

**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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## REGISTERING TO VOTE

### 1. STATUS: 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. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

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.<sup>i</sup> 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.<sup>ii</sup>

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.<sup>iii</sup> 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.<sup>iv</sup>

### 3. IDENTIFICATION: What ID is required to register to vote?

To register, you will need to provide proof of your identity, age, citizenship, and domicile. Proof can be either by documents or if you do not have documents with you, by affidavit. Documents may be presented in paper or electronic form.

- A driver's license or non-driver ID from any state satisfies proof of identity and age.
- A birth certificate, U.S. Passport/Passcard, or naturalization document satisfies proof of citizenship. Note: A New Hampshire Real ID compliant driver's license is NOT proof of U.S. citizenship.

If you do not have these, you can prove your identity, age, and/or citizenship, by signing a Qualified Voter Affidavit, under oath, in front of an election official. You will also need to prove that you are domiciled in the town or ward where you intend to vote. Proof can be either by documents or if you do not have documents with you, by affidavit. The law requires a document that "manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self government."

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There are many types of documents that will satisfy this requirement. A court order has enjoined enforcement of statutes that list examples of satisfactory documents. However, the documents listed in those statutes were recognized by election officials prior to the adoption of Senate Bill 3. The following documents are examples of satisfactory proof of domicile:

- A New Hampshire resident motor vehicle registration, driver's license, or non-driver ID showing your current domicile address. To obtain a voter photo ID card issued by the NH Division of Motor Vehicles that can be used for voting purposes, at no cost, ask your town or city clerk or the Secretary of State's office for a voucher and present it to the Division of Motor Vehicles (DMV). Information on the documents you will need to present to the DMV is available here: <https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv634b.pdf>
- A document from the school that you attend, showing that you live in campus housing. A document issued by the school that has your name and the address where you live satisfies the requirement. Many colleges and universities provide students with satisfactory documents already. Students may also use a smart phone or other electronic device to show the election official a page from the college or university's official student electronic records website, which lists the student's dorm assignment or off-campus residence address. Some universities have established an on-line web page resource specifically for this purpose. Consult your school officials if you are unsure how to find and display this information from your school's system.
- A note signed by a school official, including a Resident Assistant or other person with supervisory responsibility for your dorm, satisfies the requirement under RSA 654:1, I-a.
- A rental agreement, lease, or similar document that shows your name and the address of your domicile. The document must show that you are domiciled at the address on Election Day.
- A document showing that you own the place you are domiciled at, such as a deed, property tax bill, or other similar document that has your name and address.
- A document showing that you enrolled a dependent minor child in a public school that serves the town or ward of your domicile.
- Any state or federal tax form, other government form, or government issued identification that shows your name and your domicile address.
- Any form from the U.S. Post Office showing your name and the physical address where you are domiciled (not a P.O. Box). The confirmation you received by e-mail or U.S. mail when you reported your new address to the U.S. Post Office satisfies the requirement.
- A public utility bill, such as an electric, telephone, water, gas, or other utility bill, with your name and domicile address on it.
- A note from a homeless shelter or other service provider located in the town or ward where you will vote that confirms they will receive U.S. mail sent to you at that address.
- You may also use any other document that shows manifestation of your intent to make the place you claim your voting domicile. If you have any questions about what will be sufficient proof of domicile, you may call or visit your town or city clerk's office. Look up your clerk's address and contact information here: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>. If you do not have any document proving your domicile, you can prove domicile by signing a Domicile Affidavit.<sup>v</sup>

**4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?**

- Last day to change your party affiliation prior to State Primary Election Day - June 2, 2020.
- Last day to register to vote before Primary Election Day - The supervisors of the checklist must be in session for the correction of the checklist at some suitable place in the city or town between 6 to 13 days prior to the election. Please check with your clerk's office for the time and place of the meeting in your town or city.
- STATE PRIMARY ELECTION DAY - September 8, 2020- unregistered voters may register and vote on this day.
- Last day to register to vote before General Election Day - The supervisors of the checklist must be in session for the correction of the checklist at some suitable place in the city or town between 6 to 13 days prior to the election. Please check with your clerk's office for the time and place of the meeting in your town or city.
- For same day registration, please see Question 5. <sup>vi</sup>

**5. SAME DAY: Does my state have Same Day Registration (i.e. can I register to vote the same day I vote)? If so, what is the process?**

A person qualified to vote who is not registered, may register and vote on this Election Day at the polling place for the town or city ward where the person is domiciled.

