

HB 1520-FN - AS INTRODUCED

2026 SESSION

26-3230

08/09

HOUSE BILL ***1520-FN***

AN ACT defining citizenship for the purposes of voting.

SPONSORS: Rep. Wherry, Hills. 13; Rep. Burnham, Straf. 2; Rep. Sabourin dit Choiniere, Rock. 30; Rep. McGrath, Rock. 40; Rep. Ford, Rock. 3; Rep. Mary Murphy, Hills. 27; Rep. See, Merr. 26

COMMITTEE: Election Law

ANALYSIS

This bill defines both New Hampshire and United States citizenship for the purposes of voting.

This bill also requires the secretary of state to distribute New Hampshire citizenship cards to native citizens and those persons from other states who take an oath of allegiance to the state of New Hampshire.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 defining citizenship for the purposes of voting.

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

1 1 Resident; Inhabitant; Citizen. RSA 21:6 is repealed and reenacted to read as follows:

2 21:6 Resident; Inhabitant; Citizen; National.

3 I. "Inhabitant" means a citizen of this state qualified as the constitution provides to vote
4 within this state, who dwells and has a domicile in the town, city, or other political subdivisions of
5 this state.

6 II. "Citizen of this state" means a man or woman native born or a person naturalized as a
7 citizen of the state of New Hampshire.

8 III. "Naturalization" means the conferring of the nationality of a state upon a person after
9 birth, by an oath of allegiance to the state of New Hampshire and the relinquishment of allegiance to
10 any other state.

11 IV. "Naturalized citizen of the United States" means a citizen of the United States who is
12 admitted to become a citizen of the state of New Hampshire.

13 V. "National" means a person owing permanent allegiance to a state.

14 VI. "Domicile" means the one place within this state where a citizen of this state dwells and
15 has his or her home for voting purpose, to the exclusion of all other residences.

16 VII. "Resident" means a person who resides within this state who is not a citizen of this
17 state as he or she is a citizen of the state from whence they came.

18 VIII. "Alien" means any person not a citizen of this state is a resident alien. A legal resident
19 is alien to this state as they are citizens of another state or federal territory.

20 2 Voter; Office Holder. Amend RSA 654:1, I and I-a to read as follows:

21 I. Every inhabitant of the state, having a single established domicile for voting purposes,
22 ***being a citizen of New Hampshire***, being a citizen of the United States, of the age provided for in
23 Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or
24 election, to vote in the town, ward, or unincorporated place in which he or she is domiciled. An
25 inhabitant's domicile for voting purposes is that one place where a person, more than any other
26 place, has established a physical presence and manifests an intent to maintain a single continuous
27 presence for domestic, social, and civil purposes relevant to participating in democratic self-
28 government. A person has the right to change domicile at any time, however a mere intention to
29 change domicile in the future does not, of itself, terminate an established domicile before the person
30 actually moves.

1 I-a. A student of any institution of learning may lawfully claim domicile for voting purposes
2 in the New Hampshire town or city in which he or she lives while attending such institution of
3 learning *if the student is a citizen of New Hampshire and a citizen of the United States and*
4 if such student's claim of domicile otherwise meets the requirements of RSA 654:1, I.

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

6 I. When determining the qualifications of an applicant desiring to register to vote, whether
7 the applicant seeks to register before election day or on election day, the supervisors of the checklist,
8 or the town or city clerk, shall require the applicant to present proof of *New Hampshire*
9 *citizenship, United States* citizenship, age, domicile, and identity as provided in the following
10 categories:

11 (a) *NEW HAMPSHIRE CITIZENSHIP. The supervisors of the checklist, or the*
12 *town or city clerk, shall accept from the applicant any one of the following as proof of New*
13 *Hampshire citizenship: the applicant's birth certificate from the state of New Hampshire,*
14 *or a New Hampshire citizenship card attesting to the voter's birth in the state of New*
15 *Hampshire or an oath of allegiance to the state of New Hampshire. A New Hampshire*
16 *citizen cannot be a legal resident of any other state or federal territory.*

17 (b) *UNITED STATES CITIZENSHIP.* The supervisors of the checklist, or the town or
18 city clerk, shall accept from the applicant any one of the following as proof of citizenship: the
19 applicant's birth certificate, passport, naturalization papers if the applicant is a naturalized citizen,
20 proof that the applicant was previously or is currently registered to vote in a different town or ward
21 in New Hampshire, or any other reasonable documentation which indicates the applicant is a United
22 States citizen.

23 ~~(b)~~ (c) AGE. Any reasonable documentation indicating the applicant will be 18 years
24 of age or older at the next election.

25 ~~(e)~~ (d) DOMICILE.

