

HB 149-FN - AS INTRODUCED

2023 SESSION

23-0252

05/04

HOUSE BILL **149-FN**

AN ACT relative to the handling of requests made under the right-to-know law.

SPONSORS: Rep. M. Smith, Straf. 10; Rep. DiLorenzo, Rock. 10; Rep. P. Schmidt, Straf. 14

COMMITTEE: Judiciary

ANALYSIS

This bill requires periodic updates to the requestor when a request is made under the right-to-know law.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 handling of requests made under the right-to-know law.

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

1 1 Access to Governmental Records and Meetings; Minutes and Records Available for Public
2 Inspection; Written Statement Regarding Time Required to Respond. Amend RSA 91-A:4, IV(b) to
3 read as follows:

4 (b) If a public body or agency is unable to make a governmental record available for
5 immediate inspection and copying the public body or agency shall, within 5 business days of a
6 request:

7 (1) Make such record available;

8 (2) Deny the request; or

9 (3) Provide a written statement of the time reasonably necessary to determine
10 whether the request shall be granted or denied and the reason for the delay. ***The public body or***
11 ***agency shall make every reasonable effort to fulfill the terms of the written statement. If a***
12 ***public body or agency is unable to make a governmental record available for inspection***
13 ***and copying by a written statement of time, the public body or agency shall, prior to that***
14 ***date, provide a written statement of additional time reasonably necessary to determine***
15 ***whether the request shall be granted or denied, the reason for the delay, and a specific***
16 ***description of the progress made on the request and of the remaining work. If any***
17 ***statement of time exceeds 30 days from the prior statement, then a public body or agency***
18 ***shall provide such written statement every 30 days.***

19 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 149-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the handling of requests made under the right to know law.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General Government Funds <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Various			

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires periodic updates to the requestor when a request is made under the right-to-know law. There is no method to estimate the number of instances where a public body would be required to provide the additional written statements required in the proposed amendment to RSA 91-A:4,IV (b). Such additional statements will result in additional administrative costs to state, county and local governments.

AGENCIES CONTACTED:

None