

HB 524-FN - AS INTRODUCED

2021 SESSION

21-0755

11/10

HOUSE BILL ***524-FN***

AN ACT requiring the secretary of state to conduct random verification counts of polling place results.

SPONSORS: Rep. Lang, Belk. 4; Rep. Yakubovich, Merr. 24; Rep. Read, Rock. 17

COMMITTEE: Election Law

ANALYSIS

This bill requires the secretary of state to conduct verification counts of random polling places for the purpose of determining the accuracy of machine counted vote totals.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring the secretary of state to conduct random verification counts of polling place results.

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

1 1 New Subdivision; Post-Election Procedure; Certain Verification Counts Required. Amend RSA
2 660 by inserting after section 31 the following new subdivision:

3 Post-Election Procedure; Certain Verification Counts Required

4 660:32 Certain Verification Counts Required.

5 I. Immediately proceeding each state general election, the secretary of state shall randomly
6 select 5 locations that conduct elections with electronic ballot counting devices to verify the count by
7 hand in order to identify statistical anomalies. The locations shall be chosen by the secretary of
8 state as follows, provided that the number of ballots cast in all 5 selected locations is greater than 2
9 percent of ballots cast in the state:

10 (a) One polling place, ward, or town with between 2,000 and 3,999 total ballots cast.

11 (b) One polling place, ward, or town with between 4,000 and 7,499 total ballots cast.

12 (c) One polling place, ward, or town with at least 7,500 total ballots cast.

13 (d) Two polling places randomly selected by the secretary of state.

14 II. If, after conducting the hand verification count, the hand-counted vote differs from the
15 machine-counted vote by 2 percent or more for any candidate who received more than 500 votes, or if
16 the outcome of a given election is changed, the secretary of state shall repeat the verification count
17 process for 5 new locations that meet the characteristics of paragraph I.

18 III. If, after conducting a hand verification count pursuant to paragraph II, the secretary of
19 state determines that the hand-counted vote differs from the machine-counted vote by 2 percent or
20 more for any candidate who received more than 500 votes, or if the outcome of a given election is
21 changed, the secretary of state and the attorney general shall immediately conduct an investigation
22 and audit of all machines used to count ballots involved in a election that had a 2 percent or more
23 difference between the hand-counted and machine-counted votes.

24 IV. The secretary of state shall conduct and complete the verification counts no later than 21
25 days proceeding the general election.

26 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 524-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring the secretary of state to conduct random recounts of certain elections.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$13,200	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other			

METHODOLOGY:

This bill requires the Department of State to conduct 5 random hand recounts of general election ballots cast using electronic ballot counting devices at polling places in voting jurisdictions of different population ranges. These recounts shall occur immediately following the election and shall represent at least 2 percent of the ballots cast in such election.

The Department of State estimates it will need as many as 8 teams made up of 2 individuals each to conduct the verification recount over a 5 day period. Two drivers would also be needed to pick up the ballots from the towns to be counted. Total estimated cost is \$13,200 based on the following:

\$20/hour x 16 counters (8 teams of 2 each) = \$320/hour

\$320/hour x 8 hours = \$2,560/day

\$2,560/day x 5 days = \$12,800

2 drivers plus fuel (one day) = \$400

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Department of State