

HB 714-FN - AS INTRODUCED

2025 SESSION

25-0632

08/09

HOUSE BILL **714-FN**

AN ACT creating a single primary ballot.

SPONSORS: Rep. Muirhead, Graf. 12; Rep. Maggiore, Rock. 23

COMMITTEE: Election Law

ANALYSIS

This bill creates a single party ballot for use in state and congressional primaries.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT creating a single primary ballot.

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

1 1 Single Ballot Primaries. RSA 656:23 is repealed and reenacted to read as follows:

2 656:23 General Form. All candidates for an office shall be listed on a single primary ballot and
3 all registered voters may vote for any candidate. A candidate for a state or federal office may have
4 their political party preference or lack thereof indicated on the ballot. Selection of a party preference
5 by a candidate shall not constitute or imply endorsement of the candidate by the party designated.
6 No candidate for that office shall be deemed the official candidate of any party by virtue of their
7 selection on the single ballot primary.

8 2 Sample Ballots. Amend RSA 656:28 to read as follows:

9 656:28 Sample Ballots. The secretary of state shall furnish 10 sample state primary election
10 ballots ~~[of each political party printed on tinted paper]~~ to each town or ward clerk and, upon request,
11 a reasonable number of such sample ballots to each person whose name appears upon the ballot as a
12 candidate. Each town or ward clerk shall post one sample ballot ~~[of each political party]~~ in each of 2
13 public places in the clerk's town or ward within one day of receiving such sample ballots and save
14 the remainder to be posted on the day of the primary as provided in RSA 658:26.

15 3 Special Provisions for State and Presidential Primary Elections. Amend RSA 659:14 to read
16 as follows:

17 659:14 Special Provisions for State and Presidential Primary Elections.

18 I. A person desiring to vote at a ~~[state or]~~ presidential primary election shall, at the time of
19 announcing the person's name, also announce the name of the party to which the person belongs or
20 whether the person is registered as an undeclared voter. ~~[If the person's party membership has been
21 registered before, the person shall be given only the ballot of the party with which the person is
22 registered, unless the person desires to vote the ballot of a party not having official existence at the
23 time the person's party membership was previously registered, in which case the person may vote
24 the ballot of such a party in the state primary election immediately following the political
25 organization's official existence as a party, and not in any subsequent state primary election.]~~ A
26 person may also vote the ballot of such a party in the presidential primary election only if the
27 presidential primary election precedes the state primary election to be held in that same year. ~~[If
28 the rules of a party permit a person who is registered as an undeclared voter to vote in the party's
29 primary, any person desiring to vote in that party's primary shall also announce the name of that
30 party at the time of announcing the person's name. No person shall be permitted to vote in any more
31 than one party primary during any primary election.]~~ ***Any voter who is registered may vote in***

1 *the state or congressional primary regardless of party affiliation or lack of party*
2 *affiliation.*

3 II. The secretary of state shall include on the voter instruction cards required by RSA 658:28
4 whether a party rule has been adopted which permits a person who is registered as an undeclared
5 voter to vote in the party's *presidential* primary. The party chairman shall notify the secretary of
6 state in writing prior to the filing period for state offices whether the party has adopted such a rule.
7 This rule shall not be changed or rescinded by a party until the results of the primary have been
8 announced, and any change or rescission shall be mailed to the secretary of state by the party
9 chairman.

10 4 Counting Votes on Different Party Ballots. RSA 659:69 is repealed and reenacted to read as
11 follows:

12 659:69 Counting Votes on Different Party Ballots.

13 I. Votes cast in a state or congressional primary election shall be counted such that the
14 number of candidates advancing to the general election shall be twice the number who will be
15 elected in that election. No candidate who did not appear on the state or congressional primary
16 ballot may appear on the general election ballot.

17 II. Votes cast for the same person for the office of president of the United States on the
18 ballots of different parties shall not be added together but shall be credited to the party on whose his
19 or her name appears and the vote is cast.

20 5 Verification of the Checklists. Amend RSA 654:38, I to read as follows:

21 I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall post
22 notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet
23 website, if such exists, and published at least twice in a newspaper of general circulation in the town
24 or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all
25 eligible voters in said town or ward to appear before them and register or reregister as the case may
26 be. Whenever a person is reregistered, his or her party designation, if any, on the checklist
27 undergoing revision shall not be changed [~~except as provided in RSA 654:34~~].

28 6 Verification Every 10 Years. Amend RSA 654:39, I to read as follows:

29 II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the
30 supervisors shall post notice of their sessions in 2 appropriate places one of which shall be the town
31 or city's Internet website, if such exists, and published at least twice in a newspaper of general
32 circulation and hold sufficient sessions for verification of the checklist as in their opinion will enable
33 all eligible voters in said town or ward to appear before them and register or reregister as the case
34 may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist
35 undergoing revision shall not be changed [~~except as provided in RSA 654:34~~].

36 7 Repeal. The following are repealed:

37 I. RSA 656:25, relative to colored ballots for different party primaries.

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- 1 II. RSA 656:26, relative to the number of primary ballots sent to a town or city ward.
2 III. RSA 656:27, relative to the number of primary ballots sent to a town or city ward for a
3 new political party.
4 IV. RSA 659:29, relative to challenges to primary elections.
5 V. RSA 654:32, relative to hearings on alterations to party registration.
6 VI. RSA 654:33, relative to posting copies of persons in the town or ward entitled to vote in a
7 primary.
8 VII. RSA 654:34, relative to change in party registration before a primary.
9 VIII. RSA 654:34-a, relative the forwarding of changes in party registration.
10 IX. RSA 654:35, relative to the corrected checklist.
11 8 Effective Date. This act shall take effect 60 days after its passage.

**HB 714-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT creating a single primary ballot.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	In excess of \$2,500,000	In excess of \$2,500,000	In excess of \$2,500,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill removes the two party primary state and congressional elections and creates a single party election putting all candidates on a single primary ballot allowing registered voters to vote for any candidate that is on the ballot, removing the option for write-ins. The presidential primary would remain a two party primary. However, the bill would allow voters of one party to participate in the other party's election by writing in candidates from the opposing party. These votes would then be counted in the opposing party's election.

The Department of State indicates that the Secretary of State's office would have to launch a statewide education campaign to inform over one million registered voters about changes in state, congressional, and presidential primary elections. This campaign would necessitate hiring a contractor to collaborate on mailing, print media, online media, and social media efforts. Consequently, educating voters about the significant changes to state, congressional, and presidential primaries would take multiple years and cost over \$2,500,000 annually.

AGENCIES CONTACTED:

Department of State