

SB 438 - AS AMENDED BY THE SENATE

03/05/2026 0773s

2026 SESSION

26-2240

08/09

SENATE BILL **438**

AN ACT relative to the sharing of data between the department of safety and the secretary of state for the purposes of verifying the accuracy of information in the centralized voter registration database.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Lang, Dist 2; Rep. Lane, Merr. 16; Rep. Telerski, Hills. 11; Rep. Simpson, Rock. 33

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill requires the commissioner of safety and the secretary of state to enter into an agreement that enables the sharing of voter information from the department of safety with the secretary of state for use in the centralized voter database.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 sharing of data between the department of safety and the secretary of state for the purposes of verifying the accuracy of information in the centralized voter registration database.

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

1 1 Centralized Voter Registration Database. Amend RSA 654:45, IV(b) to read as follows:
2 (b) Voter database record data shall be verified by matching the records with those of
3 the department of safety and the federal Social Security Administration as are required by law, and
4 with the records of the state agency or division charged with maintaining vital records. For this
5 purpose the voter registration record database may be linked to the state agency or division charged
6 with maintaining vital records and the department of safety, provided that no linked agency or
7 division may save or retain voter information or use it for purposes other than verifying the accuracy
8 of the information to be entered or contained in the voter database. The link authorized by this
9 subparagraph shall not allow the department of state or election officials direct access to the motor
10 vehicle registration or driver's license records maintained by the division of motor vehicles; provided
11 that such link shall authorize the department of state to identify voter records with out-of-state
12 driver's license information where the record cannot be matched to an in-state driver's license
13 obtained within the deadline provided in RSA 263:35. The secretary of state shall authorize the
14 release of information from the voter database necessary for the department of safety to notify an
15 individual pursuant to RSA 263:35, II. The commissioner of safety ~~[may]~~ **shall** authorize the release
16 of information from motor vehicle registration and driver's license records to the extent that the
17 information is necessary to department of state and department of safety cooperation in a joint
18 notification to individuals of apparent discrepancies in their records to the extent that the
19 information is necessary to resolve those discrepancies or to complete voter registration. The
20 commissioner of safety and the secretary of state ~~[are authorized to]~~ **shall** enter into an agreement
21 that establishes the services to be provided by the department of safety and the cost for those
22 services. **Any agreement established shall be reviewed at least once every 3 years, or as**
23 **needed.** The department of safety shall not be required to provide any services under this
24 subparagraph unless an agreement is in place and there are sufficient funds in the election fund to
25 pay the cost for the services. The system shall facilitate the completion, identification, and
26 correction of voter registration records, including but not limited to when a registered voter has died
27 or has been disenfranchised pursuant to part I, article 11 of the New Hampshire constitution or RSA
28 654:5 through RSA 654:6, or when the domicile address does not match the address provided by the
29 same individual to the department of safety or to verify citizenship for voter registration.

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1 2 Effective Date. This act shall take effect January 1, 2027.