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.

Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter’s contact information should follow-up be necessary.

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1. **Am I registered to vote?**

You can determine whether a voter is registered to vote by checking the New Hampshire Secretary of State’s “Voter Information Look-up” website (https://app.sos.nh.gov/Public/PartyInfo.aspx).

2. **Where do I vote?**

You can determine a voter’s proper polling place by checking the New Hampshire Secretary of State’s “Voter Information Look-up” website (http://app.sos.nh.gov/Public/PollingPlaceSearch.aspx). If a voter has moved recently and has not updated his or her voter registration, refer to Question #6.

3. **When do the polls open and close?**

All polls must be open from at least 11:00 a.m. to 7:00 p.m. Eastern Time, but individual communities may open their polls earlier or close them later. Most polls open between 6 a.m. and 8 a.m. Eastern Time and close between 7:00 p.m. and 8 p.m. Eastern Time. In each city, the city council determines the
polling hours 30 days prior to a state election. In towns, the polling hours may be expanded by the town council more than 60 days before an election (and may be expanded or restricted through a ballot initiative). Voters waiting in line to vote when the poll closing is announced, including voters who are in their cars waiting to get parking at poll closing, must be allowed to vote. Voters present at the polling place may vote to keep the polls open later.

If you are a hotline volunteer or a field volunteer and a polling place prohibits those who were in line or parking before closing from voting, advise voters to stay at the polling location and contact your hotline captain/command center.

4. When is/was the voter registration deadline?

New Hampshire permits same-day in-person voter registration. If a voter’s name does not appear on the checklist at the proper precinct and he or she is otherwise eligible to vote, the voter may register at the polling place. Anyone who is waiting to register at the time scheduled for poll closing will be permitted to vote if he or she is determined qualified to register. The voter will need to provide proof of citizenship, age, and domicile, but may submit an affidavit swearing to those facts if documentation is not available. However, if a voter submits an affidavit swearing to domicile, he or she will have to either: (1) provide documentary proof of domicile to the city or town clerk as soon as 10 days after the election; or (2) indicate that they do not possess such documentation, in which case the supervisors of the checklist may attempt to investigate the claim of domicile after the election. A person who knowingly or purposely fails to provide such proof may be subject to the penalties of wrongful voting.

If you want to register before Election Day, you may register to vote in the town or city clerk’s office in the town or city where you are domiciled. You may also register with the community’s Supervisors of the Checklist, who meet on a day that is 6 to 13 days before the election. You should check your town or city’s website or call your clerk’s office for the date, time, and location of the meeting. You can find your clerk’s contact information here.

If you cannot register in person (because of physical disability, religious beliefs, military service, or temporary absence), you may register to vote by mail. Due to the COVID-19 pandemic, the state has expanded the definition of “disability” so that voters concerned about appearing to register to vote in person due to COVID-19 may apply to register to vote in 2020 by mail.

In order to register to vote by mail in 2020 because of a concern about registering in person due to COVID-19, voters will need to complete a voter registration form from their city or town clerk together with an absentee registration affidavit form affirming the applicant has a “disability” by virtue of their concern about COVID-19 and then submit the application, affidavit and copies of proof of identity and domicile to their town clerk. Note that a voter submitting an absentee registration affidavit must have the affidavit signed by a witness. Due to COVID-19, however, clerks and supervisors of the checklists are encouraged by the Secretary of State to find ways to accommodate voters who are unable to secure a witness signature or supply additional information or documents necessary to complete the application.

Prospective voters who are requesting to register by mail must submit their applications in time for them to be considered by their city or town Supervisors of the Checklist prior to the upcoming election. Supervisors of the Checklist meet on a day that is 6 to 13 days before the election, so voters desiring to register to vote by mail should check with their city or town clerk to determine when the Supervisors of the Checklist will meet prior to the election.
5. Can I vote without providing identification?

Yes, but you will need to use a Challenged Voter Affidavit. Valid forms of identification ("ID") are a driver’s license issued by any state or the federal government, a non-driver ID card issued by any state, a U.S. military ID, a U.S. passport, or a valid student ID card from a New Hampshire college, university, career school, or high school. To be valid, the ID must contain the voter’s name and photograph and have an expiration date that has not been exceeded by more than five years, except that voters age 65 or older can vote regardless of when the ID expired. If you execute a Challenged Voter Affidavit, you will be photographed (if you object to being photographed due to your religious beliefs, you will have to execute an additional affidavit of religious exemption). If the voter is required to file a Challenged Voter Affidavit, the state will mail the voter a letter of identity verification after the election. The letter will ask the voter to return the letter within 30 days to confirm that he or she voted in the election, or to contact the attorney general immediately if he or she did not vote in the election. The letter will also explain the procedure for obtaining a free non-driver’s photo ID for voting purposes. If the voter does not confirm that he or she voted in the election, the attorney general will begin an investigation to determine whether fraudulent voting occurred.

