

HB 1487-FN - AS INTRODUCED

2026 SESSION

26-2617

08/06

HOUSE BILL ***1487-FN***

AN ACT creating an independent commission to propose redistricting maps for the legislature to consider.

SPONSORS: Rep. Lane, Merr. 16; Rep. Ebel, Merr. 7; Rep. Parshall, Ches. 8; Rep. Spahr, Graf. 12; Rep. J. Sullivan, Graf. 2; Rep. Ward, Rock. 27; Rep. Simpson, Rock. 33; Sen. Perkins Kwoka, Dist 21

COMMITTEE: Election Law

ANALYSIS

This bill creates an independent commission to propose redistricting maps for the legislature to consider.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 creating an independent commission to propose redistricting maps for the legislature to consider.

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

1 1 New Chapter; Advisory Commission on Redistricting. Amend RSA by inserting after chapter
2 662-A the following new chapter:

3 CHAPTER 662-B

4 INDEPENDENT ADVISORY COMMISSION ON REDISTRICTING

5 662-B:1 Independent Advisory Commission on Redistricting Established. In order to make an
6 apportionment of state representatives, state senators, executive councilors, and Congressional
7 representatives as required under the New Hampshire constitution Part Second, Articles 9, 11, 26,
8 and 65, which limits the practice of political gerrymandering, whereby legislative districts are
9 purposefully drawn to favor one political party over another, there is hereby established a New
10 Hampshire advisory commission on redistricting ("commission"), which shall convene no later than
11 May 15, 2031, and every 10 years thereafter, in order to:

12 I. Conduct an open and transparent process enabling full public consideration of and
13 comment on the drawing of district lines.

14 II. Draw district lines according to the redistricting criteria specified in this chapter.

15 III. Conduct its business with integrity and fairness.

16 662-B:2 Eligibility to Serve on the Commission. A person shall be eligible for appointment to
17 the commission if the person has been a resident of New Hampshire for 2 years, is eligible to register
18 to vote in New Hampshire, and if the person does not currently hold office in, is not a candidate for,
19 and has not served in any of the following offices for the last 10 years: United States House of
20 Representatives, United States Senate, New Hampshire senate, New Hampshire house of
21 representatives, or executive council, or a county commission.

22 662-B:3 Appointment of Commissioners.

23 I. By August 10 of the year in which the federal decennial census occurs, the secretary of
24 state shall, after holding at least one public hearing, prepare an application form that includes, but
25 is not limited to, the criteria in paragraph IV and that will allow appointing authorities to evaluate a
26 person's experience and qualifications. The application shall be made available on the websites of
27 the secretary of state, the governor, and the general court and in any other forum deemed reasonable
28 to the secretary of state.

1 II. The secretary of state shall begin soliciting applicants for the commission no later than
2 September 1 of each year ending in zero by making an effort to notify all eligible persons and
3 inviting them to apply. These efforts shall include:

4 (a) Advertising the application period and criteria in newspapers in the state.

5 (b) Advertising the application period and criteria on the home page of state agency
6 websites.

7 (c) Requesting media to publicize the commission's search for eligible members.

8 (d) Publicizing the application period and criteria in the New Hampshire house and
9 senate calendars.

10 III. By December 1 of each year during which the federal decennial census occurs, any
11 person who seeks to serve on the commission shall submit a completed application to the secretary of
12 state. The application form for the commissioners shall include the following criteria:

13 (a) Whether the applicant or the applicant's immediate family has, in the preceding 10
14 years, registered as a lobbyist, served as an officer, paid consultant, or contractor of a campaign
15 committee, political committee, or state-level political party, or served as a staff member, paid
16 consultant, or contractor for an elected official or candidate for public office. In this chapter
17 "immediate family" means spouse, children, parents, siblings, and sibling's spouses and children;

18 (b) What elective offices, if any, the applicant has or the applicant's immediate family
19 members have held in New Hampshire in the preceding 10 years;

20 (c) Which elections the applicant has voted in in the past 10 years and if the applicant
21 has voted in a state primary election or presidential primary election in New Hampshire in the
22 preceding 6 years, which political party's ballots the applicant has taken;

23 (d) A sworn statement under oath, subject to the penalty of perjury under RSA 641:1
24 and in the manner prescribed under RSA 21:5, that the applicant will comply with the provisions of
25 this chapter, including the redistricting criteria under RSA 662-B:6;

26 (e) An explanation by the applicant of why they want to serve on the commission and
27 how they will promote consensus among commissioners, if appointed; and

28 (f) Up to 4 letters of recommendation.

