

HB 1838-FN - AS INTRODUCED

2026 SESSION

26-2582
07/08

HOUSE BILL ***1838-FN***

AN ACT establishing a voter-owned elections fund and commission and raising vehicle registration fees.

SPONSORS: Rep. Muirhead, Graf. 12

COMMITTEE: Election Law

ANALYSIS

This bill:

I. Establishes a voter-owned elections fund.

II. Raises motor vehicle registration fees.

III. Establishes a private motor vehicle registration fee.

IV. Creates a voter-owned elections commission to provide financial support to certain candidates for office.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT establishing a voter-owned elections fund and commission and raising vehicle registration fees.

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

1 1 The State and Its Government; Department and Secretary of State; Commissions and Boards
2 Functioning Within Department. Amend RSA 5:13 to read as follows:

3 5:13 Commissions and Boards Functioning Within Department. The ballot law commission
4 **and the voter-owned elections commission** shall **each** function within the department of state as
5 a separate organizational entity and with all the powers and duties as heretofore provided, except as
6 otherwise provided by law.

7 2 New Subparagraph; The State and Its Government; State Treasurer; Application of Receipts.
8 Amend RSA 6:12, I(b) by inserting after subparagraph (410) the following new subparagraph:

9 (411) Moneys deposited in the New Hampshire voter-owned elections fund
10 established in RSA 664-A:2.

11 3 Motor Vehicles; Registration Fees; Fees to be Collected. Amend RSA 261:141, III(cc) to read
12 as follows:

13 (cc) For each vanity number plate set-~~[\$60]~~ **\$65**.

14 4 New Subparagraph; Motor Vehicles; Registration Fees; Fees to be Collected. Amend RSA
15 261:141, III by inserting after subparagraph (dd) the following new subparagraph:

16 (ee) For all private passenger vehicles, as defined in RSA 259:81, subject to paragraph
17 (g) of this section-~~\$1~~.

18 5 Motor Vehicles; Registration Fees; Fees to be Collected. Amend RSA 261:141, VII(d) to read
19 as follows:

20 (d) For vanity plate service fee-~~[\$60]~~ **\$65**.

21 6 Motor Vehicles; Drivers' Licenses; Driver Training Fund. Amend RSA 263:52, II to read as
22 follows:

23 II. ~~[The \$60]~~ **Subject to RSA 664-A:2, III(f), the** vanity plate service fee and the fee for
24 renewal of vanity number plates shall automatically be credited to the driver training fund until all
25 fees in such fund equal the amount of money estimated by the general court as available for
26 expenditure for course materials, licensing of schools, and certification services in connection with
27 driver training from that fund for that fiscal year. Once the driver training course materials,
28 licensing of schools, and certification services have been funded in accordance with the legislative
29 estimates for the current fiscal year, the next 1.5 million dollars shall be transferred to the

1 department of safety as restricted revenue, thereafter the balance of all such fees shall be
2 transferred to the general fund and shall be available as unrestricted revenue.

3 7 Elections; Enforcement; Complaints. Amend the introductory paragraph of RSA 664:18 to
4 read as follows:

5 Any candidate or voter may make complaint in writing to the attorney general of any violation of
6 any of the provisions of this chapter **or of RSA 664-A**.

7 8 Elections; Enforcement; Penalty. Amend RSA 664:21, I to read as follows:

8 I. Any fine assessed under the provision of this section shall be paid to the secretary of state
9 for deposit into the ~~[general fund]~~ **voter-owned elections funds established in RSA 664-A:2**.

10 9 New Chapter; Public Financing of Elections. Amend RSA by inserting after chapter 664 the
11 following new chapter:

12 CHAPTER 664-A

13 PUBLIC FINANCING OF ELECTIONS

14 664-A:1 Definitions. As used in this chapter:

15 I. "Affidavit of registration" means a form completed and filed by a candidate according to
16 procedures and forms developed by the voter-owned elections commission demonstrating and
17 certifying that the candidate will comply with all the requirements of this chapter.

