

HB 98 - FINAL VERSION

8Apr2021... 0743h
 05/27/2021 1660s
 24Jun2021... 2027CofC

2021 SESSION

21-0215
 11/06

HOUSE BILL 98

AN ACT relative to the date of the state primary election.

SPONSORS: Rep. J. Sweeney, Rock. 8; Rep. Alexander Jr., Hills. 6; Rep. Kenney, Straf. 6

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill changes the date of the state primary election to the first Tuesday in August.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the date of the state primary election.

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

1 Election of Officers and Delegates; Election Dates; State Primary Election; Authority for Change in Filing Period. Amend RSA 653:8 to read as follows:

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

653:8-a Change in Primary Date. Notwithstanding the provisions of RSA 653:8, if the secretary of state changes the dates of the filing period pursuant to RSA 655:14-c, he or she is hereby authorized to make a corresponding change to the date of the primary election.

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

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

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

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

4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

III. Upon completion of verification of the checklist, but, in no event later than ~~[September 1]~~ **August 1**, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist of the town (or ward _____) of _____, do hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of the city) of _____ as directed by the ballot law commission.

5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

V. Upon completion of verification of the checklist, but in no event later than ~~[September 1]~~ **August 1**, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist (or registrars of voters) of the town (or ward _____) of _____, do hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of the city) of _____, pursuant to the provisions of RSA 654:39.

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

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

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

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

State of New Hampshire

County of _____ ss.

City (Town) of _____

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

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

Print Voter's name

Voter's Signature

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

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

655:26 Examination and Rejection. The officer with whom primary petitions are filed shall immediately upon receipt thereof examine the same and ascertain whether they conform to the law. If found not to conform thereto or to be conflicting as provided in RSA 655:23, he **or she** shall then endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return the same to the candidate in whose behalf it was filed. In such case, the candidate may file supplementary petitions with the official, but not later than ~~[the third Wednesday in June]~~ **14 days after the opening of the filing period under RSA 655:14.**

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

I. If necessary, the ballot law commission shall meet on the ~~[third]~~ **second** Thursday ~~[of September]~~ **following the date of the state primary election** in each general election year and the third Friday following the presidential primary election in order to hear and decide:

8/9/2021

gencourt.state.nh.us/bill_status/billText.aspx?id=218&txtFormat=html&sy=2021

10 Effective Date. This act shall take effect January 1, 2023.

VETOED July 30, 2021