

SB 262 – AS INTRODUCED

2012 SESSION

12-2977

01/09

SENATE BILL           **262**

AN ACT                requiring disclosure of minutes of meetings after the approval of the minutes.

SPONSORS:            Sen. Luther, Dist 12; Rep. Flanagan, Hills 5

COMMITTEE:          Public and Municipal Affairs

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ANALYSIS

This bill requires minutes of meetings in nonpublic session to be publicly disclosed after approval of the minutes at the next meeting of the appropriate governing body where there is a quorum. Current law requires such minutes to be disclosed within 72 hours of the meeting held in nonpublic session.

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                              Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT requiring disclosure of minutes of meetings after the approval of the minutes.

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

1 1 Minutes of Meeting in Nonpublic Session; Disclosure. Amend RSA 91-A:3, III to read as  
2 follows:

3 III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall  
4 be promptly made available for public inspection, except as provided in this section. Minutes and  
5 decisions reached in nonpublic session shall be publicly disclosed within [~~72 hours of the meeting~~] **24**  
6 ***hours of the approval of such minutes and decisions. Approval shall be made at the next***  
7 ***scheduled meeting of the public body where there is a quorum of its members***, unless, by  
8 recorded vote of 2/3 of the members present, it is determined that divulgence of the information  
9 likely would affect adversely the reputation of any person other than a member of the public body  
10 itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters  
11 relating to the preparation for and the carrying out of all emergency functions, developed by local or  
12 state safety officials that are directly intended to thwart a deliberate act that is intended to result in  
13 widespread or severe damage to property or widespread injury or loss of life. This shall include  
14 training to carry out such functions. In the event of such circumstances, information may be  
15 withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

16 2 Effective Date. This act shall take effect January 1, 2013.