

May 30, 2018
2018-2110-EBA
05/01

Enrolled Bill Amendment to SB 527-FN-LOCAL

The Committee on Enrolled Bills to which was referred SB 527-FN-LOCAL

AN ACT relative to absentee voting and relative to the statewide centralized voter registration database.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 527-FN-LOCAL

This enrolled bill amendment inserts a contingency to provide for a change to RSA 654:34, V(a) made by HB 390 of the 2018 legislative session.

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Amend the bill by replacing all after section 8 with the following:

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

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

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

I hereby declare that (check one):

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

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

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

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

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

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

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

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

For use only on the Monday immediately prior to the election: I cannot appear at my polling place on election day because the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to my city, town, or unincorporated place and either (check one):

_____ ***I am elderly or infirm or I have a physical disability, and would otherwise vote in person but I have concerns for my safety traveling in the storm.***

_____ ***I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in person but will need to care for children or infirm adults.***

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

_____ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

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

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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 Phone Number [(optional)]: _____

Applicant's Email Address [(optional)]: _____

Applicant's Signature: _____

Date Signed: _____

(MM/DD/YYYY)

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

Signature _____ *Print Name* _____

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

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 **witnesses and** assists a voter with a disability in executing this form shall [~~make a statement acknowledging the assistance on~~] **print and sign his or her name in the space provided on** the application form [~~to assist the moderator when comparing signatures on election day~~]. **The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.**

10 Contingency. If HB 390 of the 2018 regular legislative session becomes law, section 9 of this act shall take effect on January 1, 2019 and section 1 of this act shall not take effect. If HB 390 does not become law, section 1 of this act shall take effect on January 1, 2019 and section 9 of this act shall not take effect.

11 Effective Date.

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- I. Section 8 of this act shall take effect upon its passage.
- II. Sections 1 and 9 of this act shall take effect as provided in section 10 of this act.
- III. The remainder of this act shall take effect January 1, 2019.