Simply visit your designated Polling Location on Election Day. Complete a Voter Registration Form. Show proof of identity, age, citizenship and having established a domicile in that town or city ward. See Question 3 for more information.

If you do not have documents with you to prove a qualification, you may establish your identity, age, citizenship, or domicile by completing an affidavit. Your local election officials will provide the forms needed, and are happy to answer any questions you may have.<sup>vii</sup>

NOTE: Under a 2017 law (Senate Bill 3 or "SB 3"), any voter who registered within 30 days of an election and failed to bring documentary proof of domicile with them on Election Day was required, in addition to signing an affidavit swearing to domicile, to swear that the voter either (1) lacked any such documentation, or (2) would bring documentary proof of domicile to the city or town clerk within 10 days of the election. Failure to produce such documentation within 10 days after swearing to do so could subject voters to civil and criminal liability. Earlier this year, a New Hampshire trial court struck down SB 3 as unconstitutional.<sup>viii</sup> The case is pending appeal before the New Hampshire Supreme Court, but unless it acts quickly and reverses the judgment below, SB 3 will not be enforced for the November 3, 2020 general election.

**6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?**

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.<sup>ix</sup> 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.

Refer to the table below. The answer to this question depends on whether the voter moved within the same county/election jurisdiction or moved to a new county.

<b>Moved within the same precinct</b>	<b>Moved to a different precinct but within the same county</b>	<b>Moved to a different election jurisdiction (typically county)</b>	<b>Moved from a different state</b>
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.	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.	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.	Citizens of New Hampshire who moved here from another state may have experienced casting a provisional ballot in their prior state when they failed to bring documentation of their qualifications or Photo ID to the polls. New Hampshire does not use a provisional ballot. Everyone who satisfies the requirements to register votes a ballot counted on election day. New Hampshire does not have a durational residency requirement – you can move into New Hampshire, establish your voting domicile on election day, register and vote. New Hampshire has election day voter registration at the polling place. <sup>x</sup>

**7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?**

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. Refer to Question 5 above.

**8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?**

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.

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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.<sup>xi</sup>

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.<sup>xii</sup>

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.<sup>xiii</sup>

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 or on the Secretary of State's web page, [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.

#### **9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?**

Uniformed service member and overseas citizens may request absentee ballots using the Federal Post Card Application (FPCA), found on the U.S. Department of Defense FVAP website at [www.fvap.gov](http://www.fvap.gov). A uniformed or overseas citizen (UOCAVA) voter may be sent a Federal Post Card Application (FPCA) by mail, e-mail or fax by their city/town clerk, or they may go to the FVAP site on-line to print an FPCA or FWAB.

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The Federal Write-in Absentee Ballot (FWAB) is treated as a ballot if there is a valid request (FPCA) for an absentee ballot on file. The registration information that comes with the FWAB can be treated to complete a voter registration if it is properly completed. If there is a signature on a voter registration document from the voter on file, the voter information can be used to complete the registration process and the FWAB can be counted as a ballot. If there is no voter signature on a previous voter registration application, the FWAB cannot be counted as a ballot, even if the voter registration material with the FWAB is completed. RSA 657:10-b; 657:12; 657:23

The Federal Write-in Absentee Ballot (FWAB) can be processed for counting if it is received through the U.S. mail or commercial carrier by 5:00 PM on an election day. RSA 657:22U.<sup>xiv</sup>

**10. CRIMINAL CONVICTION: 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.<sup>xv</sup> 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. 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.<sup>xvi</sup>

**11. INCARCERATED: I am currently in jail. Can I vote?**

A person sentenced for a felony, from the time of his or her sentence until his or her final discharge, may not vote in an election, but if execution of sentence is suspended with or without the defendant being placed on probation or he or she is paroled after commitment to imprisonment, the correctional facility shall provide the offender written notice that he or she may vote during the period of the suspension or parole.<sup>xvii</sup>

**12. NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?**

Maybe. A voter may only register in the town or ward in which the voter is domiciled.<sup>xviii</sup> 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.

