

## Frequently Asked Questions About ESTABLISHING A DOMICILE/RESIDENCE IN NEW HAMPSHIRE

The Secretary of State, Attorney General, and Commissioner of the Department of Safety published the attached Frequently Asked Questions (FAQs) on their web sites. Clerks, Supervisors, and Moderators are encouraged to print this document. If asked any of these questions, use the answer provided. This is a public document. You may provide anyone a copy.

This joint guidance is provided in consultation with the Attorney General's Office. The following guidance on voter registration is provided by the Secretary of State. The following guidance on the motor vehicle laws is provided by the Commissioner of the Department of Safety.

For more information see Registering to Vote in New Hampshire set forth above.

For election-related questions, please contact:

- Secretary of State: [elections@sos.nh.gov](mailto:elections@sos.nh.gov)
- Attorney General: [electionlaw@doj.nh.gov](mailto:electionlaw@doj.nh.gov)

For more information about becoming a new resident for vehicle registration and driver license purposes, please visit: <https://www.nh.gov/safety/divisions/dmv/new-resident/index.htm>

For motor vehicle related questions, please contact:

- e-mail: [NH.DMVHelp@dos.nh.gov](mailto:NH.DMVHelp@dos.nh.gov)
- Driver Licensing (603) 227-4020
- Vehicle Registration (603) 227-4030

### FREQUENTLY ASKED QUESTIONS

#### Question 1

Q. Are the terms "domicile" and "residence" equivalent?

A. Yes. The terms "domicile" and "residence" are equivalent. Even though RSA 21:6-a and RSA 654:1 contain different words, they convey the same basic concept. When a person makes a town or ward in New Hampshire his or her principal place of physical presence to the exclusion of all other places, that person has established a domicile/residence.

#### Question 2

Q. How do I establish domicile/residence in New Hampshire?

A. You make a town or ward in New Hampshire your principal place of physical presence to the exclusion of all other places. Your actions in New Hampshire reveal your intent to make a place in New Hampshire your domicile/residence. Such actions include, but are not limited to, purchasing or leasing a principal (i.e. primary) house or apartment, obtaining a resident vehicle registration, placing dependent children in a publicly funded school, registering to vote, paying taxes applicable only to residents, etc. RSA 21:6; RSA 21:6-a; RSA 259:23; RSA 654:1.

For College/University students seeking to establish a domicile/residence in New Hampshire please see Frequently Asked Question 8 for more information. See RSA 654:1, I-a.

## Establishing a Domicile/Residence in New Hampshire

### Question 3

Q. If I establish a domicile/residence in New Hampshire and drive in New Hampshire, do I have to get a New Hampshire driver's license?

A. Yes. A person who establishes a domicile/residence in New Hampshire and drives in New Hampshire must obtain a New Hampshire driver's license within 60 days of establishing his or her domicile/residence. See: RSA 21:6; RSA 21:6-a; RSA 263:1; and RSA 263:35. Your actions in New Hampshire reveal your intent to make a place in New Hampshire your domicile/residence. Such actions include, but are not limited to, purchasing or leasing a principal (i.e. primary) house or apartment, obtaining a resident vehicle registration, placing dependent children in a publicly funded school, registering to vote, paying taxes applicable only to residents, etc. RSA 21:6; RSA 21:6-a; RSA 259:23; RSA 654:1.

For information on what satisfies proof of domicile/residence for the purposes of obtaining a driver's license please visit:

- <https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv634a.pdf> (For US Citizens to obtain a Real ID); or
- <https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv634b.pdf> (for non-Real ID licenses); or
- <https://www.nh.gov/safety/divisions/dmv/driver-licensing/non-us-citizen/permanent.htm> (for non-citizens to obtain a Real ID-non-citizens may not register to vote or vote)

For frequently asked questions regarding how to register to vote in New Hampshire please visit: <https://sos.nh.gov/elections/information/faqs/>. For examples of documents showing actions recognized in law as establishing a domicile/residence, see Registering to Vote in New Hampshire above.

