

CACR 15 - AS AMENDED BY THE HOUSE

16Mar2022... 0735h

2022 SESSION

22-2246

07/11

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **15**

RELATING TO: residency for the purpose of voting.

PROVIDING THAT: only residents of the state may vote in elections.

SPONSORS: Rep. Labranche, Hills. 22; Rep. Gallager, Merr. 15; Rep. Laughton, Hills. 31;
Rep. Frost, Straf. 16; Rep. Veilleux, Hills. 22

COMMITTEE: Election Law

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that voters in the state of New Hampshire must be citizens of the United States, citizens of New Hampshire, domiciled in the state, have their primary residence in the state, and vote only in the place where they are domiciled.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

CONCURRENT RESOLUTION PROPOSING CONSITUTIONAL AMENDMENT

RELATING TO: residency for the purpose of voting.

PROVIDING THAT: only residents of the state may vote in elections.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

1 I. That article 11 of the first part of the constitution be amended to read as follows:

2 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and [~~every inhabitant~~
3 ~~of the state of~~] **only a person who is a citizen of the United States and a citizen of the state of**
4 **New Hampshire, and** 18 years of age and upwards shall have an equal right to vote in any
5 election. [~~Every person~~] **A person who is a United States citizen** shall be considered [~~an~~
6 ~~inhabitant~~] **a citizen of the state of New Hampshire only if that person is domiciled in and**
7 **has primary residence in a town, ward, or unincorporated place in New Hampshire and**
8 **shall vote only in that town, ward, or unincorporated place** [~~for the purposes of voting in the~~
9 ~~town, ward, or unincorporated place where he has his domicile~~]. No person shall have the right to
10 vote under the constitution of this state who has been convicted of treason, bribery or any willful
11 violation of the election laws of this state or of the United States; but the supreme court may, on
12 notice to the attorney general, restore the privilege to vote to any person who may have forfeited it
13 by conviction of such offenses. The general court shall provide by law for voting by qualified voters
14 who at the time of the biennial or state elections, or of the primary elections therefor, or of city
15 elections, or of town elections by official ballot, are absent from the city or town of which they are
16 inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any
17 officer or officers to be elected or upon any question submitted at such election. Voting registration
18 and polling places shall be easily accessible to all persons including disabled and elderly persons who
19 are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any
20 question submitted at such election. The right to vote shall not be denied to any person because of
21 the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has
22 equal right to be elected into office."

23 II. That the above amendment proposed to the constitution be submitted to the qualified
24 voters of the state at the state general election to be held in November, 2022.

25 III. That the selectmen of all towns, cities, wards and places in the state are directed to
26 insert in their warrants for the said 2022 election an article to the following effect: To decide
27 whether the amendments of the constitution proposed by the 2022 session of the general court shall
28 be approved.

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1 IV. That the wording of the question put to the qualified voters shall be:

2 “Are you in favor of amending article 11 of the first part of the constitution to read as follows:

3 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and only a person who
4 is a citizen of the United States and a citizen of the state of New Hampshire, and 18 years of age and
5 upwards shall have an equal right to vote in any election. A person who is a United States citizen
6 shall be considered a citizen of the state of New Hampshire only if that person is domiciled in and
7 has a primary residence in a town, ward, or unincorporated place in New Hampshire and shall vote
8 only in that town, ward, or unincorporated place. No person shall have the right to vote under the
9 constitution of this state who has been convicted of treason, bribery or any willful violation of the
10 election laws of this state or of the United States; but the supreme court may, on notice to the
11 attorney general, restore the privilege to vote to any person who may have forfeited it by conviction
12 of such offenses. The general court shall provide by law for voting by qualified voters who at the
13 time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of
14 town elections by official ballot, are absent from the city or town of which they are inhabitants, or
15 who by reason of physical disability are unable to vote in person, in the choice of any officer or
16 officers to be elected or upon any question submitted at such election. Voting registration and
17 polling places shall be easily accessible to all persons including disabled and elderly persons who are
18 otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question
19 submitted at such election. The right to vote shall not be denied to any person because of the non
20 payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right
21 to be elected into office.”

22 V. That the secretary of state shall print the question to be submitted on a separate ballot or
23 on the same ballot with other constitutional questions. The ballot containing the question shall
24 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made
25 in either of the squares, the ballot shall not be counted on the question. The outside of the ballot
26 shall be the same as the regular official ballot except that the words “Questions Relating to
27 Constitutional Amendments proposed by the 2022 General Court” shall be printed in bold type at the
28 top of the ballot.

29 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
30 becomes effective when the governor proclaims its adoption.

31 VII. Voters' Guide.

32 AT THE PRESENT TIME, article 11 of the first part of the New Hampshire
33 constitution provides that a voter must be domiciled in the state.

34 IF THE AMENDMENT IS ADOPTED, a voter must be a citizen of the United States and
35 a citizen of New Hampshire who is domiciled and whose primary place of residence is in the state
36 and he or she may only vote in place he or she is domiciled.