

**HB 1396 - AS INTRODUCED**

2026 SESSION

26-3212  
08/09

HOUSE BILL            **1396**

AN ACT                relative to vacancies in state offices.

SPONSORS:            Rep. Sweeney, Rock. 25; Rep. Berry, Hills. 44

COMMITTEE:          Election Law

---

ANALYSIS

This bill requires leaving a vacancy in the state house of representatives unfilled should one occur.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six*

AN ACT relative to vacancies in state offices.

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

1       1 Executive Councilor; State Senator; Vacancies. RSA 661:8 is repealed and reenacted to read  
2 as follows:

3       661:8 Executive Councilor; State Senator.

4           I. If a vacancy occurs in the office of executive councilor or state senator, it shall be filled as  
5 provided in part II, articles 34 and 62 of the state constitution.

6           II. Within 21 days after proof of a vacancy or a request that a vacancy be filled, the  
7 governor, in the case of an executive council vacancy, or the governor and council, in the case of any  
8 other vacancy, shall declare that there shall be a special election, which shall be held as provided in  
9 RSA 655:81 and 82 or as provided in RSA 661:8, III.

10          III. No special election shall be held after March 15 of the second year of the biennium, as  
11 determined by RSA 655:81, I.

12       2 Delegate to State Party Convention; State Representative. Amend RSA 661:10 to read as  
13 follows:

14       661:10 ***State Representative***; Delegate to State Party Convention. If a vacancy occurs in the  
15 office of ***state representative or*** delegate to a state party convention, the vacancy shall not be filled.

16       3 Effective Date. This act shall take effect 60 days after its passage.