18 II. "Commission" means the voter-owned elections commission established in RSA 664-A:9.

19 III. "Contested general election" means an election in which 2 or more general election
20 candidates for executive council each report expenditures of \$10,000 or more during the current
21 election cycle.

22 IV. "Election cycle" has the same meaning as provided in RSA 664:2, XXIII.

23 V. "Fund" means the voter-owned elections fund established in RSA 664-A:2.

24 VI. "General election campaign period" means the period beginning the day after the state
25 primary election and ending the day of the state general election.

26 VII. "Independent expenditures" has the same meaning as provided in RSA 664:2, XI.

27 VIII. "Participating candidate" means a candidate who has been certified by the voter-owned
28 elections commission to receive voter-owned elections funding pursuant to this chapter.

29 IX. "Primary election" means a state primary election. For purposes of this chapter,
30 primary election shall include only those elections held to nominate candidates of a party, as defined
31 by RSA 652:5.

32 X. "Primary election campaign period" means the period beginning the first day of the
33 current election cycle and ending the day of the state primary election.

34 XI. "Private contribution" means a contribution to a participating candidate from a private
35 individual or other nongovernmental source.

36 XII. "Public contribution" means a contribution to a participating candidate from public
37 funds, including voter dollars and grants described in RSA 664-A:7 and RSA 664-A:8.

1 XIII. "Qualifying contribution" means a contribution meeting the requirements of RSA 664-
2 A:4.

3 XIV. "Qualifying form" means a form developed by the voter-owned elections commission
4 and completed by a contributor to accompany a qualifying contribution, meeting the requirements of
5 RSA 664-A:4.

6 XV. "Qualifying period" means the period during which a candidate seeking to be a
7 participating candidate shall file an affidavit of registration. This period begins on the first day of
8 the current election cycle and ends on the last day on which nomination papers may be filed under
9 RSA 655:43, I.

10 XVI. "State general election" means an election to choose a federal, state, or county officer.

11 XIX. "Unspent public contributions" means the amount of public money remaining in
12 participating candidate's campaign account at the end of his or her campaign or, for candidates who
13 withdraw from an election, at the time of withdrawal, and is calculated as the lesser of:

14 (a) Total public donations received by the candidate for the current election cycle; and

15 (b) All of the candidate's campaign funds remaining following the end of the current
16 election cycle and after any post-election audit mandated under RSA 664-A:10, II.

17 664-A:2 Voter-Owned Elections Fund Established.

18 I. There is established a voter-owned elections fund to be used for the purposes of providing
19 public financing for the primary and general election campaigns of participating candidates and
20 paying for the administrative costs of this chapter.

21 II. This nonlapsing, revolving special fund shall hereby be continually appropriated to the
22 commission for the purpose of implementing RSA 664-A, including voter dollars, grants, and all costs
23 necessary to administer the provisions of RSA 664-A. The state treasurer shall invest the moneys
24 deposited in the fund as provided by law. Interest received on investments made by the state
25 treasurer shall also be credited to the fund.

26 III. The following moneys shall be deposited in the fund:

27 (a) Voluntary donations made directly to the fund.

28 (b) Unspent public contributions.

29 (c) Fines assessed for violations of RSA 664 and RSA 664-A.

30 (d) Interest generated by the fund.

31 (e) All proceeds from the fee collected under RSA 261:141, III(ee).

32 (f) Notwithstanding RSA 263:52, III(f), of the \$65 vanity plate service fee and the fee for
33 renewal of vanity number plates, \$5 shall be deposited in the fund.

34 (g) Additional sources as approved by the general court.

35 IV. Unspent public contributions as defined in this chapter shall not be subject to the
36 requirements of RSA 664:4-b.

1 V. Moneys deposited in the fund shall only be used for purposes described in RSA 664-A:2, I
2 and shall not be transferred, appropriated, or used for any other purpose.

3 664-A:3 Qualifications for Certification of Participating Candidates.

