HB 1343 - AS INTRODUCED

2024 SESSION

24-2148
10/02

HOUSE BILL ***1343***

AN ACT prohibiting the use by the governor of emergency orders concerning elections procedures without the written consent of the majority and minority leaders of the house of representatives and senate.

SPONSORS: Rep. Berry, Hills. 39; Rep. McGough, Hills. 12; Rep. Aures, Merr. 13; Rep. Prudhomme-O'Brien, Rock. 13; Rep. Kuttab, Rock. 17; Rep. Potucek, Rock. 13

COMMITTEE: Legislative Administration

ANALYSIS

This bill requires the governor to get prior written or electronic approval from legislative majority and minority leaders to issue an emergency order concerning elections procedures.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT prohibiting the use by the governor of emergency orders concerning elections procedures without the written consent of the majority and minority leaders of the house of representatives and senate.

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

1 Purpose. Elections are the foundation of the democratic process in which we elect our republican form of government and should be held to a higher standard for alteration under emergency order issued by the governor. Any change to New Hampshire's elections procedures by an emergency order should only happen with the prior consent of the legislature's majority and minority party leaders.

2 State of Emergencies; Governor's Powers; Reference Added. Amend the introductory paragraph of RSA 4:45, I to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, ***and except for additional requirements concerning election procedures under paragraph I-a,*** the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

3 New Paragraph; State of Emergency; Elections Procedures. Amend RSA 4:45 by inserting after paragraph I the following new paragraph:

I-a. The governor shall not issue an emergency order concerning elections procedures governed by Title LXIII of the Revised Statutes Annotated, excluding weather emergency postponements as defined in RSA 669:1, without the prior written or electronic consent of all of the following:

(a) The majority leader and minority leader of the house of representatives.

(b) The majority leader and minority leader of the senate.

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