

SB 104-FN - AS INTRODUCED

2025 SESSION

25-0932

08/09

SENATE BILL ***104-FN***

AN ACT requiring the performance of a machine count at the request of 10 residents who have cast a ballot in the election.

SPONSORS: Sen. Avard, Dist 12; Rep. Flanagan, Hills. 45

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill requires the performance of a machine count at the request of 10 residents who have cast a ballot in the election.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 requiring the performance of a machine count at the request of 10 residents who have cast a ballot in the election.

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

1 1 Counting and Tabulation to be Public. Amend RSA 659:63 to read as follows:

2 659:63 Counting and Tabulation to be Public. The counting and tabulation of votes shall be
3 public and conducted within the guardrail and shall not be adjourned nor postponed until it shall
4 have been completed. No ballot shall be placed within 4 feet of the guardrail during the counting of
5 votes. In this section, "tabulation" means the aggregation of results from the printed results from
6 the voting machine and hand counts to determine the final results of an election in a polling place or
7 at the central polling location provided in RSA 659:59. Documents generated during the tabulation
8 of votes shall be available for public review when election results are announced at the polling place.
9 If RSA 659:75, II applies, the printed results from the voting machine shall be posted for public
10 review at the polling place within 60 minutes of running the last ballot through the machine or
11 machines. ***A city, town or municipality which uses electronic ballot counting devices shall,
12 at the request of 10 registered voters within that city, town, or municipality who submit a
13 written request for 2 specific elections on the ballot to be verified before 10:00 a.m. on
14 election day, perform a machine count verification before the election results are
15 tabulated. The verification shall compare the physical ballots cast for 2 candidates in 2
16 different races counted by an electronic ballot counting device voting machine, to those
17 reported on the machine results. If the verification results are found to deviate by plus or
18 minus 0.2 percent from the machine count, all races on the ballot shall be hand counted.***

19 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0932
1/19/25

**SB 104-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring the performance of a machine count at the request of 10 residents who have cast a ballot in the election.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of State. The Department was contacted on 1/13/25 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of State