4 I. A candidate for executive councilor shall qualify as a participating candidate for the
5 primary election campaign period if:

6 (a) The candidate collects the required number of qualifying contributions and, during
7 the qualifying period, files with the secretary of state and the commission an affidavit of registration
8 of a declared candidate, signed by the candidate and the candidate's fiscal agent, according to
9 procedures developed by the commission, certifying that the candidate has complied and shall
10 comply with the requirements of this chapter.

11 (b) The commission thereafter certifies the candidate as a participating candidate.

12 II. A candidate for executive councilor shall qualify as a participating candidate for the
13 general election campaign period if the candidate was a participating candidate for the primary
14 election campaign period and:

15 (a) Has been declared nominated; or

16 (b) Did not have a primary contest.

17 III. The commission shall provide candidates whom the commission has denied certification
18 written determination of its decision. Such candidates may seek judicial review of that decision.

19 664-A:4 Qualifying Contribution Requirements.

20 I. A candidate for executive councilor shall collect at least 500 qualifying contributions.

21 II. Each qualifying contribution shall be acknowledged by a qualifying form, according to
22 procedures developed by the commission, signed under penalty of perjury by the contributor. The
23 form shall include the contributor's printed name, domicile for voting purposes, phone number, and
24 email address; the name of the candidate; certification by the contributor that the contribution was
25 all from the contributor's personal funds; and certification that the purpose of the contribution is to
26 help the candidate qualify for publicly financed elections funding and involved no exchange of
27 consideration.

28 III. Contributors may make qualifying contributions to multiple candidates, but only one
29 qualifying contribution from a contributor shall count as a qualifying contribution for any individual
30 candidate per election cycle.

31 IV. Qualifying forms shall be submitted in bulk to the secretary of state during the
32 qualifying period, and shall be accompanied by a list in electronic format which may be made readily
33 accessible to the public according to procedures developed by the commission.

34 V. The candidate shall retain copies of the qualifying forms.

35 VI. Qualifying contributions shall be made by check or credit card payable to the candidate
36 according to procedures developed by the commission. Qualifying contributions may be made by
37 peer-to-peer payment applications, provided the commission establishes procedures to verify such

1 payments and the payments comply with the requirements of this chapter. The commission shall
2 provide guidance on the documentation required for verifying qualifying contributions.

3 VII. Qualifying contributions shall be made only from personal moneys by individuals who
4 satisfy the following conditions:

5 (a) Are at least 18 years of age on the date of the election for which voter dollars are
6 distributed;

7 (b) Currently reside in the district for which the candidate is seeking election and have
8 resided in the state for more than 30 days; and

9 (c) Are not prohibited from making a contribution under 52 U.S.C. section 30121.

10 VIII. Qualifying contributions shall be between \$5 and \$125 for candidates for executive
11 council and shall be received by the candidate during the qualifying period.

12 IX. Qualifying contributions shall be subject to review and audit in number, amount, source,
13 and qualifications according to procedures developed by the commission.

14 664-A:5 Objection to Certification. Any objection to the certification of a candidate shall be
15 made in writing to the voter-owned commission no later than 7 days following the last day of the
16 qualifying period. Upon receipt of the objection, the commission shall notify the candidate in writing
17 of the time and place for its hearing. The commission shall determine whether a candidate qualifies
18 as a participating candidate within 7 days of receiving the objection. If the commission determines
19 that the candidate does not meet the requirements of this chapter, including whether the candidate
20 has violated the requirements of this chapter or rules promulgated by the commission, it may refuse
21 to certify the candidate or revoke the candidate's eligibility and order the candidate to return to the
22 fund any payments received pursuant to this chapter. The commission shall provide candidates
23 whom the commission has denied certification pursuant to this section written determination of its
24 decision. Such candidates may seek judicial review of that decision.

25 664-A:6 Requirements of Participating Candidates.

