

HB 365-FN - AS INTRODUCED

2025 SESSION

25-0409

08/05

HOUSE BILL ***365-FN***

AN ACT relative to proof of United States citizenship for indigent voters.

SPONSORS: Rep. Lynn, Rock. 17; Rep. Berry, Hills. 44; Sen. Gray, Dist 6

COMMITTEE: Election Law

ANALYSIS

This bill provides a procedure for local election officials and the secretary of state to verify the citizenship of a voter who does not have documentary proof of citizenship. This bill also creates a voucher program for local election officials to give to indigent voters who cannot afford the cost of obtaining a birth certificate, requires the secretary of state to reimburse the municipality for the issuance of such vouchers, and makes an appropriation therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to proof of United States citizenship for indigent voters.

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

1 1 New Paragraph; Voter Identification; Proof of Citizenship. Amend RSA 654:12 by inserting
2 after paragraph II the following new paragraph:

3 II-a.(a) If a person claiming to be qualified to vote is unable to provide reasonable
4 documentation establishing that the person is a citizen of the United States, at the request of such
5 person, the supervisors of the checklist, the city or town clerk, or other authorized election official
6 shall attempt to confirm the person's citizenship through the office of the secretary of state. The
7 secretary of state shall make reasonable efforts to determine whether the person is a United States
8 citizen by accessing relevant and available in-state, out-of-state, and federal databases that contain
9 such information. However, if the request to verify citizenship status is made on election day,
10 neither local election officials nor the secretary of state shall be required to expend such time or
11 effort on citizenship verification as would unreasonably interfere with their other election day
12 duties. If the person's United States citizenship is verified, the secretary of state shall notify the
13 local election official and the citizenship criteria for voting shall be deemed satisfied. The local
14 official shall then note on the person's voter registration application form "U.S. citizenship verified"
15 and shall indicate on the form the date and the basis upon which such verification was made.

16 (b) If a person claiming to be qualified to vote asserts that he or she is unable due to
17 indigency to provide documentation to establish that he or she is a United States citizen, and if
18 efforts to verify the person's citizenship pursuant to subparagraph (a) are not successful, the city or
19 town clerk or the secretary of state may request such person to complete a financial affidavit on a
20 form developed for this purpose by the secretary of state. If, based upon criteria established by the
21 secretary of state, it appears that the person qualifies as indigent, the clerk or the secretary may
22 provide the person with a voucher sufficient to cover the cost for the person to obtain a certified copy
23 of the person's birth certificate or other equivalent documentation to establish the person's status as
24 a United States citizen. The person shall be specifically informed that it is the person's
25 responsibility to communicate with the appropriate vital records agency in the state of the person's
26 birth and to use the funds provided through the voucher to pay any required fee to obtain the
27 person's birth certificate or equivalent proof of citizenship, and that such documentation shall be
28 provided to the local election officials on or before the day of the election in order for the person to
29 satisfy the citizenship criteria for voting. The secretary of state shall reimburse local municipalities
30 for the costs of all vouchers issued by city or town clerks pursuant to this subparagraph.

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1 2 Appropriation; Secretary of State. There is hereby appropriated to the secretary of state the
2 sum of \$ 25,000 is for the fiscal year ending June 30, 2026, and the sum of \$ 25,000 for the fiscal year
3 ending June 30, 2027 for the purpose of reimbursing local municipalities for the costs of vouchers to
4 pay any required fee to obtain a potential voter's birth certificate or equivalent proof of citizenship
5 under RSA 654:12, II-a(b). The governor is authorized to draw a warrant for said sums out of any
6 money in the treasury not otherwise appropriated.

7 3 Effective Date. This act shall take effect July 1, 2025.

**HB 365-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to proof of United States citizenship for indigent voters.

FISCAL IMPACT: This bill provides an appropriation in Section 2.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$114,000	\$114,000	\$117,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$25,000	\$25,000	\$0
<i>Funding Source(s)</i>	General Fund			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill provides a procedure for local election officials and the Secretary of State to verify the citizenship of a voter who does not have documentary proof of citizenship. This bill also creates a voucher program for local election officials to give to indigent voters who cannot afford the cost of obtaining a birth certificate. Additionally, it requires the Secretary of State to reimburse the municipality for the issuance of such vouchers. This bill makes an appropriation to the Secretary of State in the sum of \$25,000 for fiscal year ending June 30, 2026 and the sum of \$25,000 for fiscal year ending June 30, 2027 for the purpose of reimbursing local municipalities.

The Department of State will require an additional staff member to fulfill the duties mandated by this bill. This position will involve coordinating with state, out-of-state, and federal agencies to verify the citizenship of individuals registering to vote without adequate citizenship documentation. Additionally, they will be responsible for administering the voucher program. Below is the cost breakdown. The estimated salary for this position includes an additional \$4,000 for equipment and office supplies.

ESTIMATED FISCAL IMPACT (ROUNDED)			
	FY 2026	FY 2027	FY 2028
Program Specialist III (1 position)	\$85,000	\$89,000	\$92,000
Computers, office equipment and other supplies	\$4,000	\$0	\$0

Total Estimated Cost	\$89,000	\$89,000	\$92,000
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The Department also stated though the bill provides appropriations to reimburse the municipalities for the cost of vouchers, it does not provide the Department with any funding for vouchers directly issued by the Department.

AGENCIES CONTACTED:

Department of State