

HB 97 - AS INTRODUCED

2021 SESSION

21-0107

11/10

HOUSE BILL **97**

AN ACT modifying the dates of the state primary and associated filing deadline.

SPONSORS: Rep. Boehm, Hills. 20

COMMITTEE: Election Law

ANALYSIS

This bill changes the date of the state primary election to the second Tuesday in August.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT modifying the dates of the state primary and associated filing deadline.

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

1 1 Election of Officers and Delegates; Election Dates; State Primary Election. Amend RSA 653:8
2 to read as follows:

3 653:8 State Primary Election. The state primary election shall be held on the second Tuesday in
4 [~~September~~] **August** of every even-numbered year.

5 2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to
6 read as follows:

7 654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary
8 election, the supervisors of the checklist shall be in session before each primary for the change of
9 registration of legal voters as provided in RSA 654:34 or 654:34-a or both. Before the presidential
10 primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00
11 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state
12 primary election, the session shall be on Tuesday before the first Wednesday in [~~June~~] **May** between
13 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

14 3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

15 IV. No person, who is already registered to vote, whether his *or her* party membership has
16 been previously registered or not, shall affiliate with a party or disaffiliate from a party between the
17 first Wednesday in [~~June~~] **May** and the day before the state primary election.

18 4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

19 III. Upon completion of verification of the checklist, but, in no event later than [~~September~~]
20 **August** 1, the supervisors shall file with the secretary of state the following certificate: We, the
21 supervisors of the checklist of the town (or ward ____) of _____, do hereby certify that we
22 have verified the checklist of registered voters in the town (or ward ____ of the city) of
23 _____ as directed by the ballot law commission.

24 5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

25 V. Upon completion of verification of the checklist, but in no event later than [~~September~~]
26 **August** 1, the supervisors shall file with the secretary of state the following certificate: We, the
27 supervisors of the checklist (or registrars of voters) of the town (or ward ____) of _____, do
28 hereby certify that we have verified the checklist of registered voters in the town (or ward ____ of
29 the city) of _____, pursuant to the provisions of RSA 654:39.

30 6 Elections; Nominations by Primary; Filing; General Provisions. Amend RSA 655:14 to read as
31 follows:

HB 97 - AS INTRODUCED

- Page 2 -

1 655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot
2 of any party for a primary unless he or she is a registered member of that party, he or she shall have
3 met the age and domicile qualifications for the office he or she seeks at the time of the general
4 election, he or she meets all the other qualifications at the time of filing, and he or she shall file with
5 the appropriate official between the first Wednesday in [~~June~~] **May** and the Friday of the following
6 week a declaration of candidacy as provided in RSA 655:17.

7 7 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

8 655:21 Form. Primary petitions shall be made in the following form:

9 State of New Hampshire

10 County of _____ ss.

11 City (Town) of _____

12 I do hereby join in a petition for the printing on the primary ballot of the name of
13 _____ whose domicile is in the city (town) of _____ (ward, street, and
14 number, if in a city), in the county of _____, for the office of _____ to be voted for on
15 Tuesday, the ____ day of [~~September~~] **August**, ____ (year), and certify that I am qualified to vote
16 for a candidate for said office, that I am a registered member of the _____ party, and am not
17 at this time a signer of any other similar petition for any other candidate for the above office; that
18 my domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the
19 county of _____. I certify that to my knowledge the above-named candidate is not a
20 candidate for incompatible offices as defined in RSA 655:10, and that he or she is not a federal
21 employee which makes him or her ineligible to file as a candidate for this office. I further certify
22 that I believe the above-named person is especially qualified to fill said office.

23 I hereby swear, under the penalties for voting fraud set forth below, that the information above
24 is true and correct to the best of my knowledge and belief.

25 _____
26 Print Voter's name

27 _____
28 Voter's Signature

29 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
30 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
31 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
32 vote or voting is subject to a civil penalty not to exceed \$5,000.

33 8 Elections; Nomination by Primary; Examination and Rejection. Amend RSA 655:26 to read as
34 follows:

35 655:26 Examination and Rejection. The officer with whom primary petitions are filed shall
36 immediately upon receipt thereof examine the same and ascertain whether they conform to the law.
37 If found not to conform thereto or to be conflicting as provided in RSA 655:23, he **or she** shall then

HB 97 - AS INTRODUCED

- Page 3 -

1 endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return
2 the same to the candidate in whose behalf it was filed. In such case, the candidate may file
3 supplementary petitions with the official, but not later than the third Wednesday in [~~June~~] **May**.

4 9 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I to
5 read as follows:

6 I. If necessary, the ballot law commission shall meet on the third Thursday of [~~September~~]
7 **August** in each general election year and the third Friday following the presidential primary
8 election in order to hear and decide:

9 10 Effective Date. This act shall take effect 60 days after its passage.