

Amendment to HB 345

1 Amend the bill by replacing section 1 with the following:

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3 1 Electronic Ballot Counting Devices; Approval by the Ballot Law Commission. Amend RSA
4 656:41 to read as follows:

5 656:41 Approval by Ballot Law Commission. The ballot law commission shall act as a board to
6 examine devices for the electronic counting of ballots. The commission shall, whenever requested,
7 examine any device which may be capable of meeting the requirements for elections held in this
8 state ***and shall, at least every 5 years, review current and new devices to determine***
9 ***whether the devices require upgrading. The commission, after such review, shall file an***
10 ***explanatory report with the secretary of state within 30 days of its determination that***
11 ***outlines the basis for its determination, taking into account such factors as hardware and***
12 ***software standards, policies and procedures, security requirements, and usability.*** The
13 commission shall approve ~~[such]~~ ***a*** device ***upon request*** in its discretion, and no device shall be
14 used in any election in this state unless it reads the voter's choice on a paper ballot and is of a type
15 so approved by the ballot law commission. Any device that is altered must be re-approved before it
16 is used in any election in this state. For the purposes of this section, a device shall be considered
17 altered if any mechanical or electronic part, hardware, software, or programming has been altered.