

Amendment to SB 534-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Applicability of Chapter; Political Expenditures and Contributions. Amend RSA 664:1 to read
4 as follows:

5 664:1 Applicability of Chapter.

6 The provisions of this chapter shall apply to all state primary, general, and special elections, but
7 shall only apply to presidential preference primaries as provided in this section. The provisions
8 relating to political advertising, push polling, and enforcement, RSA 664:14 through RSA 664:22,
9 shall additionally apply to presidential primary, city, town, school district~~[, and]~~ **or** village district
10 **meetings or** elections.

11 2 Definitions; Political Expenditures and Contributions. RSA 664:2 and 664:3 are repealed and
12 reenacted to read as follows:

13 664:2 Definitions.

14 As used in this chapter:

15 I. "Election" means any general biennial or special election, political party primary, or
16 presidential preference primary as provided in RSA 664:1.

17 II. "Candidate" means any person publicly declared as such and for whom votes are sought
18 in an election.

19 III.(a) "Political committee" means: Any organization of 2 or more persons that promotes the
20 success or defeat of a candidate or candidates or measure or measures. Types of political
21 committees:

22 (1) Candidate committee created by a candidate running for office;

23 (2) Political advocacy organization to promote issues and ideas that may influence
24 voters' choices on the ballot as further defined in RSA 664:2, XXII;

25 (3) Political committee of a political party as further defined in RSA 664:2, V to
26 support candidates of the party running for office;

27 (4) The committee of a segregated fund established by any organization with a
28 separate legal existence the purpose of which is to promote the success or defeat of a candidate or
29 candidates or measure or measures; or

30 (5) Committee not created by a candidate and does not fall within RSA 664:2, III, (b)
31 through (d)

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1 (b) As used in this paragraph, "organization includes, but is not limited to, 2 or more
2 natural persons; entities formed under state law, except those entities qualified under section
3 501(c)(3) of the United States Internal Revenue Code of 1986; committees formed by a candidate
4 exploratory campaign, or political party; and any other association of natural persons or entities
5 formed under state law that is not registered as a business entity.

6 IV. "Political party" or "party" means any political organization or number of persons which
7 can nominate candidates in any manner prescribed by law and has done so for the current election.
8 The definition of the word "party" contained in RSA 652:11 shall not apply to this chapter.

9 V. "Political committee of a political party" means a state, county, regional, city, ward, or
10 town committee of a political party. A regional committee shall be composed only of members who
11 are residents of towns or cities that form a contiguous land area, and shall have been created and
12 approved by the state committee of the political party. To establish regional committees, a party
13 shall amend its by-laws to authorize them in principle; a copy of the by-law authorization and
14 evidence of the approval for each regional committee by the state committee shall be filed by the
15 political party with the secretary of state before the first Wednesday in June immediately following
16 the amendment.

17 VI. "Political advertising" means any communication by any medium or in any format,
18 including buttons or printed material attached to motor vehicles, which expressly advocates the
19 success or defeat of any party, measure, candidate, or person at any election.

20 VII. "Communication" shall include, but not be limited to, publication in any newspaper or
21 other periodical or on any Internet Site, broadcasting on radio, television, or over any public address
22 system, transmission by telephone or facsimile, placement on any billboards, outdoor facilities,
23 window displays, posters, cards, pamphlets, leaflets, flyers, or other circulars, or in any direct
24 mailing.

25 VIII. "Contribution" means a payment, gift, subscription, assessment, contract, payment for
26 services, dues advance, forbearance, or loan to a candidate or political committee made for the
27 purpose of influencing the nomination or election of any candidate. "Contributions" shall include the
28 use of any thing of value, but shall not include the services of volunteers who receive no pay therefor
29 or the use of personal resources by a candidate on behalf of his or her candidacy. Contributions may
30 be used by candidates for expenses incurred by a candidate for child care.

31 IX. "Expenditure" means the disbursement of money or thing of value or the making of a
32 legally binding commitment to make such a disbursement in the future; or the transfer of funds by a
33 political committee to another political committee or to a candidate for the purposes of promoting the
34 success or defeat of a candidate or candidates or measure or measures. "Expenditure" includes
35 disbursements constituting independent expenditures, as defined in paragraph XI, and expenses
36 incurred by a candidate for child care. Travel and subsistence expenditures related to constituent
37 service or to an office sought or held are permissible. "Expenditure" does not include:

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1 (a) The candidate's expenses for non-campaign travel and subsistence;

2 (b) Activity designed to encourage individuals to register to vote or to vote, if that
3 activity or communication does not mention a clearly identified candidate;

4 (c) Any communication by any membership organization or corporation to its members
5 or stockholders, if the primary purpose of that membership organization or corporation is not for the
6 purpose of promoting the success or defeat of a candidate or candidates and measure or measures; or

7 (d) Any communication by any political committee member that is not made for the
8 purpose of promoting the success or defeat of a candidate or candidates or measure or measures.

