

CA CR 31 - AS INTRODUCED

2026 SESSION

26-2544

08/09

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **31**

RELATING TO: ballot reconciliation.

PROVIDING THAT: the state adopt certain provisions and penalties relative to the ballot reconciliation process.

SPONSORS: Rep. Sabourin dit Choiniere, Rock. 30; Rep. Burnham, Straf. 2; Rep. McGrath, Rock. 40; Rep. Wherry, Hills. 13; Rep. Wood, Merr. 13; Rep. Bernardy, Rock. 36; Rep. Belcher, Carr. 4; Rep. Tom Mannion, Hills. 1

COMMITTEE: Election Law

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ANALYSIS

This resolution adopts provisions governing ballot reconciliation, ballot access, ballot retention, polling location limits, selection of poll workers, allowance of registered voters for post-election ballot viewing, allowance for recording ballot lot and voting documentation during citizen audits and compliance with Presidential Executive Order 14248 (March 25, 2025) in the New Hampshire constitution.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: ballot reconciliation.

PROVIDING THAT: the state adopt certain provisions and penalties relative to the ballot reconciliation process.

*Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:*

1 I. That the second part of the constitution shall be amended by inserting after article 32 the  
2 following new article:

3 [Art.] 32-a. [Ballot Reconciliation.] New Hampshire will adopt the following provisions and  
4 penalties for all elections held in this state, regarding ballots, statewide election policies and  
5 procedures; polling location limits, poll workers, allowance of registered voters' for post-election  
6 ballot viewing, ballot lot and voting documentation viewing, and scanning and recording  
7 photographically during citizen audits, and compliance of certain provisions of Presidential  
8 Executive Order 14248 (March 25, 2025) "Preserving and Protecting the Integrity of American  
9 Elections":

10 (a) All ballots shall be hand counted;

11 (b) All ballots shall be serial-numbered;

12 (c) All ballots shall have a dated, and matching, serial numbered perforated tab, the  
13 perforated serial number tab matching the ballot serial number, and including the poll location  
14 number, to be retained by and for the voter's receipt of her/his casted ballot;

15 (d) All ballots, including absentee ballots, shall be reconciled by the moderator  
16 pre-election, during the hand count, and be held in the same fashion during post-election, until the  
17 ballot lot retention time has expired;

18 (e) Municipalities shall not print or copy serial-numbered ballots, the secretary of state  
19 shall by this law, be authorized to provide perforated, serial numbered ballots for all registered  
20 voters of each municipality;

21 (f) The secretary of the state shall track all serial-numbered absentee ballots, and paper  
22 ballots, pre-election and post-election, and publicly publish his or her findings once per year in non-  
23 voting years;

24 (g) The moderator or clerk shall complete a chain of custody log for all ballots pre-  
25 election and post-election; this log will require a dual signature sign off to be kept with the ballots  
26 for the required retention period;

27 (h) All election day sign off signatures shall not be redacted for any reason;

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1 (i) Any unused or voided ballots of each printed, serial numbered and designated lot  
2 shall be properly labeled and kept with all other ballots of the same printed, serial numbered and  
3 designated lot;

4 (j) All ballots shall be stored in a twenty-four hour, continuously electronically  
5 surveilled, secured, and locked, ballot storage area, accessed by only authorized election officials, or  
6 by registered voters accompanied by such authorized officials, beginning the day ending one week  
7 after the ballots are counted and declared, and thereafter, but by appointment, post-election;

8 (k) The election shall end at midnight on election day;

9 (l) When each poll is closed, ballot counting shall begin, and end only when completely  
10 finished, and with immediacy be declared, in the most precise, but speedy manner possible;

11 (m) All ballots and any election records shall be retained in a secured specified location  
12 of the respective city or town for a period of sixty months, including times of recounts, and shall be  
13 accessible by appointment upon one week's notice, to registered voters during the retention period  
14 while accompanied by a local election official for viewing and /or recording of said records;

