Amendment to HB 112

Amend the bill by replacing section 1 with the following:

1 Voter Qualifications; Domicile. Amend RSA 654:1 to read as follows:

   654:1 Voter; Office Holder.

   I. Every inhabitant of the state, having a single established domicile for voting purposes, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled. 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.

   II.(a) When determining a person's qualifications as a voter, the following factors may be considered as evidence of the person's domicile:

   (1) The school district in which the person's residence is located.

   (2) The address listed on the person's individual federal income tax return.

   (3) The address designated by the person as his or her residence or homestead for purposes of state and local taxes.

   (4) The place where the person spends the most nights of the year.

   (5) The place where the person keeps his or her most valuable and precious possessions.

   (6) The place that would be considered the person's residence for purposes of obtaining a driver's license.

   (7) The place that would be considered the person's residence for purposes of applying for a passport or other federal identification.

   (8) The place that would be considered the person's residence for purposes of eligibility for a resident hunting or fishing license.

   (b) A person shall not be considered domiciled in this state if the person is temporarily absent from another state in a manner that would be consistent with RSA 654:2.

   [I-(c) III. 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.

[H-] IV. Any elected or appointed official for whom one of the qualifications for his or her
position is eligibility to be a voter in the area represented or served shall be considered to have
resigned if the official moves his or her domicile so that he or she can no longer qualify to be a voter
in the area represented or served. Any vacancy so created shall be filled as prescribed by law.
AMENDED ANALYSIS

This bill establishes factors to be considered in determining domicile for voting purposes.