Amendment to HB 686-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT   relative to electioneering by certain public employees.

4

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

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7 1 Electioneering by Public Employees. RSA 659:44-a is repealed and reenacted to read as

8 follows:

9 659:44-a Electioneering by Public Employees.

10 I. No public employee shall electioneer while in the performance of his or her official duties.

11 For purposes of this section, "public employee" shall have the same meaning as in RSA 273-A:1, IX;

12 except that, notwithstanding RSA 273-A:1, IX(b), a person appointed to office by the chief executive

13 or legislative body of the public employer shall be included in the definition of public employee.

14 II. No public employee shall use any government property or equipment, including, but not

15 limited to, telephones, facsimile machines, vehicles, and computers, for electioneering.

16 III. For the purposes of this section, "electioneer" is defined according to RSA 652:16-h.

17 IV. Any person who violates this section shall be guilty of a misdemeanor if a natural

18 person, or shall be subject to a civil penalty not to exceed $1,000, if any other person.

19 2 New Paragraph; Electioneering. Amend RSA 652:16-h by inserting after paragraph II the

20 following new paragraph:

21 III. Public employees, as defined under RSA 273-A:1, IX(b), (c), or (d), organizing or

22 conducting surveys that are expressly or primarily political, meaning that such surveys have a

23 format, questions, or other characteristics that clearly indicate a preference for one or more

24 candidates or political parties in an election or one or more policies that are reasonably anticipated

25 to be on the ballot or otherwise at issue in an election.

26 3 Effective Date. This act shall take effect upon its passage.

2025-2935h

AMENDED ANALYSIS

This bill defines electioneering in relation to certain public employees.