

1 Committee of Conference Report on SB 31, relative to voter checklists and modifying the absentee  
2 ballot affidavit.

3

4 Recommendation:

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6 That the Senate recede from its position of nonconcurrence with the House amendment, and  
7 concur with the House amendment, and

8

9 That the Senate and House adopt the following new amendment to the bill as amended by the  
10 House, and pass the bill as so amended:

11

12

13 Amend the bill by replacing all after section 2 with the following:

14

15 3 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

16 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the  
17 following:

18 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~  
19 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~  
20 ~~certificate:~~

21 ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~  
22 ~~the city or town of \_\_\_\_\_, New Hampshire, in ward \_\_\_\_\_; that I will be unable to~~  
23 ~~appear at any time during polling hours at my polling place because I will be working on election~~  
24 ~~day, or I am voting on the Monday immediately prior to the election, the National Weather Service~~  
25 ~~has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or~~  
26 ~~infirm, have a physical disability, or have to care for children or infirm adults, or I am confined to a~~  
27 ~~penal institution for a misdemeanor or while awaiting trial, or I will be otherwise absent on election~~  
28 ~~day from said city or town and will be unable to vote in person; that I have carefully read (or had~~  
29 ~~read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed, and~~  
30 ~~that I personally marked the ballot within and sealed it in this envelope (or had assistance in~~  
31 ~~marking the ballot and sealing it in this envelope because I am blind). For the purposes of this~~  
32 ~~certification, the term "working" shall include the care of children and infirm adults, with or without~~  
33 ~~compensation.~~

34 (Signature) \_\_\_\_\_

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1           ~~In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false~~  
2 ~~information when registering to vote or voting is a class A misdemeanor with a maximum sentence~~  
3 ~~of 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           ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~  
6 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~  
7 ~~following certificate:~~

8           ~~I do hereby certify under the penalties for voting fraud set forth below that I am a voter in~~  
9 ~~the city or town of \_\_\_\_\_, New Hampshire, in ward \_\_\_\_\_; that I will be observing a~~  
10 ~~religious commitment which prevents me from voting in person or that on account of physical~~  
11 ~~disability I am unable to vote in person; that I have carefully read (or had read to me because I am~~  
12 ~~blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally~~  
13 ~~marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and~~  
14 ~~sealing it in this envelope because I am blind).~~

15           ~~(Signature) \_\_\_\_\_~~

16           ~~The signature on this affidavit must appear to be executed by the same person who signed~~  
17 ~~the absentee ballot application.]~~

18  
19           ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

20  
21           ***I do hereby certify under the penalties for voting fraud set forth below that:***

22           ***I am a voter in the city or town of \_\_\_\_\_, New Hampshire.***

23           ***One of the following applies to me:***

24           ***1) I will be absent on election day. Absence includes:***

25                   ***a) I will be out-of-town on election day.***

26                   ***b) I will be unable to vote in person because I will be working.***

27                   ***c) I will be unable to vote in person because I will be caring for children or***  
28 ***infirm adults, with or without compensation.***

29                   ***d) I am voting absentee on the Monday immediately before the election, the***  
30 ***National Weather Service has issued a winter storm warning, blizzard warning, or ice***  
31 ***storm warning that applies to my town/ward, and I have concerns for traveling in the***  
32 ***storm.***

33                   ***2) I am unable to vote in person due to disability.***

34                   ***3) I am unable to vote in person due to observance of a religious commitment,***  
35 ***which prevents me from voting in person.***

36                   ***4) I am confined to a penal institution for a misdemeanor or while awaiting***  
37 ***trial.***

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1            *I have carefully read or had read to me the absentee voting instructions. I*  
2 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*  
3 *had assistance in marking the absentee ballot.*

4  
5            *Voter Signature* \_\_\_\_\_

6            A person assisting a ~~[disabled or blind]~~ voter *with a disability* shall ~~[make and]~~ sign ~~[a]~~  
7 *this* statement on this envelope ~~[in the space provided]~~ acknowledging the assistance. ~~[The~~  
8 ~~moderator will not compare the voter's signature on this affidavit with the signature on the absentee~~  
9 ~~ballot application when a person assisting the voter has signed the statement on the affidavit that~~  
10 ~~assistance was provided.]~~

11            *I attest that I assisted (print voter name) \_\_\_\_\_ because the voter*  
12 *is a person with a disability. I marked the ballot and/or this form as instructed by the*  
13 *voter.*

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

18            4 Contingency. If HB 555 of the 2021 legislative session becomes law, then section 3 of this act  
19 shall take effect at 12:01 a.m. on the effective date of HB 555 and section 2 of this act shall not take  
20 effect. If HB 555 does not become law, then section 3 of this act shall not take effect and section 2 of  
21 this act shall take effect 60 days after its passage.

22            5 Effective Date.

23            I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

24            II. The remainder of this act shall take effect 60 days after its passage.

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The signatures below attest to the authenticity of this Report on SB 31, relative to voter checklists and modifying the absentee ballot affidavit.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Gray, Dist. 6

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Rep. Sweeney, Rock. 8

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Sen. Birdsell, Dist. 19

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Rep. Hayward, Straf. 1

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Sen. Perkins Kwoka, Dist. 21

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Rep. Mooney, Hills. 21

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Rep. Prudhomme-O'Brien, Rock. 6