

**HB 265 – AS AMENDED BY THE SENATE**

13Mar2013... 0437h  
04/18/13 1312s  
05/02/13 1463s

2013 SESSION

13-0050  
03/01

HOUSE BILL           **265**

AN ACT               relative to procedures by absentee voters.

SPONSORS:          Rep. F. Rice, Rock 21; Rep. J. Belanger, Hills 27; Rep. Emerick, Rock 21

COMMITTEE:        Election Law

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ANALYSIS

This bill allows an absentee voter to have another person deliver his or her marked ballot to the city or town clerk.

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to procedures by absentee voters.

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

1 1 Absentee Voting Materials; Return Envelope. Amend RSA 657:7, III to read as follows:

2 III. Return envelopes of size sufficient to contain the preceding envelope addressed to the  
3 town and city clerks of the state in which absentee voters shall return their ballots. On the  
4 envelopes shall be printed "Enclosed is the ballot of an absentee voter" and, at the top thereof, 4  
5 blank spaces with the words "Name, Voting Address, Ward, Town or City" appropriately printed  
6 thereon. ***The following statement shall be printed or stamped on the back of the return  
7 envelope in substantially the following form:***

8 ***TO BE FILLED OUT ONLY IF A FAMILY MEMBER (SPOUSE, PARENT, CHILD,  
9 STEPCCHILD, BROTHER, OR SISTER) IS HAND DELIVERING A BALLOT TO THE CITY  
10 OR TOWN CLERK***

11 ***If you are having a family member deliver this envelope to the city or town clerk, you  
12 must complete the following:***

13 ***I, \_\_\_\_\_, hereby authorize \_\_\_\_\_, who is my \_\_\_\_\_  
14 (state relationship of voter to person delivering the envelope) to deliver this envelope  
15 containing my absentee ballot to the city or town clerk. I understand that I must fully  
16 complete this authorization for the delivery of my ballot by such person to be valid and for  
17 the ballot so delivered to be counted.***

18 ***(Signature) \_\_\_\_\_***

19 ***FOR USE DURING THE SIX DAYS PRIOR TO ELECTION DAY  
20 (DEADLINE – 5:00 P.M. ON THE DAY BEFORE THE ELECTION)***

21 2 Absentee Voting; Procedure by Voter; Procedure by Clerk. Amend RSA 657:17 and  
22 RSA 657:18 to read as follows:

23 657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind  
24 voter shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit.  
25 The voter or the person assisting the blind voter shall enclose and seal the inner envelope with the  
26 affidavit in an outer envelope. The voter shall then endorse on the outer envelope his or her name,  
27 address, and voting place and shall mail the envelope, affixing postage, or personally deliver it to the  
28 city or town clerk from whom it was sent. ***Alternatively, the voter may authorize a member of***

1 *his or her family to deliver the envelope to the city or town clerk by completing the*  
2 *authorization on the back of the return envelope. In this subdivision, “family member”*  
3 *means a spouse, parent, child, stepchild, brother, or sister. The family member shall show*  
4 *his or her photo identification to the city or town clerk upon delivery. Delivery shall only*  
5 *be accepted beginning on the Wednesday prior to the election and shall be received by the*  
6 *city or town clerk prior to 5:00 p.m. on the day preceding the election.*

7 657:18 Procedure by Clerk. Upon receipt of an outer envelope purporting to contain an official  
8 absentee voting ballot, the clerk of the city or town shall attach thereto the application for an  
9 absentee ballot submitted by said voter and record the information pursuant to RSA 657:15. All  
10 such envelopes shall be preserved unopened until election day. *If the absentee ballot is delivered*  
11 *by a family member, the clerk shall refuse to accept the ballot unless the delivery*  
12 *authorization on the return envelope is fully completed.*

13 3 Announcement by Moderator; Absentee Voter Signature Comparison. Amend RSA 659:50, III  
14 to read as follows:

15 III. The *signature on the back of the return envelope, if the back of the return*  
16 *envelope has been completed, the* signature on the affidavit, [appears] *and the application all*  
17 *appear* to be executed by the same person [~~who signed the application~~]; and

18 4 Effective Date. This act shall take effect 60 days after its passage.