



STATE OF NEW HAMPSHIRE - VOTER ID LAW (RSA 659:13)

EXPLANATORY DOCUMENT (RSA 652:26)

PROOF OF VOTER IDENTITY INSTRUCTIONS (RSA 658:29-a)

What type of ID will I need to vote? You will need to bring one of the following to register to vote for the first time in New Hampshire. If you are not a first-time registrant, you will still need to verify your identity to check in and receive a ballot. Any one of the following documents will satisfy identify verification:

- Driver's license issued by any state or federal government;
- Non-driver ID card issued by NH DMV or motor vehicle agency of another state;
- Photo ID card for "voting identification only" issued by NH DMV (RSA 260:21);
- United States armed services identification card;
- United States passport or passcard;
- NH student ID card (see more information below);
- Verification of the voter's identity by a moderator or other election official of a town, ward or city (not a ballot clerk);

An acceptable photo ID must have an expiration date or date of issuance. The ID will remain valid, for voting purposes, for 5 years beyond the expiration date unless the voter is 65 or older in which case an acceptable photo ID may be used without regard to expiration date. The name on the ID shall substantially conform to the name on the checklist.

Student ID cards:

Acceptable student photo ID cards must be issued by:

- A college, university, or career school approved or licensed to operate in New Hampshire
- A public high school in New Hampshire
- A non-public high school in New Hampshire accredited by a private school accrediting agency that is recognized by the NH Department of Education
- Dartmouth College
- A college or university operated by the university system of New Hampshire or the community college system of New Hampshire

All student ID cards must have an issuance or expiration date that has not been exceeded by more than 5 years.

Each August, a list of approved, licensed, and accredited schools from which a student ID is acceptable, received from Department of Education, is posted here: <https://www.sos.nh.gov/elections/election-officials>.

What if I do not have an approved photo ID?

Any voter who does not present an approved photo ID, or have their identity verified by an election official, will not be allowed to vote. The voter may retrieve a qualified photo ID and return to vote. A person not allowed to vote may take an immediate appeal to the superior court as provided in RSA 654:12, V.

A voter who does not have an approved photo ID may obtain a free photo ID, for voting purposes only, by presenting a voucher from their town/city clerk or the Secretary of State to any NH DMV office that issues identification.

Statutes authorizing the use of a qualified voter affidavit, a challenged voter affidavit, or a domicile affidavit have been repealed, notwithstanding the references to those affidavits in the following statute, those affidavits may no longer be used.

PROHIBITED ACTS – WRONGFUL VOTING – PENALTIES FOR VOTER FRAUD

RSA 659:34 Wrongful Voting: Penalties for Voter Fraud.

I. A person is subject to a civil penalty not to exceed \$5,000 if such person:

(a) When registering to vote; when obtaining an official ballot; when casting a vote by official ballot; or when applying for a photo identification card for voting purposes, purposely or knowingly makes a false material statement regarding his or her qualifications as a voter to an election officer or submits a voter registration form, an election day registration affidavit, ~~a qualified voter affidavit, a domicile affidavit, a challenged voter affidavit, an affidavit of religious exemption,~~ an identification card voucher, or an absentee registration affidavit containing false material information regarding his or her qualifications as a voter;

(b) Votes more than once for any office or measure;

(c) Applies for a ballot in a name other than his or her own;

(d) Applies for a ballot in his or her own name after he or she has voted once;

(e) Votes for any office or measure at an election if such person is not qualified to vote as provided in RSA 654; or

(f) Gives a false name or answer if under examination as to his or her qualifications as a voter before the supervisors of the checklist or moderator; or

(g) Presents falsified proof of identity, domicile, or verifiable action of domicile at any election.

(h) (not enforced by court order)

(i) (not enforced by court order)

II. A person is guilty of a class B felony, if, at any election, such person purposely or knowingly commits an act specified in subparagraph I(b) or I(e). A person is guilty of a class A misdemeanor if, at any election, such person purposely or knowingly commits any of the other acts listed in paragraph I, and, if the act involved the use of false proof of identity or voting using the name of another person, the person shall be sentenced to a mandatory sentence in the county correctional facility of not less than 30 days for a first offense under this section, 90 days for a second offense under this section, and 180 days for a third or subsequent offense under this section.

III. The attorney general is authorized to impose a civil penalty under paragraph I.

(a) The attorney general may impose a civil penalty by providing written notice to the person:

(1) Setting forth the date, facts, and nature of each act or omission which makes the person liable to pay a civil penalty;

(2) Specifically identifying the particular provision or provisions of the law involved in each violation; and

(3) Advising the person of each penalty that the attorney general imposes and its amount.

(b) The written notice shall be served in hand or sent by registered or certified mail to the last known address of such person. The person shall have 30 days to pay any civil penalty assessed under this section to the secretary of state for deposit into the general fund.

IV. The decision of the attorney general to impose a civil penalty may be appealed to superior court. An appeal must be filed within 30 days of the date on which the person received it.

V. The attorney general is authorized to institute a civil action to collect a penalty imposed pursuant to this section. The attorney general shall have the exclusive power to compromise, mitigate, or remit such civil penalties.

Where can I get more information? Your town or city clerk or the Secretary of State's website:

www.sos.nh.gov Email: elections@sos.nh.gov