### Question 4

Q. If I establish a domicile/residence in New Hampshire and own a vehicle used in New Hampshire, do I have to register that vehicle?

A. Yes. A person who establishes domicile/residence in New Hampshire and owns a vehicle used in New Hampshire must register the vehicle in New Hampshire within 60 days of establishing his or her domicile/residence. RSA 261:45. You may register your vehicle with your local town or city officials. The fee for vehicle registration is in part for the use of the town or city where the owner resides. See: RSA 261:153; RSA 261:165. These funds are available to help cover the costs of maintaining roads. Registering a car you own and use in New Hampshire, in part, is paying your share of road maintenance costs.

Your actions in New Hampshire reveal your intent to make a place in New Hampshire your domicile/residence. Such actions include, but are not limited to, purchasing or leasing a principal (i.e. primary) house or apartment, obtaining a resident vehicle registration, placing dependent children in a publicly funded school, registering to vote, paying taxes applicable only to residents, etc. RSA 21:6; RSA 21:6-a; RSA 259:23; RSA 654:1.

### Question 5

Q. If I establish domicile/residence in New Hampshire, hold a driver's license from another state, but do not drive in New Hampshire, do I have to get a New Hampshire driver's license?

A. No. A person who establishes a domicile/residence in New Hampshire and does not drive in New Hampshire is not required to obtain a New Hampshire driver's license. RSA 259:24; RSA 259:25; RSA 263:1; RSA 263:35.

## Establishing a Domicile/Residence in New Hampshire

### Question 6

Q. If I establish domicile/residence in New Hampshire and drive a motor vehicle in New Hampshire owned by a person who resides in another state, do I have to register that vehicle in New Hampshire?

A. It depends. Only the owner of a motor vehicle can register that vehicle. For registration purposes, an “owner” of a motor vehicle is either a person holding title to that vehicle or a person having the exclusive right to the use of that vehicle for a period of greater than 30 days. RSA 259:72, I. Thus, if you do not have the exclusive right to use the vehicle for a period of greater than 30 days, you do not need to register the vehicle in New Hampshire. RSA 259:72, I. If, however, you have the exclusive right to the use of that vehicle for a period of greater than 30 days, you must register that vehicle in New Hampshire, even if you do not hold title to that vehicle. RSA 259:72, I.

### Question 7

Q. Do I need a New Hampshire driver’s license to register to vote and to vote?

A. No.

To vote you must be:

- 18 years of age or older on election day;
- A United States Citizen;
- Domiciled in the town or city ward where you plan to vote.

RSA 654:1.

You should bring proof of these qualifications to register. If you do not have proof or forgot to bring proof, then you can sign an affidavit attesting to any of these qualifications.

No one can be denied the right to register to vote or vote for being out of compliance with the requirements of the motor vehicle code.

### Question 8

Q. Can I register to vote and vote where I attend College/University in New Hampshire?

A. Yes. In New Hampshire, a person attending College/University, or any other institution of learning, 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 above 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.

### Question 9

Q: I have registered to vote in New Hampshire, and I have an out-of-state driver’s license, but I do not drive here. Do I need to do anything?

A. No. Anyone registering to vote in New Hampshire is indicating that he or she has established a domicile/residence here. A person who establishes a domicile/residence in New Hampshire and does not drive in New Hampshire is not required to obtain a New Hampshire driver’s license. RSA 259:24; RSA 259:25; RSA 263:1; RSA 263:35.

## Establishing a Domicile/Residence in New Hampshire

### Question 10

Q: I have registered to vote in New Hampshire, but I have an out-of-state driver's license and I drive here. What should I do?

A: Anyone registering to vote in New Hampshire is indicating that he or she has established a domicile/residence here. Once one establishes domicile/residence in New Hampshire, New Hampshire law requires that person to take certain actions. Under the motor vehicle code, a person has 60 days upon establishing domicile/residence to obtain a New Hampshire driver's license, if they drive here, and to register a vehicle, if they own a vehicle in the state.

