

**1-866-OUR-VOTE  
(1-866-687-8683)****Disclaimer:**

This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision making.

**VOTER REGISTRATION FORMS****1) Where can voter registration forms be obtained?**

There are several options for how to register to vote in New Hampshire. You may:

- Apply to your town or city clerk's office. You will be required to fill out a standard voter registration form and will be required to show proof of age, citizenship, and domicile (see **Question #9**);
- Register with your community's voter checklist supervisor. By law they are required to meet on the Saturday ten (10) days prior to each election. Check the local newspaper(s) or call your clerk's office for the date and time of such meeting; or
- Register to vote at the polling place on Election Day. You will be asked to show proof of age, citizenship, and domicile. See **Question #9**.

If you are unable to register in person because of a physical disability, religious beliefs, military service, confinement in a penal institution, or temporary absence, you may register by mail. You should request an absentee voter registration affidavit and standard voter registration form from your city or town clerk's office. The absentee voter registration affidavit must be witnessed and then both it and the voter registration form should be returned to the clerk.

The basic information required by the standard registration application can be found at N.H. Rev. Stat. Ann. § 654:7 (see <http://www.gencourt.state.nh.us/rsa/html/LXIII/654/654-mrg.htm>). For more information, see <http://www.sos.nh.gov/vote.htm>.

**2) Are there restrictions on registering to vote using a photocopied voter registration form?**

Yes. Voter registration forms must be obtained from the clerk by the individual voter. See **Question #1**. According to the Secretary of State's office, voter registration forms cannot be printed out at home or removed from the clerk or checklist supervisor's office and returned in person at a later time. However, there is no statutory restriction against taking and copying a form, nor any provision the form be on a particular type of paper.

**3) Are there restrictions on the use of the National Voter Registration Form?**

Yes. New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form.

**4) Are there restrictions regarding the use of registration form information?**

Yes. In New Hampshire, voter registration information is kept in two places: 1) voter checklist; and 2) centralized voter registration database. The laws regarding access to the information are different for each.

The information maintained on the voter checklist includes the voter's full name, address, and party affiliation, if any. This information is publicly available for viewing unless the voter obtains a valid protective order to keep this information confidential. The checklist will be posted at the office of the town or city clerk or at the town hall not later than the fourth Tuesday before any state election. Any person can also receive a copy of the most recent public checklist by requesting such from the supervisor of the checklist for a particular town or city. Checklist information (name, address, and party affiliation) can also be obtained, but not copied, from the statewide centralized voter registration database maintained at the state records and archives center. No person, however, may use or permit the use of checklist information for commercial purposes. Use of the checklist for commercial purposes is a misdemeanor.

The centralized voter registration database includes the information on the voter registration form and the voter checklists. An election official is authorized to obtain immediate electronic access to the information in the database related to individuals registered or registering to vote in the election official's jurisdiction. The voter database is private and confidential, and any person who discloses information from the voter database in any manner not authorized by statute shall be guilty of a misdemeanor.

Citizenship and domicile affidavits are public records for the purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, or determining the accuracy of any citizenship or domicile affidavit. Finally, election officials and law enforcement personnel may, in furtherance of their official duties, access and disclose information from the voter registration form, citizenship and domicile affidavits, 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.

**5) Are there restrictions regarding pre-filling information on registration forms?**

Because the voter registration forms are obtained from the clerk and usually filled out in the clerk's office, the applicant does not need to pre-fill any information on the form.

## **COMPLETING VOTER REGISTRATION FORMS**

**6) How long must you live in a county before you are eligible to register to vote?**

There is no minimum period of time you are required to have lived in the state before being allowed to register. You may register as soon as you move into your new community.

**7) Are there any restrictions on registering to vote using a P.O. Box, college campus, or dorm address?**

There are no restrictions on registering to vote using a college campus or dorm address, so long as the person registering to vote resides at that address. A post office box is not a valid address for voter registration purposes.

**8) If I am in the state because of work or because I am a student, can I register to vote? If I leave the state because of work or school, can I still vote?**

Yes. A college student in New Hampshire may choose as his or her voting domicile either the domicile he or she held before entering college or the domicile he or she has established while attending college. Under no circumstances may college students retain two voting domiciles. Those who must leave the state but still establish a domicile may vote absentee. Eligible voters may vote by absentee ballot if they fall under one of the following enumerated categories:

- 1.) Plan to be absent on the day of the election from the city, town, or unincorporated place in which you are registered to vote;
- 2.) Cannot appear in public on Election Day because of observance of a religious commitment;
- 3.) Are unable to vote in person due to a disability; or
- 4.) Cannot appear at any time during polling hours at your polling place because an employment obligation requires you to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close.

**9) Are there any identification requirements to register to vote?**

Yes. New Hampshire applicants must present proof of citizenship, age, and domicile.

Proof of citizenship

Acceptable proof of citizenship includes:

- Birth certificate;
- Passport;
- Naturalization papers if the applicant is a naturalized citizen;
- A citizenship affidavit as described in N.H. Rev. Stat. Ann. § 654:12(I)(a); or
- Any other reasonable documentation which indicates the applicant is a U.S. citizen.

