

HB 1225 – AS INTRODUCED

2014 SESSION

14-2194  
03/01

HOUSE BILL            **1225**

AN ACT                adding the choice of “none of the above” to state election ballots.

SPONSORS:            Rep. Weed, Ches 16; Rep. Ley, Ches 9; Rep. Phillips, Ches 5

COMMITTEE:          Election Law

---

ANALYSIS

This bill adds the choice of “none of the above” to state election ballots.

---

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT adding the choice of “none of the above” to state election ballots.

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

1 1 New Section; Special Election. Amend RSA 655 by inserting after section 82 the following new  
2 section:

3 655:83 Special State Election; Choice of None of the Above. If, as provided in RSA 656:4, the  
4 choice “none of the above” receives more votes at a state election than any candidate for a particular  
5 office, a special state election shall be held according to the provisions of RSA 655:81 and 655:82.

6 2 General Election Ballots. Amend RSA 656:4 to read as follows:

7 656:4 Name and Domicile. Every state general election ballot shall contain the name of each  
8 candidate who has been nominated in accordance with the election laws, except as hereinafter  
9 provided, and shall contain no other name except party appellations. ***Every state general election  
10 ballot shall also contain the choice “none of the above” for each of the offices to be voted  
11 for. If a voter votes for any of the candidates who have been nominated in accordance with  
12 the election laws for a particular office and for “none of the above” for that same office, the  
13 vote for “none of the above” shall not affect the voter’s vote for the candidate so nominated.***

14 The names and addresses of the presidential electors shall not be printed on the ballot, but, in lieu  
15 thereof, the names of a party’s candidates for president and vice-president shall be printed thereon  
16 under the designation for “President and Vice-President of the United States.”

17 3 Party Columns. Amend RSA 656:5, I to read as follows:

18 I. The names of all candidates nominated in accordance with the election laws shall be  
19 arranged upon the state general election ballot in successive party columns. ***After the name of the  
20 last candidate in the party columns there shall be printed the phrase “none of the above.”***  
21 Each separate column shall contain the names of the candidates of one party; except that, if only a  
22 part of a full list of candidates is nominated by a political party, 2 or more such lists may be arranged  
23 whenever practicable in the same column. The party columns that list the names of candidates for  
24 offices that elect more than one person shall stagger the names of the candidates so that they do not  
25 line up evenly in a horizontal direction. The left-most column shall begin one line below the column  
26 to its right. The secretary of state shall determine the vertical location of any additional columns  
27 that may appear on the ballot.

28 4 Squares. Amend RSA 656:8 to read as follows:

29 656:8 Squares. Directly at the right of the name of each candidate there shall be a square, box,  
30 oval, or other appropriate symbol for directing voters where to make the appropriate mark; except  
31 that, in the case of president and vice-president of the United States, one square, box, oval, or other

**HB 1225 – AS INTRODUCED**  
**- Page 2 -**

1 appropriate symbol shall suffice which shall be placed opposite the designation “President and Vice-  
2 President of the United States.” ***Directly at the right of the phrase “none of the above” there***  
3 ***shall be a square, box, oval, or other appropriate symbol for directing voters, who do not***  
4 ***wish to vote for any of the candidates who have been nominated for a particular office in***  
5 ***accordance with the election laws, where to make the appropriate mark.***

6 5 Content of Return. Amend RSA 659:73, I(b) to read as follows:

7 (b) For each office ***the total number of votes cast for “none of the above” and the***  
8 ***total number of votes cast for each write-in candidate who received 5 or more votes and the***  
9 ***candidate’s name, along with the aggregate number of all other write-in votes cast for each candidate***  
10 ***receiving less than 5 votes, excluding write-in votes for candidates whose names were printed on the***  
11 ***ballot where the voter did not mark the printed candidate name and the vote is reported under***  
12 ***subparagraph (a).***

13 6 Effective Date. This act shall take effect 60 days after its passage.