29 IV. The secretary of state shall convene a panel of 3 retired superior court or supreme court
30 judges to review and narrow the pool of applicants. If a retired judge is disqualified from serving as
31 a commissioner, the judge shall also be disqualified from serving on the panel. The panel shall not
32 include more than 2 retired judges of the same political party. The panel shall review the applicants
33 and create a pool of no more than 60 applicants (20 republicans, 20 democrats, 20 undeclared
34 voters). On or before January 15 of the year following the one in which the federal decennial census
35 occurs, the panel shall interview the applicants and allow for public comment on applicants before
36 creating a pool of 45 finalists that is equally divided between republicans, democrats, and
37 independents and represents the state both geographically and demographically. On or before

1 February 15 of the year following the one in which the federal decennial census occurs, 6
2 commissioners (2 republicans, 2 democrats, and 2 undeclared voters) shall be randomly selected by
3 the panel in public. On or before March 15 of the year following the one in which the federal
4 decennial census occurs, the 6 commissioners so selected shall together, in public, select the
5 remaining 3 commissioners from the remaining pool of applicants with the goal of balancing the
6 commissioners geographically and demographically. The 6 commissioners shall randomly select
7 applicants from the pool, with at least 4 commissioners agreeing upon each of the 3 remaining
8 commissioners. No commissioner shall initiate communications or reply to communications about
9 the selection process of the remaining commissioners with outside persons attempting to influence
10 commissioners or commission action.

11 V. In the event of substantial neglect of duty, gross misconduct in office, or inability to
12 discharge the duties of office, a member of the commission may, after being served written notice
13 and given 2 weeks for an opportunity to respond, be removed or retained by a vote of 7 members of
14 the commission within 4 weeks of the date of service of written notice. A finding of substantial
15 neglect of duty or gross misconduct in office may result in referral to the New Hampshire attorney
16 general for criminal prosecution.

17 VI. A commissioner's position on the commission will be deemed vacant if the commissioner,
18 having been appointed as a registered elector who is not affiliated with a political party, affiliates
19 with a political party before a redistricting plan has been approved under this chapter. A
20 commissioner's position on the commission will also be deemed vacant if the commissioner, having
21 been affiliated with one of the state's 2 largest political parties at the time of appointment, affiliates
22 with a different political party or becomes unaffiliated with any political party before a redistricting
23 plan is approved under this chapter.

24 VII. Vacancies on the commission shall be filled when they occur by the commission
25 selecting, by a vote of 7 members, a new member from among the original pool of applicants of the
26 same political party as the vacated commissioner seat still willing to serve or by seeking a
27 replacement in the same manner as initial appointments.

28 VIII. The term of office of commission members expires 2 years after the final enactment of
29 the redistricting plan into law.

30 662-B:4 Commission Meetings.

31 I. The first meeting of the commissioners shall occur on or before May 1 of the year following
32 the year in which the federal decennial census occurs. The public shall be provided at least 2 weeks'
33 notice of the date, time, and location of the meeting on the websites of the secretary of state,
34 governor, and general court, and in at least 3 leading newspapers in the state. At the first meeting,
35 the commissioners shall elect a chair and a co-chair. The chair shall call meetings of the commission
36 and shall call a meeting within one week of the request of at least 4 commissioners.

37 II. The commission shall act in public meetings with a quorum of 7 members.

1 III. All meetings of the commission shall be open to the public. The commission shall
2 publicly post notice of its meetings on the commission website and other appropriate outlets at least
3 7 days prior to such meetings. All records of the commission, including all communications to or
4 from the commission regarding the work of the commission, shall be made available for public
5 inspection and posted to the commission's Internet website.

6 IV. The commission shall hold at least one public meeting in each county prior to drawing
7 any maps and at least one public meeting in each county after releasing any proposed maps.

