

CHAPTER 177
SB 89 - FINAL VERSION

03/25/2021 0825s
3Jun2021... 1610h

2021 SESSION

21-0999
11/05

SENATE BILL **89**

AN ACT adopting omnibus legislation relative to election procedures.

SPONSORS: Sen. Gray, Dist 6

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. The city chief elections officer.
- II. Prohibiting the taking of certain photographs within the guardrail.
- III. Establishing a committee to study post election audit counting devices.
- IV. The effect of certain federal laws on New Hampshire elections.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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29 2 Effective Date. Part II of this act shall take effect 60 days after its passage.

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PART III

Establishing a Committee to Study Post Election Audit Counting Devices.

1 Committee Established.

I. There is established a committee to study post election audit counting devices.

II. The members of the committee shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. Duties. The committee shall determine what ballot counting equipment is available which would support a post election audit in New Hampshire, and shall study the feasibility, time constraints, and cost of conducting a post election audit using any vote counting equipment identified. The committee may use ballots cast in prior elections to test ballot counting equipment, provided that such use is in conjunction with the secretary of state and with the approval of the ballot law commission.

V. Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, the secretary of state, the attorney general, and the state library on or before November 30, 2021.

2 Effective Date. Part III of this act shall take effect upon its passage.

PART IV

Relative to the effect of certain federal laws on New Hampshire election procedures.

1 New Hampshire Election Procedures; Certain Federal Laws Non-Controlling. Notwithstanding the adoption by the United States Congress of S.1, also known as the "For the People Act of 2021," all procedures and requirements relating to elections conducted pursuant to the New Hampshire constitution and as prescribed by New Hampshire law shall remain in full force and effect for all state and county officers, including but not limited to those procedures and requirements relating to voter eligibility, voter registration, absentee voting, conducting the vote, and counting of votes.

2 Effective Date. Part IV of this act shall take effect upon its passage.

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Approved: July 30, 2021

Effective Date:

Part I shall take effect September 28, 2021.

Part II shall take effect September 28, 2021.

Part III shall take effect July 30, 2021.

Part IV shall take effect July 30, 2021.