

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 327-FN, relative to filing for office and witnessing affidavits.

Hearing Date: April 1, 2025

Time Opened: 10:02 a.m.

Time Closed: 10:08 a.m.

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

Members of the Committee Absent: None

Bill Analysis: This bill:

I. Allows the secretary of state to serve as a filing official.

II. Allows town clerks to witness affidavits regardless of whether they are a notary public.

Sponsors:

Rep. McFarlane

Rep. Berry

Rep. Sellers

Rep. Comtois

Rep. Notter

Rep. Ulery

Rep. Warden

Rep. Franz

Sen. Murphy

Sen. Innis

Who supports the bill: Representative Donald McFarlane, Erin Hennessey

Who opposes the bill: No one

Summary of testimony presented:

Representative Donald McFarlane, Prime Sponsor, Grafton-District 18

- This bill attempts to do two things:
 - Allow a candidate for state representative to file for candidacy with the Secretary of State (SOS) in Concord.
 - Allow town clerks who do not hold notary public status to witness candidate filing affidavits.
- This issue can be particularly problematic for candidates who live in small towns where town offices don't have regular office hours and do not have a town clerk with notary public status.

- The Secretary of State supports this bill.

Senator Gray said he believes there is already a provision in the statute to do this and stated that he doesn't think it matters whether the candidate files with the town or the State.

- Rep. McFarlane said that when he filed, he consulted with the SOS and the attorneys in the SOS's office, and they concluded that the town clerk is not authorized to notarize the signature on an affidavit.
- Has spoken with others who have also experienced issues with the town clerk's office not being open.