9 (e) Payment for incidental items, such as auto expenses and child care that the
10 candidate chooses to pay for with personal funds.

11 X. "Measure" shall mean any constitutional amendment or question that is submitted or
12 intended to be submitted to a popular vote at an election.

13 XI. "Independent expenditures" means expenditures that pay for the development and
14 distribution of a communication that expressly advocates the election or defeat of a clearly identified
15 candidate or candidates or the success or defeat of a measure or measures, which are made without
16 cooperation or consultation with any candidate, or any authorized committee or agent of such
17 candidate, and which are not made in concert with, or at the request or suggestion of any candidate,
18 or any authorized committee or agent of such candidate.

19 XII. "Full name" means an individual's full first name, middle name or initial, if any, and
20 full legal last name, making the identity of the contributor apparent by unambiguous reference.

21 XIII. "Individual's post office address" means an individual or contributor's street address of
22 their domicile or their post office box, if any, city, state, and zip code. "Individual's post office
23 address" shall not mean:

24 (a) An individual's business address.

25 (b) An individual's vacation home address or rental property address when the home or
26 rental property is owned, but not occupied by the contributor.

27 (c) Any address not that of the contributor.

28 XIV. "Occupation" means an individual's official job title resulting from employment at or
29 ownership of any agency or organization or other entity.

30 XV. "Principal place of business" means the primary organization or employer from which
31 an individual's principal income is derived and shall include the employer's official name and the
32 employer's post office address.

33 XVI. "Business organization" means any enterprise, whether corporation, partnership,
34 limited liability company, proprietorship, association, business trust, real estate trust, or other form
35 of organization, organized for gain or profit, and includes any enterprise which is expressly made
36 exempt from income taxation under the United States Internal Revenue Code of 1986. It does not
37 include a political committee of a political party as defined in RSA 664:2, III.

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1 XVII. "Push-polling" means:

2 (a) Communications with voters promoting the success or defeat of any candidate for
3 public office or measure by any means, including telephone, text, via the Internet, through social
4 media, or digitally; and

5 (b) Asking questions related to opposing candidates for public office which state, imply,
6 or convey information about the candidate's character, status, or political stance or record; and

7 (c) Conducting such communication in a manner which is likely to be construed by the
8 voter to be a survey or poll to gather statistical data for entities or organizations which are acting
9 independent of any particular political party, candidate, measure, or interest group as part of a
10 series of like communication that consist of more than 2,000 connected calls that last less than 2
11 minutes in presidential, gubernatorial, United States senatorial, or United States congressional
12 elections; or conducting such calling as part of a series of like telephone calls that consist of more
13 than 500 connected calls that last less than 2 minutes in executive council, state senate, city, town,
14 school district, or village district elections; or conducting such calling as part of a series of like
15 telephone calls that consist of more than 200 connected calls that last less than 2 minutes in state
16 representative elections; and

17 (d) Conducting such communication for purposes other than bona fide survey and
18 opinion research.

19 XVIII. "Bona fide survey and opinion research" means the collection and analysis of data
20 regarding opinions, needs, awareness, knowledge, views, experiences, and behaviors of a population,
21 through the development and administration of surveys, interviews, focus groups, polls, observation,
22 or other research methodologies, in which no sales, promotional, or marketing efforts are involved,
23 and through which there is no attempt to influence a participant's attitudes or behavior. Bona fide
24 survey and opinion research includes message testing, which is the study for research purposes of
25 how randomly-selected individuals react to positive or negative information on a candidate, elected
26 public official, or ballot question.

27 XIX. "Receipts" shall mean the receipt of money or thing of value or the receipt of a legally
28 binding commitment to receive money or thing of value in the future for the purpose of promoting
29 the success or defeat of a candidate or candidates or a measure or measures. Receipts shall not
30 include amounts received by a political committee in commercial transactions in the ordinary course
31 of any trade or business conducted by the political committee or in the form of investments in the
32 political committee or amounts received by the political committee from payors who, at the time of
33 payment, prohibited, in writing, the use of the payment as an expenditure.

