SENATE BILL 4

AN ACT relative to domicile for voting purposes.


COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill expands the definition of domicile for voting purposes.

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 Matter removed from current law appears [*in brackets and struckthrough.*] Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
be it enacted by the senate and house of representatives in general court convened:

1 voter; domicile. amend rsa 654:1, i to read as follows:

i. (a) every inhabitant of the state, having a single established domicile for voting purposes, being a citizen of the united states, of the age provided for in article 11 of part first of the constitution of new hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.

(b)(1) an inhabitant’s domicile for voting purposes [is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government] shall be the principal or primary home or place of abode of a person. principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in rsa 654:2.

(2) in determining what is a principal or primary place of abode of a person the following circumstances relating to such person may be taken into account: business pursuits, employment, income sources, residence for income or other tax pursuits, and motor vehicle registration.

(3) a qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile.

(4) a qualified voter shall not be considered to have gained a domicile in any town or city of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there.

(5) if a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.

(c) a person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.

2 effective date. this act shall take effect 60 days after its passage.