8 V. The commission shall create a website that shall provide, at a minimum, a description of
9 the role of the commission in the redistricting process, timely information to the public about the
10 time, place, and purpose of each meeting of the commission, reports, minutes, documents submitted
11 to it by the public, including proposed maps, and such other information that will support an open
12 and transparent process.

13 VI. The commission shall provide a meaningful opportunity for all persons to participate in
14 the public meetings, including making meetings and hearings available online and allowing for
15 virtual public comment. All commission meetings and hearings shall be recorded and placed on the
16 commission's website within one business day following the meeting or hearing. Meetings shall be
17 held only in spaces that are accessible under the Americans with Disabilities Act of 1990, as
18 amended.

19 VII. Commission meetings shall be adequately advertised and planned so as to encourage
20 attendance and participation across the state. This includes scheduling meetings outside of regular
21 work hours.

22 VIII. The commission shall be considered a public body subject to RSA 91-A. No documents
23 created or received by the commissioners or staff as part of official duties, including emails and text
24 messages, shall be exempt from disclosure for any privilege other than attorney-client privilege.

25 IX. Commissioners and staff may not initiate communications or reply to communications
26 about commission business with outside persons attempting to influence commissioners or
27 commission action outside of public meetings. To the extent that commissioners and staff initiate,
28 respond to, or receive such communications, the identity of the person or group and the subject of the
29 communication shall be publicly disclosed on the commission website.

30 662-B:5 Developing Redistricting Maps.

31 I. During the map drawing process, any member of the public may submit maps or portions
32 of maps for consideration by the commission in a portable document format suitable for archiving
33 (PDF/A) format, or other format approved by the secretary of state. These submissions shall be
34 made publicly available and shall include the name of the person making the submission.
35 Electronically submitted maps may be posted on the commission website.

36 II.(a) The commission shall post its proposed maps in a manner determined by the
37 commission, provided that such display shall include posting on the commission website for a

1 minimum of 7 days for public comment and by distribution to the news media in a manner designed
2 to achieve the widest public access reasonably possible before establishing a final plan. Additionally,
3 the efforts to achieve access shall include but not be limited to:

4 (1) Advertising the availability of the proposed maps in newspapers in the state.

5 (2) Advertising the availability of the proposed maps on the home page of state
6 agency websites.

7 (3) Requesting media to publicize the availability of the proposed maps.

8 (b) When releasing a proposed map, the commission shall also release the data used to
9 create the map, such as population data, geographic data, and election data.

10 III. The commission shall issue with the proposed and final maps written evaluations that
11 measure the maps against external metrics and shall include efficiency gap, compactness, and any
12 algorithms used to create the maps. These metrics shall cover all criteria set forth in RSA 662-B:6.

13 IV. No later than December 20 of any year ending in one, the commission shall submit final
14 advisory plans for New Hampshire county commission, house, senate, executive council, and
15 congressional districts to the senate president, speaker of the house of representatives, senate and
16 house minority leaders, and the chair and ranking member of the house and senate redistricting
17 committees for their consideration and action pursuant to pertinent sections of the New Hampshire
18 Constitution, including part II, articles 9, 11, and 26.

19 662-B:6 Redistricting Criteria.

20 I. The commission shall establish single or multi-member districts for the New Hampshire
21 county commissions, house of representatives, and single member districts for the New Hampshire
22 senate, executive council, and United States representative, using the following criteria as set forth
23 in the following order of priority:

24 (a) Districts shall comply with the United States Constitution and all applicable federal
25 laws. Districts shall be drawn on the basis of total population.

26 (b) Districts shall comply with the New Hampshire constitution and all applicable state
27 laws.

28 (c) Districts shall form single boundaries and shall not be bisected or otherwise divided
29 by other districts and shall respect the geographic integrity of political boundaries to the extent
30 practicable without violating the requirements of state law or any preceding subdivisions.

31 (d) Commissioners shall consider the integrity of communities of interest to the extent
32 practicable. For purposes of this section, a community of interest is defined as an area with
33 recognized similarities of interests, including but not limited to economic, social, educational,
34 cultural, geographic, racial, ethnic, or historic identities. Communities of interest shall not include
35 common relationships with political parties or political candidates.

36 II.(a) The plan as a whole shall not have the intent or the effect of unduly favoring or
37 disfavoring any political party, incumbent, or candidate for political office.