26 I. Only candidates for executive councilor shall be eligible to be participating candidates.

27 II.(a) During the primary election campaign period, a participating candidate shall not
28 accept aggregate private contributions, including qualifying contributions, from any single
29 contributor exceeding \$125.

30 (b) During the general election campaign period, a participating candidate shall not
31 accept aggregate private contributions, including qualifying contributions from any single
32 contributor exceeding \$125.

33 (c) As public contributions, assigned voter dollars do not count toward the limits
34 specified under this subsection.

35 III.(a) Except as provided in subparagraph (b), a participating candidate may solicit or
36 accept private contributions only from individuals.

1 (b) A participating candidate may not solicit or accept contributions from individuals
2 who are registered as lobbyists under RSA 15:1.

3 IV. Participating candidates may contribute up to \$1,000 in personal, non-contributed funds
4 for an executive council race. For purposes of this paragraph, race includes both primary and
5 general elections.

6 V. A participating candidate's contributions and expenditures shall be directed through a
7 single committee.

8 VI. A participating candidate's campaign funds may only be used for direct campaign
9 purposes. The following uses of campaign funds are specifically prohibited:

10 (a) Personal use.

11 (b) Payments to other candidates, political parties, political committees, and groups or
12 individuals making independent expenditures.

13 (c) Gifts.

14 (d) Additional uses determined by the commission.

15 VII. Once certified as a participating candidate, the candidate shall submit all contribution
16 and expenditure data electronically via the system developed under RSA 664-A:9, X(e)(1) and comply
17 with reporting deadlines established by the commission. If any precertification data has not already
18 been entered into the system, the candidate shall immediately resubmit it electronically.

19 664-A:7 Voter Dollars.

20 I.(a) On a date to be determined by the commission, but no later than the first business day
21 in May of every general election year, the secretary of state shall mail to each person who was by the
22 previous November 15 registered to vote in this state, including any person prohibited from
23 contributing private contributions under RSA 664-A:6, III(b), at his or her address in the voter
24 registration records, 4 certificates worth 25 voter dollars each.

25 (b) Thereafter, the secretary of state shall issue 4 \$25 certificates to any person who
26 becomes a New Hampshire registered voter on or before October 1 of the general election year.

27 (c) The commission shall establish a secure online system for delivery of certificates to
28 voters, without prejudice to any eligible person's right to receive certificates in the mail at his or her
29 option, no later than the 2028 election cycle, unless the commission determines this target date is
30 not practicable; and in any event no later than the 2032 election cycle.

31 II. Each certificate shall state the holder's name, home address, unique certificate
32 identification number, the election year, and words of assignment with blank spaces for the holder to
33 designate a participating candidate's name and office sought and to sign the holder's name.

34 III. Certificates shall only be transferable or assignable as stated herein. Any person
35 properly obtaining and holding a certificate may assign it by writing the name and office sought of
36 the assignee candidate, and signing the holder's name on and dating the certificate where indicated
37 thereon, and delivering the signed and dated certificate to the candidate, or to the commission, or to

1 any candidate's representative who shall be registered for this purpose with the commission.
2 Delivery of assigned certificates may be by mail, in person by any person the holder requests to
3 deliver the certificate, or electronically via a secure online system developed by the commission.

4 IV.(a) No certificate may be assigned after the last business day in November following the
5 election.

6 (b) A candidate or registered candidate representative may seek assignment in person or
7 by assisting a voter to access the commission's secure online system.

8 (c) A valid assignment of a certificate shall be irrevocable.

9 (d) A person may assign any number of his or her certificates to the same candidate in a
10 given year.

11 (e) Assignment or transfer for cash or any consideration shall be prohibited. Offering to
12 purchase, buy, or sell a certificate shall be prohibited. No person may give a certificate to another
13 person, except by assigning it to a candidate as provided herein. Certificates shall have no cash
14 value and are not assets, income, or property of the holder. A certificate shall not be assigned by
15 proxy or power of attorney or by an agent.

