

HB 464 - AS AMENDED BY THE SENATE

6Mar2025... 0196h

05/22/2025 2184s

2025 SESSION

25-0746

08/11

HOUSE BILL **464**

AN ACT prohibiting certain candidates for political office from participating in counting ballots, enabling the use of certain personal information for determining voter eligibility, and relative to the reporting of low value campaign donations.

SPONSORS: Rep. de Vries, Rock. 29; Rep. H. Howard, Straf. 4

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill:

I. Prohibits certain candidates for political office from participating in counting ballots.

II. Enables the use of certain personal information collected by other state agencies to be used to determine voter eligibility.

III. Requires the reporting of low value campaign donations.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT prohibiting certain candidates for political office from participating in counting ballots, enabling the use of certain personal information for determining voter eligibility, and relative to the reporting of low value campaign donations.

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

1 1 Counting Ballots; Election Morning Procedures. Amend RSA 658:31 to read as follows:
2 658:31 Counting Ballots. At or prior to the opening of the polls in each town or ward, the seal of
3 the packages shall be publicly broken by the town or ward clerk; and the ballots shall be given to the
4 ballot clerks and the ballots shall be examined and counted by the election officers in the presence of
5 the clerk, the moderator, and at least one other legal voter. If the ballots are counted prior to the
6 opening of the polls, the clerk shall post, in an appropriate place and prior to election day, notice of
7 the time and place of the counting. ***With the exception of candidates standing for the office of***
8 ***moderator, assistant moderator, clerk, selectperson, inspector of election, and supervisor of***
9 ***the checklist, no person who appears on the ballot shall count ballots prior to the election.***

10 2 Voter Database; Components for Voter Eligibility Determination. Amend RSA 654:45, IV(b) to
11 read as follows:

12 (b) Voter database record data shall be verified by matching the records with those of
13 the department of safety and the federal social security administration as are required by law, and
14 with the records of the state agency or division charged with maintaining vital records. For this
15 purpose the voter registration record database may be linked to the state agency or division charged
16 with maintaining vital records and the department of safety, provided that no linked agency or
17 division may save or retain voter information or use it for purposes other than verifying the accuracy
18 of the information ***to be entered or*** contained in the voter database. The link authorized by this
19 subparagraph shall not allow the department of state or election officials direct access to the motor
20 vehicle registration or driver's license records maintained by the division of motor vehicles. The
21 commissioner of safety may authorize the release of information from motor vehicle registration and
22 driver's license records to the extent that the information is necessary to department of state and
23 department of safety cooperation in a joint notification to individuals of apparent discrepancies in
24 their records, ***determine voter eligibility***, and to the extent that the information is necessary to
25 resolve those discrepancies. The commissioner of safety and the secretary of state are authorized to
26 enter into an agreement that establishes the services to be provided by the department of safety and
27 the cost for those services. The department of safety shall not be required to provide any services
28 under this subparagraph unless an agreement is in place and there are sufficient funds in the
29 election fund to pay the cost for the services. The system shall facilitate the identification and

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1 correction of voter registration records whenever a registered voter has died or has been
2 disenfranchised pursuant to part I, article 11 of the New Hampshire constitution or RSA 654:5
3 through RSA 654:6, or when the domicile address does not match the address provided by the same
4 individual to the department of safety.

5 3 Determining Qualifications of Applicant. Amend RSA 654:12, I(a) to read as follows:

6 (a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall
7 accept from the applicant any one of the following as proof of citizenship: the applicant's birth
8 certificate, passport, naturalization papers if the applicant is a naturalized citizen, ***proof that the***
9 ***applicant was previously or is currently registered to vote in a different town or ward in***
10 ***New Hampshire***, or any other reasonable documentation which indicates the applicant is a United
11 States citizen.

12 4 Determining Qualifications of Applicant. Amend RSA 654:12, III to read as follows:

13 III. Any person who is applying for registration as a voter and who is currently registered to
14 vote in a different town or ward in New Hampshire shall complete the voter registration form
15 provided for in RSA 654:7. If the election official receiving the application confirms through the
16 centralized voter registration database required by RSA 654:45 ***or other official records*** that the
17 applicant ***was previously or*** is currently registered to vote in New Hampshire, the applicant shall
18 prove identity and domicile, but shall not be required to prove his or her age or citizenship.

19 5 New Paragraph; Centralized Voter Registration Records. Amend RSA 654:12 by inserting
20 after paragraph V the following new paragraph:

21 VI. The department of state shall provide access to data from centralized voter registration
22 records, records from the department of safety, and New Hampshire vital records provided in
23 accordance with RSA 654:45 to assist voters in providing proof of citizenship, age, domicile, and
24 identity to the city and town clerks. The secretary of state shall work with the city and town clerks
25 to ensure access on election day at the polling location. If proof of age, citizenship, domicile, or
26 identity information of a voter is provided pursuant to this section, it shall satisfy that registration
27 requirement for that qualification. Absence of data shall not disqualify a person. It shall be the
28 applicant's responsibility to provide appropriate additional proof of their qualifications as required
29 by this chapter.

