

HB 115 - AS AMENDED BY THE HOUSE

3Jan2024... 2270h

2023 SESSION

23-0141
06/05

HOUSE BILL

115

AN ACT relative to changing the date of the state primary election.

SPONSORS: Rep. Sweeney, Rock. 25; Rep. Berry, Hills. 39; Rep. Alexander Jr., Hills. 29; Rep.
Mooney, Hills. 12; Rep. Doucette, Rock. 25

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill changes the date of the state primary election to the third Tuesday in August.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular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 changing the date of the state primary election.

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

1 1 Election of Officers and Delegates; Election Dates; State Primary Election. Amend RSA 653:8
2 to read as follows:

3 653:8 State Primary Election. The state primary election shall be held on the [~~second~~] **third**
4 Tuesday in [~~September~~] **August** of every even-numbered year.

5 2 Voters and Checklists; Change of Registration; Gender Neutral. Amend RSA 654:34, IV to
6 read as follows:

7 IV. No person, who is already registered to vote, whether his **or her** party membership has
8 been previously registered or not, shall affiliate with a party or disaffiliate from a party between the
9 first Wednesday in June and the day before the state primary election.

10 3 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

11 655:21 Form. Primary petitions shall be made in the following form:

12 State of New Hampshire

13 County of _____ [ss].

14 City (Town) of _____

15 I do hereby join in a petition for the printing on the primary ballot of the name of
16 _____ whose domicile is in the city (town) of _____ (ward, street, and
17 number, if in a city), in the county of _____, for the office of _____ to be voted for on
18 Tuesday, the ____ day of [~~September~~] **August**, ____ (year), and certify that I am qualified to vote
19 for a candidate for said office, that I am a registered member of the _____ party, and am not
20 at this time a signer of any other similar petition for any other candidate for the above office; that
21 my domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the
22 county of _____. I certify that to my knowledge the above-named candidate is not a
23 candidate for incompatible offices as defined in RSA 655:10, and that he or she is not a federal
24 employee which makes him or her ineligible to file as a candidate for this office. I further certify
25 that I believe the above-named person is especially qualified to fill said office.

26 I hereby swear, under the penalties for voting fraud set forth below, that the information above
27 is true and correct to the best of my knowledge and belief.

28 _____

29 Print Voter's name

30 _____

31 Voter's Signature

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1 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
2 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
3 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
4 vote or voting is subject to a civil penalty not to exceed \$5,000.

5 4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

6 III. Upon completion of verification of the checklist, but, in no event later than ~~[September~~
7 ~~1]~~ **August 1**, the supervisors shall file with the secretary of state the following certificate: We, the
8 supervisors of the checklist of the town (or ward ____) of _____, do hereby certify that we
9 have verified the checklist of registered voters in the town (or ward ____ of the city) of
10 _____ as directed by the ballot law commission.

11 5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

12 V. Upon completion of verification of the checklist, but in no event later than ~~[September 1]~~
13 **August 1**, the supervisors shall file with the secretary of state the following certificate: We, the
14 supervisors of the checklist (or registrars of voters) of the town (or ward ____) of _____, do
15 hereby certify that we have verified the checklist of registered voters in the town (or ward ____ of
16 the city) of _____, pursuant to the provisions of RSA 654:39.

17 6 Elections; Nomination by Primary; Examination and Rejection; Gender Neutral. Amend RSA
18 655:26 to read as follows:

19 655:26 Examination and Rejection. The officer with whom primary petitions are filed shall
20 immediately upon receipt thereof examine the same and ascertain whether they conform to the law.
21 If found not to conform thereto or to be conflicting as provided in RSA 655:23, ~~[he]~~ **they** shall then
22 endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return
23 the same to the candidate in whose behalf it was filed. In such case, the candidate may file
24 supplementary petitions with the official, but not later than the third Wednesday in June.

25 7 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I to
26 read as follows:

27 I. If necessary, the ballot law commission shall meet on the third Thursday of ~~[September]~~
28 **August** in each general election year and the third Friday following the presidential primary
29 election in order to hear and decide:

30 8 Effective Date. This act shall take effect upon its passage.