16 V. The commission shall pay from the fund to each participating candidate's campaign \$25
17 for each certificate that has been validly assigned to that candidate. Before issuing payments, the
18 commission shall ensure that each certificate was validly issued to and assigned by an eligible voter.
19 The commission shall redeem certificates on published regular redemption dates. The redemption
20 dates shall be no less frequent than twice per month and no less frequent than weekly in the 4 weeks
21 prior to the election, and may include other redemption dates as notified in advance if practicable.
22 The commission shall not redeem any certificate received by the commission after the first business
23 day in the month of December following the general election.

24 VI. No executive council candidate shall be paid more than \$84,000 per election cycle for
25 voter dollar certificates assigned. The name of any participating candidate who has reached such
26 limit shall be made publicly available on the commission's website. The commission shall develop
27 policies and procedures to permit assigned certificates to be returned to their assignors in the case
28 that the assignee participating candidate has reached the limit under this section or otherwise
29 cannot redeem the assigned certificates and allow the assignors to re-assign the certificates.

30 VII.(a) The commission shall administer the certificate program and shall adopt rules
31 consistent with this section to ensure the certificate program is operated efficiently, fairly, and
32 transparently. The rules shall provide for a complaint and adjudication process in which New
33 Hampshire citizens and candidates may petition the commission for correction of errors or remedies
34 for unlawful action affecting the certificate program.

35 (b) Prior to each election cycle, the commission shall inform the public about the
36 certificate program through the media and other sources, and shall publish guidebooks and forms for

1 candidates and certificate recipients, and any other documents necessary for efficient and
2 widespread operation of the program.

3 (c) The commission shall record and publish on its website the name, but not the
4 address, of each certificate holder that has made an assignment and the name of the candidate that
5 is the assignee.

6 664-A:8 Grants.

7 I. In addition to voter dollars collected pursuant to RSA 664-A:7, a candidate for executive
8 councilor who has qualified as a participating candidate for the general election campaign period
9 shall be eligible for the following amounts from the fund:

10 (a) \$60,000 grant from the fund for a contested general election.

11 (b) \$10,000 grant from the fund for a general election that is not a contested general
12 election.

13 II. A candidate shall receive grant funding upon qualification as a participating candidate
14 for the general election campaign period.

15 664-A:9 Voter-Owned Elections Commission.

16 I. There is hereby established a voter-owned elections commission.

17 II. The members of the commission shall be as follows:

18 (a) One member appointed by the president of the senate.

19 (b) One member appointed by the minority leader of the senate.

20 (c) One member appointed by speaker of the house of representatives.

21 (d) One member appointed by minority leader of the house of representative.

22 (e) One member appointed by a majority of the appointees listed in subparagraphs (a)-
23 (d).

24 III. No person shall serve on the commission who is a candidate for executive councilor. No
25 member of the commission shall publicly endorse any candidate for office or financially contribute to
26 a candidate for office while serving on the commission.

27 IV. All appointments to the commission shall be made within 60 days of the effective date of
28 this section.

29 V. The members of the commission shall elect a chairman from among the members.

30 VI. The commission shall have jurisdiction of and be responsible for the execution of the
31 provisions of this chapter. The commission shall adopt rules relative to the commission's procedures.
32 The commission shall be exempt from the requirements of RSA 14:49, II(b).

33 VII. The commission shall recommend to the legislature any adjustments to dates, numbers,
34 and dollar values in this chapter that the commission deems necessary. Positive adjustments for
35 inflation as described in RSA 664-A:14 shall be exempt from this requirement.

1 VIII.(a) The commission shall evaluate and implement strategies for soliciting voluntary
2 donations to the fund established in RSA 664-A:2. The commission shall develop solicitation
3 strategies targeting individuals, businesses, nonprofit organizations, and political organizations.

4 (b) The commission shall develop printed material with the secretary of state to be
5 enclosed with mailings that explain the voter-owned elections system and instructs recipients on
6 how to donate to the fund. Copies of materials developed under this subparagraph shall also be
7 made available to agencies requesting them.

