

Rep. Wilhelm, Hills. 21
Rep. Berry, Hills. 44
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2025-1621h
06/05

Amendment to SB 222

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the state primary date.

4

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

6

7 1 Election of Officers and Delegates; Election Dates; State Primary Election. Amend RSA 653:8
8 to read as follows:

9 653:8 State Primary Election. The state primary election shall be held on the second Tuesday in
10 [~~September~~] **June** of every even-numbered year.

11 2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to
12 read as follows:

13 654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary
14 election, the supervisors of the checklist shall be in session before each primary for the change of
15 registration of legal voters as provided in RSA 654:34 or 654:34-a or both. Before the presidential
16 primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00
17 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state
18 primary election, the session shall be on Tuesday before the first [~~Wednesday~~] **Friday** in [~~June~~]
19 **March** between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

20 3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

21 IV. No person, who is already registered to vote, whether his **or her** party membership has
22 been previously registered or not, shall affiliate with a party or disaffiliate from a party between the
23 first [~~Wednesday~~] **Friday** in [~~June~~] **March** and the day before the state primary election.

24 4 Elections; Nominations by Primary; Filing; General Provisions. Amend RSA 655:14 to read as
25 follows:

26 655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot
27 of any party for a primary unless he or she is a registered member of that party, he or she shall have
28 met the age and domicile qualifications for the office he or she seeks at the time of the general
29 election, he or she meets all the other qualifications at the time of filing, and he or she shall file with
30 the appropriate official between the first [~~Wednesday~~] **Friday** in [~~June~~] **March** and the Friday of
31 the following week a declaration of candidacy as provided in RSA 655:17.

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1 5 Elections; Nominations; Personal Filing. Amend RSA 655:16 to read as follows:

2 655:16 Personal Filing. Except for those who must file with a town or city clerk, any person who
3 files on the last day of the filing period must do so in person before the secretary of state[; ~~provided,~~
4 ~~however, that this requirement shall not apply to the filing of vacancies by party committees. If the~~
5 ~~person must file with a town or city clerk and is filing on the last day of the filing period, he or she~~
6 ~~shall do so in person].~~

7 6 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

8 655:21 Form. Primary petitions shall be made in the following form:

9 State of New Hampshire

10 County of _____ ss.

11 City (Town) of _____

12 I do hereby join in a petition for the printing on the primary ballot of the name of
13 _____ whose domicile is in the city (town) of _____ (ward, street, and
14 number, if in a city), in the county of _____, for the office of _____ to be voted for on
15 Tuesday, the ____ day of [~~September~~] **June**, ____ (year), and certify that I am qualified to vote for
16 a candidate for said office, that I am a registered member of the _____ party, and am not at
17 this time a signer of any other similar petition for any other candidate for the above office; that my
18 domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the county of
19 _____. I certify that to my knowledge the above-named candidate is not a candidate for
20 incompatible offices as defined in RSA 655:10, and that he or she is not a federal employee which
21 makes him or her ineligible to file as a candidate for this office. I further certify that I believe the
22 above-named person is especially qualified to fill said office.

23 I hereby swear, under the penalties for voting fraud set forth below, that the information above
24 is true and correct to the best of my knowledge and belief.

25 _____

26 Print Voter's name

27 _____

28 Voter's Signature

29 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
30 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
31 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
32 vote or voting is subject to a civil penalty not to exceed \$5,000.

33 7 Elections; Nomination by Primary; Examination and Rejection. Amend RSA 655:26 to read as
34 follows:

35 655:26 Examination and Rejection. The officer with whom primary petitions are filed shall
36 immediately upon receipt thereof examine the same and ascertain whether they conform to the law.
37 If found not to conform thereto or to be conflicting as provided in RSA 655:23, [~~he~~] **they** shall then

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1 endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return
2 the same to the candidate in whose behalf it was filed. In such case, the candidate may file
3 supplementary petitions with the official, but not later than the third [~~Wednesday~~] **Friday** in [~~June~~]
4 **March**.

