

Amendment to SB 248

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT establishing a committee to study the rescheduling of elections and relative to
4 absentee voter signatures.
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6 Amend the bill by inserting after section 5 the following and renumbering the original section 6 to
7 read as 10:

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9 6 Absentee Voting; Forms. Amend RSA 657:4, I to read as follows:

10 I. Prior to any state election, the secretary of state shall prepare the appropriate application
11 forms for absentee ballots worded in substantially the following form. The secretary of state shall
12 insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the
13 application form. The secretary of state shall prepare the application forms in such quantity as he
14 or she deems necessary:

15 Absence (Excluding Absence Due to Residence Outside the United States),

16 Religious Observance, and Disability:

17 I hereby declare that (check one):

18 ☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

19 ☐ I am absent from the town/city where I am domiciled and will be until after the next election, or
20 I am unable to register in person due to a disability, and request that the forms necessary for
21 absentee voter registration be sent to me with the absentee ballot.

22 I will be entitled to vote by absentee ballot because (check one):

23 ☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where
24 I am domiciled.

25 ☐ I am requesting a ballot for the presidential primary election and I may be absent on the day of
26 the election from the city, town, or unincorporated place where I am domiciled, but the date of the
27 election has not been announced. I understand that I may only make such a request 14 days after
28 the filing period for candidates has closed, and that if I will not be absent on the date of the election
29 I am not eligible to vote by absentee ballot.

30 ☐ I cannot appear in public on election day because of observance of a religious commitment.

31 ☐ I am unable to vote in person due to a disability.

32 ☐ I cannot appear at any time during polling hours at my polling place because of an employment
33 obligation. For the purposes of this application, the term "employment" shall include the care of

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children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

☐ Presidential Primary to be held on _____

(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

☐ State Primary to be held on _____

(MM/DD/YYYY)

☐ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

☐ Republican Party

☐ Democratic Party

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Signature: _____

~~[The applicant must sign this form to receive an absentee ballot.]~~

Date Signed: _____

(MM/DD/YYYY)

The applicant must sign this form to receive an absentee ballot. The signature on this form must match the signature on the affidavit envelope in which the absentee ballot is returned, or the ballot may be rejected. Any person who assists a voter with a disability in executing this form shall make a statement acknowledging the assistance on the application form to assist the moderator when comparing signatures on election day.

7 Absentee Voting; Affidavit Envelopes. Amend RSA 657:7, II(b) to read as follows:

(b) Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:

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I do hereby certify under the penalties for voting fraud set forth below that I am a voter in the city or town of _____, New Hampshire, in ward _____; that I will be observing a religious commitment which prevents me from voting in person or that on account of physical disability I am unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).

(Signature) _____

The signature on this affidavit must match the signature on the application for an absentee ballot or the ballot may be rejected. A person assisting a blind voter or voter with a disability who needs assistance executing this affidavit shall make and sign a statement on this envelope acknowledging the assistance in order to assist the moderator when comparing signatures on election day.

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

8 Absentee Voting; Procedure by Voter. Amend RSA 657:17 to read as follows:

657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind voter ***or voter with a disability who is unable to mark his or her ballot*** shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit ***on the envelope. A person assisting a blind voter or voter with a disability who needs assistance executing the affidavit shall sign a statement on the affidavit envelope acknowledging the assistance.***

The voter or the person assisting the blind voter ***or voter with a disability who needs assistance*** shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter shall then endorse on the outer envelope his or her name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it or have it delivered by the voter's spouse, parent, sibling, or child to the city or town clerk from whom it was sent. The city or town clerk, or ward clerk on election day at the polls, shall not accept an absentee ballot from a family member unless the family member completes a form provided by the secretary of state, which shall be maintained by the city or town clerk, and the family member presents a government-issued photo identification or has his or her identity verified by the city or town clerk. Absentee ballots delivered through the mail or by the voter's spouse, parent, sibling, or child shall be received by the town, city, or ward clerk no later than 5:00 p.m. on the day of the election.

9 Processing Absentee Ballots. Amend RSA 659:50, III to read as follows:

III. The signature on the affidavit appears to be executed by the same person who signed the application, ***unless the voter received assistance because the voter is blind or has a***

1 *disability*; and

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2017-1854h

AMENDED ANALYSIS

This bill establishes a committee to study the rescheduling of elections. This bill also clarifies the signature verification requirements for absentee voters.