34 XX. "Segregated fund" shall mean a segregated account of money that consists of funds that
35 were paid directly to such account by persons other than the covered political committee that
36 controls the account from which only expenditures defined in paragraph IX are made.

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1 XXI. "Clearly identified candidate" means that the name of the candidate involved appears;
2 a photograph or drawing of the candidate appears; or the identity of the candidate is otherwise
3 apparent.

4 XXII. "Political advocacy organization" means any entity that makes expenditures of \$1000
5 or more an election cycle for communication that is functionally equivalent to express advocacy such
6 that, when taken as a whole, such communication is likely to be interpreted, all or in part, by a
7 reasonable person as promoting the success or defeat of a candidate or candidates, of a measure or
8 measures, taking into account whether the communication involved mentions a candidacy, a political
9 party, or takes a position on a candidate's character, qualifications, or fitness for office. For the
10 purposes of this chapter, a contribution from a political advocacy organization to a candidate or other
11 political committee is communication that is functionally equivalent to express advocacy.

12 XXIII. "Election cycle" means the period of time beginning on the twenty-second day after a
13 state general election through 21 days after the next state general election. For special elections, the
14 election cycle shall be the period of time from when a vacancy is created through 21 days after the
15 special election.

16 XXIV. "Success or defeat" means the support, praise, opposition, promotion, or attack of a
17 candidate or candidates or a measure or measures.

18 664:3 Registration of Political Committees.

19 I.(a) Any political committee, except the political committee of a political party, shall
20 register with the secretary of state as provided in this section. Registration shall be made through
21 the secretary of state's online campaign finance system. A political committee may register at any
22 time during the election cycle, but the committee's registration shall be received by the secretary of
23 state not later than 48 hours after the committee meets at least one of the criteria under RSA 664:2,
24 III. The registration shall be accompanied by an itemized statement of the receipts and
25 expenditures, if any, made by the political committee in the current election cycle prior to
26 registration. Such itemization shall be made pursuant to the manner set forth in RSA 664:6. The
27 registration shall also be accompanied by an administration fee of \$50, unless exempt pursuant to
28 subparagraph (c), which shall be deposited by the secretary of state into the general fund.

29 (b) Each political committee shall designate a treasurer who is a citizen of this state and
30 who is authorized to receive all process and other legal documents on behalf of the political
31 committee, and through whom may be obtained access to all books and records of the political
32 committee. The political committee shall file with the secretary of state a statement of the purpose
33 of the committee and shall indicate whether the committee will be making independent
34 expenditures. The registration shall also include a statement of the name, address, occupation, and
35 principal place of business of its chairperson and treasurer and the names and address of other
36 officers. The committee shall file an amendment to its registration within 14 days of any change in
37 the officers or purpose of the committee.

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1 (c) The political committee of a candidate or a political committee of a political party
2 that registers under this chapter shall not be required to pay the \$50 administration fee provided in
3 subparagraph (a).

4 II. No member of a political committee which is required to register under RSA 664:3, I,
5 shall do any act directly or indirectly on behalf of the committee to promote the success or defeat of a
6 political party, a measure, or a candidate, unless the requirements of RSA 664:3, I are met.

7 III. All political committees' registrations under this chapter shall be valid from the date of
8 registration through 21 days after the primary or general election, whichever is appropriate, unless
9 terminated sooner, in writing, by the chairperson and the treasurer of the political committee.
10 However, any political committee which has a continuing obligation to report as required under RSA
11 664:6 shall have its registration automatically renewed according to RSA 664:6, V.

12 IV. Any political committee that is exempt from taxation under sections 501(c)(4), 501(c)(5),
13 or 501(c)(6) of the United States Internal Revenue Code of 1986 may disclose, but shall not be
14 required to disclose in its itemized statement of receipts, the identity of its donors. Any political
15 committee affected by this section who chooses not to disclose the identity of its donors shall place
16 the following disclosure on all communications to voters: "This organization has an exemption under
17 federal law and is not required, and chooses not, to disclose its donors."

18 V. For purposes of filing campaign finance reports pursuant to RSA 664:6 and RSA 664:7, a
19 candidate for office may choose to file as a candidate or, if such candidate creates a candidate
20 committee, as a candidate committee.

21 3 Prohibited Political Contributions. RSA 664:4 is repealed and reenacted to read as follows:

22 664:4 Prohibited Political Contributions.