5 8 Elections; Nominations; Straw Candidates. Amend RSA 655:31 to read as follows:

6 655:31 Straw Candidates. No person shall be a candidate for nomination at any primary unless
7 his candidacy is bona fide and is filed for the actual purpose of personally seeking the nomination.
8 Any candidate for nomination whose name is to be voted upon at primary election may, no later than
9 the [~~Wednesday~~] **Friday** after the last day for filing declarations of candidacy and primary petitions,
10 file a petition with the ballot law commission alleging that one or more candidates for the same
11 nomination is not a bona fide candidate. Upon receipt of such a petition, the commission shall notify
12 in writing all candidates of that party for the same nomination of the time and place for its hearing.
13 After such hearing, the ballot law commission shall have the power and duty to order stricken
14 forthwith from the primary ballot the name or names of any candidate or candidates for said
15 nomination if the commission finds that such candidate or candidates is obviously not a bona fide
16 candidate, obviously having filed not primarily for the purpose of seeking the nomination but
17 primarily for the purpose of drawing votes which might otherwise be cast for some other candidate
18 for the same nomination. The decision of the commission shall be final as to questions both of law
19 and fact, and no court shall have jurisdiction to review such decision.

20 9 Elections; Nominations; No Declaration Filed. Amend RSA 655:32, I to read as follows:

21 I. In case no declaration shall be filed by a candidate for any nomination to be voted for at a
22 primary, the nomination may be made by the appropriate party committee as provided in this
23 section. The appropriate party committee shall notify the secretary of state in writing of a person it
24 designates to fill the vacancy. The person so designated may accept the nomination by, on or before
25 the [~~Wednesday~~] **second Friday** following the expiration of the period for filing declarations of
26 candidacy as provided in RSA 655:14, filing with the secretary of state a declaration of candidacy as
27 provided in RSA 655:17. Any candidate accepting a nomination under this paragraph who has
28 already filed for an incompatible office as defined in RSA 655:10 shall withdraw the prior filing. Any
29 vacancy created by the withdrawal of a filing may be filled pursuant to this section. If the candidate
30 is designated for the office of governor, councilor, state senator, or state representative, he or she
31 shall also file on or before the [~~Wednesday~~] **second Friday** following the period for filing
32 declarations of candidacy the appropriate affidavit as provided in RSA 655:29. Any candidate so
33 designated by a party committee who has not filed all the forms required by this section within the
34 required period of time shall not have his or her name printed on the state primary election ballot for
35 that office.

36 10 Elections; Nominations; Certification. Amend RSA 655:41, I to read as follows:

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1 I. Each nomination paper shall be submitted to the supervisors of the checklist of the town
2 or ward in which the signer is domiciled or is registered, and a majority of the supervisors shall
3 certify whether or not the signer is a registered voter in said town or ward. The supervisors of the
4 checklist shall certify nomination papers under this section in a timely fashion, so that their
5 certification shall be complete for each candidate, together with any objections to the nomination
6 papers submitted, no later than 5:00 p.m. on the ~~Wednesday~~ **Friday** 2 weeks before the primary.
7 Each nomination paper shall be submitted to the supervisors of the checklist no later than 5:00 p.m.
8 on the ~~Wednesday~~ **Friday** 5 weeks before the primary.

9 11 Elections; Nominations; Filing Deadline. Amend RSA 655:43, I to read as follows:

10 I. Nomination papers shall be filed with the secretary of state no later than 5:00 p.m. on the
11 ~~Wednesday~~ **Friday** one week before the primary. Nomination papers to be filed shall be grouped
12 by municipality. No nomination papers shall be accepted by the secretary of state unless the
13 candidate shall have met the age and domicile qualifications for the office he or she seeks at the time
14 of the general election and meets all the other qualifications at the time of filing; and if a candidate
15 for the office of governor, executive councilor, state senator, or state representative, unless the
16 candidate shall file with the nomination papers an affidavit of qualifications as provided in RSA
17 655:28 and 655:29; and if a candidate for United States senator or United States representative,
18 unless the candidate shall meet the qualifications for office under RSA 655:3 and 655:4.

19 12 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I
20 to read as follows:

21 I. If necessary, the ballot law commission shall meet on the third Thursday of ~~September~~
22 **June** in each general election year and the third Friday following the presidential primary election
23 in order to hear and decide:

24 13 Effective Date. This act shall take effect January 1, 2026.