REGULAR CALENDAR

October 31, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Election Law to which was referred HB 115,

AN ACT relative to changing the date of the state primary election. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Ralph Boehm

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Election Law**
Bill Number:	**HB 115**
Title:	**relative to changing the date of the state primary election.**
Date:	**October 31, 2023**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2023-2270h**

STATEMENT OF INTENT

This bill as amended moves the state primary election to the 3rd Tuesday in August. For the 2024 election, this is the only month that will work. There are 16 other states that have their primary in August, one less than June dates. The 3rd Tuesday in August is at least one week prior to school starting. Voters that will be on vacation can file for an absentee ballot. The current date in September has problems trying to agree with current federal laws. There is a 45-day federal requirement between the primary and the election. Ballots have to be printed and mailed for absentee voting. By moving the date it gives more time between the primary and election day for recounts, military voting and affidavit ballots. Filing for office stays the same and happens in June.

Vote 13-7.

Rep. Ralph Boehm
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 115, relative to changing the date of the state primary election. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the **Majority** of Election Law. This bill as amended moves the state primary election to the 3rd Tuesday in August. For the 2024 election, this is the only month that will work. There are 16 other states that have their primary in August, one less than June dates. The 3rd Tuesday in August is at least one week prior to school starting. Voters that will be on vacation can file for an absentee ballot. The current date in September has problems trying to agree with current federal laws. There is a 45-day federal requirement between the primary and the election. Ballots have to be printed and mailed for absentee voting. By moving the date it gives more time between the primary and election day for recounts, military voting and affidavit ballots. Filing for office stays the same and happens in June. **Vote 13-7.**

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

October 31, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Election Law to which was referred HB 115,

AN ACT relative to changing the date of the state primary election. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Ross Berry

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Election Law**
Bill Number:	**HB 115**
Title:	**relative to changing the date of the state primary election.**
Date:	**October 31, 2023**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

As stated in the majority report, moving the primary date into August would have a chilling effect on parents, as many of them are on vacation the week before school starts. As parents are one of the largest users of public service, namely the school systems, limiting their participation was not a move the minority was willing to make. The minority prefers June which would allow for parents to more fully participate and to balance the existing periods of time between filing and the primary. There are also concerns about non-airconditioned buildings being used as voting locations in August, as the average temperature in August is 8-10 degrees higher than the current September date and 4-6 degrees higher than in June. This could pose safety concerns as well as further burdening the towns with an additional voting location expense. Finally, there is no urgency to move the current date this cycle as the 45-day window will not be an issue for 2024.

Rep. Ross Berry
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 115, relative to changing the date of the state primary election. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Minority** of Election Law. As stated in the majority report, moving the primary date into August would have a chilling effect on parents, as many of them are on vacation the week before school starts. As parents are one of the largest users of public service, namely the school systems, limiting their participation was not a move the minority was willing to make. The minority prefers June which would allow for parents to more fully participate and to balance the existing periods of time between filing and the primary. There are also concerns about non-airconditioned buildings being used as voting locations in August, as the average temperature in August is 8-10 degrees higher than the current September date and 4-6 degrees higher than in June. This could pose safety concerns as well as further burdening the towns with an additional voting location expense. Finally, there is no urgency to move the current date this cycle as the 45-day window will not be an issue for 2024.

Original: House Clerk
Cc: Committee Bill File

Rep. Boehm, Hills. 14
Rep. Prudhomme-O'Brien, Rock. 13
September 13, 2023
2023-2270h
06/10

Amendment to HB 115

Amend the bill by replacing all after the enacting clause with the following:

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

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

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

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

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

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

State of New Hampshire

County of _____ [~~ss~~].

City (Town) of _____

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

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

_____

Print Voter's name

_____

Voter's Signature

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

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

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

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

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

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

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

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

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

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

2023-2270h

AMENDED ANALYSIS

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

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 115

BILL TITLE: relative to changing the date of the state primary election.

DATE: October 31, 2023

LOB ROOM: 306-308

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Boehm	Seconded by Rep. Berry	AM Vote: 15-5

Amendment # 2023-2270h

Moved by Rep. Boehm	Seconded by Rep. Berry	Vote: 13-7

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jessica Grill, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2023 SESSION

