LEGISLATIVE COMMITTEE MINUTES

HB321

Bill as Introduced

HB 321-FN-LOCAL - AS INTRODUCED

2023 SESSION

23-0423
05/04

HOUSE BILL ***321-FN-LOCAL***

AN ACT relative to minutes from nonpublic sessions under the right to know law.

SPONSORS: Rep. Yokela, Rock. 32; Rep. Ammon, Hills. 42; Rep. Verville, Rock. 2; Rep. Alexander Jr., Hills. 29; Rep. Ulery, Hills. 13; Rep. McWilliams, Merr. 30; Sen. Gannon, Dist 23

COMMITTEE: Judiciary

ANALYSIS

This bill requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 321-FN-LOCAL - AS INTRODUCED

23-0423
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to minutes from nonpublic sessions under the right to know law.

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

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

IV. The public body or agency may adopt a procedure to regularly review and vote if the circumstances no longer apply for meeting minutes kept from the public under RSA 91-A:3, III. In the absence of an adopted procedure to review and vote if the circumstances no longer apply for meeting minutes kept from the public, to comply with the official duty of the public body or agency to insure appropriate transparency, the public body or agency shall review and vote to determine if the circumstances no longer apply no more than 10 years since the last time the meeting minutes were voted to be kept from the public or shall be subject to public disclosure. Meeting minutes voted to be kept from the public prior to the effective date of this paragraph that are not reviewed by the public body or agency within 10 years of the effective date of this paragraph shall be subject to public disclosure.

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

LBA
23-0423
12/30/22

HB 321-FN-LOCAL- FISCAL NOTE
AS INTRODUCED

AN ACT relative to minutes from nonpublic sessions under the right to know law.

FISCAL IMPACT: **[X] State** **[ ] County** **[ ] Local** **[ ] None**

	Estimated Increase / (Decrease)			
STATE:	**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:	[X] General	[ ] Education	[ ] Highway	[ ] Other

LOCAL:

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

METHODOLOGY:

This bill requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public.

The Department of Justice states there are a number of public bodies attached to the Department of Justice. This bill would require public bodies at a minimum of every ten years to review non-public minutes and determine whether to unseal the minutes. There would be an indeterminable additional cost related to staff time and resources to implement the tracking and updating of meeting minutes. It is unknown how frequently a public body may choose to review its minutes.

The New Hampshire Municipal Association suggests additional costs may be incurred for staff time necessary to produce the minutes that were voted to be kept from the public by a public body prior to the enactment of the "list" requirement of RSA 91-A:3 and for staff to provide the minutes to the public body for review. The amount of time and cost will depend on the body's record keeping and the volume of undisclosed minutes. Some public bodies will likely see a de minimis additional cost, due to the initial review requirement spanning 10 years. Other record keepers and public bodies may see significant additional costs due to file keeping structures that

do not lend themselves to quick file retrieval. However, costs will depend upon the willingness of the public body and record keeper to search the archives of undisclosed minutes. Some public bodies may choose not to review minutes prior to a certain date and allow those to lapse into the public view after the initial 10 year period. Therefore, it is not possible to estimate the impact of the bill on local expenditures.

The New Hampshire Association of Counties indicates no fiscal impact is anticipated as the execution of reviewing, storing, and posting nonpublic meeting minutes can be incorporated into existing processes with existing resources.

AGENCIES CONTACTED:

Department of Justice, New Hampshire Municipal Association and New Hampshire Association of Counties

LBA
23-0423
Amended 5/24/23

HB 321-FN-LOCAL FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-1729s)

AN ACT relative to minutes from nonpublic sessions under the right to know law.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

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HOUSE BILL ***321-FN-LOCAL***

AN ACT relative to minutes from nonpublic sessions under the right to know law.

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COMMITTEE: Judiciary

ANALYSIS

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HB 321-FN-LOCAL - AS AMENDED BY THE SENATE

05/18/2023 1729s

23-0423
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to minutes from nonpublic sessions under the right to know law.

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

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

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

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

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

LBA
23-0423
Amended 5/24/23

HB 321-FN-LOCAL- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-1729s)

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Department of Justice, New Hampshire Municipal Association and New Hampshire Association of Counties

2023 SESSION

23-0423
05/04

HOUSE BILL ***321-FN-LOCAL***

AN ACT relative to minutes from nonpublic sessions under the right to know law.

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STATE OF NEW HAMPSHIRE

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

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LBA
23-0423
Amended 5/24/23

HB 321-FN-LOCAL- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-1729s)

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AGENCIES CONTACTED:

Department of Justice, New Hampshire Municipal Association and New Hampshire Association of Counties

CHAPTER 189
HB 321-FN-LOCAL - FINAL VERSION

05/18/2023 1729s

2023 SESSION

23-0423
05/04

HOUSE BILL ***321-FN-LOCAL***

AN ACT relative to minutes from nonpublic sessions under the right to know law.