6. I have moved and I didn’t update my voter registration. Can I vote?

Yes. A voter may find his or her polling place here (based on the address of the voter’s current domicile): http://app.sos.nh.gov/Public/PollingPlaceSearch.aspx.

If a voter has moved within the same precinct and has not informed the supervisors of the checklist, the voter will be required to update his or her address at the polling place. If the updated address is within the polling place’s town or ward, the voter must be permitted to vote. If the voter has moved to a different precinct or county, the voter will be required to re-register in the new precinct or county. New Hampshire permits same-day registration if the voter does not appear on the checklist at the correct polling place and is otherwise properly qualified to vote. (see Question 4)

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<tr>
<th>Moved within the same precinct</th>
<th>Moved to a different precinct but within the same county</th>
<th>Moved to a different county</th>
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<td>If the voter has not yet informed the supervisors of the checklist, the voter will be required to update his or her address at the polling place.</td>
<td>New Hampshire permits same-day registration if the voter does not appear on the checklist at the correct polling place and is otherwise properly qualified to vote.</td>
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7. What should I do if there are equipment problems at my precinct?

Voters should immediately notify the moderator if the voting equipment breaks down while the polls are open. If the polling place runs out of ballots, the town or city clerk should prepare unofficial ballots.

If you are a hotline volunteer and learn of equipment not working properly at a polling place, notify your hotline captain, who will contact the town or city clerk.
If you are a field volunteer at a polling place and the equipment is not working properly, notify the command center, which will contact the town or city clerk.

8. I am a registered voter who is not on the rolls at the precinct where I currently am. Can I vote where I am?

Maybe. A voter may only register in the town or ward in which the voter is domiciled. New Hampshire permits same-day registration if the voter does not appear on the checklist at the correct polling place and is otherwise properly qualified to vote. If a voter has moved to a new town, ward, or county, the voter will need to re-register in his or her new community. (see Question 4)

9. My name isn’t popping up on the list of registered voters – could it have been removed?

Yes. If a voter has a felony conviction (see Question 10), or a conviction for bribery or intimidation related to an election, the voter’s name may have been removed. Additionally, the voter’s name may have been removed if a voter is not otherwise qualified to vote and the voter’s name has been removed from the checklist pursuant to the procedure in New Hampshire law, or if the voter is registered to vote elsewhere.

Any voter whose name was removed from the voter registration list on the basis of a determination of ineligibility who subsequently becomes eligible must re-register.

Note that you can take steps to help to determine why a voter’s name is not popping up on the list of registered voters:

- Check the voter’s registration status using the registration lookup tool to make sure the voter is registered to vote and at the right place. (see Question 1)
- Has the voter moved recently? Could he or she be registered at an old address? Check that address in the registration lookup tool. (see Question 1 and Question 6)
- Has the voter changed his or her name recently, or could he or she be registered under a different name? Check that name (and any variations of the voter’s name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (see Question 1)
- When/where did the voter register to vote?
  o Note: Remember that New Hampshire permits same-day registration. (see Question 4)

10. I have a criminal conviction. Can I vote?

Maybe. A person sentenced for a felony may not vote from the time of sentencing until the sentence’s final discharge, unless the execution of sentence is suspended (with or without probation) or the person is paroled. In other words, New Hampshire automatically restores voting rights to persons with felony convictions upon release from prison, but the voter must re-register if they have been removed from the checklist due to the felony conviction. (see Question 9). Persons confined in a penal institution in pre-trial detention or as a result of a conviction for a misdemeanor retain the right to vote. Most people sentenced to County Corrections fall in this category. Their domicile for voting purposes is the town or city where they had their domicile immediately prior to being confined. Persons confined in a penal institution must vote by absentee ballot.
11. I have been offered a provisional, i.e. non-regular, ballot. What should I do?

New Hampshire does not provide “provisional” ballots. Rather, any issues that arise should be solved by the casting of either a Challenged Voter Affidavit in the event a voter is unable to produce photo identification, or an unofficial ballot in the event that the polling places runs out of ballots. If you are offered any other type of ballot, contact your command center or the city chief elections officer.

12. I am a college student. Can I register to vote where I go to school?

Yes. A student of any New Hampshire collegiate institution may lawfully claim domicile for voting purposes in the New Hampshire town or city in which he or she lives while attending such an institution of learning if the student’s claim of domicile otherwise meets the requirements of New Hampshire law. An inhabitant’s domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.  

