

HB 1562-FN – AS INTRODUCED

2014 SESSION

14-2159
05/03

HOUSE BILL ***1562-FN***

AN ACT relative to the legal holiday status of the state biennial election day.

SPONSORS: Rep. Theberge, Coos 3; Rep. C. Sweeney, Sull 8; Rep. Cushing, Rock 21;
Rep. Pantelakos, Rock 25; Sen. Carson, Dist 14

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill clarifies the biennial election day holiday and requires employers to grant employees leave for the purpose of voting.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the legal holiday status of the state biennial election day.

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

- 1 1 State Holidays; Election Day. Amend RSA 288:1 to read as follows:
2 288:1 Holidays. January 1; the third Monday in January, known as Martin Luther King, Jr.
3 Civil Rights Day; the third Monday in February, known as Washington’s Birthday; the last Monday
4 in May, known as Memorial Day or, on a date to coincide with the federal observance if it is held on a
5 different day; July 4, known as Independence Day; the first Monday in September, known as Labor
6 Day; the second Monday in October, known as Columbus Day; the day on which the **state** biennial
7 election ***in November of even-numbered years*** is held; November 11, known as Veterans Day;
8 Thanksgiving Day, whenever appointed; and Christmas Day are legal holidays.
9 2 New Section; Protective Legislation; Leave to Vote on Election Day. Amend RSA 275 by
10 inserting after section 28 the following new section:
11 275:28-a Leave to Vote on Election Day. An employer shall permit employees to take leave on
12 the state biennial election day in November of even-numbered years for the purpose of voting.
13 3 Effective Date. This act shall take effect January 1, 2015.

HB 1562-FN - FISCAL NOTE

AN ACT relative to the legal holiday status of the state biennial election day.

FISCAL IMPACT:

The Department of Administrative Services, New Hampshire Association of Counties, and New Hampshire Municipal Association state this bill, **as introduced**, may increase state and county expenditures by an indeterminable amount in FY 2017 and each year thereafter, and have an indeterminable impact on local expenditures in FY 2017 and each year thereafter. There will be no impact on state, county, and local revenue.

METHODOLOGY:

The Department of Administrative Services states this bill requires employers, including governmental employers, to permit employees to take leave on state biennial election days for the purposes of voting. The Department states there will be no cost as it relates to instances in which the employee taking leave carries a leave balance. However, there may be instances in which the employee is necessary to meet required staffing levels in a direct care or institutional setting. In those cases, a state employer will be required to find other staff coverage, which may result in additional overtime costs. The bill will not take effect until January 1, 2015, with the next biennial election held in November 2016, and so there will be no fiscal impact until FY 2017.

The New Hampshire Association of Counties states that county facilities such as nursing homes and correctional facilities operate on a round the clock basis every day, including holidays. To the extent that counties would be required to provide leave and rearrange schedules, the bill may result in increased expenditures related to additional employees not scheduled for regular work. The amount of the potential increase is indeterminable.

The New Hampshire Municipal Association states that the bill will have a fiscal impact only to the extent that municipal employers are required to make accommodations, such as hiring temporary staff, to comply with the requirement. The Association states that most, if not all, municipalities currently make necessary accommodations to enable employees to vote; therefore, the bill is unlikely to have a fiscal impact.