

CHAPTER 278  
HB 595-FN – FINAL VERSION

05/23/13 1624s  
05/23/13 1805s  
26June2013... 2170CofC

2013 SESSION

13-0574  
03/09

HOUSE BILL            ***595-FN***

AN ACT                relative to photo identification of voters.

SPONSORS:            Rep. Weber, Ches 1; Rep. Gale, Hills 28; Rep. Winters, Hills 18; Rep. Hoelzel, Rock 3; Rep. Phillips, Ches 5; Rep. Berch, Ches 1; Sen. Lasky, Dist 13; Sen. Pierce, Dist 5

COMMITTEE:          Election Law

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AMENDED ANALYSIS

This bill modifies the forms of identification required of voters under current law and changes the effective date of prospective changes to voter identification requirements from September 1, 2013 to September 1, 2015.

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                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1           278:1 New Paragraph; Department of Education; Duties of Commissioner. Amend RSA 21-N:4  
2 by inserting after paragraph X the following new paragraph:

3           XI. Provide to the secretary of state in August of each year a list or lists of all colleges,  
4 universities, and career schools approved or licensed to operate in New Hampshire, all public high  
5 schools, and all nonpublic high schools in New Hampshire accredited by a private school accrediting  
6 agency recognized by the department of education.

7           278:2 New Section; University System; Identification Cards. Amend RSA 187-A by inserting  
8 after section 2-b the following new section:

9           187-A:2-c Identification Cards. If a college or university of the university system issues  
10 identification cards to students, all cards issued after January 1, 2014 shall bear a date of issuance.

11           278:3 New Section; Community College System; Identification Cards. Amend RSA 188-F by  
12 inserting after section 3-a the following new section:

13           188-F:3-b Identification Cards. If a college of the community college system issues identification  
14 cards to students, all cards issued after January 1, 2014 shall bear a date of issuance.

15           278:4 Obtaining a Ballot. RSA 659:13, II is repealed and reenacted to read as follows:

16           II.(a) A valid photo identification shall show the name of the individual to whom the  
17 identification was issued, and the name shall substantially conform to the name in the individual's  
18 voter registration record; it also shall show a photograph of the individual to whom the identification  
19 was issued. The photo identification shall also have an expiration date that has not been exceeded  
20 by a period of more than 5 years, except that a voter 65 years of age or older may use an otherwise  
21 qualified form of identification without regard to expiration date, and except that student  
22 identification cards shall comply with the date requirements in subparagraph (5). The following  
23 forms of identification bearing a photograph of the voter shall satisfy the identification requirements  
24 of paragraph I:

25                       (1) A driver's license issued by any state or the federal government.

26                       (2) An identification card issued under RSA 260:21 or a nondriver's identification  
27 card issued by the motor vehicles division, department, agency, or office of any state.

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1 (3) A United States armed services identification card.

2 (4) A United States passport or passcard.

3 (5) A valid student identification card if:

4 (A) The card is issued by:

5 (i) A college, university, or career school in New Hampshire and approved to  
6 operate or licensed to operate in New Hampshire.

7 (ii) A public high school in New Hampshire.

8 (iii) A nonpublic high school in New Hampshire accredited by a private  
9 school accrediting agency that is recognized by the department of education.

10 (iv) Dartmouth College.

11 (v) A college or university operated by the university system of New  
12 Hampshire or the community college system of New Hampshire.

13 (B) The card has either an expiration date or an issuance date that has not been  
14 exceeded by a period of more than 5 years, except that, at all elections prior to September 1, 2018,  
15 student identification cards without a date of expiration or issuance shall be accepted.

16 (b) In addition to the forms of photo identification authorized in subparagraph (a), the  
17 following shall satisfy the identification requirements of paragraph I:

18 (1) A photo identification not authorized by subparagraph (a) but determined to be  
19 legitimate by the supervisors of the checklist, the moderator, or the town or city clerk, provided that  
20 if any person authorized to challenge a voter under RSA 659:27 objects to the use of such photo  
21 identification, the voter shall be required to execute a challenged voter affidavit as if no  
22 identification was presented.