**13. THOUGHT WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?**

Yes. If a voter has a felony conviction, 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.<sup>xix</sup>

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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?
  - *Note:* Remember that New Hampshire permits same-day registration. (see [Question 5](#))

## HOW TO VOTE: EARLY VOTING

### **14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?**

New Hampshire does not have early voting. If you will be unable to vote in person on Election Day, you can request an absentee ballot. See section below on absentee voting.

### **15. ELIGIBILITY: Do I have to have a reason to vote early?**

N/A. See Question 14.

### **16. WHEN: When do the polls open/close during early voting?**

N/A. See Question 14.

### **17. WHERE: Where do I vote during early voting?**

N/A. See Question 14.

### **18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?**

N/A. See Question 14.

## HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

### **19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?**

You may register to vote by absentee (by mail) if one of the following is true:

- You are concerned about exposure to infection from COVID-19 or exposing others.
- You will be absent from the town or city on the dates/times when the Supervisors of the Checklist meet to receive voter registration applications. The supervisors are required to meet on a date 6 to 13 days before the September 8, 2020 primary and again before the November 3, 2020 general election;
  - Absence includes an employment obligation that prevents you from attending a session of the supervisors. The term “employment” includes the care of children and infirm adults, with or without compensation.
- You cannot appear in public because of observance of a religious commitment;
- You are unable to vote in person by reason of a physical disability; or
- You are a victim of domestic violence, have an active protective order, or are participating in the Attorney General’s address confidentiality program.<sup>xx</sup>

You must fill out the application, <https://sos.nh.gov/media/rs0ly4xu/absentee-ballot-app-8-20-covid.pdf>, and Mail/fax/ or hand deliver this completed form to your local City/Town Clerk. For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.<sup>xxi</sup>

### **20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?**

There is no deadline for requesting absentee ballots, but it is important to plan enough time for the ballot to be mailed to you and for the ballot to be returned in a timely manner. See question 30 for deadlines of returning the ballot).

Supervisors of the Checklist must review and approve your application. They are required to meet on a date 6 to 13 days before the September 8, 2020 primary and again before the November 3, 2020 general election. Unless the supervisors hold voluntary sessions before then, the supervisors will review your application at that meeting. You are registered to vote when the supervisors approve the application.<sup>xxii</sup>

### **21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?**

A voter may Mail/fax/ or hand deliver the completed form to your local City/Town Clerk.<sup>xxiii</sup>

### **22. DIDN’T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?**

No deadline. However, Supervisors of the Checklist must review and approve your application. They are required to meet on a date 6 to 13 days before the September 8, 2020 primary and again before the November 3, 2020 general election.

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Unless the supervisors hold voluntary sessions before then, the supervisors will review your application at that meeting. You are registered to vote when the supervisors approve the application.<sup>xxiv</sup> New Hampshire permits same day registration. See Question 5.

**23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?**

You may register to vote by absentee (by mail) if one of the following is true:

- You are concerned about exposure to infection from COVID-19 or exposing others.
- You will be absent from the town or city on the dates/times when the Supervisors of the Checklist meet to receive voter registration applications. The supervisors are required to meet on a date 6 to 13 days before the September 8, 2020 primary and again before the November 3, 2020 general election;
  - Absence includes an employment obligation that prevents you from attending a session of the supervisors. The term “employment” includes the care of children and infirm adults, with or without compensation.
- You cannot appear in public because of observance of a religious commitment;
- You are unable to vote in person by reason of a physical disability; or
- You are a victim of domestic violence, have an active protective order, or are participating in the Attorney General’s address confidentiality program.

