

SB 111-LOCAL - AS AMENDED BY THE SENATE

03/16/2023 0826s

2023 SESSION

23-0787

02/10

SENATE BILL

111-LOCAL

AN ACT relative to the town council-town manager form of local government.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Gray, Dist 6; Sen. Soucy, Dist 18; Rep. Horrigan, Straf. 10

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill clarifies that towns which adopt town council-town manager charters have the same powers and authorities as city councils under RSA 49-C. It also requires that town clerks be elected regardless of the form of municipal government.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the town council-town manager form of local government.

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

1 1 Local Option-Town Charters; Town Charters. Amend RSA 49-D:2, I to read as follows:

2 I. As distinguished from adopting a city form of government described in RSA 49-C, a town
3 may adopt a charter pursuant to RSA 49-B which abolishes the open town meeting and vests all
4 legislative authority in a town council as the elected body, ***with the same powers and authorities***
5 ***as a city council under RSA 49-C subject to the provisions of RSA 41:16***, or, in the alternative,
6 vests authority to make appropriations in a budgetary town meeting. A charter establishing this
7 form may reserve authority by the voters, at a referendum, over amendments to land use ordinances
8 pursuant to RSA 675 and approval of bond issues consistent with RSA 33.

9 2 Town Clerk; Election and Bond. Amend RSA 41:16 to read as follows:

10 41:16 Election and Bond. Every town at the annual meeting shall choose, by ballot, a town clerk,
11 who shall record all votes passed by the town while ***she or*** he remains in office, and discharge all the
12 duties of the office according to law. ***The position of town clerk shall be elected regardless of***
13 ***the form of government established under RSA 49-D.***

14 3 Effective Date. This act shall take effect 60 days after its passage.