23 No contribution, whether tangible or intangible, shall be made to a candidate, a political
24 committee, or political party, or in behalf of a candidate or political committee or political party,
25 directly or indirectly, for the purpose of promoting the success or defeat of any candidate or political
26 party during any state election cycle:

27 I. By any partnership as such or by any partner acting in behalf of such partnership.

28 II. By any labor union or group of labor unions, or by any officer, director, executive, agent,
29 or employee acting on behalf of such union or group of unions, or by any organization representing or
30 affiliated with any such union or group of unions, or by any officer, director, executive, agent, or
31 employee acting on behalf of such organization.

32 III. By any person:

33 (a) If made anonymously or under a name not that of the donor.

34 (b) If made in the guise of a loan.

35 (c) If any other manner concealed.

36 (d) In excess of the limits established in paragraph IV.

37 IV. By an individual or corporation in excess of the following amounts per election cycle:

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1	Contributed to:	Maximum amount of contributions:
2	Candidate or candidate committee	\$15,000
3	Any other political committee or political party	\$30,000
4	Political advocacy organization	Unlimited

5 V. By any candidate or political committee in excess of the following amounts:

6	Contributed to:	Maximum amount of contributions:
7	Candidate or candidate committee	Unlimited
8	Any other political committee or political party	Unlimited
9	Political advocacy organization	Unlimited

10 VI. A partnership or labor organization may establish its own political committee, which
11 may make contributions to a candidate, political committee, or political party, so long as the funds
12 used by the political committee are separate from the other partnership or labor organization funds.

13 4 Prohibited Coercion of Political Contributions. Amend RSA 664:4-a, I to read as follows:

14 I. No person shall knowingly coerce, or attempt to coerce, any classified state employee to
15 give or withhold a contribution to any political campaign or political committee, or to any candidate,
16 party or cause, for the purpose of ***promoting the success or defeat*** of any candidate or political
17 party.

18 5 Surplus Campaign Contributions and Deficits. Amend RSA 664:4-b to read as follows:

19 664:4-b Surplus Campaign Contributions ***and Deficits***.

20 Surplus campaign contributions ***and deficits at the end of an election cycle shall be***
21 ***reported as the opening balance in the next election cycle's first statement. Surplus***
22 ***contributions*** may be used [after a general or special election] for fund raising activities and any
23 other politically related activity sponsored by the candidate, or for donations to charitable
24 organizations. Such surplus campaign contributions, however, shall not be used for personal
25 purposes ***or other prohibited expenditures under RSA 664:5. All expenditures shall be***
26 ***reported according to RSA 664:6 through RSA 664:9. Special election cycle surpluses and***
27 ***deficits shall continue to be reported according to RSA 664:6 until a zero balance is***
28 ***reported.***

29 6 Prohibited Political Expenditures. Amend RSA 664:5 to read as follows:

30 664:5 Prohibited Political Expenditures.

31 No expenditure or use of a contribution, tangible or intangible, shall be made for the purpose of
32 promoting the success or defeat of any political party, measure, or candidate:

33 I. By a political committee[~~, except the political committee of a political party,~~] unless the
34 political committee meets the requirements of RSA 664:3, I.

35 II. [~~By a political committee which is organized to support a candidate in any election, or to~~
36 ~~such candidate or the candidate's fiscal agent unless the committee secures and files the written~~

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1 ~~consent of the candidate or the candidate's fiscal agent with the secretary of state in accordance with~~
2 ~~RSA 664:3, III.~~

3 ~~III.]~~ By any person, candidate, or political committee, for political advertising in newspaper,
4 periodical, or on a radio or television broadcast, or on a billboard, if at a rate more or less than the
5 applicable rates to be filed with the secretary of state.

6 ~~[IV, V. [Repealed.]]~~

7 ~~[VI.]~~ **III.** By any foreign national, as defined in 52 U.S.C. section 30121(b) and 11 C.F.R.
8 section 110.20(a)(3), for any purpose, including for the use of telephones, facsimile machines,
9 vehicles, and computers, for electioneering. For the purposes of this paragraph, "electioneering"
10 means to act in any way specifically designed to influence the vote of a voter on any question or
11 office.

12 7 Reporting by Political Committee. RSA 664:6 is repealed and reenacted to read as follows:

13 664:6 Reporting by Political Committees.