**24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?**

If you applied for an absentee ballot, you may find out if the clerk has received your request; when the absentee ballot was sent to you; and when it was received back in the clerk's office. Note: You can check the status at <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx>.<sup>xxv</sup>

**25. APPLICATION AND/OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?**

Visit the web site: <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx> to track your absentee ballot. You may verify receipt of your application, obtain the date when your absentee ballot was mailed to you, the date the clerk receives your completed absentee ballot, and after the election learn if your absentee ballot was rejected/not counted and why. Contact your clerk if you have questions. For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.<sup>xxvi</sup>

**26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?**

Instructions are available at <https://sos.nh.gov/media/eiwnnssz/covid-19-absentee-ballot-instructions.pdf>.<sup>xxvii</sup>

**27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?**

Visit the web site: <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx> to track your absentee ballot. You may verify receipt of your application, obtain the date when your absentee ballot was mailed to you, the date the clerk receives your completed absentee ballot, and after the election learn if your absentee ballot was rejected/not counted and why. Contact your clerk if you have questions. For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.<sup>xxviii</sup>

**28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?**

Visit the web site: <https://app.sos.nh.gov/Public/AbsenteeBallot.aspx> to track your absentee ballot. You may verify receipt of your application, obtain the date when your absentee ballot was mailed to you, the date the clerk receives your completed absentee ballot, and after the election learn if your absentee ballot was rejected/not counted and why. Contact your clerk if you have questions. For local clerk addresses and fax numbers: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.<sup>xxix</sup>

**29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?**

You may deliver it to the clerk's office in-person or by a delivery agent. Family members, nursing home and elder care facility administrators, and a person assisting a voter with a disability who signs the absentee ballot affidavit (limited to delivering ballots for 4 voters) may be a delivery agent.<sup>xxx</sup>

**30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

If you are returning your completed absentee ballot by US Mail, the clerk must receive it by 5:00 p.m. on election day. To increase the likelihood the absentee ballot arrives on time and assist with an expected high volume of absentee ballots, we recommend mailing it at least two weeks before the election. After 5 days, check the Voter Information lookup, Absentee Ballot link, to see if your clerk has received the ballot. Contact your clerk if your ballot has not been received. You may also deliver it to the clerk's office in-person or by a delivery agent until 5:00 p.m. on the day before the election. A delivery agent may deliver it to the clerk at the polling place until 5 p.m. on election day. Family members, nursing home and elder care facility administrators, and a person assisting a voter with a disability who signs the absentee ballot affidavit (limited to delivering ballots for 4 voters) may be a delivery agent.<sup>xxxi</sup>

**31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?**

You may also deliver it to the clerk's office in-person or by a delivery agent until 5:00 p.m. on the day before the election. Find your clerk's contact information, here: <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.<sup>xxxii</sup>

**32. ASSISTANCE DROPPING OFF: Can someone drop off my completed ballot for me?**

You may deliver it to the clerk's office by a delivery agent. Family members, nursing home and elder care facility administrators, and a person assisting a voter with a disability who signs the absentee ballot affidavit (limited to delivering ballots for 4 voters) may be a delivery agent.<sup>xxxiii</sup>

**33. IN PERSON ABSENTEE: Where do I vote in-person absentee?**

Not available to vote in person. You may deliver the ballot to the clerk's office in-person or by a delivery agent. Family members, nursing home and elder care facility administrators, and a person assisting a voter with a disability who signs the absentee ballot affidavit (limited to delivering ballots for 4 voters) may be a delivery agent.<sup>xxxiv</sup> <https://app.sos.nh.gov/Public/ClerkDetails.aspx>.

## HOW TO VOTE: ELECTION DAY

### 34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?

All polls must be open from at least 11:00 a.m. to 7:00 p.m. Eastern Time,<sup>xxxv</sup> but individual communities may open their polls earlier or close them later.<sup>xxxvi</sup> 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.<sup>xxxvii</sup> 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).<sup>xxxviii</sup> 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.<sup>xxxix</sup> Voters present at the polling place may vote to keep the polls open later.<sup>xl</sup>

**\*Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

### 35. POLLING LOCATION: Where do I vote on Election Day?

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 their voter registration, refer to [Questions #6 and 7](#).

**\*Note to hotline volunteer:** Due to the COVID-19 Pandemic, many polling places have been moved or consolidated. Voters should be advised to check the polling place listed on the Voter Notification Card they received from the local election authority a few days before the election.

