

July 5, 2019
2019-2675-EBA
01/10

Enrolled Bill Amendment to HB 593

The Committee on Enrolled Bills to which was referred HB 593

AN ACT relative to updating official voter checklists and expanding the voter information exemption under the right to know law.

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 HB 593

This enrolled bill amendment inserts a contingency to resolve a conflict with HB 105-FN of the 2019 regular legislative session.

Enrolled Bill Amendment to HB 593

Amend the bill by replacing all after section 3 with the following:

4 Voters and Checklists; Right to Know Exemption. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, qualified voter affidavits and domicile affidavits, affidavit of religious exemption, [~~and~~] application for absentee ballot, ***and contact information, including but not limited to a phone number and email address, provided to the secretary of state or other election officials for the purpose of receiving information about elections*** shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of

ENROLLED BILL AMENDMENT TO HB 593

- Page 2 -

any qualified voter or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

5 Contingency; HB 105-FN. If HB 105-FN of the 2019 regular legislative session becomes law, section 4 of this act shall take effect at 12:01 a.m. on the date that HB 105-FN takes effect and section 3 of this act shall not take effect. If HB 105-FN does not become law, section 3 of this act shall take effect 60 days after its passage and section 4 of this act shall not take effect.

6 Effective Date.

I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect 60 days after its passage.