23 (2) Verification of the person's identity by a moderator or supervisor of the checklist  
24 or the town or city clerk, provided that if any person authorized to challenge a voter under RSA  
25 659:27 objects to such verification, the voter shall be required to execute a challenged voter affidavit.

26 (c) The secretary of state shall post the lists of educational institutions provided by the  
27 commissioner of the department of education under RSA 21-N:4, XI on the department of state's  
28 website, and otherwise shall make such lists available to local election officials.

29 278:5 Voter Identification; Effective Date Extended. Amend 2012, 284:15, I to read as follows:

30 I. Sections 7-13 of this act shall take effect September 1, ~~2013~~ **2015**.

31 278:6 Voter Identification; Effective Date Extended. Amend 2012, 289:6, I to read as follows:

32 I. Section 4 of this act shall take effect September 1, ~~2013~~ **2015**, at 12:01 a.m.

33 278:7 Obtaining a Ballot. Amend RSA 659:13, II to read as follows:

34 II.(a) A valid photo identification shall show the name of the individual to whom the  
35 identification was issued, and the name shall substantially conform to the name in the individual's  
36 voter registration record; it also shall show a photograph of the individual to whom the identification

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1 was issued[ ~~and it~~]. ***The photo identification*** shall also have an expiration date that has not been  
2 exceeded by a period of more than 5 years [~~from the current date~~], ***except that a voter 65 years of***  
3 ***age or older may use an otherwise qualified form of identification without regard to***  
4 ***expiration date, and except that student identification cards shall comply with the date***  
5 ***requirements in subparagraph (5)***. The following forms of identification bearing a photograph of  
6 the voter shall satisfy the identification requirements of paragraph I:

7 ~~(1)~~ (1) A driver's license issued by any state or the federal government.

8 ~~(2)~~ (2) ***An identification card issued under RSA 260:21 or a nondriver's***  
9 ***identification card issued by the motor vehicles division, department, agency, or office of any other***  
10 ***state.***

11 ~~(3)~~ (3) A United States armed services identification card.

12 ~~(4)~~ (4) A United States passport ***or passcard.***

13 (5) ***A valid student identification card if:***

14 (A) ***The card is issued by:***

15 (i) ***A college, university, or career school in New Hampshire and***  
16 ***approved to operate or licensed to operate in New Hampshire.***

17 (ii) ***A public high school in New Hampshire.***

18 (iii) ***A nonpublic high school in New Hampshire accredited by a***  
19 ***private school accrediting agency that is recognized by the department of education.***

20 (iv) ***Dartmouth College.***

21 (v) ***A college or university operated by the university system of***  
22 ***New Hampshire or the community college system of New Hampshire.***

23 (B) ***The card has either an expiration date or an issuance date that has***  
24 ***not been exceeded by a period of more than 5 years, except that, at all elections prior to***  
25 ***September 1, 2018, student identification cards without a date of expiration or issuance***  
26 ***shall be accepted.***

27 ~~(6)~~ (6) A challenged voter affidavit in accordance with subparagraph I(c).

28 (b) ***In addition to the forms of photo identification authorized in subparagraph***  
29 ***(a), the identification requirements of paragraph I may be satisfied by verification of the***  
30 ***person's identity by a moderator or supervisor of the checklist or the town or city clerk,***  
31 ***provided that if any person authorized to challenge a voter under RSA 659:27 objects to***  
32 ***such verification, the voter shall be required to execute a challenged voter affidavit.***

33 (c) ***The secretary of state shall post the lists of educational institutions provided***  
34 ***by the commissioner of the department of education under RSA 21-N:4, XI on the***  
35 ***department of state's website, and otherwise shall make such lists available to local***  
36 ***election officials.***

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1           278:8 Effective Date.

2                   I. Section 7 of this act shall take effect September 1, 2015, at 12:02 a.m.

3                   II. The remainder of this act shall take effect upon its passage.

Approved: July 24, 2013

Effective Date:     I. Section 7 shall take effect September 1, 2015 at 12:02 a.m.

                          II. Remainder shall take effect July 24, 2013.