§753-A. Procedure for requesting an absentee ballot

(CONFLICT)

1. Applications available. On request, the clerk shall furnish a reasonable number of absentee ballot applications to any person. An application may not be furnished more than 2 months before a primary election for which the application will be used or more than 3 months before any other election for which the application will be used. This subsection does not apply to a uniformed service voter or an overseas voter who requests an absentee ballot under this subchapter.
[PL 2025, c. 397, §45 (AMD).]

2. Application for state and municipal ballots at same time. If a municipal election is to be held on the same date as a statewide election, absentee ballots for the municipal and statewide election may be issued in response to the same application unless the municipal ballots are not ready to be issued at the time the statewide ballot is available. The clerk may not delay the issuance of a statewide absentee ballot in order to include a municipal ballot pursuant to this subsection.
[PL 1999, c. 645, §6 (NEW).]

3. Request in writing. A voter may complete an application or make a written request for the voter's own ballot by mail, in person or by facsimile. The voter may designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An immediate family member of a voter may also make an application or written request for an absentee ballot for the voter.

A. An application or a written request for an absentee ballot must be accepted by the clerk if it contains the following information:

(1) The voter's name and date of birth;

(2) The voter's residence address or other address sufficient to identify the voter;

(3) The signature of the voter or the voter's immediate family member who is making the application or written request. If an immediate family member is either making the application or written request or is designated in the application or written request to deliver or return the ballot to the voter, then the family relationship to the voter must also be provided; and

(4) If applicable, a different address to which the applicant requests the ballot be sent or delivered. [PL 2021, c. 273, §13 (AMD).]

B. If the voter needs assistance pursuant to subsection 5, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

(1) The printed name and signature of the person who helped the voter; and

(2) A statement that the aide helped the voter by either reading or signing the application, or both. [PL 2003, c. 447, §28 (NEW).]

C. If the voter wishes to have the ballot delivered or returned by a 3rd person, then in addition to the information required in paragraph A, the following information must be provided in order for the application or written request to be accepted by the clerk:

(1) The name of the 3rd person whom the voter has designated. A 3rd person may only be designated in an application or written request that is signed by the voter. [PL 2003, c. 447, §28 (NEW).]

[PL 2021, c. 273, §13 (AMD).]

4. Application by telephone. A voter may make a telephone application for the voter's own ballot. In this case, the voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall ask the voter for the information required and complete the

application, with the exception of the voter's signature, and shall write "telephone request" on the application. The clerk shall also obtain the voter's birth date and write it on the application. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and birth date with the information in the voter's record. A telephone application must be accepted by the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered.
[PL 2003, c. 447, §29 (AMD).]

5. Assistance to certain voters. A voter who is unable to read, sign or complete an application because of physical disability, illiteracy or religious faith may request another person, other than the voter's employer or agent of that employer or an officer or agent of the voter's union, to assist the voter in reading, signing or completing the application. If an aide assists a voter by reading or signing the application, the aide shall complete and sign the certificate on the application stating that the aide has assisted the voter.
[PL 1999, c. 645, §6 (NEW).]

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means.

A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An electronic application must be accepted by the clerk if it contains the voter’s name, the voter’s date of birth, the voter’s residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and date of birth with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.
[PL 2021, c. 273, §14 (AMD).]

7. Telephone and e-mail contact information. In addition to any required information, a voter applying for an absentee ballot under this section must be asked to provide that voter’s telephone number and e-mail address, if available. Notwithstanding Title 1, chapter 13, subchapter 1, the voter’s telephone number and e-mail address are confidential and may be used only by municipal election officials to contact the voter.
[PL 2021, c. 273, §15 (NEW).]