8 (c) The commission shall, based upon experience gained in the first or subsequent
9 implementations of the public financing system, determine whether a candidate who has received
10 contributions that do not meet the requirements of RSA 664-A:4, VII or VIII, or RSA 664-A:6, III, V,
11 or VI may still be eligible for certification once the prohibited donations and the excess of donations
12 that exceed the limits specified in RSA 664-A:4, VIII or RSA 664-A:6, III have either been returned
13 to contributors or donated to the fund.

14 IX. The commission shall examine the feasibility of collecting voluntary donations to the
15 fund via a system in which any state agency and political subdivision acting on behalf of any state
16 agency, sending any tax bill, tax form, registration form, or license or certificate application or
17 renewal by mail or online shall, upon request of the commission, include a brief statement about the
18 voter-owned elections system and include:

19 (a) The URL of a website providing information and a procedure for contributing to the
20 fund; and

21 (b) An add-on box allowing recipients to add money to their bill to benefit the fund,
22 suggested donation amounts to be determined by the commission.

23 X. The commission shall:

24 (a) Render advisory opinions with respect to questions arising under this chapter upon
25 the written request of a candidate, an officer of a political committee, or a member of the public, or
26 upon its own initiative.

27 (b) Make public the questions of interpretation for which advisory opinions will be
28 considered by the commission and the advisory opinions rendered, including by publication on its
29 website in a format such that advisory opinions are searchable by keyword.

30 (c) Develop a program for informing and training candidates and the public as to the
31 purpose and effect of the provisions of this chapter, including by means of a website.

32 (d) In cooperation with the secretary of state, develop an interactive, searchable
33 computer database that shall contain all information necessary for the proper administration of this
34 chapter, including information on the assignment and redemption of certificates, contributions to
35 and expenditures by candidates and their authorized committees and distributions of moneys from
36 the fund, and that shall be accessible to the public on the state website.

1 (e)(1) In cooperation with the secretary of state, develop an electronic reporting system
2 to process the campaign receipts, contributions, transfers, and expenditures required to be filed
3 pursuant to the provisions of this chapter.

4 (2) Determine whether such a reporting system should be structured as a
5 clearinghouse, that is, a system in which all contributions to participating candidates are posted and
6 vetted in real time as they are made.

7 (3) Make all data from the electronic reporting process publicly available at all times
8 on the Internet in a format that is searchable by keyword and by the name of any candidate,
9 contributor, or recipient of campaign expenditures mentioned in the filing.

10 664-A:10 Audits.

11 I. The commission may conduct a thorough examination and pre-election audit of the
12 contributions and campaign expenses of every participating candidate. Such audits shall be
13 conducted as frequently as the commission deems necessary to ensure compliance with this chapter.

14 II. The commission shall conduct post-election audits as deemed necessary, but in any event
15 shall audit no less than 25 percent of participating candidates running for office in each election year
16 selected at random. The cost of complying with a post-election audit shall be borne by the
17 candidate's authorized committee. A candidate who has received public funds under this chapter
18 shall maintain a reserve of at least one percent of the total amount of public and private donations
19 received in his or her campaign account to comply with the post-election audit.

20 III. The commission shall issue to each campaign audited the final post-election audit report
21 that details its findings and shall provide such audit to the governor and legislative leaders and
22 make such audit report available on the commission's website. Final post-election audit reports
23 shall be completed no later than 12 months after the date of the election that is subject of the audit.
24 This audit deadline shall not apply in cases involving potential campaign-related fraud, knowing
25 violations of this chapter, or other criminal activity.

26 664-A:11 Penalties.

27 I. Any person who violates this chapter, but cannot be shown to having knowingly done so,
28 shall be subject to a civil penalty, unless the commission determines the violation was de minimis.
29 The person shall be subject to a fine of up to \$10,000, or the total amount of illegal contributions and
30 expenditures, whichever is greater.