10/31/2023 8:10:53 AM
Roll Call Committee Registers Report

Election Law

Bill #: HB 115 Motion: OTP/A AM #: 2270h Exec Session Date: 10-31-2023

Members	YEAS	Nays	NV
Berry, Ross Chairman		X	
Boehm, Ralph G. Vice Chairman	X		
Prudhomme-O'Brien, Katherine J.	X		
Qualey, James R.		X	
Ankarberg, Aidan		X	
Burnham, Claudine R	X		
Wherry, Robert J	X		
Wood, Clayton D	X		
Osborne, Jason M.		X	
Kuttab, Katelyn	X		
Lane, Connie Boyles	X		
Ward, Gerald W.R.		X	
Hamer, Heidi M.	X		
Hamblet, Joan L.	X		
Muirhead, Russell	X		
Bay, Luz	X		
Brennan, Angela		X	
Grill, Jessica Clerk	X		
Howard, Heath	X		
Rafter, Hal W		X	
TOTAL VOTE:	13	7	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2023 SESSION

10/31/2023 8:10:53 AM
Roll Call Committee Registers Report

Election Law

Bill #: HB 115 Motion: Adopt amendment AM #: 2270h Exec Session Date: 10-31-2023

Members	YEAS	Nays	NV
Berry, Ross Chairman		X	
Boehm, Ralph G. Vice Chairman	X		
Prudhomme-O'Brien, Katherine J.	X		
Qualey, James R.		X	
Ankarberg, Aidan		X	
Burnham, Claudine R	X		
Wherry, Robert J	X		
Wood, Clayton D	X		
Osborne, Jason M.		X	
Kuttab, Katelyn	X		
Lane, Connie Boyles	X		
Ward, Gerald W.R.		X	
Hamer, Heidi M.	X		
Hamblet, Joan L.	X		
Muirhead, Russell	X		
Bay, Luz	X		
Brennan, Angela	X		
Grill, Jessica Clerk	X		
Howard, Heath	X		
Rafter, Hal W	X		
TOTAL VOTE:	15	5	

HOUSE COMMITTEE ON Election Law

BILL NUMBER: **HB 115**

BILL TITLE: **relative to changing the date of the state primary election.**

DATE: **January 24, 2023**

THE COMMITEE HAS VOTED TO RETAIN THIS BILL.

_____

Rep. S. Smith, Chair

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 115

BILL TITLE: relative to changing the date of the state primary election.

DATE: January 24, 2023

LOB ROOM: 306-308

MOTIONS: **RETAINED**

Moved by Rep. Berry | Seconded by Rep. Lane | Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jessica Grill, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2023 1:43:00 PM
Roll Call Committee Registers Report

2023 SESSION

Election Law

Bill #: HB 115 **Motion:** Retain **AM #:** _____ **Exec Session Date:** JAN. 24, 2023

Members	YEAS	Nays	NV
Smith, Steven D. Chairman	✓		
Berry, Ross Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Boehm, Ralph G.	✓		
Qualey, James R.	✓		
~~Ankarberg, Aidan~~ Sweeney, Joe	✓		
Burnham, Claudine R	✓		
Kennedy, Stephen J.	✓		
Wherry, Robert J	✓		
Wood, Clayton D	✓		
Lane, Connie Boyles	✓		
Ward, Gerald W.R.	✓		
Hamer, Heidi M.	✓		
Hamblet, Joan L.	✓		
~~Muirhead, Russell~~ Paige, David	✓		
Bay, Luz	✓		
Brennan, Angela	✓		
Grill, Jessica	✓		
Howard, Heath	✓		
TOTAL VOTE:	20	0	0

Palmer, William

Yea ✓ Nay NV

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 115

BILL TITLE: **relative to changing the date of the state primary election.**

DATE: **January 17, 2023**

LOB ROOM: **306-308** **Time Public Hearing Called to Order:** **10:00 am**

Time Adjourned: **10:12 am**

Committee Members: Reps. Berry, Grill, Boehm, Qualey, Burnham, Kennedy, Wherry, Wood, Lane, Ward, Hamblet, Hamer, Bay, Brennan and H. Howard

Bill Sponsors:

Rep. Sweeney	**Rep. Berry**	**Rep. Alexander Jr.**
Rep. Mooney	**Rep. Doucette**	

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

TESTIMONY

Rep. Sweeney*, sponsor, introduced the bill and spoke in support. He stated that the current September primary date supports incumbents and only provides candidates a 7-week general election campaign period. He also stated that a summertime primary should be avoided in order to maximize turnout and engagement. He argued that a June primary allows both parties the opportunity to organize behind the chosen candidate over the summertime. He said that we should always look for practical solutions whenever possible and the June primary date is our best option.

Senior Deputy Secretary of State Lovejoy spoke to present information on behalf of the Secretary of State's office. Ms. Lovejoy did not take a position on the bill but she shared that the SOS's preference would be to move the election a couple of weeks earlier than it currently is to accommodate the workload surrounding election administration, including additional audits. She stated that if the bill passes they will be there to adapt to the June primary date.

Rep. Boehm asked Ms. Lovejoy to confirm that there were 12 other states that hold their primaries in August. Ms. Lovejoy stated that she does not know the exact number, but confirmed that MA primaries are held shortly before ours.

