

Amendment to HB 385-FN

1 Amend the bill by replacing section 6 with the following:

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3 6 Obtaining a Ballot; Affidavit Ballots Removed. RSA 659:13, I(c) is repealed and reenacted to  
4 read as follows:

5 (c)(1) If the voter does not have a valid photo identification, the ballot clerk shall inform  
6 the voter that he or she may execute a challenged voter affidavit. The voter shall receive an  
7 explanatory document prepared by the secretary of state explaining the proof of identity  
8 requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall mark the  
9 checklist in accordance with uniform procedures developed by the secretary of state.

10 (2) If the voter executes a challenged voter affidavit, the moderator or the  
11 moderator's designee shall take a photograph of the voter and immediately print and attach the  
12 photograph to, thus making it a part of, the affidavit form. However, if a photograph was taken  
13 under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the  
14 photograph is attached to the qualified voter affidavit or sworn statement on the general election day  
15 registration form. The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in  
16 black and white. The moderator or his or her designee who took the photograph and the voter shall  
17 then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from  
18 the camera in the presence of the voter. If the moderator or his or her designee is unable to take the  
19 voter's photograph due to equipment failure or other cause beyond the moderator's or his or her  
20 designee's reasonable control, the voter may execute a challenged voter affidavit without a  
21 photograph.

22 (3) If the voter objects to the photograph requirement because of religious beliefs, he  
23 or she may execute an affidavit of religious exemption in accordance with RSA 659:13-b, which shall  
24 be attested to by an election officer and attached to the challenged voter affidavit.

25 (4) The person entering voter information into the centralized voter registration  
26 database shall cause the records to indicate when a voter has not presented a valid photo  
27 identification and has executed a challenged voter affidavit.

28 (5) If the voter objects to the photograph requirement because of religious beliefs, he  
29 or she may execute an affidavit of religious exemption in accordance with RSA 659:13-b, which shall  
30 be attested to by an election officer and attached to the challenged voter affidavit.

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1                   (6) The person entering voter information into the centralized voter registration  
2 database shall cause the records to indicate when a voter has not presented a valid photo  
3 identification and has executed a challenged voter affidavit.