

CHAPTER 116
HB 138 – FINAL VERSION

13Feb2013... 0059h
04/18/13 1222s

2013 SESSION

13-0287
06/03

HOUSE BILL ***138***

AN ACT permitting a political subdivision that has adopted the official ballot referendum form of meeting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.

SPONSORS: Rep. Cushing, Rock 21; Rep. Muns, Rock 21; Rep. Andrews-Ahearn, Rock 37; Rep. F. Rice, Rock 21; Rep. Emerick, Rock 21; Sen. Stiles, Dist 24

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

 This bill permits any political subdivision that has adopted the official ballot referendum form of meeting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT permitting a political subdivision that has adopted the official ballot referendum form of meeting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.

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

1 116:1 Use of Official Ballot; Form of Warrant. Amend RSA 40:13, VI to read as follows:

2 VI. All warrant articles shall be placed on the official ballot for a final vote, including
3 warrant articles as amended by the first session. All special warrant articles shall be accompanied
4 on the ballot by recommendations as required by RSA 32:5, V, concerning any appropriation or
5 appropriation as amended. ***For any article that proposes the adoption or amendment of an***
6 ***ordinance, a topical description of the substance of the ordinance or amendment, which***
7 ***shall be neutral in its language, may be placed on the official ballot instead of the full text***
8 ***of the ordinance or amendment, subject to the provisions of paragraphs VII-a and VIII-a.***
9 ***With respect to the adoption or amendment of a zoning ordinance, historic district***
10 ***ordinance, or building code, the provisions of RSA 675:3 shall govern to the extent they are***
11 ***inconsistent with anything contained in this paragraph or in paragraph VII-a or VIII-a.***

12 116:2 New Paragraph; Use of Official Ballot; Official Copies Placed on File. Amend RSA 40:13
13 by inserting after paragraph VII the following new paragraph:

14 VII-a. When a topical description of the substance of a proposed ordinance or amendment to
15 an ordinance is to be placed on the official ballot, an official copy of the proposed ordinance or
16 amendment, including any amendment to the proposal adopted the first session, shall be placed on
17 file and made available to the public at the office of the clerk of the political subdivision not later
18 than one week prior to the date of the second session of the annual meeting. An official copy of the
19 proposed ordinance or amendment shall be on display for the voters at the meeting place on the date
20 of the meeting.

21 116:3 New Paragraph; Use of Official Ballot; Ordinance Question Submitted. Amend RSA 40:13
22 by inserting after paragraph VIII the following new paragraph:

23 VIII-a. A question as to the adoption or amendment of an ordinance shall be in substantially
24 the following form:

25 “Are you in favor of the adoption of (amendment to) the ordinance as proposed by the selectmen
26 as follows: (here insert text or topical description of proposed ordinance or amendment)?” In the
27 event that there shall be more than a single proposed amendment to an ordinance to be submitted to

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1 the voters at any given meeting, the issue as to the several amendments shall be put in the following
2 manner: “Are you in favor of the adoption of Amendment No.__ to the ordinance as proposed by the
3 selectmen as follows: (here insert text or topical description of proposed amendment)?”

4 116:4 Effective Date. This act shall take effect 60 days after its passage.

5

6 Approved: June 25, 2013

7 Effective Date: August 24, 2013