31 II. Any person who knowingly violates the provisions of this chapter shall be guilty of a
32 misdemeanor and shall be subject to a fine of up to \$20,000 or twice the total amount of illegal
33 contributions and expenditures, whichever is greater. Such violations by elected candidates may
34 constitute impeachable offenses. The limitations in RSA 651:2, IV shall not apply to fines under this
35 paragraph.

1 III. Any person who knowingly makes a false statement or knowingly omits a material fact
2 to the commission or any another official during any investigation conducted pursuant to this section
3 shall be guilty of a class B felony.

4 IV. Any person found by the commission to have violated provisions of this chapter may seek
5 judicial review.

6 V. All fines imposed pursuant to this section shall be made payable to the fund.

7 664-A:12 Reports to the General Court.

8 I. As soon as practicable after each general election in which public contributions were
9 expended, but no later than 30 days after the general election, the commission shall file a
10 preliminary report to the governor and general court containing summary information about the
11 fiscal status of the fund, make recommendations regarding appropriations to the fund in the
12 following year, and take whatever actions are appropriate to:

13 (a) Secure any additional funds required in the state budget.

14 (b) Initiate legislation to secure additional funding from other sources.

15 II. The commission shall report to the general court after each election cycle regarding the
16 fund, no later than the first day of July of the year following a general election. The report shall
17 include a detailed summary of all contributions, qualifying contributions, payments from the fund,
18 and expenditures made by all participating candidates. The report shall also include a summary
19 and evaluation of the commission's activities, and recommendations relative to the implementation
20 and administration of this chapter.

21 III. In the first report the commission prepares pursuant to paragraph II and, if applicable,
22 to subsequent reports, the commission shall recommend whether the public financing system should
23 be expanded to include special elections and elections for state senate and house of representatives.
24 The recommendation shall state the potential benefits and obstacles of expanding the program, and,
25 if the commission recommends expanding the program, shall estimate the cost of the expanded
26 program and explain the need for additional commission staff or legal changes necessary to
27 efficiently implement the expanded program.

28 IV. In the second report the commission prepares pursuant to paragraph II and, if
29 applicable, subsequent reports, the commission shall recommend whether the public financing
30 system should be expanded to include elections for additional offices. The recommendation shall
31 state the potential benefits and obstacles of expanding the program, and shall fully explore all legal
32 obstacles to such expansion. If the commission recommends expanding the program, it shall
33 estimate the cost of the expanded program and explain the need for additional commission staff or
34 legal changes necessary to efficiently implement the expanded program.

35 664-A:13 Shortfall in Fund.

36 I. Following the state primary election, the commission shall project the amount of public
37 funds to be distributed in the general election period. If the commission determines that there will

1 not be sufficient money in the fund to finance all participating candidates in accordance with RSA
2 664-A:7 and RSA 664-A:8, the commission shall make every attempt to correct the shortfall by, at its
3 discretion:

4 (a) Reducing the dollar amount to be paid out for each voter dollar certificate
5 subsequently assigned;

6 (b) Reducing the dollar amount of per-candidate limits on funds paid out for voter dollar
7 certificates;

8 (c) Reducing the dollar amount to be paid out in each general election grant.

9 II. If the reductions in paragraph I of this section are inadequate, the commission may, at its
10 discretion, increase the private contribution dollar limits currently imposed upon participating
11 candidates.

12 III. In choosing any of the actions listed in paragraphs I and II of this section, the
13 commission shall not intentionally favor any candidate or political party.

14 664-A:14 Adjustment for Inflation. At the beginning of each general election year, commencing
15 in 2024, the commission, using an inflation calculator based on the consumer price index for all
16 urban consumers published by the United States Bureau of Labor Statistics, shall adjust to the
17 nearest \$5 the amount of each current dollar limit or threshold mentioned in this chapter, except for
18 the qualifying contribution amounts specified under RSA 664-A:4, VIII, to account for inflation since
19 each limit or threshold was last updated. Not later than the first day of February in each such year,
20 the commission shall adopt a rule establishing each adjusted amount.

