CHAPTER 128
HB 345 - FINAL VERSION
2019 SESSION

HOUSE BILL 345

AN ACT relative to certification of devices for the electronic counting of ballots.


COMMITTEE: Election Law

ANALYSIS

This bill requires the ballot law commission to approve a new secure electronic ballot counting device at regular intervals.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to certification of devices for the electronic counting of ballots.

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

128:1 Electronic Ballot Counting Devices; Approval by the Ballot Law Commission. Amend RSA 656:41 to read as follows:

   656:41 Approval by Ballot Law Commission. The ballot law commission shall act as a board to examine devices for the electronic counting of ballots. The commission shall, whenever requested, examine any device which may be capable of meeting the requirements for elections held in this state and shall, at least every 5 years, review current and new devices to determine whether the devices require upgrading. The commission, after such review, shall file an explanatory report with the secretary of state within 30 days of its determination that outlines the basis for its determination, taking into account such factors as hardware and software standards, policies and procedures, security requirements, and usability. The commission shall approve [such] a device upon request in its discretion, and no device shall be used in any election in this state unless it reads the voter's choice on a paper ballot and is of a type so approved by the ballot law commission. Any device that is altered must be re-approved before it is used in any election in this state. For the purposes of this section, a device shall be considered altered if any mechanical or electronic part, hardware, software, or programming has been altered.

128:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 25, 2019
Effective Date: August 24, 2019