

CHAPTER 222
HB 552-FN - FINAL VERSION

8Mar2017... 0634h
05/18/2017 1683s

2017 SESSION

17-0310
03/04

HOUSE BILL ***552-FN***

AN ACT relative to investigation of voter verification letters.

SPONSORS: Rep. Ohm, Hills. 36; Rep. Twombly, Hills. 34; Rep. Seidel, Hills. 28; Rep. Christensen, Hills. 21; Rep. Azarian, Rock. 8; Sen. Carson, Dist 14

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill requires the secretary of state to conduct an inquiry regarding a letter of identity verification or driver's obligation if the letter is returned as undeliverable or if the recipient fails to respond. This bill also requires the secretary of state to investigate matches resulting from interstate comparisons of voter information.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to investigation of voter verification letters.

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

1 222:1 Letters of Identity Verification. Amend RSA 654:12, V(c) to read as follows:

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

15 222:2 Letters of Driver's Obligation. Amend RSA 654:12, V(e)-(f) to read as follows:

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

25 (f) Upon completion of any investigation authorized under ~~[this section]~~ ***RSA 654:12,***
26 ***the secretary of state and*** the attorney general shall forward a report summarizing the results of
27 the ***inquiry and*** investigation, ***respectively,*** to the speaker of the house of representatives, the
28 president of the senate, and the chairpersons of the appropriate house and senate standing
29 committees with jurisdiction over election law.

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222:3 Letters of Identity Verification. Amend RSA 659:13, IV(b) to read as follows:

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

222:4 Centralized Voter Registration Database; Information Shared With Other States. Amend RSA 654:45, VIII to read as follows:

VIII.(a) The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state may solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

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

(c) ***Upon completion of any investigation authorized under RSA 654:45, VIII(b), the attorney general and the secretary of state shall forward a report summarizing the results of the investigation to the speaker of the house of representatives, the president of the senate, and the chairpersons of the appropriate house and senate standing committees with jurisdiction over election law.***

222:5 Repeal. RSA 654:45, IX, relative to sharing voter information with other states, is repealed.

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1 222:6 Effective Date. This act shall take effect upon its passage.

Approved: July 10, 2017

Effective Date: July 10, 2017