Rep. Horrigan* spoke in opposition to the bill and said that the primary date change was a "bad idea," and that a late primary is useful for incumbents and gives them more time to make their case to voters. He shared his personal experience in the 2022 election, where one of his primary opponents joined the race in June and only lost by a small number of votes, and said that this likely wouldn't have happened if they had a shorter time period for primary campaigning. He said that election performance for down-ballot Democratic candidates was not a function of the primary date, but a function of their stronger appeal to voters. He also stated that the current primary date benefits legislators because a June filing date gives legislators sufficient time to decide whether they will run for re-election or seek higher office, and this process may be more difficult if filing takes place while the legislature is in session. He suggested that this bill could be a vehicle for changing the primary date while keeping it close to its current date and cited other states with later primary dates in September and August. He said that the late primary date could also be used to weed out weaker-quality candidates.

Rep. Howard asked what percentage of voters in his district are students. Rep. Horrigan responded that half of the names on the checklist are student voters. Rep. Horrigan said that an earlier primary might be problematic for students based on the school calendar, and said that he is seeing

more student turnout in primaries.

Acting Chair Berry adjourned the public hearing and recessed the committee until 10:45.

**See written testimony*.

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB 115 Date: 1/17/23

Committee: Election Law

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Rep. Maureen Mooney			Hills #12	✓	
Rep. Jeanine Notter			Hills 12	✓	

House Remote Testify

Election Law Committee Testify List for Bill HB115 on 2023-01-17

Support: 4 Oppose: 13 Neutral: 1 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Neutral	No	No
Holstein, Susanne	Bedford, NH srholstein@comcast.net	A Member of the Public	Myself	Oppose	No	No
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Oppose	No	No
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No
Sims, Julie	Guild, NH jpmom39@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Oppose	No	No
Mullen, Sue	Bedford, NH smullen1@comcast.net	A Member of the Public	Myself	Oppose	No	No
Perry, Bob`	Strafford, NH perry4nh@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hatcher, Phil	Dover, NH phil.hatcher@gmail.com	A Member of the Public	Myself	Support	No	No
Hansen, Lorraine	ROLLINSFORD, NH lhansennh@gmail.com	A Member of the Public	Myself	Oppose	No	No
Horrigan, Timothy	DURHAM, NH timothy.horrigan@leg.state.nh.us	An Elected Official	Strafford 10	Oppose	No	No
Kaw-uh, Bryce	Manchester, NH bryce.kawuh@gmail.com	A Member of the Public	Myself	Oppose	No	No
Petrusewicz, Carol	Rochester, NH clmcc2befree@yahoo.com	A Member of the Public	Myself	Oppose	No	No
McConnell, James	Swanzey, NH mcc988@icloud.com	A Member of the Public	Myself	Oppose	No	No
Friedman, Richard	Bedford, NH friedman946@yahoo.com	A Member of the Public	Myself	Support	No	No
Pierre, Sandra	Marlow, NH scitarel@yahoo.com	An Elected Official	Myself	Oppose	No	No
Healey, Robert	MERRIMACK, NH rvhealey@aol.com	An Elected Official	Myself	Support	No	No
Tyszka, Matthew	Newport, NH mattcol@aol.com	A Member of the Public	Myself	Support	No	No

Testimony Against HB 115-FN and HB 333-FN

Rep. Timothy Horrigan (Strafford 10); January 17, 2023
House Election Law Committee

I would not be opposed to moving the state primary date up a few weeks, but I think HB 333-FN is a ludicrous idea. The post-primary campaign would be lengthened from roughly a month and a half to almost eight months. That would place nominees in the awkward position of either boring the electorate to death (and burning out their supporters) by knocking on doors, putting up signs, mailing postcards, running ads, putting up signs, raising money, etc. for basically the entire year. One good thing about the current system is that it compresses both the primary and general election campaigns into a few weeks in the late summer and early-to-mid autumn.

The proposed calendar poses huge barriers to entry for both candidates and voters. Candidates have to fundraise and organize for a year-long campaign, twice as long as current campaigns. Voters have to decide on a party eleven months before the general election, in December of the previous year, which will discourage independents from voting in either party's primary. It also makes it virtually impossible for disaffected members of one party to join the other party.

HB 333's elongated calendar also guarantees that the primary campaign will hinge on issues which have little or nothing to do with what's on the voters' minds eight months later. In 2020, to name an especially dramatic example, the primary would have happened before the pandemic and before the Black Lives Matter movement. Even in a relatively normal year like 2022, things happen which change the electorate's thinking: for example, the January 6th hearings uncovered many shocking facts which put the horrific events of that day in 2021 in a new perspective (for some of us, at least.)

