

NEW HAMPSHIRE DEPARTMENT OF STATE



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IMPORTANT NOTICE

Changes to Election Laws Affecting Candidates and State Primary Election

Last year (2009) the federal government passed the Military and Overseas Voters Empowerment Act that required many changes be made in New Hampshire state law. **The following changes may affect you as a candidate in the State Primary on September 14, 2010.** Please read carefully and if you have any questions, feel free to contact the Secretary of State's Office. [changes are in bold]

- **660:7, I. Primary Recount Applications.** 1. Any person for whom a vote was cast for any nomination of any party at a state primary may apply for a recount, provided that the **difference between the votes cast for the applying candidate and a candidate of that party declared nominated is less than 10 votes or less than 1.5 percent of the total ballots cast in the primary for that party in the towns which comprise the office to be recount.** **The application shall be made in writing to the secretary of state and shall be submitted no later than 5:00 p.m. on the day after the primary election (September 15, 2010).** The request may be made by hand delivery, by facsimile transmission, or as an attachment to an e-mail. **The fee shall be paid prior to the beginning of the recount. Recounts shall begin 2 days after the primary (September 16th) election and shall be conducted so as to complete all recounts involving towns or wards which have pending requests for absentee ballots for the general election from UOCAVA voters no later than 8:00 a.m. on the Saturday following the primary (September 18, 2010).** (Chapter 317:58)
- **659:88, I(b) Write-In Nomination.** A person whose name was not printed on the official state primary election ballot, and who receives the nomination of a party by write-in vote in a primary election and wishes to accept the nomination, shall file a declaration of candidacy with the secretary of state **no later than 3:00 p.m. on September 17th.** (Chapter 317:51)
- **659:90 Rejection of Nomination by Write-In Vote.** The name of a person nominated by write-in vote who fails to file a declaration of candidacy in person, by facsimile, or by e-mailing a signed declaration as an attachment with the secretary of state **by 3:00 p.m. on September 17th** shall not be placed on the general election ballot and will be considered to have rejected the nomination. (Chapter 317:52)
- **659:91 Nomination for Incompatible Offices.** Any person who is nominated by the same political party for incompatible offices shall notify the secretary of state in person, in writing, by facsimile transmission, or by e-mailing a signed statement as an attachment **no later than 3:00 p.m. on September 16th** of which nomination he or she will accept. Thereupon the secretary of state shall declare a vacancy to exist in the nomination which such person declined. The vacancy shall be filled as provided in RSA 655:37 except that all the necessary declarations of candidacy and affidavits shall be filed **no later than 5:00 p.m. on September 17th.** (Chapter 317:53)
- **655:37 Vacancy for Office on Party Ticket.** If, after the holding of a state primary election, a vacancy exists for any office on a party ticket, such vacancy may be filled as provided in this section. The appropriate party committee shall notify the secretary of state in writing of a person they designate to fill the vacancy. The person so designated shall, **no later than September 17th,** file with the secretary of state a declaration of candidacy as provided in RSA 655:17 with the understanding that, where the form says primary election, it shall be construed to mean general election. If the candidate is designated for the office of governor, executive councilor, state senator, or state representative, he or she **shall also file, no later than 5:00 p.m. on September 17th,** the appropriate affidavit as provided in RSA 655:29. Any candidate who has not filed all the forms required by this section within the required period of time shall not have his or her name printed on the state general election ballot for that office. (Chapter 317:10)
- **665:5, I.** The ballot law commission shall meet **at 9:00 a.m. on the Saturday following the regularly-scheduled state primary election...(September 18th)** (Chapter 317:60)

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