

HB 1076 - AS INTRODUCED

2026 SESSION

26-2444

08/05

HOUSE BILL **1076**

AN ACT relative to authorizing or rescinding the use of electronic ballot counting devices.

SPONSORS: Rep. DeRoy, Straf. 3; Rep. Pauer, Hills. 36; Rep. Burnham, Straf. 2; Rep. Potenza, Straf. 19; Rep. Bailey, Straf. 2; Rep. Bernardy, Rock. 36; Rep. Belcher, Carr. 4; Rep. Farrington, Straf. 8

COMMITTEE: Municipal and County Government

ANALYSIS

This bill authorizes the legislative body of any municipality to authorize or rescind the use of electronic ballot counting devices.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to authorizing or rescinding the use of electronic ballot counting devices.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Preparation of Voting Materials; Electronic Ballot Counting Devices. Amend RSA 656:40 to
2 read as follows:

3 656:40 Adoption **or Rescission**.

4 The mayor and aldermen of any city or the ~~selectmen~~ **legislative body** of any town, subject to
5 the approval of the ballot law commission, may authorize **or rescind** the use of one of the electronic
6 ballot counting devices approved by the ballot law commission and the number of those devices used
7 for the counting of ballots in such city or town for any regular or special election. ***In a town that***
8 ***has adopted an official ballot, the official ballot shall be used for the question proposed at***
9 ***any annual or special meeting on the authorization or the rescission of the use of***
10 ***electronic ballot counting devices under this section. The wording of the question for***
11 ***authorizing such devices shall be: "Shall the town authorize the use of (number) electronic***
12 ***ballot counting devices for any regular and special elections?" The wording of the question***
13 ***for rescinding the use of such devices shall be: "Shall the town rescind the use of electronic***
14 ***ballot counting devices for any regular and special elections?" If the town has not adopted***
15 ***an official ballot, the clerk shall cause the same question to be printed upon special ballots***
16 ***which shall be used to determine the vote of the town.*** The use of such device so authorized
17 shall be valid for all purposes. Any town ***authorized by the legislative body***, or the mayor and
18 aldermen of any city, may vote to lease or purchase electronic ballot counting devices approved by
19 the ballot law commission for the elections held in said town or city. Any town, or the mayor and
20 aldermen of any city, so acting shall notify the secretary of state of the action taken in regard to
21 electronic ballot counting devices; and, after said action, electronic ballot counting devices shall be
22 used in said town or city in accordance with said vote or authorization ***until such use is rescinded***.
23 If a special state election involving a state representative district occurs in a city or town that has
24 adopted the provisions of RSA 656:40, the secretary of state may prepare and issue paper ballots
25 which shall be used.

26 2 Effective Date. This act shall take effect 60 days after its passage.