

CHAPTER 228
SB 76 – FINAL VERSION

02/14/13 0122s
5June2013... 1480h

2013 SESSION

13-0989
03/01

SENATE BILL **76**

AN ACT relative to disqualification of candidates.

SPONSORS: Sen. Boutin, Dist 16; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Fuller Clark, Dist 21; Sen. Odell, Dist 8; Sen. Pierce, Dist 5; Sen. Rausch, Dist 19; Sen. Watters, Dist 4; Rep. Chandler, Carr 1; Rep. T. Walsh, Merr 24; Rep. Ladd, Graf 4; Rep. Theberge, Coos 3

COMMITTEE: Public and Municipal Affairs

AMENDED ANALYSIS

This bill requires a letter from a physician for a candidate to disqualify himself or herself because of incapacitating physical or mental disability.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to disqualification of candidates.

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

1 228:1 Disqualification of Candidate; Disability. Amend RSA 655:38 to read as follows:

2 655:38 Disqualification of Candidate. If a candidate to be voted for at the general election shall
3 make oath between the date of the candidate's nomination and the day of the election that he or she
4 does not qualify for the public office which he or she seeks because of age, domicile, or incapacitating
5 physical **or mental** disability acquired subsequent to the primary, the secretary of state may remove
6 said person's name from the ballot. ***Any such oath citing an incapacitating physical or mental***
7 ***disability shall be accompanied by a letter from a licensed physician confirming such a***
8 ***condition.*** A new candidate may be substituted by the appropriate party committee by submitting
9 the name of the new candidate to the secretary of state within 3 days of the notice of disqualification.
10 The name of the substitute candidate shall be placed on the ballots as provided in RSA 656:21.

11 228:2 Effective Date. This act shall take effect 60 days after its passage.

12

13 Approved: July 15, 2013

14 Effective Date: September 13, 2013