SPONSORS: Rep. Yokela, Rock. 32; Rep. Ammon, Hills. 42; Rep. Verville, Rock. 2; Rep. Alexander Jr., Hills. 29; Rep. Ulery, Hills. 13; Rep. McWilliams, Merr. 30; Sen. Gannon, Dist 23

COMMITTEE: Judiciary

ANALYSIS

This bill requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public.

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CHAPTER 189
HB 321-FN-LOCAL - FINAL VERSION

05/18/2023 1729s

23-0423
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to minutes from nonpublic sessions under the right to know law.

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

189:1 New Paragraph; Minutes from Nonpublic Session. Amend RSA 91-A:3 by inserting after paragraph III the following new paragraph:

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

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

189:2 Effective Date. This act shall take effect 60 days after its passage.

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

Amendments

Sen. Carson, Dist 14
April 25, 2023
2023-1491s
05/08

Amendment to HB 321-FN-LOCAL

Amend the bill by replacing section 1 with the following:

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

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

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

UNAPPROVED

Senate Judiciary
May 9, 2023
2023-1729s
05/08

Amendment to HB 321-FN-LOCAL

Amend the bill by replacing section 1 with the following:

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

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

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

Committee Minutes

SENATE CALENDAR NOTICE
Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Daryl Abbas, Member
Sen Rebecca Whitley, Member
Sen Shannon Chandley, Member

Date: March 22, 2023

HEARINGS

Tuesday	03/28/2023
(Day)	(Date)

Judiciary	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**HB 31-FN**	repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles.
1:15 p.m.	**HB 97-FN**	establishing an additional penalty for a violation of privacy.
1:30 p.m.	**HB 201-FN**	relative to changing the penalties for driving without a license.
1:45 p.m.	**HB 307-FN**	relative to attorney's fees in actions under the right to know law.
2:00 p.m.	**HB 321-FN-LOCAL**	relative to minutes from nonpublic sessions under the right to know law.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 31-FN

Rep. Spillane	Rep. Notter	Rep. Cushman	Rep. Santonastaso
Rep. Hynes	Sen. Pearl		

HB 97-FN

Rep. Rhodes	Rep. B. Boyd	Rep. N. Murphy	Sen. Abbas
Sen. Carson	Sen. D'Allesandro	Sen. Altschiller	

HB 201-FN

Rep. Sykes	Rep. Telerski	Rep. Veilleux	Sen. Watters

HB 307-FN

Rep. D. McGuire	Rep. M. Smith

HB 321-FN-LOCAL

Rep. Yokela	Rep. Ammon	Rep. Verville	Rep. Alexander Jr.
Rep. Ulery	Rep. McWilliams	Sen. Gannon	

Matthew Schelzi 271-3266

Sharon M. Carson
Chairman

Senate Judiciary Committee

Matthew Schelzi 271-3266

HB 321-FN-LOCAL, relative to minutes from nonpublic sessions under the right to know law.

Hearing Date: March 28, 2023

Time Opened: 2:59 p.m. **Time Closed:** 3:22 p.m.

Members of the Committee Present: Senators Carson, Whitley and Chandley

Members of the Committee Absent: Senators Abbas and Gannon

Bill Analysis: This bill requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public.

Sponsors:

Rep. Yokela	Rep. Ammon	Rep. Verville
Rep. Alexander Jr.	Rep. Ulery	Rep. McWilliams
Sen. Gannon		

Who supports the bill: Katherine Kokko, Tom Mullins (City of Keene), Natch Greyes (NHMA), Rep. Josh Yokela (Rock. 32), Julie Smith, Walter Kirsch, Deborah Glidden, Curtis Howland, Jeffrey Dickler, Louise Spencer, Joanne Casino, Kathy Sue Spielman, Andrew Jones, Gary Devore, Patrick Doughty, Laura Colquhoun, Claudia Damon, Susan Morre, Hannah Bissex, Lynn Merlone, A. Thomas, Patricia Martin, Jane Hershey, Diana Schuman, Jennifer Mercer, Deborah Walker, David Holt, Ruth Perencevich, Deborah Sumner, David Saad, Nancy Brennan, Richard DeMark, Harriet DeMark, Maura Willing, and Susan Richman.

Who opposes the bill: None.

Who is neutral on the bill: Shane Goulet (OPLC), and Douglas Osterhoudt (OPLC).

Summary of testimony presented in support:

Representative Josh Yokela introduced House Bill 321-FN-LOCAL. The purpose of this bill is to clarify language regarding nonpublic meeting minutes. The minutes of a public meeting must remain confidential if the minutes contain information that could harm someone's reputation, make an action ineffective, or involves an emergency situation. In the event of such circumstances, information may be withheld until the majority of the members agree that those circumstances no longer apply. This implies

a regular review of minutes conducted by members to determine if these circumstances still apply. The Municipal Association recommends that the minutes are reviewed annually. The outside limit to review minutes is ten years. If minutes are not reviewed in ten years, they will be made accessible to the public. Rep. Yokela had worked on the language of HB 321-FN-LOCAL with Right to Know New Hampshire and the Municipal Association. HB 321-FN-LOCAL had no opposition in the House, and the bill was on the consent calendar.

