

NEW HAMPSHIRE 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within Title 63 of the New Hampshire Revised Statutes and other relevant sections.

- Using or threatening force or intimidation to discourage or interfere with an election official's performance of duties is a felony.
- Using or threatening force or intimidation to induce or compel a voter relating to their exercise of their vote is a felony.
- Tampering with or attempting to injure or destroy a ballot box or ballot counting devices or software is a felony.

VOTING HOURS

Hours vary by location. Find your polling location hours here: app.sos.nh.gov/pollingplacesampleballot

2024 ELECTION DATES

State Primary Election: September 10
General Election: November 5
For more election dates:
sos.nh.gov/elections/2024-2025-political-calendar

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:
app.sos.nh.gov/viphome
NH Secretary of State:
603-271-3242; elections@sos.nh.gov
For more information:
sos.nh.gov/elections/election-integrity



Intimidation of Election Officers

N.H. Rev. Stat. § 659:40-b

I. No person shall use or threaten force, violence, or any tactic of coercion or intimidation to knowingly discourage, interfere with, or compel any election officer, as defined in RSA 652:14, and other appointed individuals assisting at the polling place, such as ballot clerks and greeters, from engaging in or completing duties related to an election.

II. Whoever violates the provisions of RSA § 659:40 or who conspires to violate the provisions of this section shall be guilty of a class B felony.

Bribing; Intimidation; Suppression.

N.H. Rev. Stat. § 659:40

I. No person shall directly or indirectly bribe any person not to register to vote or any voter not to vote or to vote for or against any question submitted to voters or to vote for or against any ticket or candidate for office at any election.

II. No person shall use or threaten force, violence, or any tactic of coercion or intimidation to knowingly induce or compel any other person to vote or refrain from voting, vote or refrain from voting for any particular candidate or ballot measure, or refrain from registering to vote.

III. No person shall engage in voter suppression by knowingly attempting to prevent or deter another person from voting or registering to vote based on fraudulent, deceptive, misleading, or spurious

grounds or information. Prohibited acts of voter suppression include:

- (a) Challenging another person's right to register to vote or to vote based on information that he or she knows to be false or misleading.
- (b) Attempting to induce another person to refrain from registering to vote or from voting by providing that person with information that he or she knows to be false or misleading.
- (c) Attempting to induce another person to refrain from registering to vote or from voting at the proper place or time by providing information that he or she knows to be false or misleading about the date, time, place, or manner of the election.

IV. Whoever violates the provisions of this section or whoever conspires to violate the provisions of this section shall be guilty of a class B felony.

Obstructing Government Administration

N.H. Rev. Stat. § 642:1

I. A person is guilty of a misdemeanor if that person uses intimidation, actual or threatened force or violence, simulated legal process, or engages in any other unlawful conduct with a purpose to hinder or interfere with a public servant, as defined in RSA 640:2, II, performing or purporting to perform an official function or to retaliate for the performance or purported performance of such a function.

Assault, Etc

N.H. Rev. Stat. § 659:41

Any person who shall assault a town, city, or ward officer as provided in RSA 631 in the discharge of any duty of his office at any election shall be guilty of a class A felony or a class B felony, but never less than a class B felony, other provisions of the law to the contrary notwithstanding. Any person who shall take away, injure or destroy the ballot box or checklist when in use at any election shall be guilty of a class B felony.

Tampering With Electronic Ballot Counting Devices

N.H. Rev. Stat. § 659:42

Whoever shall tamper with or injure or attempt to injure any electronic ballot counting device for the counting of ballots to be used or being used in an election or whoever shall prevent or attempt to prevent the correct operation of such device or whoever shall tamper with software used in the counting of ballots or design such software so as to cause incorrect tabulation of the ballots or any unauthorized person who shall make or have in his or her possession a key to an electronic ballot counting device to be used or being used in an election shall be guilty of a class B felony if a natural person or guilty of a felony if any other person.

Official Misconduct

N.H. Rev. Stat. § 666:3

I. (a) Any public officer upon whom a duty relating to elections is imposed who shall knowingly fail to perform such duty or who shall knowingly perform it in such a way as to hinder the objects thereof shall be guilty of a misdemeanor if no other penalty is provided by law.

Electioneering

N.H. Rev. Stat. § 659:43

I. Electioneering shall be prohibited within the polling place building, provided that nothing in this section shall apply to the posting of sample ballots by election officials, pursuant to RSA 658:26, which have not been marked as voting for any candidate or measure.

II. The moderator shall establish one or more no-electioneering corridors, no less than 10 feet wide, that extend from all entrances of the polling place a reasonable distance along the sidewalks or to the parking lots that serve the polling place. The moderator shall establish the corridor in a manner that permits a voter arriving or leaving the polling place to enter or exit without interruption or interference from individuals outside the corridor, and that permits a voter to step to the edge of the corridor and speak with those electioneering if he or she chooses.

III. The moderator shall designate a preferred area for electioneering, which to the extent practical shall be within sight and conversation-level sound of the primary entrance to the polling place and shall abide by any regulations or ordinances approved by the municipality's governing body pursuant to RSA 31:41-c or RSA 47:17, XIV-a.

IV. Electioneering may occur outside the no-electioneering corridor and outside the designated preferred electioneering area.

V. Electioneering signs shall not be affixed to the polling place building or grounds.

VI. Electioneering signs shall not be left unattended.

VII. The distribution or posting of electioneering communications, including but not limited to posters, cards, handbills, placards, pictures, pins, stickers, circulars, or articles of clothing, is prohibited within any no-electioneering corridor established outside the polling place by the moderator.

VIII. Whoever violates any of the provisions of this section shall be guilty of a violation.

Pursuant to N.H. Rev. Stat. § 652:16-h, Electioneering means visibly displaying or audibly disseminating information that a reasonable person would believe explicitly advocates for or against any candidate, political party, or measure being voted.

Electioneering by Election Officers

N.H. Rev. Stat. § 659:44

No election officer shall electioneer while in the performance of his official duties. For the purposes of this section, "electioneer" shall mean to act in any way specifically designed to influence the vote of a voter on any question or office. Any person who violates this provision shall be guilty of a misdemeanor.

Admittance Within Guardrail

N.H. Rev. Stat. § 659:21

No person other than the election officers, the voters admitted or those admitted to aid a voter pursuant to RSA 659:20 shall be permitted within the guardrail except by the authority of the election officers and, then, only for the purpose of keeping order and enforcing the law.



Committee for

**SAFE AND SECURE
ELECTIONS**

