

SB 183-FN – AS AMENDED BY THE HOUSE

01/30/14 2239s
15May2014... 1497h

2013 SESSION

13-0894
03/04

SENATE BILL ***183-FN***

AN ACT relative to identification of voters, processing absentee ballots, and voluntary political expenditure limitations.

SPONSORS: Sen. Pierce, Dist 5; Sen. Larsen, Dist 15; Sen. Fuller Clark, Dist 21; Sen. Soucy, Dist 18; Sen. Lasky, Dist 13; Sen. Kelly, Dist 10; Rep. Perry, Straf 3; Rep. Knowles, Hills 37; Rep. Hoelzel, Rock 3

COMMITTEE: Public and Municipal Affairs

AMENDED ANALYSIS

This bill:

- I. Clarifies additional forms of identification for voters.
- II. Eliminates certain restrictions relating to when absentee ballots may be processed.
- III. Increases voluntary campaign expenditure limits.
- IV. Clarifies the filing period for state representative special elections.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 identification of voters, processing absentee ballots, and voluntary political expenditure limitations.

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

1 1 Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

2 (b) In addition to the forms of photo identification authorized in subparagraph (a), the
3 following shall satisfy the identification requirements of paragraph I:

4 (1) A photo identification not authorized by subparagraph (a) but determined to be
5 legitimate by the supervisors of the checklist, the moderator, or the town [☐], city, **or ward** clerk,
6 provided that if any person authorized to challenge a voter under RSA 659:27 objects to the use of
7 such photo identification, the voter shall be required to execute a challenged voter affidavit as if no
8 identification was presented.

9 (2) Verification of the person's identity by a moderator or supervisor of the checklist
10 or the town [☐], city, **or ward** clerk, provided that if any person authorized to challenge a voter
11 under RSA 659:27 objects to such verification, the voter shall be required to execute a challenged
12 voter affidavit.

13 2 Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

14 (b) In addition to the forms of photo identification authorized in subparagraph (a), the
15 identification requirements of paragraph I may be satisfied by verification of the person's identity by
16 a moderator or supervisor of the checklist or the town [☐], city, **or ward** clerk, provided that if any
17 person authorized to challenge a voter under RSA 659:27 objects to such verification, the voter shall
18 be required to execute a challenged voter affidavit.

19 3 Processing Absentee Ballots. Amend RSA 659:49 to read as follows:

20 659:49 Processing Absentee Ballots.

21 I. Processing of previously received absentee ballots shall begin at 1:00 p.m. ***unless a***
22 ***different time, that is no earlier than 2 hours after the opening of the polls, is posted and***
23 ***announced in accordance with paragraph II.*** The processing of the absentee ballots shall not
24 unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time
25 ~~[during the]~~ ***for the*** processing of such ballots ***during normal polling hours.*** Absentee ballots
26 which are received after ~~[1:00 p.m.]~~ ***the start time for processing absentee ballots*** and prior to
27 5:00 p.m. ***on the day of the election*** shall be processed as soon after receipt as possible. Under no
28 circumstances shall absentee ballots be counted prior to the closing of the polls.

1 II. ~~[Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or~~
2 ~~more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the~~
3 ~~processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast~~
4 ~~in the election.] *The moderator, or his or her designee, shall post the time at which the*~~
5 ~~*processing of absentee ballots shall begin at the polling place and one other public*~~
6 ~~*location at least 24 hours before the polls open. In addition, when the polls open the*~~
7 ~~*moderator shall announce the time at which the processing of absentee ballots shall begin.*~~

8 4 Political Expenditure Limitation Amounts. Amend RSA 664:5-b to read as follows:

9 664:5-b Political Expenditure Limitation Amounts. Total expenditures by a candidate who
10 voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a shall be as follows:

11 I. For governor:

12 (a) ~~[\$625,000]~~ **\$1,000,000** in a state primary election.

13 (b) ~~[\$625,000]~~ **\$1,000,000** in a state general election.

14 ~~[I a. For United States senator:~~

15 ~~(a) \$625,000 in a state primary election.~~

16 ~~(b) \$625,000 in a state general election.~~

17 ~~II. For representative to Congress:~~

18 ~~(a) \$350,000 in a state primary election.~~

19 ~~(b) \$350,000 in a state general election.]~~

20 ~~[III.]~~ **II.** For executive council:

21 (a) ~~[\$50,000]~~ **\$75,000** in a state primary election.

22 (b) ~~[\$50,000]~~ **\$75,000** in a state general election.

23 ~~[IV.]~~ **III.** For state senate:

24 (a) ~~[\$20,000]~~ **\$50,000** in a state primary election.

25 (b) ~~[\$20,000]~~ **\$50,000** in a state general election.

26 ~~[V.]~~ **IV.** For representative to the general court and all county offices, based upon the latest
27 figures filed with the secretary of state:

28 (a) ~~[\$.50]~~ **\$1.00** per registered voter in the district or the county in a state primary
29 election.

30 (b) ~~[\$.50]~~ **\$1.00** per registered voter in the district or the county in a state general
31 election.

32 ~~[VI.]~~ **V.** For the purposes of this section, RSA 664:5-a, and the enforcement provisions of this
33 chapter, “total expenditures” shall mean the sum of all expenditures made to influence either a state
34 primary or a state general election made by a candidate and those made on the candidate’s behalf by
35 the candidate’s committee or committees, the candidate’s party, and the candidate’s immediate
36 family. For candidates for governor, ~~[United States senator, representative to Congress,]~~ state
37 senate, state representative, and executive council, “total expenditures” shall include any such
38 expenditures made after January 1 of the election year, regardless of when the person actually

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1 declares his or her candidacy. Each campaign expenditure limitation amount shall apply solely and
2 independently to either the state primary election or the state general election.

3 5 Repeal. RSA 659:46, relative to delivery of absentee ballots to moderator, is repealed.

4 6 Vacancy; State Representative. Amend RSA 661:8, III to read as follows:

5 III. Notwithstanding the provisions of paragraph II, if a vacancy occurs in the office of state
6 representative in a district comprised of a city ward or wards, a request to hold the primary and
7 special elections on the same dates as the city's biennial primary and regular elections may be
8 submitted to the governor and council by the governing body of the city. If so requested, the governor
9 and council shall declare the vacancy not less than 56 days prior to the date of the city's primary
10 election. ~~[The filing period shall be held not more than 50 days nor less than 43 days prior to the~~
11 ~~primary election.]~~ ***The filing period shall start on the Monday following the date on which***
12 ***the governor and council declare that there shall be a special election and shall end at 5:00***
13 ***p.m. on the Friday of that week.*** The provisions of RSA 655:81, III, VI, VII, VIII, IX, X, and XI
14 shall apply to elections held pursuant to this paragraph.

15 7 Effective Date.

16 I. Section 2 of this act shall take effect September 1, 2015, at 12:03 a.m.

17 II. The remainder of this act shall take effect upon its passage.

LBAO
13-0894
01/22/13

SB 183-FN – FISCAL NOTE

AN ACT relative to proof of identity by voters.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.