Proof by “reasonable documentation” is only presumptive evidence of the identity of the applicant and can be defeated by evidence establishing that it is more likely than not that the applicant is not qualified as a voter. Reasonable documentation includes, but is not limited to: (1) photo driver’s license issued by any state or the federal government; (2) United States passport, armed services identification, or other photo identification issued by the United States government; or (3) photo identification issued by local or state government.

A person who has in his or her immediate possession photo identification approved for use as “reasonable documentation” must present that identification when applying for registration. A person who does not have approved photo identification with him or her may establish identity through any reasonable means, including, but not limited to: (1) photo identification not approved by paragraph II (above), but determined to be legitimate by the supervisors of the checklist or clerk; (2) verification of the person's identity by another person registered as a voter and known to the supervisor or clerk; or (3) an affidavit to be completed by a challenged voter.

Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. The application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with photo identification.

Proof of Age

Acceptable proof of age includes any reasonable documentation indicating the applicant is 18 years of age or older. “Reasonable documentation” includes the evidence used to establish identity as provided above regarding proof of citizenship, and is subject to the same presumptions.

Proof of Domicile

Acceptable proof of domicile includes: (1) any reasonable documentation which indicates that the applicant has a domicile and intends to maintain a domicile, as defined in this chapter, in the town, city or ward in which he or she desires to vote; or (2) if the applicant does not have reasonable documentation in his or her possession at the place and time of voter registration, an affidavit of domicile as described in N.H. Rev. Stat. Ann. § 654:12(I)(c).

“Reasonable documentation” includes the evidence used to establish identity as provided above regarding proof of citizenship. It further includes the following documents, provided the document is currently valid, was issued to or in the name of the applicant, and shows the address the applicant claims as a domicile: (1) New Hampshire driver’s license; (2) New Hampshire vehicle registration; or (3) armed services identification, or other photo identification issued by the United States government. The “reasonable documentation” is subject to the same presumptions mentioned above.

#### No Photo Identification Presented

If a first-time registrant does not present photo identification when registering, the secretary of state shall send a letter of identity verification to the voter within 90 days of the election. The letter shall notify the person that a person who was unable to present photo identification registered or registered and voted using his or her name and address and instruct the person to contact the attorney general immediately if he or she did not register to vote.

#### Absentee Registration

Those registering absentee under N.H. Rev. Stat. Ann. § 654:16 must enclose with their absentee registration affidavit either (a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows the voter’s name and address; or (b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows the voter’s name and address, or a letter from the administrator of a nursing home or similar facility affirming that the voter is a resident of the facility. There is no restriction on assistance to the voter in securing any of this documentation.

In order to change addresses, a voter must fill out a new registration form and follow all of the guidelines above (which can be done on Election Day).

#### **10) Are there any identification requirements in order to vote?**

If you are a registered voter, you do not need to show identification at the polls. If you are registering to vote on Election Day, you must comply with the identification requirements described in **Question #9**.

#### **11) What are the rules regarding missing or illegible information on registration forms?**

Because the voter registration forms are obtained from the clerk and usually filled out in the clerk’s office, the clerk can help the registrant correct any missing or illegible information. The information supplied by the voter, namely the identifying number, name, and date of birth, will be matched to motor vehicle or Social Security records. The applicant will be notified of any errors and given 30 days to correct these errors. If the errors are not timely corrected, the application will be rejected.

#### **12) Can a person whose name has changed since registering vote on Election Day?**

Yes. A person can change his/her name up to or on Election Day and vote in that election by providing proof of the name change (i.e., marriage certificate or court order).

### **REGISTERING OTHERS TO VOTE**

#### **13) What are the laws regarding third-party registration?**

Third parties may not deliver, mail, or hand deliver completed registration applications. Unless a registrant qualifies to vote using an absentee ballot, he or she must register in person at the town or city clerk’s office, with the community voter checklist supervisor, or at the polling place on Election Day. See **Question #1**.

**14) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?**

State law requires that each voter must apply individually to the town or city clerk, or to the community's voter checklist supervisor. They are the only available distributors of voter registration forms. See **Questions #1 and #2**.

**15) Is training required for voter registration drives?**

Voter registration drives in which third parties hand in completed voter registrations are not allowed in New Hampshire. See **Question #14**. Town clerks, election officers, and checklist supervisors are trained and charged by the State of New Hampshire to distribute and collect registration forms and election ballots.

**16) Are volunteers or staff of voter registration drives required to be county or state residents?**

Unless the voter qualifies to file absentee, registration must be done in person. As such, there are residency requirements for volunteers or staff of voter registration drives. See **Questions #4 and #5**.

## **REGISTRATION DEADLINES**

**17) What is the deadline to register to vote?**

New Hampshire residents who will be 18 years of age or older on Election Day, and who are United States citizens, may register with the town or city clerk where they live, either in person or (if qualified under N.H. Rev. Stat. Ann. § 654:16 for absentee registration) by mail, up to 10 days before any election. Mailed in registrations must be received 10 days before the election, so voters must leave enough time for their ballot to reach the town or city clerk's office. Residents may also register on Election Day at the polling place. The town clerk's office can inform voters of what proof of qualification they should bring to register.