30 6 Reporting by Political Committees. Amend the introductory paragraph of RSA 664:6, I to read
31 as follows:

32 I. Any political committee whose receipts or expenditures exceed \$1,000 in an election cycle,
33 shall file with the secretary of state an itemized statement, in the form prescribed by the secretary of
34 state, signed by its chairman and treasurer. The \$1,000 threshold shall not apply to political
35 committees renewed under RSA 664:6, V; these political committees shall continue to file until a zero
36 balance is reported. ~~[The]~~ ***Except as provided in paragraph VIII, the*** statement shall detail the
37 full name and postal address of each contributor in alphabetical order, the amount of the

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1 contribution, the date it was received, and the aggregate total for each election cycle. For
2 contributors who, in the aggregate, donate \$50 or less in an election cycle, their personal identifying
3 information shall not be publicly available in the secretary of state's campaign finance system, and
4 their personal identifying information shall be exempt from disclosure under RSA 91-A. Any
5 receipts from a contributor with aggregate receipts of \$50 or under shall appear on the statements as
6 unitemized receipts. Any receipt that exceeds a contributor's aggregate total of \$200 for each
7 election cycle shall be reported with the contributor's occupation, the name of the contributor's
8 employer, and the city or town of the contributor's principal place of business, if any. The statement
9 shall also show each expenditure with the full name and postal address of the payee or promisee of
10 payment, the date paid or obligated, whichever occurred first, and the specific nature and amount of
11 each expenditure. Statements shall cover the period beginning the day after the last day covered in
12 the prior statement period up to and including the Sunday before the statement is due, except for the
13 statement in subparagraph (i) below which shall be inclusive through the Tuesday before the
14 statement is due. For a candidate or a political committee of a candidate, as defined in RSA 664,
15 where the candidate has not filed a declaration of candidacy or intent, as defined in RSA 655, for the
16 current election cycle, only subparagraphs (a), (b), (c), and (i) apply. Statements shall be filed not
17 later than 5:00 p.m. according to the following schedule:

18 7 New Paragraph; Reporting by Political Committee. Amend RSA 664:6 by inserting after
19 paragraph VII the following new paragraph:

20 VIII. Campaign donations at campaign booths at fairs, festivals, or other events, donations
21 to raffles, passing the hat, and other fundraising activities where individual donations do not exceed
22 \$25 and there is no expectation that an individual donor will exceed \$50 over the campaign cycle
23 may be summarized on the candidates financial report by providing the name of the event, the
24 location of the event, and the amount collected.

25 8 Preparation of Master Jury List. Amend RSA 500-A:2 to read as follows:

26 500-A:2 Preparation of Master Jury List. The office shall annually provide to the clerk of court
27 a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the
28 office. Voter lists and department of safety lists, as well as the master jury list, are confidential
29 documents to be used by the office and the respective trial courts only for purposes of jury selection.
30 Voter lists shall contain only the names and addresses of persons listed; additional information, such
31 as date of birth, shall be available to the office only for the purpose of resolving discrepancies in the
32 master jury list. ***Errors identified by the court in the data provided by voter lists and***
33 ***department of safety lists shall be reported to the secretary of state and the department of***
34 ***safety.***

35 9 New Paragraph; Social Security Numbers; Drivers License Records. Amend RSA 263:40-a by
36 inserting after paragraph IV the following new paragraph:

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1 V. Release of information from motor vehicle registration and driver's license records is
2 authorized as provided in RSA 654:45, IV.

3 10 New Paragraph; Disclosure of Information from Vital Records. Amend RSA 5-C:9 by
4 inserting after paragraph IX the following new paragraph:

5 X. The New Hampshire department of state, city clerks, town clerks, and supervisors of the
6 checklist shall have a direct and tangible interest in a limited data set of birth, death, marriage,
7 and divorce information of individuals registering to vote and maintaining voter records as provided
8 in RSA 654:45, IV.

9 11 Registration of Political Committees. Amend RSA 664:3, I(a) to read as follows:

10 (a) Any political committee, except the political committee of a political party, shall
11 register with the secretary of state as provided in this section. Registration shall be made through
12 the secretary of state's online campaign finance system. A political committee may register at any
13 time during the election cycle, but the committee's registration shall be received by the secretary of
14 state not later than 48 hours after the committee meets at least one of the criteria under RSA 664:2,
15 III. ~~[The registration shall be accompanied by an itemized statement of the receipts and~~
16 ~~expenditures, if any, made by the political committee in the current election cycle prior to~~
17 ~~registration. Such itemization shall be made pursuant to the manner set forth in RSA 664:6.]~~ The
18 registration shall also be accompanied by an administration fee of \$50, unless exempt pursuant to
19 subparagraph (c), which shall be deposited by the secretary of state into the general fund.
20 ***Registrants shall comply with the reporting requirements contained in RSA 664:6.***

21 12 Effective Date.

22 I. Sections 9 and 10 of this act shall take effect on December 31, 2025.

23 II. RSA 654:12, VI as inserted by section 5 of this act shall take effect February 1, 2026.

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