15 (n) All original ballots of each printed, serial numbered and designated lot shall be  
16 retained with its printed lot, in whole, pre-election and post-election, and no original copy shall be  
17 separated or removed from the room or vault holding its printed, serial numbered and designated lot  
18 after counting and being stored, nor shall any original copy be removed from the ballot storage area,  
19 room or vault unless publicly memorialized and printed, first by the local government, and then by  
20 the secretary of state, during the sixty month retention period;

21 (o) Any new ballot storage room, vault or facility in any town, city or municipality, and  
22 deemed secure and approved by the same, may only be filled with election ballots, ballot lots,  
23 documents, or pertaining materials, but shall only be deemed for usage of the next election's ballots,  
24 documentation or pertaining materials, after the next subsequent election. And any movement of  
25 prior stored election ballot lots, documentation or pertaining materials to a new ballot storage  
26 facility shall be memorialized and publicly printed by the local government, and the projected move  
27 shall beforehand, be memorialized and publicly printed by the secretary of state;

28 (p) Any original ballots of each printed, serial numbered and designated lot needed for  
29 judicial reasons, shall be done by copying original ballots and other retained election documentation;  
30 no originals shall for judicial reasons, be removed from said ballot storage room, vault or ballot  
31 storage facility until the sixty month retention date has expired;

32 (q) All New Hampshire towns and cities, through their moderators and clerks, shall  
33 administer any and all elections held in this state with complete honesty and transparency. All  
34 moderators and clerks shall attend annual specific training to ensure complete compliance with the  
35 statewide election process policies and procedures regarding ballot reconciliations;

36 (r) Polling locations are limited to 5,000 lawful voters;

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1 (s) Lawful voters from the current checklist shall be chosen at random to be poll  
2 workers; and

3 (t) At least two municipalities from each county, chosen at random by the secretary of  
4 state shall be audited after each election by state citizens domiciled from that, or a different intra-  
5 state county; or be granted egress from out of state as voter integrity experts, but upon request by a  
6 non-refusable notice to the secretary of state by any citizen or citizens of the state of New  
7 Hampshire.

8 II. That the above amendment proposed to the constitution be submitted to the qualified  
9 voters of the state at the state general election to be held in November, 2026.

10 III. That the selectmen of all towns, cities, wards and places in the state are directed to  
11 insert in their warrants for the said 2026 election an article to the following effect: To decide  
12 whether the amendments of the constitution proposed by the 2026 session of the general court shall  
13 be approved.

14 IV. That the wording of the question put to the qualified voters shall be:  
15 “Are you in favor of amending the second part of the constitution by inserting after article 32 a new  
16 article to read as follows:

17 [Art.] 32-a. [Ballot Reconciliation.] New Hampshire will adopt the following provisions and  
18 penalties for all elections held in this state, regarding ballots, statewide election policies and  
19 procedures; polling location limits, poll workers, allowance of registered voters' for post-election  
20 ballot viewing, ballot lot and voting documentation viewing, and scanning and recording  
21 photographically during citizen audits, and compliance of certain provisions of Presidential  
22 Executive Order 14248 (March 25, 2025) “Preserving and Protecting the Integrity of American  
23 Elections”:

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26 (c) All ballots shall have a dated, and matching, serial numbered perforated tab, the  
27 perforated serial number tab matching the ballot serial number, and including the poll location  
28 number, to be retained by and for the voter's receipt of her/his casted ballot;

29 (d) All ballots, including absentee ballots, shall be reconciled by the moderator pre-  
30 election, during the hand count, and be held in the same fashion during post-election, until the ballot  
31 lot retention time has expired;

32 (e) Municipalities shall not print or copy serial-numbered ballots, the secretary of state  
33 shall by this law, be authorized to provide perforated, serial numbered ballots for all registered  
34 voters of each municipality;

35 (f) The secretary of the state shall track all serial-numbered absentee ballots, and paper  
36 ballots, pre-election and post-election, and publicly publish his or her findings once per year in non-  
37 voting years;

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1 (g) The moderator or clerk shall complete a chain of custody log for all ballots pre-  
2 election and post-election; this log will require a dual signature sign off to be kept with the ballots for  
3 the required retention period;

4 (h) All election day sign off signatures shall not be redacted for any reason;