14 I. Any political committee whose receipts or expenditures exceed \$1,000 in an election cycle,
15 shall file with the secretary of state an itemized statement, in the form prescribed by the secretary of
16 state, signed by its chairman and treasurer. The \$1,000 threshold shall not apply to political
17 committees renewed under RSA 664:6, V; these political committees shall continue to file until a zero
18 balance is reported. The statement shall detail the full name and postal address of each contributor
19 in alphabetical order, the amount of the contribution, the date it was received, and the aggregate
20 total for each election cycle. For contributors who, in the aggregate, donate \$50 or less in an election
21 cycle, their personal identifying information shall not be publicly available in the secretary of state's
22 campaign finance system, and their personal identifying information shall be exempt from disclosure
23 under RSA 91-A. Any receipts from a contributor with aggregate receipts of \$50 or under shall
24 appear on the statements as unitemized receipts. Any receipt that exceeds a contributor's aggregate
25 total of \$200 for each election cycle shall be reported with the contributor's occupation, the name of
26 the contributor's employer, and the city or town of the contributor's principal place of business, if
27 any. The statement shall also show each expenditure with the full name and postal address of the
28 payee or promisee of payment, the date paid or obligated, whichever occurred first, and the specific
29 nature and amount of each expenditure. Statements shall cover the period beginning the day after
30 the last day covered in the prior statement period up to and including the Sunday before the
31 statement is due. ***For a candidate or candidate political committee, as defined in RSA 664,***
32 ***where the candidate has not filed a declaration of candidacy or intent, as defined in RSA***
33 ***655, for the current election cycle, only subparagraphs (a), (b), (c), and (i) apply.***

34 Statements shall be filed not later than 5 PM according to the following schedule:

- 35 (a) First Wednesday in June after the state general election;
36 (b) First Wednesday in December one year after the state general election;
37 (c) Wednesday 12 weeks before primary election;

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- 1 (d) Wednesday 3 weeks before primary election;
- 2 (e) Wednesday before primary election;
- 3 (f) Second Wednesday after the primary election;
- 4 (g) Wednesday 3 weeks before general election;
- 5 (h) Wednesday before general election;
- 6 (i) Fourth Wednesday after the general election.

7 II. Any political committee whose receipts or expenditures do not exceed \$1,000 for an
8 election cycle need not file. However, when a committee's accumulated receipts or expenditures for
9 an election cycle exceed \$1,000 the committee shall file a statement, inclusive of all receipts and
10 expenditures for the election cycle, at the next reporting deadline, and shall continue to file at each
11 reporting deadline.

12 III. Any political committee whose independent expenditures, in aggregate, exceed \$1,000
13 shall file an itemized statement with the secretary of state which shall be received by the secretary
14 of state not later than 48 hours after such expenditures are made, and thereafter each time a further
15 \$1,000 is expended. Such itemized statements shall cover the period during which independent
16 expenditures totaling \$1,000 were made. Each statement shall include a certification by the
17 chairman of the political committee that the independent expenditure meets the definition in RSA
18 664:2, XI. Each statement shall contain the date of each independent expenditure; the name and
19 address of the person to whom the expenditure was made; the name of the candidate on whose
20 behalf or against whom each independent expenditure was made; the amount of each expenditure;
21 the purpose of each expenditure, and the aggregate amount of all previous independent
22 expenditures. If the independent expenditure is made in support of or in opposition to more than
23 one candidate, the statement made under this paragraph shall allocate the way in which the
24 expenditure was made among the candidates on a reasonable basis. For the purposes of this
25 paragraph, "reasonable basis" means a statement that reflects the benefit, or the burden reasonably
26 expected to be derived or suffered by each candidate. The filing requirements of this paragraph shall
27 be in addition to all other filing requirements under this section, and shall not be limited to the filing
28 periods during which expenditures must otherwise be reported.

29 IV. Any political committee not subject to a registration fee under RSA 664:3 which has any
30 outstanding debt, obligation, or surplus following the election cycle shall have its registration
31 automatically renewed for the next election cycle. All other registered political committees will be
32 conditionally renewed pending receipt by the secretary of state of the registration fee required under
33 RSA 664:3. Political committees that report a zero balance and notify the secretary of state that
34 they are filing their final statement will expire. Statements shall continue to be filed according to
35 RSA 664:6, I until a zero balance is reported.

36 V. Any national political party committee of a party as defined in RSA 652:11 may make
37 contributions or expenditures on behalf of state candidates without complying with the requirements

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1 of paragraphs I through IV, provided that the total contribution or expenditure made in behalf of a
2 candidate or political committee in this state whether directly or indirectly does not exceed the limit
3 for personal contributions in RSA 664:4.

