

HB 327-FN - AS INTRODUCED

2025 SESSION

25-0507  
07/08

HOUSE BILL            **327-FN**

AN ACT                relative to filing for office and witnessing affidavits.

SPONSORS:            Rep. McFarlane, Graf. 18; Rep. Berry, Hills. 44; Rep. Sellers, Graf. 18; Rep. Comtois, Belk. 7; Rep. Notter, Hills. 12; Rep. Ulery, Hills. 13; Rep. Warden, Hills. 39; Rep. Franz, Graf. 6; Sen. Murphy, Dist 16; Sen. Innis, Dist 7

COMMITTEE:          Election Law

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ANALYSIS

This bill:

I. Allows the secretary of state to serve as a filing official in towns where the clerk's office is not routinely open.

II. Allows town clerks to witness affidavits regardless of whether they are a notary public.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to filing for office and witnessing affidavits.

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

1       1 Nominations by Primary; Official; Official With Whom to File; Definition  
2 Changes. Amend RSA 655:15, II and III to read as follows:

3           II. For state representative in a representative district containing one town or ward and for  
4 delegate to a state party convention, the clerk of the town or city in which the officer is to be chosen.  
5 ***In cases where such clerk's hours are such that the clerk is normally or routinely open on***  
6 ***fewer than 3 separate days per week, or for fewer than 18 hours in total per week, the***  
7 ***secretary of state shall also be an appropriate official.***

8           III. For state representative in a representative district containing more than one town or  
9 ward, the clerk of the city or town in which the person who is filing is domiciled; or, if the person is  
10 domiciled in an unincorporated place, the town clerk of the town designated by the secretary of state  
11 for such filing as provided in RSA 668. ***In cases where such clerk's hours are such that the***  
12 ***clerk is normally or routinely open on fewer than 3 separate days per week, or for fewer***  
13 ***than 18 hours in total per week, the secretary of state shall also be an appropriate official.***

14       2 Nominations by Primary; Affidavit of Qualifications. Amend RSA 655:28 to read as follows:  
15       655:28 Affidavit of Qualifications. A candidate for nomination for the office of governor,  
16 councilor, state senator or state representative shall swear an affidavit covering his qualifications as  
17 to age, that the candidate is a registered voter, that his domicile is in the district he desires to  
18 represent, that he is not a candidate for incompatible offices as defined in RSA 655:10, and that he is  
19 not a federal employee which he understands would make him ineligible to file his candidacy. The  
20 secretary of state shall not print upon the primary ballot of any party the name of any person unless  
21 there is filed with him such an affidavit at the time his candidacy is filed. ***If the candidate files in***  
22 ***person before a town clerk or a deputy town clerk, such clerk shall be empowered to witness***  
23 ***the affidavit whether or not that clerk is a notary public.***

24       3 Effective Date. This act shall take effect 60 days after its passage.

LBA  
25-0507  
12/27/24

**HB 327-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to filing for office and witnessing affidavits.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2025 through 2028.

**AGENCIES CONTACTED:**

Department of State