

HB 1298 - AS INTRODUCED

2026 SESSION

26-2827

08/06

HOUSE BILL **1298**

AN ACT relative to the disposal of electronic ballot counting device external memory devices.

SPONSORS: Rep. Berry, Hills. 44

COMMITTEE: Election Law

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ANALYSIS

This bill requires the external memory devices from electronic ballot counting devices to be destroyed in the same way as ballots.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to the disposal of electronic ballot counting device external memory devices.

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

1            1 Disposal and Retention Schedule; Electronic Ballot Counting Device External Storage Devices.

2 Amend RSA 33-A:3-a, XXXVI-XXXVII to read as follows:

3            XXXVI. Elections-federal elections: ballots and absentee ballot applications, affidavit  
4 envelopes, lists, and electronic ballot counting device external storage devices: by the town clerk  
5 until the contest is settled and all appeals have expired or at least 22 months after the election,  
6 whichever is longer. Extra electronic ballot counting device external storage devices programmed  
7 for, but not used during the election are exempt from preservation. ***Electronic ballot counting***  
8 ***device external storage devices shall be disposed of in the same manner as ballots and***  
9 ***absentee ballot applications, affidavit envelopes, and lists.***

10            XXXVII. Elections-not federal: ballots and absentee ballot applications, affidavit envelopes,  
11 lists, and electronic ballot counting device external storage devices: by the town clerk until the  
12 contest is settled and all appeals have expired or at least 60 days after the election, whichever is  
13 longer. Extra electronic ballot counting device external storage devices programmed for, but not  
14 used during the election are exempt from preservation. ***Electronic ballot counting device***  
15 ***external storage devices shall be disposed of in the same manner as ballots and absentee***  
16 ***ballot applications, affidavit envelopes, and lists.***

17            2 Effective Date. This act shall take effect 60 days after its passage.