Finally, HB 333 will in most cases call for run-offs in "top of the ticket" races, thus doubling the cost of the primary election. The sponsors intelligently bypassed the issue of holding run-offs in multi-seat House districts, but most down-ballot elections are in fact for single-seat constituencies. But, no provision is made for run-offs in down-ballot seats.

I also oppose the less dramatic proposal in HB 115 which lengthens the existing calendar by three month by preponing the State Primary to mid-June, and the filing window to March. HB 115 still makes it harder for candidates to prepare a campaign.

Last year, 2022, was a redistricting year and the legislature was unable to complete the various redistricting plans until just a few weeks before the existing June filing window. The Congressional plan was technically never completed: the feds eventually stepped in to appoint an outside hired gun to draw the line between the two districts. If HB 115 becomes law, it would be next to impossible to draw all those lines before the March 2032 filing window. As introduced, HB 333 envisions a filing window one week before the March primary, which is totally unworkable, since it doesn't even allow time to print up ballots. The filing window for the 2032 primary would presumably have to be in December 2031: that is so early, we won't even be able to count on the Census Bureau being able to provide our redistricting committees with all the detailed data needed to draw the lines.

Testimony Against HB 115-FN and HB 333-FN

Rep. Timothy Horrigan (Strafford 10); January 17, 2023
House Election Law Committee

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Last year, 2022, was a redistricting year and the legislature was unable to complete the various redistricting plans until just a few weeks before the existing June filing window. The Congressional plan was technically never completed: the feds eventually stepped in to appoint an outside hired gun to draw the line between the two districts. If HB 115 becomes law, it would be next to impossible to draw all those lines before the March 2032 filing window. As introduced, HB 333 envisions a filing window one week before the March primary, which is totally unworkable, since it doesn't even allow time to print up ballots. The filing window for the 2032 primary would presumably have to be in December 2031: that is so early, we won't even be able to count on the Census Bureau being able to provide our redistricting committees with all the detailed data needed to draw the lines.

Susanne Holstein

The campaign season is long enough already.

Jeffrey Creem

RSA 655:41 ties the submission of nomination petitions to the date of the primary. As a result, moving the primary up dramatically shortens the time available for third party and independent candidates to gather petitions. Further this pushes petition collection into seasons where it can be quite cold in NH, which makes it difficult for petition canvassers to interact with the public. If RSA 655:41 were modified to retain the current distance from the general election, my objections to this bill would be removed.

Patricia Anastasia

This bill moves the primary to a timeframe that coincides with town elections and town meetings; neither the primary nor town business will get the time they deserve if they are happening at the same time. This bill also moves the primary to a time when the legislature is in session, which will result in NH House and Senate members spending time campaigning rather than working on legislation. It will also create an election cycle that is months longer than the current election cycle; a long election cycle will result in voter fatigue. There are only 10 states that have runoff elections; runoff elections are subject to voter fatigue and additional costs, neither of which we need to encourage in NH.

Bryce Kaw-uh

The residents of New Hampshire are forced to deal with political campaign seasons that are long enough already. In fact, the current duration is something that I greatly appreciate about living here. Extending the increasingly tense election process even further will not benefit our state culture and may harm community cohesion.

James McConnell

Moving the primary to an earlier date will only make it harder to find candidates for the State House. Finding someone who's reluctant to run in a hopeless race will be much harder earlier in the year.

Sandra Pierre

As a town Select Board member in a very small town, it would be very challenging to get the school open and get all of our election volunteers available in the middle of summer to hold an election.

HB 115 - AS INTRODUCED

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

ANALYSIS

This bill changes the date of the state primary election to the second Tuesday in June.

- -

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.

23-0141
06/05

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

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

2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to read as follows:

654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary election, the supervisors of the checklist shall be in session before each primary for the change of registration of legal voters as provided in RSA 654:34 or 654:34-a or both. Before the presidential primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state primary election, the session shall be on Tuesday before the first Wednesday in [~~June~~] ***March*** between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

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

4 Elections; Nominations by Primary; Filing: General Provisions. Amend RSA 655:14 to read as follows:

655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot of any party for a primary unless he or she is a registered member of that party, he or she shall have met the age and domicile qualifications for the office he or she seeks at the time of the general election, he or she meets all the other qualifications at the time of filing, and he or she shall file with the appropriate official between the first Wednesday in [~~June~~] ***March*** and the Friday of the following week a declaration of candidacy as provided in RSA 655:17.

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

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

State of New Hampshire

County of _____ ss.

City (Town) of _____

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

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

_____

Print Voter's name

_____

Voter's Signature

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

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

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

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

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

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