4 VI. The provisions of this section shall apply to a political committee for an individual
5 candidate who is seeking a federal office whose holder is chosen by the voters of this state only.
6 Such a committee which is required by federal law to file with the federal government reports
7 relative to receipts and expenditures in support of such one candidate may choose to voluntarily file
8 with the secretary of state copies of reports made to the federal government in accordance with the
9 timetable established by federal laws for such reports.

10 VII. Any political committee that is exempt from taxation under sections 501(c)(4), 501(c)(5),
11 or 501(c)(6) of the United States Internal Revenue Code of 1986 may disclose, but shall not be
12 required to disclose in its itemized statement of receipts, the identity of its donors. Any political
13 committee affected by this section who chooses not to disclose the identity of its donors shall place
14 the following disclosure on all communications to voters: "This organization has an exemption under
15 the federal law and is not required, and chooses not, to disclose its donors."

16 8 Registering and Reporting by Candidates. Amend RSA 664:7 to read as follows:

17 664:7 **Registering and Reporting by Candidates. *Prior to filing any campaign finance***
18 ***statements, each*** ~~[Each]~~ candidate at the primary or general election for governor, councilor, state
19 senator, ***state*** representative ~~[to general court]~~, or county officer ***shall register with the secretary***
20 ***of state through the secretary of state's online campaign finance system. Additionally, any***
21 ***candidate***, who has ***receipts or*** expenditures exceeding \$1,000 ***in an election cycle***, shall file
22 statements ***as required in RSA 664:9-b*** before and after an election in like manner and detail as
23 prescribed in RSA 664:6, ~~*I-VI*~~ ~~[II, II-a, III, IV, and V, excepting, however, the expenditures of~~
24 ~~political committees of the party to which the candidate belongs in elections other than primaries]~~.

25 9 Statement Retention. Amend RSA 664:7-a to read as follows:

26 664:7-a Statement Retention. Statements or reports required to be filed under RSA 664:6 and
27 664:7 shall be held in original form for 6 years from the election for which they are filed, after which
28 time they may be destroyed. ***The secretary of state shall be responsible for the retention of the***
29 ***original form of statements filed using the campaign finance system.***

30 10 Reporting by Candidates for Speaker of the House of Representatives. Amend RSA 664:7-b
31 to read as follows:

32 664:7-b Reporting by Candidates for Speaker of the House of Representatives.

33 I. Each candidate seeking election to the office of speaker of the house of representatives
34 shall:

35 (a) File statements before and after such election in like manner and detail prescribed in
36 RSA 664:6, ~~[II, II-a, and III]~~ ***I-III***, except that the date of the respective election, rather than the
37 date of the primary or general election, shall determine the dates of such statements; and

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1 (b) Register as a political committee, pursuant to RSA 664:3, on the date that such
2 person becomes a candidate for speaker of the house of representatives, notwithstanding the
3 definition of the term "political committee" in RSA 664:2, III.

4 II. In this section, and notwithstanding RSA 664:2, II, the term "candidate" means a person
5 who seeks nomination for election, or election, to the office of the speaker of the house of
6 representatives, and for purposes of this section, a person shall be deemed to seek nomination for
7 election, or election if such person:

8 (a) Has received gifts or contributions for such purposes; or

9 (b) Has given ~~[his or her]~~ consent to another person to receive gifts or contributions or
10 make expenditures on behalf of such person and if such other person has received such gifts or
11 contributions for such purposes.

12 III. No candidate shall be entitled to the office of speaker of the house of representatives
13 until the sworn itemized statements, ~~[required to be filed by the candidate or on the candidate's~~
14 ~~behalf]~~ **except for the final statement required to be filed after the election**, have been filed as
15 required by this section.

16 11 Statements of Receipts and Expenditures Filed Electronically. RSA 664:9-b is repealed and
17 reenacted to read as follows:

18 664:9-b Statements of Receipts and Expenditures Filed Electronically.

