

HB 1247 - AS INTRODUCED

2022 SESSION

22-2625

11/10

HOUSE BILL **1247**

AN ACT relative to folded ballots.

SPONSORS: Rep. Moffett, Merr. 9

COMMITTEE: Election Law

ANALYSIS

This bill requires that in any political subdivision that uses electronic ballot counting machines, any ballot that has been folded be held for hand counting after the close of the polls.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to folded ballots.

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

1 1 Elections; Folding and Depositing Ballot. Amend RSA 659:23, II to read as follows:

2 II. The provisions of paragraph I shall not apply in cities and towns which use one or more
3 electronic ballot counting devices for the counting of ballots, as provided in RSA 656:40. ***In cities***
4 ***and towns which use one or more electronic ballot counting devices for the counting of***
5 ***ballots, any ballot that has been folded after the voter has marked the ballot shall not be***
6 ***counted using such electronic ballot counting devices. Such ballots shall be set aside and***
7 ***counted by hand in accordance with RSA 659:61 after the close of the polls.***

8 2 Processing Absentee Ballots; Depositing Ballot. Amend RSA 659:52 to read as follows:

9 659:52 Opening Envelope; Depositing Ballot. If the absentee ballot is not challenged, the
10 moderator shall, after announcing the name of the voter, open the envelope containing the ballot so
11 the affidavit is not destroyed. The moderator shall then take the ballot out of the envelope without
12 unfolding the ballot or without permitting the ballot to be examined, and he or she shall preserve the
13 affidavit with the ballots cast at the election as provided in RSA 659:101. The moderator shall then
14 have a checkmark placed beside the name of the absentee voter on the checklist and write therewith
15 the letters "A.V." in red ink and shall then deposit the ballot in the ballot box. ***No folded absentee***
16 ***ballot shall be counted using an electronic ballot counting device. All absentee ballots that***
17 ***have been folded shall be set aside and counted by hand after the close of the polls.***

18 3 Effective Date. This act shall take effect 60 days after its passage.