficiency of the system.

2. New Section; Cities and Wards; Local Elections; Elections by Mail. Amend RSA 44 by
inserting after section 20 the following new section:

44:21 Election by Mail Ballot.

I. The city council may by resolution authorize the clerk to conduct any local election that
does not coincide with a state primary, general, or special election entirely by mail. The city council
shall give notice to the clerk at least 90 days prior to the first election to be conducted entirely by
mail pursuant to this section. Any authorization made pursuant to this section shall apply to every
subsequent local election that does not coincide with a state primary, general, or special election. If
the city council decides to discontinue election by mail for future elections, it shall provide notice to
the clerk at least 180 days prior to the first election in which mail out ballots are not to be used.

II. After the council authorizes elections to be conducted through the mail pursuant to
paragraph I, the clerk shall notify each registered voter at least 14 days prior to the date of the
election by mail that the voting shall be by mail ballot. In the event an eligible voter registers to
vote after the ballots have been mailed out, such voter may obtain a copy of the ballot at the clerk's
office and cast a vote in accordance with paragraph III. If the council rescinds such authorization,
the clerk shall so notify each registered voter of this decision and shall provide with such notice the
address of the physical polling place to be used by each registered voter.

III. To ensure efficient return of mail ballots, each city conducting a mail ballot election
pursuant to this section shall offer at least one secure ballot drop box available to the public no later
than 2 business days after the ballots have been mailed out, along with the option to return ballots
by United States mail. Any city with more than 20,000 registered voters shall have at least one
secure ballot drop box for every 10,000 registered voters, publicly available no later than 2 business
days after the ballots are mailed out. Each such secure ballot drop box shall be distributed across
such cities to allow convenient access, and shall be secured pursuant to rules adopted by the clerk's
office. The city clerk may adopt rules, subject to approval by the governing body, relative to the
processing of ballots received prior to the date of election. Cities are encouraged to coordinate with
the United States Postal Service's National Change of Address System to keep mailing addresses of
registered voters up to date, and to consider contracting with a firm that provides mail ballot
envelope tracking.

3 New Section; Town Elections; Elections by Mail. Amend RSA 669 by inserting after section 10
the following new section:

669:10-a Election by Mail Ballot.

I. The board of selectmen may by resolution authorize the clerk to conduct any local election
that does not coincide with a state primary, general, or special election entirely by mail. The board
of selectmen shall give notice to the clerk at least 90 days prior to the first election to be conducted
entirely by mail pursuant to this section. Any authorization made pursuant to this section shall
apply to every subsequent local election that does not coincide with a state primary, general, or
special election. If the board of selectmen decides to discontinue election by mail for future elections,
it shall provide notice to the clerk at least 180 days prior to the first election in which mail out
ballots are not to be used.

II. After the board of selectmen authorizes elections to be conducted through the mail
pursuant to paragraph I, the clerk shall notify each registered voter at least 14 days prior to the date
of the election by mail that the voting shall be by mail ballot. In the event an eligible voter registers
to vote after the ballots have been mailed out, such voter may obtain a copy of the ballot at the
clerk's office and cast a vote in accordance with paragraph III. If the board of selectmen rescinds
such authorization, the clerk shall so notify each registered voter of this decision and shall provide
with such notice the address of the physical polling place to be used by each registered voter.

III. To ensure efficient return of mail ballots, each town conducting a mail ballot election
pursuant to this section shall offer at least one secure ballot drop box available to the public no later
than 2 business days after the ballots have been mailed out, along with the option to return ballots
by United States mail. Any town with more than 20,000 registered voters shall have at least one
secure ballot drop box for every 10,000 registered voters, publicly available no later than 2 business
days after the ballots are mailed out. Each such secure ballot drop box shall be distributed across
such towns to allow convenient access, and shall be secured pursuant to rules adopted by the clerk's
office. The clerk may adopt rules, subject to approval by the governing body, relative to the
processing of ballots received prior to the date of election. Towns are encouraged to coordinate with
the United States Postal Service's National Change of Address System to keep mailing addresses of
registered voters up to date, and to consider contracting with a firm that provides mail ballot
envelope tracking.

4 New Section; Village District Elections; Election by Mail. Amend RSA 670 by inserting after
section 4-a the following new section:

670:4-b Election by Mail Ballot. A village district may opt to conduct elections by mail under
the same circumstances and in the same manner as a town as provided in RSA 669:10-a.

5 New Section; School District Elections; Election by Mail. Amend RSA 671 by inserting after
section 3 the following new section:

671:3-a Election by Mail Ballot. A school district may opt to conduct elections by mail under the
same circumstances and in the same manner as a town as provided in RSA 669:10-a.

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