

HB 1044 - VERSION ADOPTED BY BOTH BODIES

5Feb2026... 0069h
03/26/2026 1205s

2026 SESSION

26-2403
08/06

HOUSE BILL **1044**

AN ACT relative to the filling of vacancies in the office of a county commissioner.

SPONSORS: Rep. Turcotte, Straf. 4; Rep. Burnham, Straf. 2; Rep. Bailey, Straf. 2; Rep. Walker, Straf. 19; Rep. DeRoy, Straf. 3; Rep. Harrington, Straf. 18; Rep. Ankarberg, Straf. 7; Rep. Farrington, Straf. 8; Rep. Potenza, Straf. 19; Rep. Granger, Straf. 2; Sen. Gray, Dist 6

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill requires a vacancy in the office of county commissioner to be filled by the members of the county convention and allows district-based voting where applicable.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the filling of vacancies in the office of a county commissioner.

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

1 1 County Officers; Vacancies. RSA 661:9, II is repealed and reenacted to read as follows:

2 II.(a) If a vacancy occurs in the office of a county commissioner, the members of the county
3 convention shall fill the vacancy as follows:

4 (1) If voting for the commissioners in the biennial election is not by district or is not
5 restricted to residents of the district, all of the county convention members shall vote to fill the
6 vacancy by a majority of the ballots cast until the next biennial election of county officers.

7 (2) If the commissioners of the county in the biennial elections are elected by district
8 and voting for the commissioner is restricted to residents of the district, only members of the county
9 convention who represent city wards or towns in the district shall be eligible to vote.

10 (3) If limiting the vote to county convention members representing city wards and
11 towns in the district results in fewer than 3 members eligible to vote for the vacancy, all members of
12 the county convention are eligible to vote for the vacancy.

13 (4) If the term filled is less than the unexpired term, then notwithstanding any
14 provisions of RSA 653:1, VI, the commissioner district filled pursuant to this paragraph shall be
15 added to the next biennial election ballot to be chosen by the voters of the county for the remainder
16 of the term. The person elected shall take office at the next meeting of the county commissioners
17 after any recount is completed.

18 (b) The provisions of subparagraph (a) shall apply only where the vacancy occurred no
19 later than 30 days preceding the printing of the ballots for the primary election.

20 (c) The provisions of RSA 655:32 and RSA 655:37, relating to nominations by
21 appropriate party committees for vacancies in an office on a primary or general election ballot,
22 respectively, shall apply to vacancies to be filled under this paragraph.

23 2 Effective Date. This act shall take effect 60 days after its passage.