

HB 478 - AS INTRODUCED

2023 SESSION

23-0562

08/04

HOUSE BILL            **478**

AN ACT                relative to ballot order in the general election.

SPONSORS:           Rep. Berry, Hills. 39

COMMITTEE:        Election Law

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ANALYSIS

This bill makes changes to the creation of the ballot order in the general election.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 ballot order in the general election.

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

1            1 Ballot; Order of Names; General Election. RSA 656:5-a is repealed and reenacted to read as  
2 follows:

3            656:5-a Order of Candidate Names on Ballots.

4            I. Except for the office of state representative, whenever there are 2 or more candidates for  
5 the same office whose names will appear together within the same column or list on a ballot, the  
6 position of such names shall be determined according to this section.

7            II. Immediately following the close of the period during which a person may accept the  
8 nomination of a party committee pursuant to RSA 655:32, the secretary of state or designee shall  
9 conduct a public random selection of a whole number from one to the total number of candidates for  
10 each possible list length where a group of candidates for the same office may appear in the same list  
11 in state or local elections during the next 2 years. For example, for a possible list of 3 candidates,  
12 the number one, 2, or 3 shall be randomly selected. The seed number for each possible list length  
13 shall remain in effect for the 2 years until the next random selection of seed numbers.

14            III. To determine the order of names on each ballot, the candidates for each office in the  
15 same list shall be temporarily listed alphabetically by surnames and the positions in such list shall  
16 be temporarily numbered in ascending order. The candidate whose position in the initial temporary  
17 list equals the seed number selected under paragraph II for the appropriate list length shall appear  
18 first on the ballot. The order of candidates after the candidate in the first position shall follow  
19 alphabetically by surname with "a" following "z."

20            IV. Notwithstanding paragraphs I through III, for elections for the office of state  
21 representative, the order of names on the ballot during the general election shall be determined by  
22 the number of ballots received by each candidate in the primary with the person receiving the  
23 highest total of votes receiving the first position, the person receiving the second highest total of  
24 votes receiving the second position, and continuing in descending order based on the number of votes  
25 received until all positions on the ballot are filled. Candidates for the office of state representative  
26 who did not run in a primary but are eligible to appear on the general ballot shall be listed similarly  
27 with the person receiving the most signatures to appear on the ballot receiving the first position, the  
28 person receiving the second highest total of signatures receiving the second position, and continuing  
29 in descending order based on the number of signatures received.

30            2 Effective Date. This act shall take effect 60 days after its passage.