### **IMPORTANT VOTER REGISTRATION DEADLINES**

**June 3, 2008** Last day to change your party affiliation prior to the State Primary Election.

**September 2, 2008** Last day to register to vote before Primary Election Day.

**September 9, 2008** **STATE PRIMARY ELECTION DAY** – unregistered voters may register and vote on this day.

**October 25, 2008** Last day to register to vote until the General Election.

**November 4, 2008** **GENERAL ELECTION DAY** – unregistered voters may register and vote on this day.

**18) Must individuals or organizations engaged in voter registration drives submit their forms within a certain period of time?**

No. Unregistered voters may register to vote and vote on the same day. There is no restriction on the time between the signing of an absentee registration affidavit or voting registration form and its submission to the clerk of the town or city.

**19) Is Election Day registration allowed?**

Yes. Unregistered voters may register and vote on the same day as any federal election, including presidential elections. Individuals who register to vote on Election Day will be permitted to vote in that election. For additional registration information, see **Question #17**.

## 20) Does state election law allow for early or absentee voting?

Absentee voting is permitted. If you meet the state's voter requirements and qualifications and are unable to register in person because of physical disability, religious beliefs, military service, or because of temporary absence, you may register by mail. You should request an absentee voter registration affidavit and a standard voter registration form from your town/city clerk. The absentee voter registration affidavit must be witnessed, and then both the affidavit and the voter registration form must be returned to your town/city clerk. A list of town clerks may be found at <http://www.sos.nh.gov/clerks.htm>.

If you are a student attending college in New Hampshire, please visit the following website for additional information: <http://www.sos.nh.gov/College%20Student%20Voting.pdf>. Students attending college in New Hampshire from other states may also have the right to vote by absentee ballot in their home state. If you are considering requesting an absentee ballot from any state, including New Hampshire, you should check with the town or city clerk or another appropriate local election official to determine the timeline for requesting and submitting such a ballot.

Any person who is domiciled outside the United States has the right to register and vote absentee in any federal election in the town or city in New Hampshire in which the person had his or her domicile immediately prior to his or her departure from the United States, even though the person no longer maintains a domicile in said city or town and even though the person's intent to return is uncertain. A voter who is a member of the armed services may apply for an absentee ballot from the town/city clerk of the town in which he or she was domiciled immediately prior to entering the service. Armed service voters are eligible to vote for all offices. For additional information, see <http://www.sos.nh.gov/UOCAVA.htm>.

Eligible voters may vote by absentee ballot only if they fall under one of the following enumerated categories:

- 1.) Plan to be absent on the day of the election from the city, town, or unincorporated place in which you are registered to vote;
- 2.) Cannot appear in public on Election Day because of observance of a religious commitment;
- 3.) Are unable to vote in person due to a disability; or
- 4.) Cannot appear at any time during polling hours at your polling place because an employment obligation requires you to remain physically at work or to be in transit to or from work from the time the polls open until after the time the polls close.

Absentee ballots are available from your town or city clerk approximately 30 days prior to an election. You can request an absentee ballot application from the clerk or download the application from <http://www.sos.nh.gov/Absentee%20Ballot%20Application-2007.pdf>. Alternatively, you may submit a request in writing which should include all the information that is required on the application. Don't forget to include your name, voting address, mailing address and signature. **An application for an absentee ballot may be transmitted by facsimile to a town or city clerk, but an absentee ballot may NOT be transmitted by facsimile to a town or city clerk.** Clerks may accept completed absentee ballots submitted in person until 5:00 p.m. the day before an election or until 5:00 p.m. on Election Day if received through the mail.

## **VOTER REGISTRATION LEGISLATION**

**21) Is there any pending legislation that affects voter registration? If so, where is it in the legislative process?**

We are unaware of any pending legislation that affects voter registration.

**22) What applicable statutes are possibly affected?**

If you would like to read the statutes that generally apply to voter registration, they are under New Hampshire's Revised Statutes Annotated, specifically:

- N.H. Rev. Stat. Ann. §§ 652–671 on elections generally;
- N.H. Rev. Stat. Ann. § 654 on voters and checklists
- N.H. Rev. Stat. Ann. § 659 on election procedure; and,
- N.H. Rev. Stat. Ann. § 657 on absentee voting.

**23) Are there any helpful elections official contacts?**

For more information, contact the New Hampshire Secretary of State, Elections Division  
State House, Room 204  
Concord, N.H. 03301  
Phone: 603-271-3242  
Fax: 603-271-6316  
Email: [Elections@sos.state.nh.us](mailto:Elections@sos.state.nh.us)

**24) What web resources are available?**

The New Hampshire Secretary of State has a website dedicated to providing information on New Hampshire elections: [www.sos.nh.gov/electionsnew.html](http://www.sos.nh.gov/electionsnew.html). This site includes records of past state elections, information about registering to vote, names of candidates, and other election-related information.

The National Campaign for Fair Elections is another resource:  
[http://www.nationalcampaignforfairelections.org/pages/new\\_hampshire](http://www.nationalcampaignforfairelections.org/pages/new_hampshire).