19 A political committee or a candidate shall electronically file their statements of receipts and
20 expenditures, as required by RSA 664:6, 664:7, and 664:7-b, by uploading the statement to the
21 secretary of state's campaign finance system through its website. The committee or candidate may
22 publicly release receipt and expenditure information under this section more frequently than is
23 required by RSA 664:6, 664:7, and 664:7-b provided the receipt and expenditure report is up to date
24 when due. Statements of receipts and expenditures, as required by RSA 664:6, 664:7, and 664:7-b,
25 may also be filed by **delivering the report to the secretary of state's office, by U.S. Mail**, or
26 ~~[means of]~~ electronic mail to elections@sos.nh.gov through the end of the 2024 election cycle.
27 Statements filed via the campaign finance system shall be publicly available on the secretary of
28 state's website. Statements filed via electronic mail shall be publicly available on the secretary of
29 state's website within 7 days after the statement is filed.

30 12 Public Inspection, Treasurers. Amend RSA 664:11-13 to read as follows:

31 664:11 Public Inspection. All statements~~[,—assents,]~~ and registrations filed by ~~[state~~
32 ~~committees,]~~ candidates~~[,]~~ and political committees shall be open to public inspection. **Such**
33 **statements and registrations shall be published on [The] the website of the** secretary of state~~[~~
34 ~~shall publish on the Internet information on all contributions reported under this chapter, including~~
35 ~~the name of the contributor, the contributor's home state, and the date of the contribution].~~

36 664:12 ~~[Fiscal Agent]~~ **Treasurer**.

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1 As part of the declaration of candidacies filed by candidates for governor, councilor, state
2 senator, **state representative**, and county officer [~~and other primary candidacies~~], every such
3 candidate shall designate some person, who may be the **individual** candidate [~~himself~~], as [~~his~~
4 ~~financial agent~~] **the treasurer** for the purpose of the primary and general election campaign. If [~~his~~
5 candidacy for such office is established by a primary petition or nomination petitions, there shall be
6 filed together with such petitions the name of the [~~fiscal agent~~] **treasurer** for such candidate. A
7 candidate who is nominated by write-in vote at the primary shall, prior to making any campaign
8 expenditures, file with the secretary of state the name of [~~his fiscal agent~~] **the treasurer**. [~~All~~] **The**
9 **treasurer shall approve all** sums expended or contracted for payment in the [~~primary or general~~
10 ~~election campaign in behalf of such candidate shall be reported by the candidate or his political~~
11 ~~committee or both to his fiscal agent, and the candidate or his fiscal agent shall make or approve all~~
12 ~~disbursements in behalf of his candidate subsequent to his designation as fiscal agent~~] **election**
13 **cycle** and join with the candidate in making and filing the statements required by this chapter.

14 664:13 Committee Treasurer.

15 If [~~a political committee has no treasurer, or if~~] the treasurer fails to make a report, it shall be
16 the duty of each member of said committee who received or pays out any money in behalf of said
17 committee to make such a report or to cause the same to be made. No member of such committee
18 shall make or permit any unlawful expenditure or act by said committee, in whole or in part, or
19 consent thereto, or aid, abet or conspire to make or permit the same.

20 13 Signature, Identification, and Lack of Authorization. RSA 664:14 is repealed and reenacted
21 to read as follows:

22 664:14 Signature, Identification and Lack of Authorization.

23 I. All political advertising shall be signed at the beginning or the end. The signature shall
24 state, "Paid for by (name of the candidate or political committee), (address of the candidate or
25 political committee), (name of the treasurer) treasurer or (name of chairman) chairman". Political
26 advertising in the form of signs or placards may contain an Internet address in lieu of the signature
27 requirements of this section, if the Internet address is printed or written in a size of type or lettering
28 large enough to be clearly legible and the website immediately and prominently displays all of the
29 information required by this section through the election cycle. In the case of political advertising or
30 communication made on behalf of a political committee registered with the secretary of state
31 pursuant to RSA 664:3, the name and address on the advertisement shall match the name and
32 address registered with the secretary of state.

33 II. Political advertising to promote the success or defeat of a measure by a business
34 organization, labor union, or other enterprise or organization shall be signed. The name of the
35 enterprise or organization shall be indicated, and the chairman or treasurer of the enterprise or
36 organization shall sign his or her name and the address of the signer. Nothing in this section shall
37 be construed to permit contributions which are prohibited under RSA 664:4.

1 III. For the purposes of RSA 664:14, political advertising shall include any communication,
2 including, but not limited to, yard signs, leaflets, and mailed or e-mailed messages, which expressly
3 advocate the success or defeat of a warrant article to be voted on at a town, school district, or village
4 district meeting or election.

