

HB 116-FN - AS INTRODUCED

2023 SESSION

23-0142

06/10

HOUSE BILL            ***116-FN***

AN ACT                relative to fees and primary petitions required for primary ballot election access.

SPONSORS:           Rep. Sweeney, Rock. 25; Rep. Alexander Jr., Hills. 29; Rep. Berry, Hills. 39

COMMITTEE:        Election Law

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ANALYSIS

This bill increases certain filing fees and the number of signed primary petitions required for primary ballot candidates. This bill also removes the filing fee for state representative candidates.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to fees and primary petitions required for primary ballot election access.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Filing Fees and Signed Petitions. Amend RSA 655:19-c to read as follows:

2 655:19-c Administrative Assessment; Primary Petitions; Nomination Papers.

3 I. Candidates for governor, United States senator, representative to Congress, executive  
4 councilor, state senator, county officer, and state representative who file declarations of candidacy  
5 shall pay the administrative assessment in paragraph I or file primary petitions as provided in  
6 paragraph III. Candidates for governor, United States senator, representative to Congress,  
7 executive councilor, state senator, county officer, and state representative who file declarations of  
8 intent shall pay the administrative assessment in paragraph I and shall meet the requirements of  
9 RSA 655:40 through 655:45 for nomination by nomination papers. At the time of filing declarations  
10 of candidacy or declarations of intent, the administrative assessment shall be as follows:

11 (a) For governor and United States senator, [~~\$100~~] **\$10,000**.

12 (b) For representative to Congress, [~~\$50~~] **\$5,000**.

13 (c) For executive councilor, \$25.

14 (d) For state senator, \$10.

15 (e) For county officer, \$10.

16 (f) For state representative, [~~\$2~~] **\$0**.

17 II. The administrative assessment paid to a town or city clerk by candidates for state  
18 representative shall be forwarded to the treasurer of the town or city and shall be for the use of the  
19 town or city. The administrative assessment paid to the secretary of state shall be deposited by the  
20 secretary of state into the general fund.

21 III. Any person otherwise qualified to run for office who chooses not to pay the  
22 administrative assessment as prescribed in paragraph I may have **her or** his name printed on the  
23 primary ballot of any party by filing with the appropriate official the requisite number of primary  
24 petitions made by members of the party, together with one written assent to candidacy. The number  
25 of primary petitions to be filed for each office shall be as follows: for governor and United States  
26 senator, [~~200~~] **25,000**; for representative in Congress, [~~100~~] **12,500**; for executive councilor and  
27 county officer, 50; for state senator, 20; for state representative, 5. Candidates for delegate to the  
28 state convention shall not be required to submit any primary petitions.

29 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 116-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to fees and primary petitions required for primary ballot election access.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☒ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$301,950	\$0	\$301,950
<b>Expenditures</b>	\$0	Indeterminable Increase	\$0	Indeterminable Increase
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**LOCAL:**

<b>Revenue</b>	\$0	Indeterminable Decrease	\$0	Indeterminable Decrease
<b>Expenditures</b>	\$0	\$0	\$0	\$0

**METHODOLOGY:**

This bill increases the filing administrative assessment fee for candidates running for governor and US Senator from \$100 to \$10,000 and for representatives of Congress from \$50 to \$5,000 and removes the filing fee of \$2 for state representatives. The bill also increases the number of signed primary petitions required for primary ballot candidates.

The Department of State indicates there would be an increase in revenue and expenditure to the General Fund for FY 2024 and FY 2026. The Department states the increase in administrative assessments would increase revenue by \$301,950 in both FY 2024 and FY 2026 based on prior year filings. The increase is made up of \$69,300 (7 x \$9,900) for the race for the Governor, \$138,600 (14 x \$9,900) for U.S. Senate, and \$94,050 (19 x \$4,950) for Representatives in Congress. The Department also indicates they would be required to update the Election Procedures Manual (RSA 652:22) and statewide and online trainings conducted for election officials as well as forms. These changes would result in an indeterminable increase in State expenditures.

The New Hampshire Municipal Association (NHMA) states removing the \$2 administrative assessment for the filing of state representatives will result in an indeterminable decrease to

local revenues in FY 2024 and FY 2026, as the fee is kept by municipalities. The NHMA believes the reduction in revenue will likely be minimal.

**AGENCIES CONTACTED:**

Department of State and New Hampshire Municipal Association