

SB 535 - AS INTRODUCED

2024 SESSION

24-3082

08/05

SENATE BILL **535**

AN ACT relative to absentee ballot forms.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Sen. Whitley, Dist 15

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill updates the absentee ballot request form to match state statute that enables a person who would otherwise vote in person but has concerns about traveling during a winter storm warning to receive an absentee ballot.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to absentee ballot forms.

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

1 1 Absentee Ballot Forms. Amend RSA 657:4, I to read as follows:

2 I. Prior to any state election, the secretary of state shall prepare the appropriate application
3 forms for absentee ballots worded in substantially the following form. The secretary of state shall
4 insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the
5 application form. The secretary of state shall prepare the application forms in such quantity as he or
6 she deems necessary:

7 Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance,
8 and Disability:

9 I hereby declare that (check one):

10 ☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

11 ☐ I am absent from the town/city where I am domiciled and will be until after the next election,
12 or I am unable to register in person due to a disability, and request that the forms necessary for
13 absentee voter registration be sent to me with the absentee ballot.

14 I will be entitled to vote by absentee ballot because (check one):

15 ☐ I plan to be absent on the day of the election from the city, town, or unincorporated place
16 where I am domiciled.

17 ☐ I am confined in a penal institution for a misdemeanor or while awaiting trial.

18 ☐ I am requesting a ballot for the presidential primary election and I may be absent on the day
19 of the election from the city, town, or unincorporated place where I am domiciled, but the date of the
20 election has not been announced. I understand that I may only make such a request 14 days after
21 the filing period for candidates has closed, and that if I will not be absent on the date of the election I
22 am not eligible to vote by absentee ballot.

23 ☐ I cannot appear in public on election day because of observance of a religious commitment.

24 ☐ I am unable to vote in person due to a disability.

25 ☐ I cannot appear at any time during polling hours at my polling place because of an
26 employment obligation. For the purposes of this application, the term "employment" shall include
27 the care of children and infirm adults, with or without compensation.

28 For use only on the Monday immediately prior to the election: I cannot appear at my polling place on
29 election day because the National Weather Service has issued a winter storm warning, blizzard
30 warning, or ice storm warning for election day applicable to my city, town, or unincorporated place
31 and either (check one):

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1 ~~_____ I [am elderly or infirm or I have a physical disability, and]~~ would otherwise vote in person but
2 I have concerns for my safety traveling in the storm.

3 _____ I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in
4 person but will need to care for children or infirm adults.

5 Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by
6 absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

7 I am requesting an official absentee ballot for the following election (check one):

8 _____ Presidential Primary to be held on _____

9 (MM/DD/YYYY)

10 (The date may appear as blank when the date is not known.)

11 _____ State Primary to be held on _____

12 (MM/DD/YYYY)

13 _____ General Election

14 For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

15 _____ Republican Party

16 _____ Democratic Party

17 _____ (name of any party determined by the secretary of state to have achieved official status under
18 RSA 652:11)

19 and am requesting a ballot for that party's primary.

20 Please print:

21 Applicant's Name:

22 _____

23 (Last) (First) (Middle) (Sr., Jr., II., III)

24 Applicant's Voting Domicile (home address):

25 _____

26 (Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

27 Mail the ballot to me at this address (if different than the home address):

28 _____

29 (Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

30 Applicant's Phone Number : _____

31 Applicant's Email Address : _____

32 Applicant's Signature: _____

33 Date Signed: _____

34 (MM/DD/YYYY)

35 I attest that I assisted the applicant in executing this form because he or she has a disability.

36 Signature _____ Print Name _____

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1 If your absentee ballot application or affidavit envelope has the printed name and signature of a
2 person who assisted you with voting, your signature will not be compared to your signature on the
3 absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be
4 made by the same person, your absentee ballot may not be counted.

5 The applicant must sign this form to receive an absentee ballot. Any person who witnesses and
6 assists a voter with a disability in executing this form shall print and sign his or her name in the
7 space provided on the application form. The moderator will not compare the voter's signature on the
8 application with the signature on the absentee ballot affidavit when a person assisting the voter has
9 signed the statement on the absentee ballot application or affidavit envelope that assistance was
10 provided.

11 2 Effective Date. This act shall take effect upon its passage.