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

[effective September 1, 2015]

EXPLANATORY DOCUMENT (RSA 652:26)
PROOF OF VOTER IDENTITY INSTRUCTIONS (RSA 658:29-a)

What type of ID will I need to vote?

- 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);
- A photo ID not mentioned above, but determined to be legitimate by the moderator, supervisors of the checklist, or clerk of a town, ward or city. If any person authorized to challenge a voter does so under this provision, the voter shall be required to fill out a challenged voter affidavit before obtaining a ballot.
- Verification of the voter's identity by a moderator or supervisor of the checklist or clerk of a town, ward or city (not a ballot clerk). If any person authorized to challenge a voter does so under this provision, the voter shall be required to fill out a challenged voter affidavit before obtaining a ballot.

An acceptable photo ID must have an expiration date or date of issuance. The ID will remain valid 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.

More on 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

Beginning in 2014 all colleges or universities operated by the university system or community college system of New Hampshire must include the date of issuance on the student ID card. Student ID cards without a date of issuance will be accepted until September 1, 2018. Each August the Commissioner of the Department of Education will provide to the Secretary of State a list of all approved, licensed, and accredited schools from which a student ID is acceptable.

What if I do not have an approved photo ID?
Any voter who does not present an approved photo ID will be permitted to vote after executing a challenged voter affidavit. In addition, the voter shall have their photograph taken by the moderator or assistant moderator, which shall be attached to the challenged voter affidavit. If the voter objects to the photograph requirement because of religious beliefs, the voter may execute an affidavit of religious exemption that will be attached to the challenged voter affidavit instead of the photograph. 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.

Is there any post-election action required by me after I vote without an approved photo ID?
If you filled out a challenged voter affidavit in order to vote on Election Day, you will receive a verification letter from the Secretary of State requesting confirmation that you voted in the election. If you do not respond in writing to the Secretary of State within 90 days of the date it was mailed, the Attorney General will conduct an investigation to determine whether fraudulent voting occurred.

Where can I get more information? Your town or city clerk or the Secretary of State.
Secretary of State: Website:www.sos.nh.gov elections@sos.nh.gov August, 2015

TURN OVER FOR RSA 659:34 WRONGFUL VOTING; PENALTIES FOR VOTER FRAUD ⟶

PROHIBITED ACTS

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 at any election.

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.