### Question 11

Q. Can I obtain a New Hampshire driver's license using my campus housing (e.g. my dorm room) as the "address where you live" on the driver's license application?

A. Yes. The Division of Motor Vehicles accepts proof of such residence in order to register your vehicle and/or to obtain a driver's license. A list of other documents that may be used as proof of residence can be reviewed online at:

<https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv634a.pdf> (to obtain a Real ID) Or

<https://www.nh.gov/safety/divisions/dmv/forms/documents/dsmv634b.pdf> (for non-Real ID licenses)

RSA 21:6; RSA 259:88; RSA 263:5-e.

Any person who already holds a New Hampshire driver's license or has a vehicle registered in New Hampshire has a duty to notify the Division of Motor Vehicles within 30 days of a change to his or her domicile/residence or his or her mailing address. RSA 263:9.

June 2020



# THE STATE OF NEW HAMPSHIRE



## REGISTERING TO VOTE IN NEW HAMPSHIRE

This guidance has been revised several times. It was revised on November 7, 2018, to comply with a court order enjoining enforcement of Senate Bill 3 (2017). Do not rely on published versions of the election laws or sections of the Election Procedure Manual that relate to statutes amended by Senate Bill 3. This guidance was updated effective July 2019 to reflect House Bill 1264, as well as (2018)'s changes to the definition of resident and residence for purpose other than the election laws. *See Casey v. N.H. Secy. of State*, 2020 N.H. LEXIS 96, No. 2019-0693, (May 20, 2020). This guidance was also updated on September 1, 2020 to reference absentee registration and accessible electronic absentee registration for persons qualified to register to vote who are blind or have other print disabilities.

To be eligible to register and vote in New Hampshire a person must be:

- 18 years of age or older on election day;
- A United States citizen; and
- Domiciled<sup>1</sup>[1] in the town or ward where the person seeks 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

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<sup>1</sup> "The fundamental idea of domicile is home." *Felker v. Henderson*, 78 N.H. 509, 511 (1917). More information regarding what the term "domicile" means is found on page 3 of this document.

presence for domestic, social, and civil purposes relevant to participating in democratic self-government.” RSA 654:1<sup>2</sup>.

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 driver’s license or non-driver ID showing your current domicile address;
- 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 New Hampshire resident motor vehicle registration, driver’s license, or non-driver photo ID showing your domicile address.
- A voter photo ID issued by the NH Division of Motor Vehicles at no cost to you.
  - To obtain a photo ID card that can only be used for voting purposes, 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 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.

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<sup>2</sup> RSA 654:1 was not amended by Senate Bill 3.

- Any form from the US 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 US mail when you reported your new address to the Post Office satisfies the requirement.
- A public utility bill, such as 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 US 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.

If you have documents to establish your qualifications, please bring them when you register. If you do not have documents or forget to bring them:

- YOU WILL BE ABLE TO REGISTER TO VOTE;
- YOU WILL BE ABLE TO VOTE; and
- YOU WILL USE A REGULAR ELECTION DAY BALLOT THAT IS COUNTED ON ELECTION DAY.<sup>3</sup>

If you have any questions about the process of registering to vote, do not hesitate to ask at the town/city clerk's office or the supervisors of the checklist at the polls on Election Day. Your local election officials are there to help you.

### Absentee Voter Registration

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. See attached COVID-19 Related Registration and Voting Instructions;

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<sup>3</sup> 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.



- 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;
  - o 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.