8. (CONFLICT: Text as amended by PL 2023, c. 304, Pt. A, §24 and affected by §§37 and 39) Application for ongoing absentee voter status. No later than February 1, 2024, the Secretary of State shall design the ongoing absentee ballot application that allows a voter who will be at least 65 years of age by the next election or who self-identifies as having a disability to apply for status as an ongoing absentee voter. Each qualified applicant must automatically receive an absentee ballot for each ensuing statewide election, municipal election and any other election for which the voter is entitled to vote and need not submit a separate request for each election.

A. An application for status as an ongoing absentee voter must be made by a voter using procedures designed by the Secretary of State. These procedures must include a process for notifying the voter that if the voter moves out of the municipality, that voter's status as an ongoing absentee voter in that municipality terminates. A voter may obtain assistance in completing an application for ongoing absentee voter status pursuant to subsection 5. [PL 2021, c. 398, Pt. UUUU, §3 (NEW); PL 2023, c. 304, Pt. A, §§37, 39 (AFF).]

B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter status only upon:

(1) The written request of the voter;

(2) The death or disqualification of the voter;

(3) The cancellation of the voter's registration record in the central voter registration system;

(4) The return of an absentee ballot as undeliverable;

(5) The failure of the voter to vote by absentee ballot for a general election; or

(6) The designation of the voter's status as inactive in the central voter registration system. [PL 2021, c. 398, Pt. UUUU, §3 (NEW); PL 2023, c. 304, Pt. A, §§37, 39 (AFF).]

This subsection does not apply to uniformed service voters or overseas voters who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United States Code, Section 20302 (2019).
[PL 2023, c. 304, Pt. A, §24 (AMD); PL 2023, c. 304, Pt. A, §§37, 39 (AFF).]

8. (CONFLICT: Text as amended by PL 2023, c. 404, §1 and affected by §2) Application for ongoing absentee voter status. A voter may apply for status as an ongoing absentee voter. Each qualified applicant must automatically receive an absentee ballot for each ensuing statewide election, municipal election and any other election for which the voter is entitled to vote and need not submit a separate request for each election.

A. An application for status as an ongoing absentee voter must be made by a voter using procedures designed by the Secretary of State. A voter may obtain assistance in completing an application for ongoing absentee voter status pursuant to subsection 5. [PL 2023, c. 404, §1 (AMD); PL 2023, c. 404, §2 (AFF).]

B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter status only upon:

(1) The written request of the voter;

(2) The death or disqualification of the voter;

(3) The cancellation of the voter's registration record in the central voter registration system;

(4) The return of an absentee ballot as undeliverable; or

(6) The designation of the voter's status as inactive in the central voter registration system. [PL 2023, c. 404, §1 (AMD); PL 2023, c. 404, §2 (AFF).]

This subsection does not apply to uniformed service voters or overseas voters who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United States Code, Section 20302 (2019).
[PL 2023, c. 404, §1 (AMD); PL 2023, c. 404, §2 (AFF).]

9. Telephone and e-mail contact information. In addition to any required information, a voter applying for an absentee ballot or an ongoing absentee ballot must be asked to provide that voter's telephone number and e-mail address, if available.
[PL 2021, c. 398, Pt. UUUU, §4 (NEW); PL 2023, c. 304, Pt. A, §37 (AFF).]

SECTION HISTORY

PL 1999, c. 645, §6 (NEW). PL 2003, c. 407, §23 (AMD). PL 2003, c. 447, §§28,29 (AMD). PL 2007, c. 515, §10 (AMD). PL 2009, c. 253, §47 (AMD). PL 2009, c. 563, §1 (AMD). PL 2021, c. 273, §§13-15 (AMD). PL 2021, c. 398, Pt. UUUU, §§3, 4 (AMD). PL 2021, c. 398, Pt. UUUU, §7 (AFF). PL 2023, c. 304, Pt. A, §24 (AMD). PL 2023, c. 304, Pt. A, §§37, 39 (AFF). PL 2023, c. 404, §1 (AMD). PL 2023, c. 404, §2 (AFF). PL 2025, c. 397, §45 (AMD).

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