



# STATE OF NEW HAMPSHIRE PROHIBITED ACTS WHILE VOTING

(RSA 659:35)

~~I. No voter shall allow his or her ballot to be seen by any person with the intention of letting it be known how he or she is about to vote or how he or she has voted except as provided in RSA 659:20. This prohibition shall include taking a digital image or photograph of his or her marked ballot and distributing or sharing the image via social media or by any other means.~~

Paragraph I has been held unconstitutional. It will not be enforced. *Rideout v. Gardner*, 838 F.3d,65,75 (1<sup>st</sup> Cir. 2016)

No voter shall place a distinguishing mark upon their ballot. No voter shall write in any name as the candidate of their choice with the intention of thereby placing a distinguishing mark upon the ballot.

No voter shall use or attempt to use any ballot not given them by the ballot clerk to accomplish any of the acts or purposes prohibited above.

No person shall take or cause any photograph to be taken within the guardrail that captures another voter or another voter's ballot. RSA 659:45-a

*RSA 659:35, IV. Any person willfully violating any of the provisions of this section shall be guilty of a violation.*

#2-2022