

HB 348-FN - AS INTRODUCED

2017 SESSION

17-0077

03/09

HOUSE BILL

348-FN

AN ACT

relative to registering to vote.

SPONSORS:

Rep. Myler, Merr. 10; Rep. Luneau, Merr. 10; Rep. H. Moffett, Merr. 9; Rep. J. MacKay, Merr. 14; Rep. Rogers, Merr. 28; Rep. Heath, Hills. 14; Rep. Weber, Ches. 1; Rep. McNamara, Hills. 38; Sen. Feltes, Dist 15

COMMITTEE:

Election Law

ANALYSIS

This bill authorizes the division of motor vehicles to receive voter registration forms with driver's license applications.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to registering to vote.

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

1 1 New Section; Voter Registration; Driver's License Application. Amend RSA 654 by inserting
2 after section 8-a the following new section:

3 654:8-b Driver's License Application.

4 I. Each state motor vehicle driver's license application, including a renewal application,
5 submitted to the department of safety, division of motor vehicles, serves as an application for voter
6 registration unless the applicant fails to sign the voter registration application. Failure to sign the
7 voter registration portion of the driver's license application serves as a declination to register.

8 II. An application for voter registration submitted under paragraph I shall be considered to
9 update any previous voter registration by the applicant.

10 III. No information relating to the failure of an applicant for a state motor vehicle driver's
11 license to sign a voter registration application may be used for any purpose other than voter
12 registration.

13 IV. The department of safety, division of motor vehicles, shall include a voter registration
14 form as part of an application for a state motor vehicle driver's license.

15 V. The voter registration application portion of an application for a state motor vehicle
16 driver's license:

17 (a) Shall not require any information that duplicates information required in the
18 driver's license portion of the form, other than a second signature or other information necessary
19 under subparagraph (c);

20 (b) Shall require only the minimum amount of information necessary to:

21 (1) Prevent duplicate voter registrations; and

22 (2) Enable a board of supervisors of the checklist to assess the eligibility of the
23 applicant and to administer voter registration and other parts of the election process;

24 (c) Shall include a statement that:

25 (1) States each eligibility requirement, including citizenship;

26 (2) Contains an attestation that the applicant meets each requirement; and

27 (3) Requires the signature of the applicant under penalty of perjury;

28 (d) Shall include in print identical to that used in the attestation portion of the
29 application:

30 (1) The information required in subparagraph (c);

31 (2) A statement that, if an applicant declines to register to vote, the fact that the

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1 applicant has declined to register will remain confidential and will be used only for voter
2 registration purposes; and

3 (3) A statement that, if an applicant does register to vote, the office at which the
4 applicant submits a voter registration application will remain confidential and will be used only for
5 voter registration purposes; and

6 (e) Shall be made available, as submitted by the applicant, to the appropriate
7 supervisors of the checklist.

8 VI. A change of address form submitted in accordance with state law for purposes of a state
9 motor vehicle driver's license serves as notification of change of address for voter registration unless
10 the qualified elector states on the form that the change of address is not for voter registration
11 purposes.

12 VII. A completed voter registration portion of an application for a state motor vehicle
13 driver's license accepted at a state motor vehicle authority must be transmitted to the appropriate
14 supervisors of the checklist no later than 10 days after the date of acceptance.

15 2 Application to Supervisors. Amend RSA 654:11 to read as follows:

16 654:11 Application to Supervisors. When the supervisors of the checklist receive a registration
17 form from the town or city clerk *or the department of safety, division of motor vehicles*, or
18 when an applicant submits the form to said supervisors in person at a session for the correction of
19 the checklist, the supervisors of the checklist shall cause his or her name to be added to the
20 checklist, unless it is established that it is more likely than not that the applicant is not qualified to
21 vote in the city or town under RSA 654:1 through 654:6. All decisions of the supervisors of the
22 checklist shall be made by majority vote thereof.

23 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 348-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to registering to vote.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General Collections* <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Restricted Cost of			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill establishes a process for the Department of Safety Division of Motor Vehicles to register New Hampshire driver's license applicants to vote and requires transmittal of completed Division of Motor Vehicles voter registration forms to the supervisors of the checklist within 10 days of registration by inserting a new section after RSA 654:8-a and amending language in RSA 654:11.

The Department states the fiscal impact would be indeterminable; however, that expenditures would be incurred in order to meet requirements within the bill by revising driver's license applications, providing additional training to license clerks to ensure proper questions and documentation is collected as proof applicants meet residency and domicile requirements, hiring additional staff to sort and transmit voter registration forms, and reprogramming software systems to capture and possibly transmit voter registration information electronically. If a manual transmittal process was required, the department estimates additional staffing would include seven part-time employees and one full-time employee to process and coordinate the program in addition to four mail clerks and delivery vans to deliver completed voter

registrations within the 10 day requirement. Estimates for a manual process are summarized in the following table:

Estimated Manual Transmittal Expenditures				
Type of Expenditure	FY 2018	FY 2019	FY 2020	FY 2021
Employee Training Overtime	\$ 31,096	\$ 15,548	\$ 15,548	\$ 15,548
Additional Part-Time Staffing (3 FTE)	\$ 172,380	\$ 187,022	\$ 181,133	\$ 195,075
Program Assistant (1 FTE)	\$ 58,000	\$ 56,000	\$ 58,000	\$ 61,000
Mail Clerks (4 FTE)	\$ 296,000	\$ 208,000	\$ 220,000	\$ 228,000
Total	\$ 557,476	\$ 466,570	\$ 474,681	\$ 499,623

The Department anticipates significant costs if transmittal of voter registrations were to be completed electronically, but cannot provide estimates due to unknown potential costs associated with system upgrades and electronic interface of voter information.

The Division of Motor Vehicles is funded with cost of collection and administration revenue associated with the collection of highway funds pursuant to RSA 9:9-a and the New Hampshire constitution. The bill does not specify how voter registration expenditures incurred by the Division of Motor Vehicles will be funded, but the department states funding from highway funds may be in conflict with state law and New Hampshire constitution. In addition, there is a potential fiscal impact to localities if changes to software systems are required to receive voter registrations from the Division of Motor Vehicles.

The Secretary of State states based on the information provided, they are unable to estimate the expenditures that will be necessary under the bill and the fiscal impact is indeterminable. The Secretary of State also notes general funds as the source of funding without a specified funding source in the bill.

AGENCIES CONTACTED:

Department of Safety and Secretary of State