

Amendment to HB 321-FN-LOCAL

1 Amend the bill by replacing section 1 with the following:

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3 1 New Paragraph; Minutes from Nonpublic Session. Amend RSA 91-A:3 by inserting after
4 paragraph III the following new paragraph:

5 IV.(a) A public body or agency may adopt procedures to review minutes of meetings held in
6 nonpublic session and to determine by majority vote whether the circumstances that justified
7 keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. If the public body
8 determines that those circumstances no longer apply, the minutes shall be available for release to
9 the public pursuant to this chapter.

10 (b) In the absence of an adopted procedure to review and determine whether the
11 circumstances no longer apply for meeting minutes kept from the public, the public body or agency
12 shall review and determine by majority vote whether the circumstances that justified keeping
13 meeting minutes from the public under RSA 91-A:3, III no longer apply. This review shall occur no
14 more than 10 years from the last time the public body voted to prevent the minutes from being
15 subject to public disclosure. Meeting minutes that were kept from the public prior to the effective
16 date of this paragraph that are not reviewed by the public body or agency within 10 years of the
17 effective date of this paragraph shall be subject to public disclosure without further action of the
18 public body.