1 (b) Districts shall not have the intent or the effect of unduly favoring or disfavoring any
2 racial or language group.

3 662-B:7 Adoption of Redistricting Maps.

4 I. If the legislature does not approve a redistricting map submitted by the commission under
5 RSA 662-B:5, IV, then the legislature shall provide specific reasons for its rejection of the map,
6 referring to the criteria in RSA 662-B:6, and the commission shall amend the map and resubmit it to
7 the same individuals listed in RSA 662-B:5, IV, for consideration under the New Hampshire
8 Constitution, including part II, articles 9, 11, and 26.

9 II. If the amended map prepared under paragraph I is not approved by the legislature, then
10 any registered voter may file a petition with the New Hampshire supreme court to appoint a special
11 master to create a map based upon the criteria in RSA 662-B:6, which shall be the final map.
12 Nothing in this section shall prevent a subsequent legislature from enacting another map to replace
13 the map of the special master, provided that such subsequent map shall be adopted pursuant to the
14 procedures set forth in this chapter.

15 III. Any registered voter in New Hampshire may file a petition in the New Hampshire
16 superior courts within 45 days after adoption of a final map on the grounds that the plan violates
17 any federal or state law.

18 662-B:8 Compensation. Members of the commission shall be paid a salary equal to one-quarter
19 of the salary of the New Hampshire governor for the first 18 months following their appointment,
20 provided that their work on the commission extends 18 months, plus mileage incurred in connection
21 with the duties performed pursuant to this chapter. Thereafter, members of the commission shall
22 receive a daily stipend equivalent to 1/365th of 1/4 of the salary of New Hampshire's governor on the
23 days on which they are attending to the business of the commission, plus mileage incurred in
24 connection with the duties performed pursuant to this chapter.

25 662-B:9 Financial Independence.

26 I. For the fiscal year ending June 30, 2031, the governor shall draw a warrant out of sums
27 not otherwise appropriated to fund expenses of the commission established pursuant to this chapter.

28 II. For each subsequent biennium preceding the decennial census, the governor shall include
29 in the budget recommendation appropriations sufficient to meet the estimated expenses of the
30 commission, including but not limited to adequate funding for a statewide outreach program to
31 solicit broad public participation in the redistricting process and adequate office space available for
32 the operation of the commission.

33 662-B:10 Staffing Support. The governor shall expend funds for the commission to hire support
34 staff which may include administrative staff and individuals or firms providing mapping and legal
35 support.

36 662-B:11 Enforcement. A registered voter or the New Hampshire department of justice may file
37 a lawsuit to enforce RSA 662-B:3 through RSA 662-B:5 and RSA 662-B:8 through RSA 662-B:10.

1 2 Effective Date. This act shall take effect January 1, 2027.

**HB 1487-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT creating an independent commission to propose redistricting maps for the legislature to consider.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase Beginning in FY 2031		
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	Indeterminable Beginning in FY 2031		
<i>Funding Source(s)</i>	General Fund			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill establishes the Independent Advisory Commission on Redistricting in New Hampshire. The commission would be responsible for drawing legislative district maps for the House of Representatives, Senate, Executive Council, and Congressional Districts, beginning in 2031 and every ten years thereafter for the legislature to consider. The commission must operate publicly and hold hearings throughout the state. It must also adhere to strict redistricting criteria to prevent gerrymandering and ensure fairness. If the legislature rejects the commission's maps, it must provide reasons, and the commission may revise and resubmit the maps. If still rejected, a voter may file a petition to appoint a special master to finalize the maps.

Commissioners will be compensated at 1/4 the salary of the Governor for the first 18 months and if the work goes longer than 18 months they shall receive daily stipend of 1/365 of 1/4 of the Governor's salary. Additionally, the commission will receive funding and staffing support to carry out its duties. For the fiscal year ending June 30, 2031, the governor shall draw a warrant out of sums not otherwise appropriated to fund expenses of the commission established pursuant to this chapter.

The Department of State indicates the bill will have no fiscal impact from FY 2026 through FY 2029. However, starting in 2031, the Secretary of State's Office anticipates significant but

indeterminable costs related to advertising, collecting applications, and supporting the commission's work. These additional costs would need to be incorporated into the 2030–2031 state budget planning process.

AGENCIES CONTACTED:

Department of State