After a new state election law, HB 1264, went into effect July 1, 2019, concerns were raised that the law implicitly required that college students obtain a New Hampshire driver’s license and register their vehicles in the state as a condition of registering to vote. However, in May 2020, the New Hampshire Supreme Court issued a ruling in Caroline Casey v. New Hampshire Secretary of State clarifying that students attending college, university or other institutions of learning can lawfully claim domicile in order to register to vote under New Hampshire’s voting laws without having to obtain a New Hampshire driver’s license or register their vehicles in the state as a condition of registering to vote. However, by establishing their domicile in New Hampshire for voting purposes, the Court concluded that students will be establishing residency in the state which will obligate them to obtain a New Hampshire driver’s license and register their vehicles in the state within sixty days of establishing their domicile if they intend to drive and operate their vehicles in New Hampshire.

Under New Hampshire law, a person attending a college, university or other institution of learning in New Hampshire may register to vote and vote in the town or ward where he or she has established his or her domicile/residence while attending school. RSA 654:1.

New Hampshire law explicitly recognizes campus housing, including a dorm room, as a lawful domicile. RSA 654:1, I-a. A useful list of documents you may use to register to vote can be found in the Secretary of State’s 2020-2021 Election Procedures Manual at page in Registering to Vote in New Hampshire.

A student residing off campus, who establishes a domicile/residence in New Hampshire, may only register to vote in the town or ward where he or she resides. RSA 654:1.

Under no circumstances may college students retain two voting domiciles.

The New Hampshire Secretary of State’s 2020-2021 Election Procedures Manual lists a number of documents students may use to establish their domicile in the state for voter registration at pages 27-28.

13. I am physically disabled and need assistance. Will my polling place be accessible?

Yes. Polling places must be accessible. Contact your command center or the city chief elections officer if the polling place is not.
14. I am blind, physically disabled, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Any voter who needs assistance voting is entitled to have some person of the voter’s choice, other than the voter’s employer, an agent of the employer, or an officer or agent of the voter’s union, mark the voter’s choices or assist the voter in marking the voter’s choices on the ballot.32

15. I don’t know how to use the voting equipment. Can I get help?

Yes. Any voter who tells the moderator under oath that he or she needs assistance marking his or her ballot will be told the accessible voting options. If the voter chooses, the voter may be assisted by one or both inspectors, or by a person of the voter’s choice (except for the voter’s employer, agent of the voter’s employer, or agent or official of the voter’s union). Any person providing assistance shall be sworn, shall mark the ballot as directed by voter, and shall keep the voter’s ballot secret. The person providing assistance shall leave the voting area with the voter.33

16. Can I vote absentee or vote in person before Election Day?

New Hampshire does not have early voting. Voters can vote absentee if they have a valid excuse under state law. A voter can vote absentee if the voter:

- Will be absent from his or her place of domicile on Election Day;
- Cannot appear in public on Election Day because of observance of a religious commitment;
- Cannot vote in person due to a disability (see below regarding expansion of the definition of disability for purposes of absentee voting in 2020 due to the COVID-19 pandemic); or
- Cannot vote in person because of an employment obligation that requires the voter 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. (Employment includes the care of children and infirm adults, with or without compensation.)34

Expansion of Absentee Voting through December 31, 2020 due to the COVID-19 Pandemic

With respect to 2020 elections, all New Hampshire voters with concerns about coronavirus (COVID-19) are eligible to vote by absentee ballot in light of the current public health crisis. Laws of 2020, Chapter 14 (HB 1266), explicitly provides that: “any person who cannot appear in public on an election day or who is unable to vote in person in the city, town, or unincorporated place in which he or she is registered because of concerns relating to the novel coronavirus (Covid-19) may vote at such an election as provided in RSA 657 and this act.” Prior to the adoption of that law, the Attorney General and Secretary of State had publicly announced that in light of the current public health state of emergency, and current public health guidance on social distancing and reducing risk from COVID-19 all voters have a reasonable ground to conclude that a “physical disability” exists within the meaning of RSA 657:1. Therefore, all voters may request an absentee ballot from their town or city clerk and vote absentee.35

Expanded Rules Regarding Applications for an Absentee Ballot Due to the COVID-19 Pandemic

Laws of 2020, Chapter 14 amends the application for an absentee ballot for 2020 elections. The application form described in RSA 657:4, is suspended through December 31, 2020. The replacement form for use for the 2020 elections adds “concern for the Novel Coronavirus (COVID-19)” as a form of disability that permits voting absentee. It also lists concern for the novel coronavirus (COVID-19) as a
reason for requesting absentee voter registration forms. This option is provided: “I am unable to vote in person due to concern for the novel corona virus (COVID-19).” This explains that concern regarding COVID-19 is a form of disability, therefore the applicant is entitled to vote absentee at a 2020 election. On January 1, 2021 the law reverts to the form set out in RSA 657:4.

The version of the application for an absentee ballot which is valid for the September 8 and November 3 elections can be found on the Secretary of State’s website’ COVID-19 resources page here. Voters have the temporary option of requesting absentee ballots for both the September 8 and November 3 elections on a single application. On January 1, 2021 the law reverts to the form set out in RSA 657:4.