If any of the above circumstances applies to you, please access the 2020 Absentee Voter Registration Requirements And Instructions for a step-by-step guide regarding how to register absentee at the following website:

<https://sos.nh.gov/media/upfniyty/absentee-registration-requirements-and-instructions-2020-08-08-covid-ada.pdf>

#### Accessible Electronic Absentee Voter Registration

If you meet the State's requirements and qualifications to register to vote and are unable to register to vote in person because of a print-based physical disability (e.g., blindness), you may register through an accessible electronic absentee voter registration process. To do this, you should request an Accessible Absentee Voter Registration Affidavit and an Accessible Standard Voter Registration form directly from your city or town clerk. The Application for an Accessible Electronic Absentee Ballot also has a selection on it that permits you to request the forms necessary for absentee electronic voter registration to be sent to you. You may download the Application for an Accessible Electronic Absentee Ballot from the following website: <https://sos.nh.gov/elections/voters/register-to-vote/absentee/accessible-voting/>

### **More Detailed Information regarding Registering to Vote**

#### **What is “domicile”?**

“The fundamental idea of domicile is home.” *Felker v. Henderson*, 78 N.H. 509, 511 (1917).

“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. A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.” RSA 654:1, I.

“A student of any institution of learning may lawfully claim domicile for voting purposes in the New Hampshire town or city in which he or she lives while attending such institution of learning if such student's claim of domicile otherwise meets the requirements of RSA 654:1, I.” RSA 654:1, I-a.

“A voter can have only one domicile for voting purposes.” RSA 654:2, I.

“RSA 654:1, I, like common law domicile, requires physical presence and the intent to make one’s place of physical presence one’s home (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”).” *Casey v. N.H. Secy. of State*, \_\_\_ N.H. \_\_\_, slip op. at 6 (May 20, 2020).

Under New Hampshire law, the terms “domicile” and “residence” are equivalent. Thus, by establishing your domicile in New Hampshire, you may also trigger certain other state law residency obligations, including the obligation to obtain a New Hampshire driver’s license and/or motor vehicle registration. For more information on this, please visit <https://sos.nh.gov/elections/information/faqs/voter-registration-motor-vehicle-law/>

#### Disclaimer

The complete election laws are available on-line; however, a court order has enjoined enforcement of all provisions of law that were amended by Senate Bill 3 (2017). The on-line election laws currently show the enjoined language. The on-line law should not be relied upon without referring to the court’s injunction and Senate Bill 3 to determine the current law. Therefore, the on-line election laws do not reflect the law presently being applied for voter registration.

# COVID-19 RELATED REGISTRATION AND VOTING INSTRUCTIONS

Registering to vote and voting in person at 2020 elections may pose a health risk to some due to the COVID-19 health emergency. You may register and vote by absentee (by mail) if:

- You are ill due to COVID-19, or caring for someone with COVID-19/symptoms; or
- You are concerned that registering or voting in person will expose you or others to COVID-19.

The term “disability” in the election law extends to these circumstances. Even if you do not consider yourself a person with disability in other circumstances, this term applies for registering to vote and voting in 2020. The opportunity to register and vote absentee due to disability from COVID-19 will apply in 2020, regardless of the future development of the public health crisis. You must sign the “disability” affidavit on the forms for absentee registration and absentee voting.

## REGISTERING ABSENTEE (BY MAIL)

You may request absentee voter registration forms and instructions from your clerk before requesting an absentee 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.

If you request an absentee ballot and are not registered, the clerk will send you both your absentee ballot and your absentee voter registration forms and instructions.

## VOTING ABSENTEE (BY MAIL)

Request your absentee ballot from your town/city clerk as early as possible. An Absentee Ballot Application can be downloaded from: <https://sos.nh.gov/media/551hz0ox/absentee-ballot-app-2020-covid.pdf> See below for how to obtain your Clerk’s contact information.

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. See RSA 657:17: <http://www.gencourt.state.nh.us/rsa/html/LXIII/657/657-17.htm>

Find your clerk’s contact information, your party membership status, or the status of your absentee ballot request here: <http://sos.nh.gov/>

The image shows a screenshot of the New Hampshire Secretary of State website. The main navigation bar includes links for 'SOS Home', 'Absentee Ballot Search', 'Party Registration', 'Polling Place Search and Sample Ballots', and 'Clerk Information Search'. The 'Party Information' section is highlighted, and the 'NH Secretary of State' page is displayed. A search form is visible with fields for 'Town or City', 'First Name', 'Last Name', and 'DOB'. Three callout boxes with arrows point to specific features: one points to the 'Voter Information Lookup' link in the navigation bar, another points to the 'Absentee Ballot Search' link, and a third points to the 'Clerk Information Search' link. A fourth callout box points to the search form fields.



