

HB 356 - VERSION ADOPTED BY BOTH BODIES

27Mar2025... 0619h

2025 SESSION

25-0413
08/11

HOUSE BILL **356**

AN ACT enabling school districts to adopt partisan school district elections.

SPONSORS: Rep. Wherry, Hills. 13; Rep. Aylward, Merr. 5; Rep. Boehm, Hills. 14; Rep. Harvey-Bolia, Belk. 3; Rep. Pauer, Hills. 36; Rep. Creighton, Hills. 30

COMMITTEE: Election Law

ANALYSIS

This bill enables school districts to choose whether or not to adopt partisan school district elections.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT enabling school districts to adopt partisan school district elections.

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

1 1 Filing; School District Elections. Amend RSA 671:19 to read as follows:

2 671:19 Filing. ~~[A]~~ ***For all districts which have adopted a non-partisan ballot system***
3 ***pursuant to RSA 671:30***, the provisions of RSA 669:19-669:22 relative to filing for office and
4 withdrawal of candidacy for a non-partisan town election shall apply to school district elections. ***For***
5 ***school districts which have adopted a partisan ballot system pursuant to RSA 671:30-a, all***
6 ***the provisions of RSA 669:18 and RSA 669:22 relative to filing for office and withdrawal of***
7 ***candidacy for a partisan town election shall apply to school district elections. In both non-***
8 ***partisan and partisan ballot systems***, ~~[except that in those statutes]~~ where there is a reference
9 to a town or a town clerk ***in the referenced statutes***, it shall be read to refer to a school district or a
10 school district clerk.

11 2 New Section; Additional Requirements for Official Partisan Ballot System in Cooperative
12 School Districts. Amend RSA 671 by inserting after section 19 the following new section:

13 671:19-a Additional Requirements for Official Partisan Ballot System in Cooperative School
14 Districts. In addition to the requirements of RSA 671:49, a cooperative school district that has
15 adopted the partisan official ballot system pursuant to RSA 671:30-a shall do the following:

16 I. The clerk of the political party accepting a declaration of office for a candidate for an at-
17 large school district office shall, within 2 business days, provide a copy of the declaration of office to
18 the clerks of the same political party in the other towns of the pre-existing districts.

19 II. For each school district officer elected at-large, the votes from all caucuses of the same
20 political party in the towns of pre-existing districts shall be combined by the clerks of the political
21 party and a plurality of votes shall be sufficient to nominate a candidate for the school district office.

22 III. After the caucuses, certificates of nomination shall be made and shall indicate the name
23 and domicile of each candidate, the at-large office for which the person is nominated and the political
24 principles or party they represent, and shall be signed by the chairman and clerk of the caucus or
25 convention for the town where the candidate is domiciled; and, when practicable, such certificates of
26 nomination shall be signed by each candidate; but the absence of the signature of the candidate shall
27 not invalidate a certificate of nomination.

28 3 Preparation of Ballots; By School District Clerk. Amend RSA 671:20 to read as follows:

29 671:20 By School District Clerk. The school district clerk shall prepare ballots for school district
30 elections in the same manner as town clerks for non-partisan ***or partisan*** town elections, as

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1 provided in RSA 669:23 and 669:24, except that the ballot shall be of a different color than any other
2 ballot used at the election

3 4 Official Ballot System; Conduct of Election; Elections at School District Meeting. Amend RSA
4 671:30 to read as follows:

5 671:30 [~~Non-Partisan~~] **Official** Ballot System. Every school district in the state, except one
6 having a special statute relative to election of its district offices, **or one that has adopted a**
7 **partisan ballot system pursuant to RSA 671:30-a**, shall use the non-partisan ballot system for
8 the election of district officers, in the same manner as in towns as provided in RSA 669:19-669:25,
9 except that all references to towns or town clerks shall be read to refer to school districts or school
10 district clerks.

11 5 New Sections; Partisan Ballot System. Amend RSA 671 by inserting after section 30 the
12 following new sections:

13 671:30-a Partisan Ballot System. Every school district in the state that has adopted a partisan
14 ballot system pursuant to RSA 671:30-b, shall use the partisan ballot system for the election of
15 district officers, in the same manner as in towns as provided in RSA 669:18, RSA 669:22 through
16 RSA 669:29, and RSA 669:37 through RSA 669:53, except that all references to towns or town clerks
17 shall be read to refer to school districts or school district clerks. A plurality shall elect in school
18 districts using the partisan ballot system.

19 671:30-b Partisan Official Ballot System; Method of Adoption. Any school district may vote to
20 adopt the partisan official ballot system for election of school district officers under an article in the
21 warrant for any school district meeting. In any school district in which the non-partisan ballot
22 system is in effect, adoption of the partisan ballot system shall be by ballot. Whenever in such school
23 district there shall appear in the warrant for any school district meeting an article relating to the
24 adoption of the partisan ballot system, the school district clerk shall cause to be printed on the
25 official ballot the question, "Shall the partisan ballot system for the election of school district officers
26 be adopted by this school district?", which questions shall be followed by boxes in which the voter
27 may indicate "Yes" or "No.". If the majority of the qualified voters present and voting at such
28 meeting shall answer said question in the affirmative, the partisan ballot system shall be deemed to
29 have been adopted by said school district. The partisan ballot system shall not be in effect until the
30 school district election first following the school district meeting at which such system is adopted. A
31 plurality shall elect in school districts using the partisan ballot system.

32 671:30-c Partisan Official Ballot System; Method of Rescinding. Any school district may vote to
33 rescind the partisan official ballot system for election of school district officers under an article in the
34 warrant for any school district meeting. In any school district in which the partisan ballot system is
35 in effect, adoption of the non-partisan ballot system shall be by ballot. Whenever in such school
36 district there shall appear in the warrant for any school district meeting an article relating to the
37 rescinding of the partisan ballot system, the school district clerk shall cause to be printed on the

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1 official ballot the question, "Shall the partisan ballot system for the election of school district officers
2 be rescinded by this school district, returning to the non-partisan ballot system?", which question
3 shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the
4 qualified voters present and voting at such meeting shall answer said question in the affirmative,
5 the partisan ballot system shall be deemed to have been rescinded by said school district. The non-
6 partisan ballot system shall not be in effect until the school district election first following the school
7 district meeting at which such partisan ballot system is rescinded.

8 6 Composition of Cooperative School Boards. Amend RSA 195:19-a, VII to read as follows:

9 VII. Whenever the bylaws or articles of agreement provide for the election of cooperative
10 school board members pursuant to this chapter, said election shall be with the use of the [~~non-~~
11 ~~partisan~~] **official** ballot system under [~~RSA 669~~] **RSA 671**.

12 7 Public Officers and Employees; Access to Governmental Records and Meetings; Meetings Open
13 to Public. Amend RSA 91-A:2, I(c) to read as follows:

14 (c) A caucus consisting of elected members of a public body of the same political party
15 who were elected on a partisan basis at a state general election or elected on a partisan basis by a
16 town, **school district**, or city which has adopted a partisan ballot system pursuant to [~~RSA 669:12~~
17 ~~or RSA 44:2~~] **RSAs 44:2, 671:30-b, or 669:12**; or

18 8 Effective Date. This act shall take effect 60 days after its passage.