HB 570 - AS INTRODUCED

2021 SESSION

21-0288
10/06

HOUSE BILL ***570***

AN ACT permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

SPONSORS: Rep. Abramson, Rock. 37; Rep. Labranche, Hills. 22

COMMITTEE: Election Law

ANALYSIS

This bill permits certain political organizations to be called a minor party and appear on a general election ballot after holding a nominating convention. This bill also allows political organizations to be a party by receiving 4 percent of votes cast for President of the United States, and allows a political organization to pay a fee in order to meet requirements for candidate nomination papers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

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

1 Party; Minimum Percent of Votes Cast; President Added. Amend RSA 652:11 to read as follows:

652:11 Party. "Party" shall mean any political organization which at the preceding state general election received at least 4 percent of the total number of votes cast for any one of the following: the office of governor [~~or~~]***,*** the offices of United States senators***, or the office of President of the United States***.

2 Nomination Papers; Number; Three Percent Requirement. Amend RSA 655:42, III to read as follows:

III. It shall require the names of registered voters equaling 3 percent of the total votes cast at the previous state general election to nominate by nomination papers a political organization***; provided however that a political organization or a candidate may substitute for the number of registered voters short of the 3 percent a filing fee equal to $5 per name required to meet the 3 percent of total votes cast***.

3 New Subdivision; Nomination by Nominating Convention. Amend RSA 655 by inserting after section 45 the following new subdivision:

Nomination by Nominating Convention

655:45-a General Provisions. As an alternative to nomination by party primary or by candidate nomination papers, a candidate may have his or her name placed on the ballot for the state general election for a state, county, partisan local, or federal office through a political organization nominating convention as a minor party candidate in accordance with this subdivision.

655:45-b Nomination of Organization. A political organization that did not win more than 4 percent of the vote in a statewide race in the preceding general election may have its candidates placed on the ballot for a general election by submitting, within 3 days after the primary election for such general election and after holding a nominating convention pursuant to rules adopted by the organization and in substantial accordance with RSA 667:21, a list of candidates it wishes to place on the ballot in such election, provided that the organization has obtained the minimum number of registrations in a primary election pursuant to RSA 655:45-d. The chairman of any such political organization shall also file a declaration of intent, as provided in RSA 655:45-c at least one month prior to the date of the state primary election.

655:45-c Declaration of Intent; Political Organization.

I. Declarations of intent for political organizations shall be in the following form and signed by the chairman of the political organization:

I, _____, chairman of the _____ organization hereby declare that the _____ organization intends to seek placement on the ballot by nominating convention in accordance with RSA 655:45-b.

II. At the time of filing the declaration of intent, the chairman of the political organization shall submit a list of the offices for which it intends to file candidates and the names of the candidates for those offices. In addition, each candidate shall file a declaration of candidacy. The declaration of candidacy shall be in the form provided by RSA 655:45-f. If the political organization is not certified in accordance with RSA 655:45-d, any declarations of candidacy filed for that political organization shall be void.

655:45-d State Primary Election; Certification.

I. Upon closing of the polls at a state primary election, the secretary of state shall count the total number of voters in the state who are affiliated with any political organization seeking placement on the general election ballot pursuant to this subdivision.

II. If, upon completion of that state primary election, at least 500 voters throughout the state have declared affiliation with any one political organization seeking placement on the general election ballot as a minor party pursuant to this subdivision, the secretary of state shall include that political organization's list of candidates on the ballot for the immediately following general election as a minor party.

655:45-e Nominating Convention; Restrictions.

I. No candidate who intends to run for any state, county, local, or federal office in the state general election pursuant to this subdivision shall have his or her name placed on the ballot unless the candidate files a declaration of candidacy, as provided in RSA 655:45-f. Any person who files on the last day of the filing period must do so in person before the secretary of state.

II. No candidate who filed as a candidate in the state primary election shall be eligible to have his or her name placed on the ballot for the state general election as provided in this subdivision.

III. No candidate shall be placed on the ballot at the state general election pursuant to this subdivision unless the candidate shall have met the age and domicile requirements for the office he or she seeks at the time of the general election and meets all the other qualifications at the time of filing; and if a candidate for the office of governor, executive councilor, state senator, or state representative, unless the candidate shall file an affidavit of qualifications as provided in RSA 655:28 and 655:29; and if a candidate for United States senator or United States representative, unless the candidate shall meet the qualifications for office under RSA 655:3 and RSA 655:4.

655:45-f Declaration of Candidacy; Nominating Convention. Declarations of candidacy for candidates seeking placement on the ballot at a state general election pursuant to this subdivision shall be in the following form and signed by the candidate:

I, _____, declare that I am domiciled in Ward ____, in the city (or town or unincorporated place) of _____, county of _____, state of New Hampshire, and am a registered voter herein; that I am a registered member of the _____ party; that I am a candidate for the office of _____ to be chosen at the general election to be held on the _____ day of _____. I further declare that, if qualified as a candidate for said office, I shall not withdraw; and that, if elected, I shall be qualified for and shall assume the duties of said office. If I have been convicted of a felony, I declare that I have completed my sentence as required in RSA 607-A:2.

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