

CHAPTER 68
HB 365-FN - FINAL VERSION

8Jan2026... 2994h

2026 SESSION

25-0409
08/05

HOUSE BILL

365-FN

AN ACT relative to proof of United States citizenship for indigent voters.

SPONSORS: Rep. Lynn, Rock. 17; Rep. Berry, Hills. 44; Sen. Gray, Dist 6

COMMITTEE: Election Law

ANALYSIS

This bill provides a procedure for local election officials and the secretary of state to verify the citizenship of a voter who does not have documentary proof of citizenship. This bill also creates a voucher program for local election officials to give to indigent voters who cannot afford the cost of obtaining a birth certificate, requires the secretary of state to reimburse the municipality for the issuance of such vouchers, and makes an appropriation therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to proof of United States citizenship for indigent voters.

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

1 68:1 New Paragraph; Voter Identification; Proof of Citizenship. Amend RSA 654:12 by inserting after
2 paragraph II the following new paragraph:

3 II-a.(a) If a person claiming to be qualified to vote is unable to provide reasonable documentation
4 establishing that the person is a citizen of the United States, at the request of such person, the
5 supervisors of the checklist, the city or town clerk, or other authorized election official shall attempt to
6 confirm the person's citizenship through the office of the secretary of state. The secretary of state shall
7 make reasonable efforts to determine whether the person is a United States citizen by accessing relevant
8 and available in-state, out-of-state, and federal databases that contain such information. However, if the
9 request to verify citizenship status is made on election day, neither local election officials nor the secretary
10 of state shall be required to expend such time or effort on citizenship verification as would unreasonably
11 interfere with their other election day duties. If the person's United States citizenship is verified, the
12 secretary of state shall notify the local election official, and the citizenship criteria for voting shall be
13 deemed satisfied. The local official shall then note on the person's voter registration application form
14 "U.S. citizenship verified" and shall indicate on the form the date and the basis upon which such
15 verification was made.

16 (b) If a person claiming to be qualified to vote asserts that he or she is unable due to
17 indigency to provide documentation to establish that he or she is a United States citizen, and if efforts to
18 verify the person's citizenship pursuant to subparagraph (a) are not successful, the city or town clerk or
19 the secretary of state may request such person to complete a financial affidavit on a form developed for
20 this purpose by the secretary of state. If, based upon criteria established by the secretary of state, it
21 appears that the person qualifies as indigent, the clerk or the secretary may provide the person with a
22 voucher sufficient to cover the cost for the person to obtain a certified copy of the person's birth certificate
23 or other equivalent documentation to establish the person's status as a United States citizen. The person
24 shall be specifically informed that it is the person's responsibility to communicate with the appropriate vital
25 records agency in the state of the person's birth and to use the funds provided through the voucher to pay
26 any required fee to obtain the person's birth certificate or equivalent proof of citizenship, and that such
27 documentation shall be provided to the local election officials on or before the day of the election in order
28 for the person to satisfy the citizenship criteria for voting. The secretary of state shall reimburse local
29 municipalities for the costs of all vouchers issued by city or town clerks pursuant to this subparagraph.

30 68:2 Appropriation; Secretary of State. There is hereby appropriated to the secretary of state the
31 sum of \$50,000 for the biennium ending June 30, 2027, for the purpose of reimbursing local municipalities
32 for the costs of vouchers to pay any required fee to obtain a potential voter's birth certificate or equivalent

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- 1 proof of citizenship under RSA 654:12, II-a(b). The governor is authorized to draw a warrant for said
- 2 sums out of any money in the treasury not otherwise appropriated.
- 3 68:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 18, 2026
Effective Date: July 17, 2026