October 28, 2020

Dear Moderator:

Pursuant to RSA 666:4, I appoint *Sean List* to serve as a challenger designated by the New Hampshire Republican State Committee for the 2020 New Hampshire general election to take place on November 3rd, 2020. This also applies to any partial processing of Absentee Ballots that may be held in advance of Election Day.

If you have any questions, please call the New Hampshire Republican State Committee at (603)225-9341. Thank you for your work on behalf of New Hampshire's citizens and for your cooperation and assistance with respect to this appointment of a challenger.

Sincerely,

A handwritten signature in black ink that reads "Stephen Stepanek". The signature is written in a cursive style with a large initial 'S'.

Stephen Stepanek

*Chairman*

New Hampshire Republican State Committee





**NEW HAMPSHIRE**  
DEMOCRATIC PARTY

105 North State Street • Concord, NH 03301  
Phone: 603-225-6899  
[www.nhdp.org](http://www.nhdp.org)  
Raymond Buckley, Chair

[October \_\_, 2020]

Dear Moderator:

Pursuant to RSA 666:4, I hereby appoint [NAME OF CHALLENGER] as an official challenger for the New Hampshire Democratic Party at the State General Election held on November 3, 2020.

Please do not hesitate to contact me if you have any questions.

Regards,

Raymond Buckley  
Chair





**NEW HAMPSHIRE**  
DEMOCRATIC PARTY

105 North State Street • Concord, NH 03301  
Phone: 603-225-6899  
www.nhdp.org  
Raymond Buckley, Chair

October 23, 2020

Dear Moderator:

Pursuant to RSA 666:4, I hereby appoint [REDACTED] as an official challenger for the New Hampshire Democratic Party at the State General Election held on November 3, 2020, and all related events, including absentee ballot pre-processing.

Please do not hesitate to contact me if you have any questions.

Regards,

A handwritten signature in black ink that reads "Raymond Buckley".

Raymond Buckley  
Chair

# New Hampshire Attorney General's Office

## Polling Place Checklist for the 2020 General Election

Inspector's Name: \_\_\_\_\_ Town/City Ward: \_\_\_\_\_

Polling Place Facility (Name): \_\_\_\_\_ i.e. Town Hall, Middle School, etc

Date: November 3, 2020 Time: \_\_\_\_:\_\_\_\_AM/PM (Circle One) Moderator's Name: \_\_\_\_\_

(May be the Deputy Moderator or an appointed Pro Tem Moderator, write in name of whoever is serving when you inspect.)

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
Traffic	Were traffic access routes adequate to enable access to the polling place?	1				
Accessible Parking	Is there at least one 8-foot wide accessible van parking space marked with a proper sign? (There must be an 8-foot wide parallel access aisle next to the space.) RSA 658:9-a, I.	2				
Parking	Was parking adequate to enable access to the polling place?	3				
No Electioneering Zone	Is there a zone at least 10 feet wide extending from the entrance(s) to the polling place where electioneering is prohibited? RSA 659:43.	4.a.				
Electioneering Allowed Outside	Are people electioneering outside allowed within sight and sound (conversational voice volume) of the no electioneering corridor?	4.b.				
Campaign Signs	Have election officials ensured that there are no unattended campaign signs present on the property of the polling place, outside the no electioneering zone? RSA 664:17 (Law prohibits affixing signs to public property.) RSA 659:43, V & VI (Electioneering signs shall not be affixed to the polling place building or grounds and shall not be left unattended).	5				

*Identify yourself to the Moderator when entering the polling place. Before completing the inspection, introduce yourself to the Clerk, Selectmen, and Supervisors of the Checklist.*

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
Election Officials	Are the following election officials present at the polling place: Moderator (or assistant moderator), clerk (or deputy or assistant clerk), and at least two supervisors of the checklist (or assistant supervisors of the checklist). RSA 658:7. Number of selectmen or designees of selectmen present:_____. RSA 658:21-a Selectman Pro Tem.	6				

