

SB 279 – AS INTRODUCED

2014 SESSION

14-2718
03/01

SENATE BILL **279**

AN ACT relative to challenges of voters.

SPONSORS: Sen. Boutin, Dist 16; Rep. Fields, Belk 4

COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill modifies the voter challenge form to clarify whether the moderator or the supervisors of the checklist have ruled on the challenge.

This bill was requested by the department of state.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to challenges of voters.

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

1 1 Asserting a Challenge. Amend RSA 659:27-a, I to read as follows:

2 I. No challenge may be asserted except in the form of a signed affidavit, under oath
3 administered by an election official, in the following form:

4 INFORMATION ON THE PERSON MAKING THE CHALLENGE

5 Name of Person Making the Challenge:

6 _____

7 Last Name First Name Middle Name/Initial

8 _____

9 Party affiliation

10 _____

11 If person making a challenge is a voter: Physical Address--Street Name & Number

12 _____

13 If person is a political party or attorney general appointee: mailing address & phone number

14 _____

15 The challenger's qualifications to assert the challenge

16 INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge
17 shall complete the following:

18 Name being used by the voter who you wish to challenge:

19 _____

20 Last Name First Name Middle Name

21 GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground
22 on which the challenge is made (check all grounds that apply).

23 (a) ___ The person seeking to vote is not the individual whose name he or she has given

24 (b) ___ The person seeking to vote has already voted in the election at (name polling place)
25 _____ at approximately (state time if known) _____

26 (c) ___ The person seeking to vote is disqualified as a voter by conviction of a willful violation of
27 the elections laws (state offense, court, and date of conviction) _____

28 (d) ___ The person seeking to vote is under 18 years of age

29 (e) ___ The person seeking to vote is not a United States Citizen

30 (f) ___ The person seeking to vote is not domiciled in the town or ward where he or she is seeking
31 to vote (state person's true domicile--town/city) _____

SB 279 – AS INTRODUCED
- Page 2 -

1 **(g)** ___ The person seeking to vote does not reside at the address listed for that person on the
2 checklist

3 **(h)** ___ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to
4 incarceration (state name of institution person is in) _____

5 **(i)** ___ This is a primary and the person seeking to vote in the (state political party name)
6 _____ primary is not a declared member of the party he or she claims to be affiliated with

7 **(j)** ___ The person seeking to vote is ineligible to vote pursuant to the following state or federal
8 statute or constitutional provision: _____

9 BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source
10 of the information or personal knowledge upon which the challenge of the particular individual is
11 based:

12 _____
13 _____
14 _____

15 OATH: The person making the challenge shall complete the following:

16 I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and
17 belief the information above is true and correct.

18 _____
19 (Signature of challenger)

20 On the date shown above, before me, _____ (print name of notary public, justice of the peace,
21 election officer), appeared _____ (print name of person whose signature is being notarized),
22 known to me or satisfactorily proven (circle one) to be the person whose name appears above, and he
23 or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this
24 affidavit are true to the best of his or her knowledge and belief.

25 _____
26 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

27 TO BE COMPLETED BY THE MODERATOR: Ruling on the challenge:

28 If the ground at issue is ***election law violation***, age, citizenship, [~~or~~] domicile, ***different address***
29 ***from what appears on the checklist, incarcerated felon, or wrong party in a partisan***
30 ***primary, listed as grounds (c)-(j)***: The supervisors of the checklist have ruled that the challenged
31 voter is: qualified as a voter; not qualified as a voter.

32 The moderator rules on challenges based on other grounds. The moderator rules that the
33 challenge is: well grounded; not well grounded. If it is ruled that the voter is not qualified or that the
34 challenge is well grounded, the challenged person may vote only if he or she completes and swears to
35 a challenged voter affidavit.

36 2 Effective Date. This act shall take effect 60 days after its passage.