This bill eliminates the requirement that moderators photograph voters without identification.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

In the Year of Our Lord Two Thousand Fifteen

AN ACT eliminating the requirement that moderators photograph voters without identification.

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

1 Reference Deleted. Amend RSA 5:6-d, III to read as follows:

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, [or with RSA 659:13, V,] reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, and improvements to related information technology, including acquisition and operation of an automated election management system. The secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

2 Reference Deleted. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, qualified voter and domicile affidavits, [affidavit of religious exemption,] and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any qualified voter or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.
3 Reference Deleted. Amend RSA 658:29 to read as follows:

658:29 Statutes Posted. The secretary of state shall prepare and distribute copies of the following RSA sections which the selectmen shall post or cause to be posted outside the guardrail in the polling place at all elections: RSA 654:7-a, RSA 654:7-b; RSA 659:13, \[RSA 659:13-b,\] RSA 659:27, RSA 659:30, RSA 659:31, RSA 659:32, RSA 659:34, RSA 659:35, RSA 659:37, RSA 659:38, RSA 659:40, RSA 659:41, RSA 659:103; RSA 666:4, RSA 666:5, RSA 666:8. In addition, the secretary of state shall include any other statutes or regulations that are required to be posted by state or federal law. The secretary of state may also include statutes or regulations that, in the secretary of state’s judgment, would aid a voter in casting a vote or in contacting the appropriate official if the voter believes that his or her voting rights are being violated.

4 References Deleted. Amend RSA 659:13, IV(a) to read as follows:

IV.(a) The secretary of state shall cause a letter of identity verification to be mailed by first class mail to each voter who executed a challenged voter affidavit \[or affidavit of religious exemption\] in accordance with paragraph I, unless the same person is sent letter of identity verification pursuant to RSA 654:12, V(b). The letter shall be mailed by January 10 in every odd-numbered year in the case of persons executing challenged voter affidavits \[or affidavits of religious exemption\] at a state primary or general election, or within 90 days after any other election. The secretary of state shall mark the envelope with instructions to the United States Post Office not to forward the letter and to provide address correction information. The letter shall notify the person that a person who did not present valid photo identification voted using his or her name and address and instruct the person to return the letter within 30 days with a written confirmation that the person voted or to contact the attorney general immediately if he or she did not vote. The letter shall also inform the person of the procedure for obtaining a free nondriver’s picture identification card for voting purposes.

5 Reference Deleted. Amend RSA 659:34, I(a) to read as follows:

(a) When registering to vote; when obtaining an official ballot; when casting a vote by official ballot; or when applying for a photo identification card for voting purposes, purposely or knowingly makes a false material statement regarding his or her qualifications as a voter to an election officer or submits a voter registration form, an election day registration affidavit, a qualified voter affidavit, a domicile affidavit, a challenged voter affidavit, \[an affidavit of religious exemption,\] an identification card voucher, or an absentee registration affidavit containing false material information regarding his or her qualifications as a voter;

6 Repeal. The following are repealed:

I. RSA 33-A:3-a, CLVI, relative to affidavits of religious exemption.
II. RSA 659:13, I(c)(2) and I(c)(3), relative to photograph of voter.
III. RSA 659:13, V, relative to photography equipment.
IV. RSA 659:13-b, relative to affidavit of religious exemption.

7 Effective Date. This act shall take effect September 1, 2015, at 12:03 a.m.
AN ACT eliminating the requirement that moderators photograph voters without identification.

FISCAL IMPACT:

The Department of State states this bill, as introduced, will decrease state expenditures by $137,643 in FY 2016, $67,045 in FY 2017, $69,784 in FY 2018, and $72,649 in FY 2019. There will be no fiscal impact on state, county, and local revenues or county and local expenditures.

METHODOLOGY:

The Department of State states this bill eliminates the requirement in RSA 659:13 that a digital photograph be taken of any voter who does not have an acceptable form of identification to obtain a ballot after September 1, 2015. The Department states the legislation would eliminate the need to hire a Program Assistant II to train local election officials on the requirements. Further, the Department reports it would forgo the purchase of camera and printer equipment as well as associated annual equipment maintenance costs. The table below details the Department’s anticipated reductions in expenditures resulting from this bill:

<table>
<thead>
<tr>
<th></th>
<th>FY 2016</th>
<th>FY 2017</th>
<th>FY 2018</th>
<th>FY 2019</th>
</tr>
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<tbody>
<tr>
<td>Program Assistant</td>
<td>$(26,555)</td>
<td>$(32,683)</td>
<td>$(34,013)</td>
<td>$(35,388)</td>
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<td>Salary (LG 15, step 1)</td>
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<tr>
<td>Benefits</td>
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<td>$(25,771)</td>
<td>$27,261)</td>
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<td>Camera and Printer</td>
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<td>$(0)</td>
<td>$(0)</td>
<td>$(0)</td>
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<tr>
<td>Equipment</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Equipment Maintenance</td>
<td>$(10,000)</td>
<td>$(10,000)</td>
<td>$(10,000)</td>
<td>$(10,000)</td>
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<tr>
<td><strong>Total</strong></td>
<td>$(137,643)</td>
<td>$(67,045)</td>
<td>$(69,784)</td>
<td>$(72,649)</td>
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