# New Hampshire Attorney General's Office

## Polling Place Checklist for the 2020 General Election

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
COVID-19 Modifications	Has the polling place imposed a face covering/mask requirement? If so, have they offered an alternative in addition to the accessible voting process? For example: a separate voting area for those unable or unwilling to wear a face covering/mask.	7.a.				
	Have election officials used the plastic sneeze-guard screens? If so, in the memo section, describe where the sneeze-guard screens have been deployed.	7.b.				
	Are election officials using Personal Protective Equipment (PPE)?	7.c.				
	Are election officials maintaining social distancing at the polling place?	7.d.				
	Have election officials provided hand sanitizer at the polling place? If so, in the memo section, describe where the hand sanitizer has been stationed.	7.e.				
	If the polling location has instituted any other COVID-related modifications or protocols, use the memo section and the back of this page to list what they are.	7.f.				
Lines	Voters who were registered before entering the polling place should not have to wait more than 15 minutes to obtain a ballot. Do voters receive ballots within 15 minutes?	8.a.				
	Observe and record the waiting time to obtain a ballot: _____ minutes	8.b.				
	Are eligible voters who choose to register on election day able to start the voter registration process in less than 30 minutes?	8.c.				
	Note the waiting time, if a line exists, for registering to vote: _____ minutes.	8.d.				



## New Hampshire Attorney General's Office Polling Place Checklist for the 2020 General Election

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
<b>Signs</b>	Is the "Warrant" listing the date of the election and the hours the polling place will be open to voting posted? 52 USCA § 21082(b)(2)(B). This notice should have been posted at least 14 days prior to election day. RSA 658:1.	9.a.				
	State law, RSA 658:1, requires the "Warrant" be posted by the selectmen at all polling places and the clerk's office or town hall. Ask a Selectman or the Clerk. Was the Warrant posted at the polling place and the clerk's office or town hall?	9.b.				
	There are 8 Mandatory Purity of Elections Posters – Each is labeled with number (1-8) and (year), the year will be updated when new versions are issued					
	Instructions to Voters: Are the Instructions to Voters current and posted outside the guardrail? #1-2019	9.c.				
	Prohibited Acts While Voting (RSA 659:35) #2-2019	9.d.				
	Election Day Registration - #3-2019	9.e.				
	What Constitutes Voter Fraud and what are the penalties. #4-2019	9.f.				
	Voter Identity: Is there a current "New Hampshire Voter ID Law" poster posted outside of the guardrail explaining the photo identification law? RSA 658:29-a. #5-2019 (If printed locally, three pages).	9.g.				
	How are votes challenged? #6-2019 (If printed locally, two pages)	9.h.				
	Voters Needing Assistance to Mark a Ballot. #7-2019	9.i.				
	Voting Rights: Is there at least one "Voting Rights" sign listing the AG toll free election line posted outside the rail? 52 USCA § 21082. #8-2019	9.j.				

# New Hampshire Attorney General's Office

## Polling Place Checklist for the 2020 General Election

**Note:** Inspectors should list the number of booths and screens. However, due to COVID-19, and pursuant to HB1266, the number of booths/screens requirement has been relaxed.

