

**From:** David Scanlan <David.Scanlan@SOS.NH.GOV>

**To:** Ray Chadwick <rfchadwick@juno.com>

**Sent:** Fri, Apr 15, 2022 12:05 PM

**Subject:** RE: Absentee Ballot Covid Statements

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Hi Ray,

Thanks for these comments. We are in the process of updating our website and making it ADA compliant, so your information is timely.

Best wishes,

Dave

**From:** Ray Chadwick <rfchadwick@juno.com>

**Sent:** Thursday, April 14, 2022 4:43 PM

**To:** David Scanlan <David.Scanlan@SOS.NH.GOV>

**Subject:** Absentee Ballot Covid Statements

Hello Dave

**I began this email to present a concern with absentee ballot documents I found Tuesday 4/12/22 at the Secretary of State website.**

They stipulated that an individual concerned about Covid infection would qualify under disability to vote absentee.

That arrangement was presented in an April 10, 2020 AG/Sect.State memorandum *Elections Operations During the State of Emergency*.

Referring to then NH Executive orders and CDC guidance, it stated that "any voter who is unable to vote in person in the September 8, 2020 Primary Election or the November 3, 2020 General Election because of illness from COVID-19 or who fears that voting in person may expose himself/herself or others to COVID-19 will be deemed to come within the definition of "disability" for purposes of obtaining an absentee ballot."

The Select Committee agreed. The Legislature passed HB 1266 and the Governor signed it on July 17, 2020 to effect that change.

HB 1266 was "as act making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease."

HB 1266 suspended the then current affidavits and authorized new affidavits "prior to any election occurring prior to December 31, 2020."

**With Emergency Orders ended and HB 1266 changes having expired, my concern was that the forms remained available for download.**

I had a chat with Bill O'Brien to confirm my understanding on HB 1266, then started this email to make you aware of the issue.

The issue as I understand it, is that the prior identification of Covid fear as a disability is no longer valid or supported in statute.

**Just prior to sending this, I note that the SoS website has been revised and the forms are no longer available for download.**

Good! I'd also recommend removing the "[Voting During COVID-19](#)" section from the site since we have no NH Covid State of Emergency. .

I also suspect that some of the forms presenting "Covid fear as a disability" are in the hands of Town Clerks and may be available to voters.

Best wishes.

Ray

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