

CHAPTER 49  
HB 108-FN – FINAL VERSION

11Mar2015... 0684h

2015 SESSION

15-0072  
01/03

HOUSE BILL            ***108-FN***

AN ACT                relative to sealing nonpublic session minutes.

SPONSORS:            Rep. Horrigan, Straf 6; Rep. Wall, Straf 6; Rep. M. Smith, Straf 6; Sen. Boutin,  
Dist 16

COMMITTEE:          Judiciary

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AMENDED ANALYSIS

This bill declares that a vote to seal nonpublic session minutes shall be taken in public 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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                   relative to sealing nonpublic session minutes.

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

1           49:1 Right-to-Know Law; Nonpublic Sessions. Amend RSA 91-A:3, III to read as follows:

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

14           49:2 Effective Date. This act shall take effect January 1, 2016.

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16 Approved: June 2, 2015

17 Effective Date: January 1, 2016