### 36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?

Yes you can vote without providing identification, but you will need to use a Challenged Voter Affidavit.<sup>xli</sup>

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.<sup>xlii</sup> 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.<sup>xliii</sup>

CONTINUES ON NEXT PAGE

**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).**<sup>xliv</sup> 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.<sup>xlv</sup> 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.<sup>xlvi</sup>

## POLLING PLACE ISSUES

### **37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?**

Call the Elections Division Help Desk at (603) 271-8241.

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

### **38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?**

See Question 34 for answer if voter is in line when polls are closing. **\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

### **39. EQUIPMENT FAILURE: 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.<sup>xlvii</sup> **\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

### **40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?**

Voters should immediately notify the moderator and call the Elections Division Help Desk at (603) 271-8241 if a polling place is not enforcing COVID-19 precautions or has run out of supplies.

### **41. EQUIPMENT ASSISTANCE: 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.<sup>xlviii</sup>

**42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?**

Yes. Polling places must be accessible.<sup>xlix</sup> Contact your command center or the city chief elections officer if the polling place is not.

**43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, 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.<sup>l</sup>

**44. CURBSIDE VOTING: When can I request curbside voting?**

In rare instances, election administrators may provide "curbside voting" to allow persons with disabilities to vote outside the polling place or in their cars if for example, the only suitable polling site in a precinct might be an inaccessible building.<sup>li</sup> Call the Elections Division Help Desk at (603) 271-8241 to confirm if a polling location would offer curbside voting.

**45. CAMPAIGNING: 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.<sup>lii</sup> 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.<sup>liii</sup>

**46. CHALLENGES: Someone is formally challenging my 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 36). If the moderator determines that the challenge is not well grounded, the moderator will permit the challenged voter to proceed to vote.<sup>liv</sup>

**47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?**

No person not authorized by law may stand or sit within 6 feet of the ballot clerk for purposes of observing the check-in of voters without the express permission of the moderator.<sup>lv</sup> Voters should immediately notify the moderator, call the Elections Division Help Desk at (603) 271-8241, or contact the city chief elections officer.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

**48. PROVISIONAL BALLOT: I have been offered a provisional 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.

## QUESTIONS

**49. Who should I contact if I have questions about any of the above?**

The New Hampshire Secretary of State Elections Division Help Desk can be reached at (603) 271-8241.

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- i N.H. Election Procedure Manual, “Registering to Vote in New Hampshire” at 27-29, <https://sos.nh.gov/media/kzupydju/epm-2020.pdf>.
  - ii N.H. Election Procedure Manual, Special Covid Guidance, “Absentee Registration,” at 2-4, <https://sos.nh.gov/media/kzupydju/epm-2020.pdf>.
  - iii *Id.* at 2-4.
  - iv *Id.* at 3-4.
  - v N.H. Dep’t of State. Registering to Vote in New Hampshire Guidance, <https://sos.nh.gov/media/cjqbsscf/registering-to-vote-in-new-hampshire-sept2020.pdf>.
  - vi N.H. Dep’t of State, Registration Deadlines, <https://sos.nh.gov/elections/voters/register-to-vote/registration-deadlines/>.
  - vii N.H. Dep’t of State, Register to Vote At The Polls On Election Day, <https://sos.nh.gov/elections/voters/register-to-vote/at-the-polls-on-election-day/>.
  - viii League of Women Voters of N.H. v. Gardner, No. 226-2017-CV-00433 (N.H. Super. Ct. Apr. 9, 2020).
  - ix N.H. Rev. Stat. § 659:13.
  - x N.H. Dep’t of State, Registering to Vote in New Hampshire Guidance, <https://sos.nh.gov/media/cjqbsscf/registering-to-vote-in-new-hampshire-sept2020.pdf>.
  - xi N.H. Rev. Stat. § 654:1.
  - xii 2020-2021 New Hampshire Election Procedures Manual at 27-31.
  - xiii N.H. Rev. Stat. § 654:1.
  - xiv N.H. Dep’t of State, Uniformed & Overseas, <https://sos.nh.gov/elections/voters/uniformed-overseas/request-absentee-ballot/>.
  - xv N.H. Rev. Stat. §§ 607-A:2, 654:5.
  - xvi RSA 654:2-a.