21 664-A:15 Severability. If any clause, article, sentence, subdivision, paragraph, section, or part of
22 this chapter be adjudged by any court of competent jurisdiction to be invalid, such judgment shall
23 not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the
24 clause, sentence, subdivision, paragraph, section, or part thereof directly involved in the controversy
25 in which such judgment shall have been rendered.

26 664-A:16 Certification by the State Treasurer.

27 I. The state treasurer shall certify to the voter-owned elections commission the date that the
28 balance in the voter-owned elections fund reaches \$1,200,000. On the November 1 next following
29 such certification at least one year prior to the elections, the commission shall commence
30 administering the public financing provisions of RSA 664-A relating to campaigns for executive
31 council.

32 10 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2025 and the sum of \$1 for
33 the fiscal year ending June 30, 2027 are hereby appropriated to the voter-owned elections fund
34 established in RSA 664-A:2. The governor is authorized to draw a warrant for said sums out of any
35 money in the treasury not otherwise appropriated.

36 11 Effective Date. This act shall take effect upon its passage.

**HB 1838-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a voter-owned elections fund and commission and raising vehicle registration fees.

FISCAL IMPACT: This bill does not authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$2,520,226+	Indeterminable Increase more than \$2.52 million per year	
<i>Revenue Fund(s)</i>	Voter-Owned Elections Fund			
Expenditures*	\$0	Indeterminable Increase in excess of \$1,350,000	Indeterminable Increase	
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$1	\$1	\$0
<i>Funding Source(s)</i>	Voter-Owned Elections Fund			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill creates the Voter-Owned Elections Fund and a Voter-Owned Elections Commission to provide public financing for Executive Council candidates in New Hampshire. The bill raises funds for this program by increasing motor vehicle registration fees, including a new \$1 fee on all private passenger vehicle registrations and a \$5 increase (\$60 to \$65) to vanity plate fees. It also redirects certain civil fines to the new fund. Additionally, the Secretary of State shall issue 4 \$25 certificates to any registered voter for each general election year. This bill appropriates \$1 in FY 2027 and \$1 in FY 2028 to the Voter-Owned Elections Fund.

The Department of State reports that the cost to design, print, and track the four \$25 voter dollar certificates is currently indeterminable. Mailing these certificates to approximately one million registered voters would cost around \$780,000 at the current postage rate of \$0.78, with potential increases depending on the contents of the mailing. However, costs may decline over time as more voters opt for secure online delivery. The Department is also responsible for carrying out numerous additional duties of the Voter-Owned Elections Commission, which will function as a separate entity within the Department and require additional general fund support. The Secretary of State notes that general funds will be necessary, as the Department's

current budget cannot absorb these new expenses. Furthermore, the bill would require significant upgrades to the online campaign finance system, with costs expected to exceed \$500,000.

The Department of Safety, Division of Motor Vehicles (DMV) anticipates an increase of \$2,520,226 in revenue to the Voter-Owned Elections Fund from the increase in fees based on current registered vehicles and active vanity plate registrations. Revenues could increase further as certain civil penalties are to be directed into the Voter-Owned Elections Fund, however that number is indeterminable as it is impossible to estimate how many civil penalties and the cost of those penalties will occur. In order to process the new \$1 fee on private passenger vehicle registrations and the \$5 increase in the vanity plate fee the DMV would require a one time expenditure of \$70,000 to update information-technology programming and testing of that program. Additionally, the DMV states it would take roughly six months to test and implement the fee changes in this bill.

The Treasury Department states there is no impact for the certification by the State Treasurer when the Voter-Owned Elections Fund reaches \$1.2 million.

The Department of Justice states that since it is unknown how many complaints or how many Executive Councilors participate in the Election Fund and therefore the cost of this bill is indeterminable.

AGENCIES CONTACTED:

Department of State, Treasury Department, Department of Safety, and Department of Justice