

CACR 21 - AS INTRODUCED

2026 SESSION

26-2461

08/07

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **21**

RELATING TO: voting eligibility.

PROVIDING THAT: only legal residents who are at least 18 years of age or older who reside in the place they claim as domicile shall be eligible voters.

SPONSORS: Rep. Berry, Hills. 44; Rep. Guzofski, Rock. 1; Rep. Qualey, Ches. 18; Rep. Burnham, Straf. 2; Rep. Potenza, Straf. 19; Sen. Innis, Dist 7; Sen. Murphy, Dist 16; Sen. McGough, Dist 11; Sen. Lang, Dist 2

COMMITTEE: Election Law

ANALYSIS

This constitutional amendment concurrent resolution would amend the constitution to recognize the right of all legal residents who are 18 years or older to vote in the place they claim as domicile, so long as they actually reside in the place they claim as domicile.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: voting eligibility.

PROVIDING THAT: only legal residents who are at least 18 years of age or older who reside in the place they claim as domicile shall be eligible voters.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

1 I. That article 11 of the first part of the constitution be amended to read as follows:

2 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every [~~inhabitant~~]
3 **United States citizen** of the state of 18 years of age and upwards shall have an equal right to vote
4 in any election. Every person shall be considered [~~an inhabitant~~] **a qualified voter** for the purposes
5 of voting in the town, ward, or unincorporated place where he has his domicile **only if they are 18**
6 **years of age and upwards and actually reside in the place they claim as a domicile.** No
7 person shall have the right to vote under the constitution of this state who has been convicted of
8 treason, bribery or any willful violation of the election laws of this state or of the United States; but
9 the supreme court may, on notice to the attorney general, restore the privilege to vote to any person
10 who may have forfeited it by conviction of such offenses. The general court shall provide by law for
11 voting by qualified voters who at the time of the biennial or state elections, or of the primary
12 elections therefor, or of city elections, or of town elections by official ballot, are absent from the city
13 or town of which they are inhabitants, or who by reason of physical disability are unable to vote in
14 person, in the choice of any officer or officers to be elected or upon any question submitted at such
15 election. Voting registration and polling places shall be easily accessible to all persons including
16 disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or
17 officers to be elected or upon any question submitted at such election. The right to vote shall not be
18 denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having
19 the proper qualifications, has an equal right to be elected into office.

20 II. That the above amendment proposed to the constitution be submitted to the qualified
21 voters of the state at the state general election to be held in November, 2026.

22 III. That the selectmen of all towns, cities, wards and places in the state are directed to
23 insert in their warrants for the said 2026 election an article to the following effect: To decide
24 whether the amendments of the constitution proposed by the 2026 session of the general court shall
25 be approved.

26 IV. That the wording of the question put to the qualified voters shall be:

27 "Are you in favor of amending article 11 of the first part of the constitution to read as follows:

CACR 21 - AS INTRODUCED

- Page 2 -

1 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every legal
2 resident of the state of 18 years of age and upwards shall have an equal right to vote in any election.
3 Every person shall be considered a qualified voter for the purposes of voting in the town, ward, or
4 unincorporated place where he has his domicile only if they are 18 years of age and upwards and
5 actually reside in the place they claim as a domicile. No person shall have the right to vote under
6 the constitution of this state who has been convicted of treason, bribery or any willful violation of the
7 election laws of this state or of the United States; but the supreme court may, on notice to the
8 attorney general, restore the privilege to vote to any person who may have forfeited it by conviction
9 of such offenses. The general court shall provide by law for voting by qualified voters who at the
10 time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of
11 town elections by official ballot, are absent from the city or town of which they are inhabitants, or
12 who by reason of physical disability are unable to vote in person, in the choice of any officer or
13 officers to be elected or upon any question submitted at such election. Voting registration and
14 polling places shall be easily accessible to all persons including disabled and elderly persons who are
15 otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question
16 submitted at such election. The right to vote shall not be denied to any person because of the
17 nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has an equal
18 right to be elected into office.”

19 V. That the secretary of state shall print the question to be submitted on a separate ballot
20 with other constitutional questions or on the official ballot. The ballot containing the question shall
21 include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the
22 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular
23 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by
24 the 2026 General Court” shall be printed in bold type at the top of the ballot.

25 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
26 becomes effective when the governor proclaims its adoption.

27 VII. Voters' Guide.

28 AT THE PRESENT TIME, the constitution guarantees the right of all inhabitants of
29 the state who are 18 years or older to vote in the place in which they are domiciled.

30 IF THE AMENDMENT IS ADOPTED, the constitution will guarantee the right of all
31 United States citizens who are 18 years or older to vote in the place they claim as domicile, so long as
32 they actually reside in the place they claim as domicile.