Booths	Is there at least one State-issued (large white tent-like) booth easily accessible to elderly persons and persons with physical disabilities? RSA 658:9, III.	10.a.				
	Are there at least two standard voting booths? RSA 658:9, V.	10.b.				
	Are there at least two tabletop voting screens? RSA 658:9, V.	10.c.				
	Number of Registered Voters on the voter checklist in the town or ward: _____.	10.d.				
	Is the checklist certified (signed) by the supervisors – typically on or after the last page of voters. The certification page must state the number of registered voters RSA 654:29, I	10.e.				
	Total combined number of Booths and Screens: _____.	10.f.	N/A	N/A		
	Are there a total of at least one booth or screen for every <b>100</b> people listed on the checklist (excluding new election day registrants)? RSA 658:9, V (b); 652:3; 652:6. At Presidential General Election, one for every 100 voters on the checklist.	10.g.				Registered voters _____ divided by 100 at General Election = _____ (required total of booths and screens)
Accessible Voting System	Is the new accessible voting system (using a touch screen tablet on a docking station) for accessible voting set up and functioning? Check for a light on the docking station. When turned on, the screen should be lit up, show a logo, and present the user a choice to enter an access code. 42 U.S.C. 15481.	11.a.				
	Verify that a test ballot was printed using the one4all Accessible Voting System. Check to ensure that the test ballot printed shows the correct town/city ward and that it is marked "TEST" or "Spoiled" by the moderator.	11.b.				
Electioneering	Is electioneering prohibited within the polling place? RSA 659:43; RSA 659:44; RSA 652:16-h.	12				

## New Hampshire Attorney General's Office

### Polling Place Checklist for the 2020 General Election

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
Guardrail	Is there a guardrail (wooden rail, rope, ribbon, tape, or any other system) separating the voting area from the public area? RSA 658:9.	13.a				
	Is the guardrail positioned so that no one outside the rail can approach closer than 6 feet from the voting booths and the ballot box or ballot counting device? RSA 658:9	13.b.				
	Are persons (other than election officials and voters marking and casting ballots or assisting another voter) prohibited from entering within the rail? RSA 659:21	13.c.				
Checking in to Vote	When a voter checks in to receive a ballot, does the ballot clerk repeat the voter's name out loud before putting a check next to the voter's name? RSA 659:13.	14.a.				
	If the voter's name is not on the checklist, does the ballot clerk direct him or her to the supervisors of the checklist?	14.b.				
	When a voter checks in, does the ballot clerk state the address of the voter listed on the checklist and ask the voter to verify it is correct? RSA 659:13.	14.c				
	If the voter's address is NOT correct, and the voter's address is within the same town or ward, is the ballot clerk correcting the address in red ink on the checklist?	14.d.				
	If the voter's address is NOT correct, and the voter's address is NOT within the same town or ward, is the ballot clerk informing the voter that he or she is at the wrong polling place, that they can only vote where they are domiciled, and does some election official try to help the voter identify the address of the voter's correct polling place?	14.e.				
	Does the ballot clerk ask the voter to present a valid photo ID? RSA 659:13	14.f.				

## New Hampshire Attorney General's Office

### Polling Place Checklist for the 2020 General Election

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
Checking in to Vote (Cont.)	For voters who do not present a valid photo ID, is the ballot clerk giving those voters a copy of the explanatory document prepared by the Secretary of State? RSA 659:13, I(c)(1). Form #5-2019	14.g.				
	For voters who did not have a valid photo ID, are they able to vote (a) by being verified by the moderator, clerk, or supervisor of the checklist, or (b) by submitting a challenged voter affidavit (with a photo or signed affidavit of religious exemption attached) to the ballot clerk? RSA 659:13. It is recommended that a greeter or signs direct a registered voter to the voter ID table so the voter can complete the challenged voter affidavit when the voter first enters the polling place, before he or she gets in the voter check-in line.	14.h.				
	Does the ballot clerk use a ruler or straight edge to draw a single thin line through the voter's last name to record that the voter has been given a ballot? RSA 659:13, I(b).	14.i.				
Absentee Ballots	Did the Moderator start processing absentee ballots at 1:00 PM or the time stated on the notice posted at the polling place? (The moderator or the moderator's designee may authorize the processing of absentee ballot return envelopes on election day prior to 1 PM if the start time is no earlier than one (1) hour after the opening of the polls and the time is posted and announced at least 24 hours in advance.) RSA 659:49, 659:49-b; HB1266.	15.a.				
	If the Moderator or designee began to process absentee ballots earlier than 1 PM, did the moderator or designee post the time they will begin processing of absentee ballots 24 hours in advance? RSA 659:49, 659:49-b.	15 b.				