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xvii	N.H. Rev. Stat. §§ 607-A.
xviii	N.H. Rev. Stat. § 654:7.
xix	N.H. Rev. Stat. §§ 654:6, :36-a, :27, :38, :39, :44.
xx	N.H. Dep’t of State, 2020 ABSENTEE VOTER REGISTRATION REQUIREMENTS AND INSTRUCTIONS, <a href="https://sos.nh.gov/media/eiwnnszz/covid-19-absentee-ballot-instructions.pdf">https://sos.nh.gov/media/eiwnnszz/covid-19-absentee-ballot-instructions.pdf</a> .
xxi	N.H. Dep’t of State, Voting During COVID-19 State of Emergency, <a href="https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency">https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency</a> .
xxii	N.H. Dep’t of State, COVID-19 RELATED REGISTRATION AND VOTING INSTRUCTIONS, file://dcbvpxdfil02/D-G\$/Mduro/Downloads/covid-19-how-to-request-absentee-voter-registration-and-absentee-ballot-packets-ada-8-20%20(2).pdf.
xxiii	N.H. Dep’t of State,, Application for State Election Absentee Ballot-RSA 657:4, <a href="https://sos.nh.gov/media/rs0ly4xu/absentee-ballot-app-8-20-covid.pdf">https://sos.nh.gov/media/rs0ly4xu/absentee-ballot-app-8-20-covid.pdf</a> .
xxiv	N.H. Dep’t of State, COVID-19 RELATED REGISTRATION AND VOTING INSTRUCTIONS, file://dcbvpxdfil02/D-G\$/Mduro/Downloads/covid-19-how-to-request-absentee-voter-registration-and-absentee-ballot-packets-ada-8-20%20(2).pdf.
xxv	N.H. Dep’t of State, Absentee Ballot Status, <a href="https://sos.nh.gov/elections/voters/absentee-ballots/absentee-ballot-status/">https://sos.nh.gov/elections/voters/absentee-ballots/absentee-ballot-status/</a> .
xxvi	N.H. Dep’t of State, Voting During COVID-19 State of Emergency, <a href="https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency">https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency</a> .
xxvii	N.H. Dep’t of State, Voting During COVID-19 State of Emergency, <a href="https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency">https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency</a> .
xxviii	N.H. Dep’t of State, Voting During COVID-19 State of Emergency, <a href="https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency">https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency</a> .
xxix	N.H. Dep’t of State, Voting During COVID-19 State of Emergency, <a href="https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency">https://sos.nh.gov/elections/voters/voting-during-covid-19-state-of-emergency</a> .
xxx	See RSA 657:17: <a href="http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm">http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm</a>
xxxi	See RSA 657:17: <a href="http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm">http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm</a>
xxxii	<i>Id.</i>
xxxiii	See RSA 657:17: <a href="http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm">http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm</a>
xxxiv	See RSA 657:17: <a href="http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm">http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm</a>
xxxv	<i>Id.</i> § 659:4.
xxxvi	<i>Id.</i> §§ 659:4 & 4-a.
xxxvii	<i>Id.</i> § 659:4.
xxxviii	<i>Id.</i> § 659:4-a.
xxxix	N.H. Dep’t of State, N.H. Election Procedure Manual: 2020-2021 (the “N.H. Election Procedure Manual”), at 92, <a href="https://sos.nh.gov/media/kzupydju/epm-2020.pdf">https://sos.nh.gov/media/kzupydju/epm-2020.pdf</a> .
xl	RSA 659:6.
xli	<i>Id.</i> § 659:13.
xlii	<i>Id.</i>
xliii	<i>Id.</i>
xliv	<i>Id.</i>
xlv	<i>Id.</i>
xlvi	<i>Id.</i>
xlvii	<i>Id.</i> § 659:24.
xlviii	<i>Id.</i> § 659:20.
xlix	<i>Id.</i> §§ 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).
l	<i>Id.</i> § 659:20.

li	N.H. Election Procedure Manual, at 215.
lii	RSA 659:43.
liii	RSA 659:43.
liv	N.H. Election Procedure Manual, at 59; N.H. Rev. Stat. § 659:27.
lv	RSA 659:13-a.