

Amendment to SB 527-FN-LOCAL

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Absentee Voting Application Form. Amend RSA 657:4, I to read as follows:

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

9 Absence (Excluding Absence Due to Residence Outside the United States), Religious
10 Observance, and Disability:

11 I hereby declare that (check one):

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

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

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

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

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

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

25 I am unable to vote in person due to a disability.

26 I cannot appear at any time during polling hours at my polling place because of an
27 employment obligation. For the purposes of this application, the term "employment" shall include
28 the care of children and infirm adults, with or without compensation.

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

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

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1 _____ Presidential Primary to be held on _____
2 (MM/DD/YYYY)

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

4 _____ State Primary to be held on _____
5 (MM/DD/YYYY)

6 _____ General Election

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

9 _____ Republican Party

10 _____ Democratic Party

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

12 Please print:

13 Applicant's Name:

14 _____

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

16 Applicant's Voting Domicile (home address):

17 _____

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

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

20 _____

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

22 Applicant's Phone Number [~~optional~~]: _____

23 Applicant's Email Address [~~optional~~]: _____

24 Applicant's Signature: _____

25 Date Signed: _____

26 (MM/DD/YYYY)

27 ***I attest that I assisted the applicant in executing this form because he or she has a***
28 ***disability.***

29 ***Signature*** _____ ***Print Name*** _____

30 ***If your absentee ballot affidavit envelope does not have the printed name and***
31 ***signature of a person who assisted you with voting, your signature will be compared to***
32 ***your signature on the absentee ballot affidavit to verify your identity. If your signatures***
33 ***do not appear to be made by the same person, your absentee ballot may not be counted.***

34 The applicant must sign this form to receive an absentee ballot. [~~The signature on this form~~
35 ~~must match the signature on the affidavit envelope in which the absentee ballot is returned, or the~~
36 ~~ballot may be rejected.] Any person who ***witnesses and*** assists a voter with a disability in
37 executing this form shall [~~make a statement acknowledging the assistance on~~] ***print and sign his***~~

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1 ***or her name in the space provided on*** the application form [~~to assist the moderator when~~
2 ~~comparing signatures on election day~~]. ***The clerk and moderator will not compare the voter's***
3 ***signature on the application with the signature on the absentee ballot affidavit when a***
4 ***person assisting the voter has signed the statement that assistance was provided.***

5 2 New Section; Verification of In-Person Absentee Voter. Amend RSA 657 by inserting after
6 section 17 the following new section:

7 657:17-a Verification of In-Person Absentee Voter.

8 I. An absentee voter who returns his or her completed absentee ballot to the clerk's office in
9 person shall be treated as a verified voter provided:

10 (a) The voter voluntarily shows the clerk a photo identification that meets the
11 requirements of RSA 659:13; or

12 (b) The voter voluntarily completes a challenged voter affidavit in the same manner as
13 is required for an election day voter who does not present a qualified voter identification.

14 II. The clerk shall mark the absentee ballot affidavit enveloped "voter verified" and note on
15 the clerk's list of absentee voters that the voter has been verified. The verified voter's signatures on
16 the application for an absentee ballot shall not be compared to the voter's signature on the absentee
17 ballot affidavit on election day.

18 III. A voter who does not present a qualified photo identification and who does not complete
19 a challenged voter affidavit shall not be treated as a verified voter, and his or her signatures on the
20 application for an absentee ballot shall be compared to his or her signature on the absentee ballot
21 affidavit on election day in the same manner as other absentee voters.

22 3 Announcement by Moderator. Amend RSA 659:50 to read as follows:

23 659:50 Announcement by Moderator.

24 I. The moderator shall begin processing absentee ballots by clearly announcing that he or
25 she is about to open the envelopes which were delivered to him or her. The moderator shall then
26 remove the envelope containing the ballots of each absentee voter and, ***for those absentee ballots***
27 ***where the absentee voter has not been verified by the clerk as provided in RSA 657:17-a,***
28 shall compare the signature on the affidavit with the signature on the application for the ballot. If:

29 ~~[I.]~~ (a) The name of the voter is on the checklist; and

30 ~~[II.]~~ (b) The affidavit appears to be properly executed; and

31 ~~[III.]~~ (c) ~~[The signature]~~ ***If the affidavit shows that the voter received assistance,***
32 ***the absentee voter shall be processed as verified. Otherwise, the signatures*** on the affidavit
33 ***shall be examined to determine if it*** appears to be executed by the same person who signed the
34 application~~[, unless the voter received assistance because the voter is blind or has a disability; and].~~

35 ~~[IV.]~~ II. ***For the absentee ballots processed in accordance with paragraph I and***
36 ***those where the clerk has previously verified the absentee voter in accordance with RSA***
37 ***657:17-a, if*** the signatures appear to be the signatures of a duly qualified voter who has not voted

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1 at the election; then the moderator shall publicly announce the name of the absentee voter, except
2 that with respect to any voter who has been included in the address confidentiality program under
3 RSA 7:43 or who has been granted a protective order under RSA 173-B, the moderator shall identify
4 such voters as "confidential voter number 1" and "confidential voter number 2," and so forth. If
5 these conditions are not met, the moderator shall follow the procedure provided in RSA 659:53.

6 4 Effective Date. This act shall take effect 60 days after its passage.

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2018-0717s

AMENDED ANALYSIS

This bill establishes additional procedures for verification of absentee voters.