## New Hampshire Attorney General's Office Polling Place Checklist for the 2020 General Election

Ballot Counting Devices	Are the Activity Logs (memory card(s), tape seals, canvas bag), and the Access Log properly filled out? Can the moderator or clerk show you the documentation of having conducted a successful test: (a) the hand count, and (b) the results tape from the ballot counting device. RSA 656:42. Election Procedure Manual, Page 316-319.	16.a.				
	Are there two tape seals & seal on the memory card post properly in place without evidence of tampering? RSA 656:42.	16.b.				
	Is a zero tape from the ballot counting device available for inspection and in proper form? RSA 656:42. Election Procedure Manual Page 319.	16.c.				
Official Ballots	Has the moderator ensured that no official <b>election day</b> ballots are removed from within the guardrail for any purpose. RSA 659:38. RSA 659:20-a, allows <b>absentee ballots</b> to be removed outside the guardrail when an unforeseen accessibility event arises, but not to resolve ongoing accessibility problems. Note for 2020 election day and absentee ballots are identical.	17				
Challengers	Does the moderator position challengers (designated in writing by the Dem. or Rep. party) in a place to enable them to see and hear voters check in with the ballot clerks? RSA 666:4.	18.a.				
	Are challenges being made at the voter check-in table? Challenges are prohibited from being made at the voter registration table. (Does not apply to challenges made by election officials.) RSA 659:27.	18.b.				
Registered Voters Making Challenges	Are individuals who are making challenges either party-appointed challengers or challengers registered to vote in the town or ward where the challenge is being made? RSA 659:27, III. All challenges, regardless of by whom, need to be made on the "Asserting a Challenge" form 659:27-a. Challenges should be made at the check-in table. RSA 654:7-c.	19.				

# New Hampshire Attorney General's Office

## Polling Place Checklist for the 2020 General Election

**Note:** Pursuant to guidance issued by the Secretary of State and Attorney General, the Moderator can designate an area inside the polling place for observers, and apply a person capacity limit in order to maintain social distancing. The Moderators should ensure that there is an equal distribution of available space in this area for observers from both parties, as well as other public observers.

Requirement	What to Look For	#	Yes	No	COVID change	Memo (N/A if not applicable)
Observers	Are observers (members of the public) at least 5 feet from the registration table? RSA 654:7-c.	20.a.				
	Can a person in the area for observers hear the ballot clerks announce the names of voters as the voters check in? RSA 654:7-c	20.b.				
	Are observers (members of the public) at least 6 feet from the check-in table, unless the moderator expressly permits them to be closer? RSA 659:13-a.	20.c.				
	Is there a public viewing area outside the rail available for observers from campaigns and the public? RSA 659:21 & 654:7-c.	20.d.				
Voter Registration	Are people being allowed to register to vote at the polling place? RSA 654:7-a.	21.a.				
	Are people who register to vote being required to prove: (RSA 654:12).	21.b.				
	a. Their <i>identity</i> ?					
	b. Their <i>age</i> if their appearance leaves doubt whether the person is 18 or older?	21.c.				
	c. Their <i>citizenship</i> ?	21.d.				
	d. Their <i>domicile</i> ?	21.e.				
	Are those without proof of identity, age, or citizenship offered and allowed to sign the stand-alone Qualified Voter Affidavit? RSA 654:7; 654:12, I.	21.f.				
	Are those without proof of domicile offered and allowed to use the Domicile Affidavit? RSA 654:7; 654:12, I.	21.g.				
	Were all voter registration applications accepted? (The supervisors of the checklist should contact the Attorney General's office before denying (by majority vote) any registration application, including absentee voter registrations.)	21.h.				
	Are the supervisors of the checklist using the correct Voter Registration Form, July 2016 printed on the lower left corner? RSA 654:7, IV.	21.i.				
Are the supervisors of the checklist using the Qualified Voter Affidavit stand-alone form for affidavits of identity, age, and citizenship? RSA 654:12, 659:13; 659:27.	21.j.					