5 IV. Nothing in this section shall be construed to apply to a lone individual who
6 independently authors, produces, and distributes political advertising in the form of a leaflet,
7 pamphlet, and handbill.

8 V. In the case of printed or written matter, the signature and address of the signer shall be
9 printed or written in a size of type or lettering large enough to be clearly legible.

10 VI.(a) In the case of political advertising broadcast on radio, television, the Internet, or any
11 public address system, the name and address of the signer shall be clearly identified.

12 (b) All political advertising broadcast on television or the Internet shall identify the
13 name of the candidate who pays for the advertisement or whose advertisement is paid for by a
14 political committee. Such identification shall be made both aurally and visually. The visual
15 presentation shall be clearly legible and shall use letters equal to or greater than 12 percent of the
16 vertical picture height and shall air for not less than 4 seconds at the conclusion of the broadcast.

17 VII. Notwithstanding any other provision of this section, buttons or any printed or written
18 political advertising which is attached to or displayed on any clothing or motor vehicle need not be
19 signed if equal to or smaller than 72 square inches.

20 VIII. Notwithstanding any other provision of this section, any advertising in support of or in
21 opposition to a candidate by a political committee shall comply with this paragraph. If the
22 advertising is not authorized by the candidate or candidate committee, the advertising shall so state
23 and shall identify the sponsor of the advertisement. All such political advertising shall include the
24 statement: "This advertisement has been paid for by (name of sponsor) and has not been authorized
25 by any candidate." Such statement shall be made both aurally and visually if broadcast on television.
26 The visual presentation on television shall be clearly legible and shall use letters equal to or greater
27 than 12 percent of the vertical picture height and shall be broadcast for not less than 4 seconds at
28 the conclusion of the advertisement.

29 IX. Any advertising which mentions or depicts a candidate shall include the statement:
30 "This advertisement has been paid for by (name of sponsor) and has not been authorized by any
31 candidate."

32 X. Physical political advertisements purchased prior to January 1, 2025 may use the term
33 fiscal agent in place of treasurer as required in this chapter.

34 14 Prerecorded Political Messages. Amend RSA 664:14-a, I-II to read as follows:

35 I. In this section, "prerecorded political message" means a prerecorded audio message
36 delivered [by] **to a** telephone by:

37 (a) A candidate or political committee; or

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1 (b) Any person when the content of the message expressly or implicitly advocates the
2 success or defeat of any party, measure, or person at any election, or contains information about any
3 candidate or party.

4 II. No person shall deliver or knowingly cause to be delivered a prerecorded political
5 message unless the message contains, or a live operator provides, within the first 30 seconds of the
6 message, the following information:

7 (a) The name of the candidate or of any organization or organizations the person is
8 calling on behalf of.

9 (b) The name of the person or organization paying for the delivery of the message and
10 the name of the ~~[fiscal agent]~~ **treasurer**, if applicable.

11 15 Approval of Candidate or Treasurer. Amend RSA 664:15 to read as follows:

12 664:15 Approval of Candidate or ~~[Fiscal Agent]~~ **Treasurer**.

13 A person or business organization publishing a newspaper or periodical or selling billboard space
14 or operating a radio or television station or public address system shall not publish, print, or
15 broadcast any political advertising by or in behalf of a candidate in an election unless the same shall
16 be signed by or authorized in writing by the candidate or ~~[his fiscal agent]~~ **treasurer**.

17 16 Subpoena Power. Amend RSA 664:20 to read as follows:

18 664:20 Subpoena Power.

19 In the exercise of ~~[his]~~ **the** powers and duties **of the attorney general** under this chapter, the
20 attorney general is authorized to require the appearance of individuals and to secure testimony and
21 evidence by use of a subpoena duces tecum.

22 17 Penalty; Cross Reference Removed. Amend RSA 664:21, IX to read as follows:

23 IX. Any individual, committee, or organization responsible for reporting under RSA 664:6~~;~~
24 ~~664:6-a,~~ and 664:7 that files a report with illegible material content shall receive a written warning
25 for a first offense and shall be charged a civil penalty of \$1,000 per offense for any subsequent
26 offenses.

27 18 Repeal. The following are repealed:

28 I. RSA 664:3-a, relative to registration of political advocacy organizations.

29 II. RSA 664:6-a, relative to reporting by political advocacy organizations.

30 III. RSA 664:9-a, relative to itemized statements filed by facsimile transmission.

31 IV. RSA 664:10, relative to social activities.

32 19 Effective Date. This act shall take effect January 1, 2025.