5 (i) Any unused or voided ballots of each printed, serial numbered and designated lot  
6 shall be properly labeled and kept with all other ballots of the same printed, serial numbered and  
7 designated lot;

8 (j) All ballots shall be stored in a twenty-four hour, continuously electronically  
9 surveilled, secured, and locked, ballot storage area, accessed by only authorized election officials, or  
10 by registered voters accompanied by such authorized officials, beginning the day ending one week  
11 after the ballots are counted and declared, and thereafter, but by appointment, post-election;

12 (k) The election shall end at midnight on election day;

13 (l) When each poll is closed, ballot counting shall begin, and end only when completely  
14 finished, and with immediacy be declared, in the most precise, but speedy manner possible;

15 (m) All ballots and any election records shall be retained in a secured specified location  
16 of the respective city or town for a period of sixty months, including times of recounts, and shall be  
17 accessible by appointment upon one week's notice, to registered voters during the retention period  
18 while accompanied by a local election official for viewing and /or recording of said records;

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20 retained with its printed lot, in whole, pre-election and post-election, and no original copy shall be  
21 separated or removed from the room or vault holding its printed, serial numbered and designated lot  
22 after counting and being stored, nor shall any original copy be removed from the ballot storage area,  
23 room or vault unless publicly memorialized and printed, first by the local government, and then by  
24 the secretary of state, during the sixty month retention period;

25 (o) Any new ballot storage room, vault or facility in any town, city or municipality, and  
26 deemed secure and approved by the same, may only be filled with election ballots, ballot lots,  
27 documents, or pertaining materials, but shall only be deemed for usage of the next election's ballots,  
28 documentation or pertaining materials, after the next subsequent election. And any movement of  
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33 judicial reasons, shall be done by copying original ballots and other retained election documentation;  
34 no originals shall for judicial reasons, be removed from said ballot storage room, vault or ballot  
35 storage facility until the sixty month retention date has expired;

36 (q) All New Hampshire towns and cities, through their moderators and clerks, shall  
37 administer any and all elections held in this state with complete honesty and transparency. All

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1 moderators and clerks shall attend annual specific training to ensure complete compliance with the  
2 statewide election process policies and procedures regarding ballot reconciliations;

3 (r) Polling locations are limited to 5,000 lawful voters;

4 (s) Lawful voters from the current checklist shall be chosen at random to be poll  
5 workers; and

6 (t) At least two municipalities from each county, chosen at random by the secretary of  
7 state shall be audited after each election by state citizens domiciled from that, or a different intra-  
8 state county; or be granted egress from out of state as voter integrity experts, but upon request by a  
9 non-refusable notice to the secretary of state by any citizen or citizens of the state of New  
10 Hampshire."

11 V. That the secretary of state shall print the question to be submitted on a separate ballot  
12 with other constitutional questions or on the official ballot. The ballot containing the question shall  
13 include 2 ovals next to the question allowing the voter to vote "Yes" or "No." If no oval is marked, the  
14 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular  
15 official ballot except that the words "Questions Relating to Constitutional Amendments proposed by  
16 the 2026 General Court" shall be printed in bold type at the top of the ballot.

17 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it  
18 becomes effective when the governor proclaims its adoption.

19 VII. Voters' Guide.

20 AT THE PRESENT TIME, the provisions governing ballot reconciliation, ballot  
21 access, ballot retention, polling location limits, selection of poll workers, allowance of registered  
22 voters for post-election ballot viewing, allowance for recording ballot lot and voting documentation  
23 during citizen audits and compliance with Presidential Executive Order 14248 (March 25, 2025) are  
24 not adopted in the New Hampshire constitution.

25 IF THE AMENDMENT IS ADOPTED, the provisions governing ballot reconciliation,  
26 ballot access, ballot retention, polling location limits, selection of poll workers, allowance of  
27 registered voters for post-election ballot viewing, allowance for recording ballot lot and voting  
28 documentation during citizen audits and compliance with Presidential Executive Order 14248  
29 (March 25, 2025) will be adopted in the New Hampshire constitution.