

SB 111-LOCAL - AS AMENDED BY THE HOUSE

03/16/2023 0826s  
8Jun2023... 1631h

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

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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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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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 or, in the alternative, vests authority to~~  
5 ~~make appropriations in a budgetary town meeting]~~ **providing for one of the legislative bodies**  
6 **allowed under RSA 49-D:3. A town charter providing for the form of legislative body**  
7 **pursuant to 49-D:3, I shall have the same powers and authorities as a city council under**  
8 **RSA 49-C, subject to the provisions of RSA 41:16.** A charter establishing ~~[this form]~~ **a**  
9 **budgetary town meeting pursuant to 49-D:3, II** may reserve authority by the voters, at a  
10 referendum, over amendments to land use ordinances pursuant to RSA 675 and approval of bond  
11 issues consistent with RSA 33.

12 2 Town Clerk; Election and Bond. Amend RSA 41:16 to read as follows:

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

17 3 Effective Date. This act shall take effect 60 days after its passage.