Absentee ballots are available until one day prior to an election. Note that if a voter is requesting an absentee ballot due to concerns about COVID-19, it is considered a request for an absentee ballot due to a “disability.” As such, the voter must complete the “Disability” option on the affidavit envelope: “Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate: I do hereby certify under the penalties for voting fraud set forth below that I am a voter in the city or town of ______________, New Hampshire in ward ___; that I will be observing a religious commitment which prevents me from voting in person or that on account of physical disability I am unable to vote in person.” RSA 657:7, II. City and Town Clerks will be applying a sticky note to absentee ballot envelopes reminding voters to sign the certificate stating they are a voter with a disability if they are using their concern about in-person voting as the reason for voting absentee.

5:00 p.m. on Election Day is the Deadline by Which Absentee Ballots Must be Received by the Voter’s City or Town Clerk

Applications for absentee ballots may be mailed faxed, or hand delivered to your local city or town clerk. However, voters must ensure that the applications are returned early enough so that there is sufficient time for the clerk to process the application, mail the ballot to the voter and the voter has sufficient time to ensure that the ballot is delivered to their local city or town clerk by no later than by 5:00 p.m. Eastern Time on Election Day. Absentee ballots postmarked by Election Day, but which are not received by their city or town clerk by 5:00 p.m. on Election Day, will not be counted.

17. What if I requested an absentee ballot but I want to vote in person on Election Day?

If the absentee ballot has not been submitted, the voter should be able to vote on Election Day. If an absentee ballot has been submitted, as long as the absentee ballot has not yet been deposited in the ballot box, the individual should be able to vote in person. The moderator may begin depositing absentee ballots at 1:00 p.m. Eastern Time on Election Day, so the individual should vote in person before 1:00 p.m. Eastern Time. An earlier time for depositing absentee ballots may be established, but in no case earlier than two hours after the opening of the polling location.

18. Does my state have Same Day Registration? If so, what is the process?

Yes. New Hampshire permits same-day registration. If a voter’s name does not appear on the checklist at the voter’s proper precinct and he or she is otherwise eligible to vote, the voter may register at the polling place. Anyone who is waiting to register at the time scheduled for poll closing will be permitted to vote if determined qualified to register. The voter will need to provide proof of citizenship, age, and domicile, but may submit an affidavit swearing to those facts if documentation is not available.
19. What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

No person who is a candidate for office or who is representing or working for a candidate can perform any campaigning within a corridor of 10 feet wide and extending a distance from the entrance of the polling place as determined by the moderator. Once inside the polling place, no person may distribute, wear, or post any campaign materials (poster, card, picture, sticker, clothes, etc.) that is intended to influence voters.

If you see anyone in violation of these rules, contact the moderator immediately.

20. Someone is formally challenging my right to vote. What do I do?

If the ground for the challenge is age, citizenship, or domicile, the Supervisors of the Checklist must rule whether or not the challenged voter either is qualified or not qualified. The moderator rules on challenges based on all other grounds. If the moderator determines that the challenge to your right to vote is well grounded, the moderator will not receive the vote of the challenged voter until the challenged voter signs and gives to the moderator a Challenged Voter Affidavit. (see Question 5) If the moderator determines that the challenge is not well grounded, the moderator will permit the challenged voter to proceed to vote.

21. Am I eligible to vote in party primaries?

Even if you are an undeclared voter, you may vote in a state or presidential primary. However, you must choose either a Republican or Democratic ballot when you vote. When you vote on a party ballot in a state or presidential primary, you become a registered member of that party unless you sign the list to return to undeclared status with the supervisors of the checklist before leaving the polling place.
11 Id.
14 Id. at 2-4.
15 Id. at 3-4.
16 N.H. Department of State, “Voter Registration” page at this link.
18 Id.
19 Id.
20 Id.
21 Id.
22 Id.
23 Id.
28 RSA 654:2-a.
31 N.H. Rev. Stat. §§ 658:9, 9-a; see also § 659:20-a (indicating that a person with a physical disability who cannot access the polling place may vote via absentee ballot and will be marked as having voted in person).
33 Id.
42 N.H. Rev. Stat. § 654:12. However, if a voter submits an affidavit swearing to domicile, he or she will have to either: (1) provide documentary proof of domicile to the city or town clerk as soon as 10 days after the election; or (2) indicate that they do not possess such documentation, in which case the supervisors of the checklist may attempt to investigate the claim of domicile after the election. Id. A
person who knowingly or purposely fails to provide such proof may be subject to the penalties of wrongful voting. *Id.* These requirements were briefly enjoined by a New Hampshire trial court on October 22, 2018, but the injunction was stayed until after the election by the New Hampshire Supreme Court.