

HB 484 - AS INTRODUCED

2023 SESSION

23-0356

08/10

HOUSE BILL **484**

AN ACT relative to the handling of the absentee ballot envelopes prior to election day.

SPONSORS: Rep. Post, Hills. 42; Rep. J. Harvey-Bolia, Belk. 3; Rep. Edwards, Rock. 31; Rep. Hobson, Rock. 14; Rep. Potucek, Rock. 13; Rep. Terry, Belk. 7

COMMITTEE: Election Law

ANALYSIS

This bill allows the moderator to open absentee ballot outer envelopes on the Monday prior to election day.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the handling of the absentee ballot envelopes prior to election day.

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

1 1 Opening Absentee Ballot Outer Envelopes. Amend RSA 659:49-b to read as follows:

2 659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee
3 may authorize the opening of absentee ballot outer envelopes on ***the Monday prior to*** election day
4 prior to the time established for processing absentee ballots in RSA 659:49, provided that the
5 opening of the outer envelopes occurs in public with notice of the time and place. The envelope
6 containing the ballot shall not be removed from the outer envelope at such time, and the outer
7 envelope containing the inner envelope shall be secured until it is processed pursuant to RSA 659:50.
8 ***After the outer envelope has been opened, the affidavit on the inner envelope shall be***
9 ***examined to ensure the envelope is validated by the voter's signature, the voter's name***
10 ***shall be announced, an opportunity for a challenge of the ballot shall be given, and the***
11 ***voter's name shall be highlighted on the checklist to help facilitate processing of the ballot***
12 ***on election day. Notwithstanding RSA 659:51, if absentee ballots are partially processed***
13 ***before election day a challenge may not be made after the notation has been made on the***
14 ***checklist. The ballot shall remain secure in the unopened affidavit envelope until final***
15 ***processing on election day.***

16 2 Opening Absentee Ballots. Amend RSA 659:52 to read as follows:

17 659:52 Opening Envelope; Depositing Ballot. If the absentee ballot is not challenged, the
18 moderator shall, after announcing the name of the voter, open the envelope containing the ballot so
19 the affidavit is not destroyed. The moderator shall then take the ballot out of the envelope without
20 unfolding the ballot or without permitting the ballot to be examined, and he or she shall preserve the
21 affidavit with the ballots cast at the election as provided in RSA 659:101. The moderator shall then
22 have a checkmark placed beside the name of the absentee voter on the checklist and write therewith
23 the letters "A.V." in red ink, ***and draw a single thin red line through the voter's last name***
24 ***using a ruler or straight edge, and also during a primary election, if the voter is***
25 ***undeclared, using red ink, write the 3 initials of the political party or check off (DEM) or***
26 ***(REP) as it relates to the ballot the voter selected,*** and shall then deposit the ballot in the ballot
27 box.

28 3 Effective Date. This act shall take effect upon its passage.