

CHAPTER 213  
SB 111-LOCAL - FINAL VERSION

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 213:1 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 may  
3 adopt a charter pursuant to RSA 49-B [~~which abolishes the open town meeting and vests all legislative~~  
4 ~~authority in a town council as the elected body or, in the alternative, vests authority to make~~  
5 ~~appropriations in a budgetary town meeting~~] ***providing for one of the legislative bodies allowed under RSA***  
6 ***49-D:3. A town charter providing for the form of legislative body pursuant to 49-D:3, I shall have the same***  
7 ***powers and authorities as a city council under RSA 49-C, subject to the provisions of RSA 41:16. A***  
8 ~~charter establishing [this form]~~ ***a budgetary town meeting pursuant to 49-D:3, II may reserve authority by***  
9 ~~the voters, at a referendum, over amendments to land use ordinances pursuant to RSA 675 and approval~~  
10 ~~of bond issues consistent with RSA 33.~~

11 213:2 Town Clerk; Election and Bond. Amend RSA 41:16 to read as follows:

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

213:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 04, 2023  
Effective Date: October 03, 2023