

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 686-FN, prohibiting certain public entities from conducting or sponsoring political surveys, polls, or questionnaires in their official capacities.

Hearing Date: March 31, 2026

Time Opened: 2:12 p.m.

Time Closed: 2:20 p.m.

Members of the Committee Present: Senators Gray, Rochefort, Perkins Kwoka and Long

Members of the Committee Absent : Senator Lang

Bill Analysis: This bill prohibits certain public entities from conducting or sponsoring political surveys, polls, or questionnaires in their official capacities. This bill also exempts from such prohibition any surveys, polls, or questionnaires conducted by institutions of higher education.

Sponsors:

Rep. Potenza

Rep. Ankarberg

Rep. Berry

Rep. Burnham

Rep. DeRoy

Rep. Kuttab

Rep. Turcotte

Rep. Wherry

Who supports the bill: 6 people signed in support of this bill. For the full list of names, please contact committee aide, Jessica Bourque at jessica.bourque@gc.nh.gov

Who opposes the bill: 73 people signed in opposed to this bill. For the full list of names, please contact committee aide, Jessica Bourque at jessica.bourque@gc.nh.gov

Summary of testimony presented:

Representative Ross Berry, Hillsborough - District 44

- A similar bill passed last year, this is a very scaled down version of that bill.
- Leaves core electioneering alone.
- This prohibits political surveys by public employees in their official capacity.
- This doesn't prohibit unions from dispersing surveys and public employees on their personal time may still participate in political surveys.
- This would prohibit public employees in their official duties from dispersing political surveys.

Sarah Burke Cohen, NH Municipal Association

- Opposes this bill.
- Roman IV would introduce a new definition of “public employee,” which would mean that there would now be two separate definitions of “public employee” in the statutes, and believes this will lead to confusion.
- The language “ballot measures or policies reasonably anticipated to be submitted to voters” is very broad language.
 - This could prevent public employees from gathering information on certain ballot measures.
 - This could also prevent police from getting information on public safety issues.

Senator Rochefort asked if we had seen this a year ago.

Ms. Burke Cohen said yes, HB 340 was amended by the Senate and is currently pending in the House.

**Chris Parsons, NH Chiefs of Police & Police Chief in Hillsborough
Pat Sullivan, NH Chiefs of Police**

- Opposes this bill.
- If a traffic survey is conducted, then the information from that survey would not be reportable.
- This would remove the use of radar trailers to perform traffic surveys.
- The local Police Chief would be prohibited from discussing budget items or warrant articles with a Selectboard member.
- It also prohibits the dissemination of information on costly projects such as fire stations, police stations, and school buildings.
- Deprives citizens of information from both sides of a topic, enabling one side to have a voice while silencing input from an opposing view.

Olivia Zink, Open Democracy

- Opposes this bill.
- This same bill was vetoed by Governor Ayotte last year.
- This would prevent things like a teacher sending out a survey or police officers distributing surveys about whether or not the town should buy body cams.
- There are many cases where public employees still retain the right to free speech.
- Believes this bill is a solution looking for a problem and unfairly criminalizes basic public services.