

Amendment to SB 43

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the use of electronic poll book devices.

4

5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Electronic Poll Books. Amend RSA 652:27, I to read as follows:

8 I. Cities and towns are hereby authorized to use electronic poll book devices for voter  
9 registration and check-in for elections, ***town meetings, as defined in RSA 38:1, including the***  
10 ***business session under RSA 652:16-e, special meetings as defined in RSA 39:4, and***  
11 ***deliberative sessions under RSA 652:16-f where voting is contemplated***, provided that any city  
12 or town using electronic poll book devices shall comply with all statutes directly or indirectly related  
13 to voter checklists and maintenance of the statewide centralized voter registration database  
14 including the processes related to voter registration, voter check-in and check-out, the processing of  
15 absentee ballots, the collection of all fields of data required for registration or check-in, and the  
16 delivery of that data to the secretary of state in a format compatible with the statewide centralized  
17 voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA 659:13, RSA 659:14,  
18 and RSA 659:23, as they relate to manual entries on a paper checklist, are hereby waived in order to  
19 accommodate an electronic poll book, provided the same information required of the voter is obtained  
20 and recorded by the electronic poll book, and can be retrieved and/or printed at any time including  
21 during an election. In addition, nonpublic data related to individual voter data shall remain  
22 confidential, and no voter data shall be released or retained by an electronic poll book vendor,  
23 including its agents, or any company or individual that provides software, hardware, or services to  
24 the vendor for any purpose. An electronic poll book vendor shall not have access to any voter data  
25 except as specifically necessary to setup, maintain, or train for an electronic poll book program  
26 authorized under RSA 652:27. Adequate back-up systems shall be in place as determined by the  
27 local election officials for local elections and the secretary of state for all other elections. A back-up  
28 system shall include a "real time" download or accurate account of voters who have checked in or  
29 registered on the day of the election. The electronic poll book shall have the ability to generate a  
30 paper voter checklist completely marked to reflect participation in the election up to the time of any  
31 system failure or malfunction, and sufficient number of high speed printers shall be available in the  
32 polling place to produce a back-up paper checklist for use in the event of a system failure, or a paper

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1 checklist shall be marked in parallel with the electronic poll book reflecting the real time check-in of  
2 voters with a lag time of no more than 30 minutes. A marked checklist shall be printed upon the  
3 completion of every election along with any reports required by statute and shall be retained by the  
4 clerk.

5       2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill allows the use of electronic poll book devices in town meetings, special meetings, and deliberative sessions.