26 (1) A person who possesses one of the following qualified documents identifying the
27 applicant's name and the address claimed as domicile must present that document when applying
28 for registration: (i) New Hampshire driver's license or identification card issued under RSA 260:21,
29 RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle registration; (iii) a picture
30 identification issued by the United States government that contains a current address; (iv) a
31 government issued check, benefit statement, or tax document.

32 (2) A person who attests under penalty of voter fraud that they do not possess any of
33 the qualified documents listed in subparagraph (c)(1) may present any reasonable documentation of
34 having established a physical presence at the place claimed as domicile, having an intent to make
35 that place their domicile, and having taken a verifiable act to carry out that intent. The
36 documentation must establish that it is more likely than not that the applicant has a domicile and
37 intends to maintain that domicile, as defined in this chapter, at least until election day, in the town

1 or ward in which they desire to vote. Reasonable documentation may include, but is not limited to,
2 evidence of:

3 (A) Having established domiciliary at the location of an institution of learning
4 the applicant attends, as set forth in RSA 654:1, I-a;

5 (B) Renting or leasing an abode at that place for a period of more than 30 days,
6 to include time directly prior to an election day;

7 (C) Purchasing an abode at that place;

8 (D) Enrolling the applicant's dependent minor child in an established public or
9 private elementary or secondary school which serves the town or ward of that place, using the
10 address where the registrant resides;

11 (E) Listing that place as the person's physical residence address on state or
12 federal tax forms, other government identification showing the address, or other government forms
13 showing the address;

14 (F) Providing the address of that place to the United States Post Office as the
15 person's permanent address, provided it is not a postal service or commercial post office box;

16 (G) Obtaining public utility services for an indefinite period at that place;

17 (H) Arranging for a homeless shelter or similar service provider located in the
18 town or ward to receive United States mail on behalf of the individual; or

19 (I) Any other reasonable documentation which establishes that it is more likely
20 than not that the applicant is domiciled at the address in the town or ward in which the applicant
21 desires to vote. An applicant whose domicile is at an abode of another and whose name is not listed
22 on the document offered as proof of domicile may provide a written statement from a person who is
23 listed as owner, property manager, or tenant on the document that the applicant resides at that
24 address, signed by that person under penalty of voting fraud if false information is provided.

25 ~~(d)~~ (e) IDENTITY. Any one of the following is presumptive evidence of the identity of
26 an applicant sufficient to satisfy the identity requirement of this section:

27 (1) Photo driver's license issued by any state or the federal government.

28 (2) United States passport, armed services identification, or other photo
29 identification issued by the United States government.

30 (3) Photo identification issued by local or state government.

31 (4) Any other evidence that reasonably establishes that it is more likely than not
32 that the person is who they claim to be, including verification of the person's identity by the
33 moderator or another election official.

34 Residents of a nursing home or similar facility may prove their identity through verification of
35 identity by the administrator of the facility or by his or her designee. For the purposes of this
36 section, the application of a person whose identity has been verified by an official of a nursing home

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1 or similar facility shall be treated in the same manner as the application of a person who proved his
2 or her identity with a photo identification.

3 4 New Paragraph; Determining the Qualifications of Applicant; New Hampshire Citizenship.
4 Amend RSA 654:12 by inserting after paragraph VI the following new paragraph:

5 VII. The secretary of state shall provide a New Hampshire citizenship card which shall be
6 provided to anyone meeting the following qualifications:

7 (a) The person is not currently a legal resident of any other state or national from a
8 federal territory; and

9 (b) The person was born in New Hampshire as indicated by a New Hampshire birth
10 certificate or the person, having not been born in New Hampshire, has taken an oath of allegiance to
11 the state of New Hampshire. Any oath of allegiance taken must be given in person with the identity
12 of the person clearly established.

13 5 Effective Date. This act shall take effect one year after its passage.

**HB 1520-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT defining citizenship for the purposes of voting.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable In excess of \$2,500,000	\$0	\$0
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill revises the definitions of New Hampshire and United States citizenship for voting purposes. It also directs the Secretary of State to issue New Hampshire citizenship cards to native citizens and to individuals from other states who swear an oath of allegiance to New Hampshire.

The Department of State indicates that the Secretary of State's office would have to launch a statewide education campaign to inform registered voters about changes to definitions of New Hampshire and United States citizenship for the purposing of voting. This campaign typically involves educating through printing, social media, television media, election official training, forms changes, guidance changes, statewide voter registration changes, et cetera. Consequently, educating voters about the significant changes to definitions of New Hampshire and United States citizenship for the purposes of voting cost over \$2,500,000.

AGENCIES CONTACTED:

Department of State