

Voters with Print Disabilities Reasonable Accommodation Returning a Marked Absentee Ballot

The State of New Hampshire provides an opportunity for individuals with print disabilities to electronically receive and mark their state election absentee ballots. This tool helped safely manage the 2020 election under emergency conditions. This option for persons with print disabilities is available for state elections.

A voter with a print disability may mark their absentee ballot using electronic or regular means. The voter can return the absentee ballot to the city or town clerk in a number of ways. Place the marked ballot in the smaller (inner) envelope. The voter may complete either the affidavit on the inner envelope or a separate electronic absentee ballot affidavit. Voters completing the affidavit on the inner envelope containing the marked ballot put that into the larger return mail envelope. Voters who complete the separate electronic absentee ballot affidavit in lieu of the affidavit on the inner envelope put the separate affidavit and the inner envelope containing the marked ballot inside the larger return envelope.

The larger return envelope is then returned by:

1. Placing the mail envelope in the outgoing mail with postage.
2. Personally delivering the mail envelope to the city or town clerk.
3. Utilizing the assistance of a delivery agent. RSA 657: 17, II (d) states "A person assisting a blind voter or a voter with a disability who has signed a statement on the affidavit envelope acknowledging the assistance" may be a delivery agent for that voter.

The Secretary of State will make a reasonable accommodation for a voter with a print disability who is unable to use these methods to return a

marked state election absentee ballot. This includes voters who are unable to identify a delivery agent that the voter deems suitable. This also includes voters who are unable to place the ballot in the correct envelopes. A voter with a print disability who has received and marked an electronic state election absentee ballot may contact the Secretary of State's Office to request help. Call 603-271-3242 or e-mail ADA@sos.nh.gov.

The Secretary of State's Office will contact the voter. We will communicate with the voter to obtain information about his or her disability and the accommodation they request. The voter will need to provide information to allow us to plan the appropriate accommodation. A reasonable accommodation might include a Secretary of State employee, city or town clerk, or a designee serving as a delivery agent. It might also include assisting the voter to place the ballot in the correct envelopes.

This help is only available for voters with print disabilities who received an electronic state election absentee ballot. Voters are strongly encouraged to request help no later than 4:30 PM on the Wednesday before a Tuesday election. It may not be practical to honor late requests. Election officials become very busy in the lead up to an election. Timely requests for help are important to make sure that election officials can properly perform their election duties and voters are able to timely return marked ballots.

The Secretary of State's office recommends legislation to formalize this procedure.

The Secretary of State includes specific guidance on absentee ballot procedures for voters with print disabilities in election official training. This

guidance includes ways to protect the privacy and independence of voters with disabilities.

The Secretary of State employs a vendor to inform individuals with disabilities about the voting options available to them. The training offered in 2020 and future training includes information specific to voters with a print disability.