



# THE STATE OF NEW HAMPSHIRE



## REGISTERING TO VOTE IN NEW HAMPSHIRE

This guidance was updated on November 28, 2023. Do not rely on previous versions. A person must meet the following to register and vote in New Hampshire:

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

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

- A driver's license or non-driver ID from any state is proof of identity and age.
- A birth certificate, U.S. Passport/Passcard, or naturalization document is proof of citizenship.

Note: A New Hampshire Real ID compliant driver's license is NOT proof of U.S. Citizenship.

You can prove your identity, age, and/or citizenship by signing a Qualified Voter Affidavit, under oath, in front of an election official if you do not have documents.

You will also need to prove that your domicile is in the town or ward where you intend to vote. Proof can be either by a document or by affidavit. The law requires a document that "manifests an intent to maintain a single

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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 on page 3 of this document.

continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.” RSA 654:1.

Many types of documents fill this requirement. The following documents are examples of acceptable proof of domicile. You need only one document:

- 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 (on or off campus) where you live fills the requirement. Many colleges and universities provide students with acceptable documents.
- Students also may 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. The web page must list the student’s name and 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 cannot find and display this information from your school’s system.
- A note signed by a school official, including a Resident Assistant or other person who supervises your dorm, fills 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 your domicile on Election Day.
- A document showing that you own the place you claim as domicile, such as a deed, property tax bill, or other similar document that has your name and address.
- A New Hampshire resident motor vehicle registration showing your domicile address.
- A voter photo ID issued by the NH Division of Motor Vehicles at no cost to you.
  - 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) to get a voter ID card. Voter photo ID cards can only be used for voting purposes,

- Information on the documents you will need to present to the DMV is available here, see "Proof of Identity and Residency": <https://www.dmv.nh.gov/drivers-licensenon-driver-ids/apply-your-first-drivers-licensenon-driver-id>
- 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.
- Canceled mail addressed in your name to your domicile address that shows the U.S. Postal Service delivered the mail to you at that address.
- Any form from the U.S. Post Office showing your name and the physical address where you are domiciled (not a Post Office Box). The confirmation you received by e-mail or U.S. mail when you reported your new address to the Post Office fills 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 proof of your intent to make the place you claim your voting domicile.

You may call or visit your town or city clerk's office if you have any questions about proof of domicile. Look up your clerk's address and contact information here: <https://app.sos.nh.gov>

You can prove domicile by signing a Domicile Affidavit if you do not have a document proving your domicile.

Please bring any documents you have establishing your qualifications with you when registering to vote. 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 ELECTION OFFICIALS WILL COUNT ON ELECTION DAY.<sup>2</sup>**

Do not hesitate to ask at the town/city clerk's office or the supervisors of the checklist at the polls on Election Day if you have any questions about how to register to vote. Your local election officials will help you.

### **Absentee Voter Registration**

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

- 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 10, 2024 primary and
  - 6 to 13 days before the November 5, 2024 general election.
- Absence includes an employment commitment 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 because of a physical disability;
- You are a victim of domestic violence and have an active protective order or are participating in the Attorney General's address confidentiality program; or

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<sup>2</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 meets the requirements to register may vote on a ballot that election officials count on election day. If you register in New Hampshire for the first time on election day and vote without presenting a qualified photo ID or otherwise verifying your identity, your ballot will be marked as an "Affidavit Ballot." That ballot will be counted on election day. You will be issued an affidavit ballot letter and a postage paid return envelope to send a copy of proof of identity to the Secretary of State within 7 days. If you are issued an affidavit ballot letter and do not provide the Secretary of State with proof of identity within 7 days, your ballot will be retrieved and your votes subtracted from the election results.

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 are a person confined to a penal institution awaiting trial or because of a misdemeanor conviction. A person incarcerated because of a felony conviction is not eligible to register or vote while incarcerated.

Click here to download the [Absentee Voter Registration Requirements and Instructions](#) for a step-by-step guide regarding how to register absentee

<https://www.sos.nh.gov/elections/voters/absentee-ballot-instructions-and-applications>

### **Accessible Electronic Absentee Voter Registration**

You may register through an accessible electronic absentee voter registration process if you meet the State's requirements and qualifications to vote and are unable to register to vote in person because of a print-based physical disability (e.g., blindness). 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 allows you to request the electronic forms necessary for absentee electronic voter registration. [Click here to download the Application for an Accessible Electronic Absentee Ballot](#)

<https://www.sos.nh.gov/elections/voters/voting-disabilities>

### **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*, 173 N.H. 266, 274 (2020).

Under New Hampshire law, the terms "domicile" and "residence" are equivalent. Establishing a voting domicile may also trigger certain other residency obligations under state law. These may include the obligation to obtain a New Hampshire driver's license and/or motor vehicle registration. For more information on this, please visit <https://www.sos.nh.gov/elections/information/faqs/voter-registration-and-motor-vehicle-law>

### **Disclaimer**

The complete election laws are available on-line. A court order, however, struck down all changes to the law in Senate Bill 3 (2017). The on-line election laws currently show the enjoined language. Do not rely on the on-line law without referring to the court's decision and Senate Bill 3 to determine the current law. The on-line election laws do not reflect the law presently in effect for voter registration.