

HB 1200-FN - AS INTRODUCED

2024 SESSION

24-2458

08/05

HOUSE BILL

***1200-FN***

AN ACT

relative to controlled and secured storage of printed paper ballots.

SPONSORS:

Rep. Wherry, Hills. 13; Rep. Burnham, Straf. 2; Rep. Aures, Merr. 13; Rep. K. Perez, Rock. 16; Rep. Panek, Hills. 1

COMMITTEE:

Election Law

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ANALYSIS

This bill establishes certain procedures to secure the printing, use, and storage of paper election ballots.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to controlled and secured storage of printed paper ballots.

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

1        1 Findings. The general court finds that public confidence in the safety and security of New  
2        Hampshire elections is high because of the use of paper ballots (as stated by the December 2022  
3        report of the special committee on voter confidence), therefore, efforts should be made to maintain all  
4        printed ballots in a secure manner from their creation through to their disposal after the proper  
5        retention period.

6        2 New Section; Controlled and Secured Storage of Printed Paper Ballots. Amend RSA 656 by  
7        inserting after section 1-a the following new section:

8        656:1-b Controlled and Secured Storage of Printed Paper Ballots.

9        I. The person printing an election ballot shall provide for a controlled and secured storage  
10       area for all printed paper ballots to prevent unauthorized access to the printed paper ballots.

11       II. The number of personnel authorized for entry into the secured location shall be limited to  
12       employees accountable for the secure storage.

13       III. A logbook shall be maintained to record the entry of personnel into the storage area,  
14       their time of entry and exit, and the activity performed by the personnel entering the controlled and  
15       secured storage area.

16       IV. The number of ballots produced during a printing run shall be recorded. A count shall  
17       be made of any ballots that were misprinted and/or damaged. Misprinted and/or damaged ballots  
18       should be promptly shredded or otherwise destroyed to prevent inadvertent use, and their  
19       destruction shall be certified by an authorized individual, whose signature shall appear on the  
20       certificate of destruction.

21       V. Upon completion of each printing batch, election ballots shall be promptly transferred to  
22       the controlled and secured storage area. No printed ballots are to be left unattended on the printing  
23       floor.

24       VI. An inventory shall be maintained of the printed ballots, and an ongoing count of printed  
25       ballots shall be established and maintained for all ballots transferred to or removed from the storage  
26       area.

27       VII. Within 10 days following the election, the logbook, records of ballots printed, records of  
28       ballots destroyed, and the ballot inventory maintained through the ballot printing and distribution  
29       process shall be provided to the secretary of state. The secretary of state shall retain these records  
30       for a period of 18 months.

1           VIII. A video surveillance of the secured location shall be operational from the initiation of  
2 the printing through the end of the election. Copies of all video surveillance footage shall be made  
3 available to the secretary of state.

4           3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1200-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to controlled and secured storage of printed paper ballots.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures</b>	Indeterminable	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ N/A

**METHODOLOGY:**

This bill sets strict criteria for printing and storing state election paper ballots, including controlled storage, limited access, detailed record-keeping, immediate destruction of flawed ballots, continuous monitoring, and submission of comprehensive records to the Secretary of State within 10 days post-election. Additionally, it mandates operational video surveillance throughout the process, with footage provided to the Secretary of State.

The Department of State indicates currently, the Secretary of State's office oversees the boxing and shipping of state election ballots from a controlled and secure printing area at the designated printing company. However, the language in this bill would prohibit the Secretary of State from accessing the ballots, contradicting RSA 656:1. It implies a transfer of the responsibility for boxing and shipping ballots to the printer company, which, as it stands, is handled by Secretary of State employees. This shift would likely lead to an indeterminable yet notably higher printing expense. Additionally, the bill mandates the printing company to install a comprehensive video surveillance system to monitor the entire process of printing and storing state ballots at the controlled and secured storage area. The Department cannot ascertain the expenses involved for a private printing company to procure, set up, and manage the system, nor can they gauge if this mandate might discourage such companies from

contracting with the Secretary of State for printing state election ballots. The effects of this change would be with either the state primary election or the state general election in 2024, depending when the bill is signed into law.

The New Hampshire Municipal Association states with bill would have no fiscal impact on their revenues or expenditures.

**AGENCIES CONTACTED:**

Department of State and New Hampshire Municipal Association