

# Senate Election Law and Municipal Affairs Committee

*Jessica Bourque 271-2104*

**HB 67-FN-A**, relative to agreements with the secretary of state for the use of accessible voting systems.

**Hearing Date:** May 6, 2025

**Time Opened:** 10:02 a.m.

**Time Closed:** 10:20 a.m.

**Members of the Committee Present:** Senators Gray, Rochefort, Perkins Kwoka and Long

**Members of the Committee Absent:** Senator Lang

**Bill Analysis:** This bill directs cities and towns to enable access to voting for individuals with disabilities during elections.

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**Sponsors:**

Rep. M. Paige

Rep. Wherry

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**Who supports the bill:** Rep. Bob Wherry, Rep. Ross Berry, , Rep. Connie Lane, Rep. Mark Page, Erin Hennessey, Kate Horgan, Liz Tentarelli, Andrew Harmon, Joan Dargie, Olivia Zink, Sarah Chouinard, Sarah Burke Cohen, John Dejoie, Karen Rosenberg, Jean Shiner, Fred Fournier, Chase Eagleson

**Who opposes the bill:** No one

**Summary of testimony presented:**

**Representative Bob Wherry, Prime Sponsor, Hillsborough-District 13**

- This will move the pilot program into permanent status.
- Over the years, he has heard stories of voters who were disenfranchised or treated disrespectfully.
- Every vote on this bill has passed unanimously.

**Erin Hennessey, Deputy Secretary of State (SOS)**

- Last year, the House passed HB 1264, which mandated using accessible voting systems in school and municipal elections, which required the SOS to enter into agreements with cities and towns to allow them to use accessible equipment as part of a pilot program.

- Previously, NH did not have this; it followed only the federal law on state and federal elections.
- HB 1264 The current equipment is very clunky to use. Therefore, the SOS plans an upgrade and hopes to complete it by the end of December this year.
- After the town and school elections, there was significant pushback because the cost of programming the equipment wasn't included in the town budgets, particularly from smaller locations where no one utilized the equipment.
- Programming costs for each ballot style are set at \$600. Therefore, a town with two ballot styles would incur a total charge of \$1200. If a municipality belongs to two school districts, the expense could rise to \$ 1,800. The Secretary of State is reviewing these programming costs during the RFP process for new equipment.
- Amendment #1641s:
  - Eliminates the pilot program and establishes the program as permanent.
  - Confusion arose over the distinction between city and school clerks. In some cities and towns, both town and school ballots are cast at the same location on the same day, whereas others conduct these elections on different days. The amendment contains provisions to clarify that the town clerk is the custodian of the equipment.
  - The amendment also extends the end date of the pilot program to December, in case there are no agreements with the city and town clerks by that time.

Senator Gray said he originally drafted amendment #1598s, but then asked OLS to change the date for clarity. The only difference between amendments 1598s and 1641s is the date.

### **Representative Ross Berry, Hillsborough-District 44**

- He supports the bill but has concerns he feels he should bring up.
- The costs should be considered because they are higher than those presented to the House committee.
- He often cautions towns wary of the costs to consider that even though they might save a few hundred dollars now, they should consider that they could potentially face a \$100,000 lawsuit down the road.

### **Andrew Harmon, New Hampton**

- One of the issues raised in earlier testimony is that people didn't use the equipment in some towns. Mr. Harmon feels it is important to point out that people may not be aware that this equipment is available during voting.
- It is essential to make sure the townspeople know this equipment is available.
- The testing will assist in training, ensuring the townspeople recognize this as a worthwhile investment.