

HB 101-FN - AS INTRODUCED

2023 SESSION

23-0117

06/05

HOUSE BILL ***101-FN***

AN ACT relative to requiring voters declare a party affiliation prior to a state primary election.

SPONSORS: Rep. Moffett, Merr. 4; Rep. Guthrie, Rock. 15

COMMITTEE: Election Law

ANALYSIS

This bill requires any undeclared voter who wishes to vote in a state party primary to declare a party affiliation at least 4 months prior to such primary.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~in brackets and struckthrough.~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty Three

AN ACT relative to requiring voters declare a party affiliation prior to a state primary election.

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

1 1 Voters and Checklists; Change of Registration. Amend RSA 654:34, II-V to read as follows:

2 II. ~~[Change of registration of a voter who has been registered as an undeclared voter.~~

3 (a) Any legal voter who has been registered as an undeclared voter may register as a
4 member of the party of the voter's choice by appearing before the supervisors of the checklist for the
5 voter's town or ward any time they meet, except as prohibited by paragraph [IV] **III**, and stating to
6 them, under oath or affirmation, if required, that the voter intends to affiliate with and generally
7 supports the candidates of the party with which the voter offers to register, in which case the voter
8 shall be registered as a member of such party.

9 ~~[(b) A voter may also register as a member of a party at any primary by requesting to be
10 registered as a member and voting the ballot of the party of the voter's choice. A voter may also
11 register once again as an undeclared voter after voting in a primary as a registered member of a
12 party by returning the card or signing the list of undeclared voters from the statewide centralized
13 voter registration database provided for in paragraph V. If cards are used, the voter shall return the
14 card to the person at the polls designated by the town or city clerk to accept the card. All such cards
15 and lists shall be in the possession of the supervisors of the checklist at the close of the polls on
16 election day.~~

17 ~~III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who
18 has voted in a primary may thereafter on the day of said primary change the person's party
19 registration, unless, prior to voting in the primary, the person was registered as an undeclared voter,
20 in which case the person may once again register as an undeclared voter, as provided in
21 subparagraph II(b).~~

22 ~~IV.]~~ **III.** No person, who is already registered to vote~~[, whether his party membership has
23 been previously registered or not]~~ **but not affiliated with any party**, shall affiliate with a party ~~[or
24 disaffiliate from a party between the first Wednesday in June and the day before]~~ **within 4 months**
25 **of the state primary election. No person who is already registered to vote and who is**
26 **affiliated with a party shall disaffiliate with a party or affiliate with a party between the**
27 **first Wednesday in June and the day before the state primary election.**

28 ~~[V.(a) At any primary, the supervisors of the checklist shall make available within the
29 polling place a card or list of undeclared voters from the statewide centralized voter registration
30 database to enable a voter who was registered as an undeclared voter but who changed registration~~

HB 101-FN - AS INTRODUCED
- Page 2 -

on the day of the primary in order to vote as a registered member of a party to change registration so that the voter is registered once again as an undeclared voter. The card or list shall be in substantially the following form:

Name _____

(Print)

Address _____

I hereby request that my political party registration be changed as follows:

From: Democrat [], or Republican [], or (name of any party determined by the secretary of state to have achieved official status under RSA 652:11) []

To: Undeclared []

Signed under the pains and penalties of perjury.

Date _____

(b) The supervisors of the checklist, upon receipt of such a card or list, shall keep it in accordance with RSA 33-A:3-a and at the public session of supervisors of the checklist on election day shall change the party of the voter as indicated on the card or list.]

2 Voters and Checklists; Registration. Amend RSA 654:34-a, VII to read as follows:

VII. The town or city clerk shall present to the next meeting of the supervisors of the checklist, in accordance with the checklist guidelines as provided by RSA 654:25, the name of any person who made application to him or her for a change of party affiliation and the name of the party with which the person desires to be affiliated or that he or she desires to be affiliated with no party. The supervisors of the checklist shall cause the party affiliation of the applicant to be changed on the checklist. Any change submitted which is prohibited by the provisions of RSA 654:34, [IV] **III** shall be kept by the supervisors until acted upon; and the change shall be made as soon as permitted by law. Forms shall be retained in accordance with RSA 33-A:3-a.

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

**HB 101-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to requiring voters declare a party affiliation prior to a state primary election.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires any undeclared voters to declare a party affiliation 4 months prior to a state primary election.

The Department of State indicates there would be a one-time indeterminable increase in General Fund expenditures in order to educate voters with a multimedia educational approach including online, television, newspaper, and radio. A temporary additional staff member may be needed to coordinate the educational approach. As of September 29, 2022, 36% of registered voters in NH were undeclared.

The New Hampshire Municipal Association states there may be an indeterminable impact on local expenditures as the change in process would likely require a shift in local municipal clerk processes to accommodate the likely increase in undeclared voters affiliating with a party at least 4 months prior to the state primary, and the likely decrease in undeclared voters affiliating with a party on the date of the state primary.

AGENCIES CONTACTED:

Department of State and New Hampshire Municipal Association