

## Absentee Voting Checks and Balances in New Hampshire

American elections serve as a model for the world, thanks to our rigorous system of checks and balances and our neighbors serving as election workers faithfully carrying out those duties.

Working in teams made up of people from both parties, poll workers and election officials count, canvass, and audit votes — whether they are cast in-person, by mail, or by service members overseas. These election workers verify voters' identities. They inspect ballots. They resolve errors. They confirm that every legal ballot is counted as voters intended them.

When these checks and balances are complete, then the final phase of our election process happens: certification. This is the straightforward step in the process when election officials declare the winners.

**This memo outlines the numerous safeguards in New Hampshire that assure only eligible absentee votes are counted, from rigorous voter verification at the application stage to election officials meticulously reviewing ballots when they are returned.** For greater detail about the post-election process and a detailed timeline, please [visit the rest of our series on checks and balances in New Hampshire elections](#).

### Only Certain Voters May Vote by Absentee Ballot in New Hampshire

New Hampshire limits mail voting eligibility to certain registered voters; specifically voters who:

- Are planning to be away from their city, town, or locality of registration on the day of the election;
- Cannot appear in public on Election Day because of observance of a religious commitment;
- Have a disability;
- Have an employment obligation, including the care of children and infirm adults, with or without compensation; or
- Are confined in a penal institution.<sup>1</sup>

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<sup>1</sup> N.H. Rev. Stat. § 657:1.

## **All Voters Are Verified Before Election Officials Send Their Ballot**

An eligible voter may apply for a mail ballot by completing an application form and submitting it to the town or city clerk.<sup>2</sup> The form requires an applicant to sign it, declare the reason they are eligible to vote by mail, and otherwise requests basic identifying information, like the voter's name and address.<sup>3</sup> Upon receipt of the application, the clerk must review the checklist, or list of registered voters, for the town or city; if the voter's name appears on the checklist, the clerk must send a ballot package to the voter and make a record of the act.<sup>4</sup> If the voter does not appear on the checklist, statute still requires that the voter be sent a ballot, but accompanied by a notice that the ballot will not be counted unless the applicant submits certain voter registration documents necessary to complete an absentee registration.<sup>5</sup>

Clerks are required to mail ballots to voters in response to applications received in the mail by 12 p.m. on the day before Election Day.<sup>6</sup> Voters may apply for and cast mail ballots in person at clerks' office until 5 p.m. the day before Election Day.<sup>7</sup>

## **Returned Ballots are Verified by Election Professionals**

Voters are permitted to have certain agents return a ballot on their behalf.<sup>8</sup> A relative, care facility administrator, or person giving assistance to a blind or disabled voter may return a ballot for a voter.<sup>9</sup> "Relative" is defined to include the voter's spouse, parent, sibling, child, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, or stepchild.<sup>10</sup> Individuals assisting blind or disabled voters who are not relatives or nursing care staff are limited to returning ballots for four voters.<sup>11</sup> Delivery agents must fill out a form and present identification upon returning a ballot.<sup>12</sup>

A mail voter who returns their ballot in person will have their ballot treated as verified if the voter either voluntarily shows the clerk a photo identification that meets the requirements of statute, or completes a challenged voter affidavit in the same manner as is required for an in-person voter who does not present voter ID.<sup>13</sup>

For mail ballots returned by other means, election officials examine the ballot to confirm the name of the voter is on the checklist and that the affidavit appears to be properly executed.<sup>14</sup> The state does not currently have a cure process for ballots with deficiencies.

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<sup>2</sup> N.H. Rev. Stat. § 657:2.

<sup>3</sup> N.H. Rev. Stat. § 657:4.

<sup>4</sup> N.H. Rev. Stat. § 657:12.

<sup>5</sup> N.H. Rev. Stat. § 657:16.

<sup>6</sup> N.H. Rev. Stat. § 657:15.

<sup>7</sup> Id.

<sup>8</sup> N.H. Rev. Stat. § 657:17.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id.

<sup>13</sup> N.H. Rev. Stat. § 657:17-a.

<sup>14</sup> N.H. Rev. Stat. § 659:50.

## Voters Can Confirm Ballot Status Through Online Ballot Tracking

Mail ballot tracking is mandated by state statute.<sup>15</sup> Voters can use the "[Voter Information Lookup](#)" portal on the secretary of state's website to get updates on the status of their mail ballot. This adds an additional layer of transparency to the process as voters can, at any time, use the portal to verify the status of their ballot.

## Additional Steps Ensure Ballots Counted as Voters Intended

There are a number of additional checks and balances that apply to absentee and in-person ballots in New Hampshire. These include:

- Election officials test tabulation equipment before the election to make sure it is working correctly;
- Voters insert ballots directly into tabulation equipment polling locations using tabulation equipment; and
- The secretary of state handles canvassing for all general state election and ballot questions.

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<sup>15</sup> N.H. Rev. Stat. § 657:26.