Natch Greyes, New Hampshire Municipal Association, stated there are three reasons for a board to seal minutes, and essential this bill would require boards to adopt the best procedure to review the minutes. If the boards do not review their minutes, the bill would provide for a statutory alternative that the boards would follow after a ten year period, which the Municipal Association believed was a good solution.

Senator Chandley asked if Mr. Greyes hears from municipalities that it is difficult for them to make the determination as to whether minutes should be unsealed because they do not have enough information.

Mr. Greyes said the New Hampshire Municipal Association hears frequently from municipalities that experience board turnover, that there are challenges in assessing why minutes were previously sealed. The Right to Know law provides that minutes can only remain sealed for as long as there is a reason for the minutes to be sealed. If the reason cannot be determined, the minutes are opened to citizens.

Tom Mullins, City attorney for Keene, emphasized that it is critical for the legislature to clarify the procedures which fall under certain statutes. He suggested that the language of HB 321-FN-LOCAL should authorize an administrative release of non-public records. These minutes could then be reviewed by the city clerk, town council, or city council. Mr. Mullin believed the language in the first sentence of HB 321-FN-LOCAL should explicitly state that "The public body or agency may adopt a procedure to regularly review and vote or to authorize an administrative release of the minutes."

Senator Carson asked Mr. Greyes if he would support Mr. Mullins previous recommended changes.

Mr. Greyes responded yes, he would support that change.

Katherine Kokko, Right to Know New Hampshire, stated this bill requires a routine review process for minutes that are withheld. She believed most municipalities are not aware of the clause in RSA 91-A:3, that requires a review of minutes, but there is also no enforcement mechanism to review sealed minutes. A recent amendment to RSA 91-A:3 required a listing of non-public minutes beginning in January 2022. There is a current protocol to review minutes; however previous minutes are not grandfathered in. This bill does not create an undue burden on public bodies, it provides considerable leeway. She also noted this bill does not create a new requirement; but operationalizes an existing statute.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Shane Goulet, attorney with the Office of Professional Licensure and Certification and **Douglas Osterhoudt**, General Counsel for the Office of Professional Licensure and Certification. Mr. Osterhoudt did not take a position on this bill; however, he voiced some concerns of OPLC. He stated that the most common reason boards go into non-public sessions are under RSA 91-A:3, matters that would adversely affect the reputation of an individual. A board might also meet in a non-public session due to RSA 91-A:5, information disclosed from public exposure. The board makes the decision to make minutes public or not. Mr. Osterhoudt stated that his concern is that if one board fails to address some non-public minutes then the default is to make the minutes public even after ten years. He stated the fall out would harm the individuals that RSA 91-A:3 was meant to protect.

Mr. Goulet explained that there are certain boards that have specific statutory prescriptions with their own statute that illustrates what should be non-public and public. So, the bill may conflict with current statutory authority. Mr. Goulet questioned who is to determine what should be made public or non-public.

mjs
Date Hearing Report completed: April 3, 2023

Speakers

Senate Judiciary Committee
SIGN-IN SHEET

Date: Tuesday March 28th, 2023 **Time:** 2:00 p.m.

HB 321-FN-LOCAL AN ACT relative to minutes from nonpublic sessions under the right to know law.

Name/Representing *(please print neatly)*

	Support	Neutral	Oppose	Speaking?	Yes	No
Katherine Yokko	☒	☐	☐		☒	☐
Tom Mullins / City of Keene	☒	☐	☐		☒	☐
Nate Greyes NHMA	☒	☐	☐		☒	☐
Rep Josh Yokela / Rock 32	☒	☐	☐		☒	☐
Shane Goulet + Douglas Osterhoudt / OPLC	☐	☒	☐		☒	☐
	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐
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	☐	☐	☐		☐	☐
	☐	☐	☐		☐	☐

Senate Remote Testify

Judiciary Committee Testify List for Bill HB321 on 2023-03-28

Support: 31 Oppose: 0

Name	Title	Representing	Position
Smith, Julie	A Member of the Public	Myself	Support
kirsch, walter	A Member of the Public	Myself	Support
glidden, deborah	A Member of the Public	Myself	Support
Howland, Curtis	A Member of the Public	Myself	Support
Dickler, Jeffrey	A Member of the Public	Myself	Support
spencer, louise	A Member of the Public	Myself	Support
Casino, Joanne	A Member of the Public	Myself	Support
Spielman, Kathy Sue	A Member of the Public	Myself	Support
Jones, Andrew	A Member of the Public	Myself	Support
Devore, Gary	A Member of the Public	Myself	Support
Doughty, Patrick	A Member of the Public	Myself	Support
Colquhoun, Laura	A Member of the Public	Myself	Support
Damon, Claudia	A Member of the Public	Myself	Support
Moore, Susan	A Member of the Public	Myself	Support
Bissex, Hannah	A Member of the Public	Myself	Support
Merlone, Lynn	A Member of the Public	Myself	Support
Thomas, A	A Member of the Public	Myself	Support
Martin, Patricia	A Member of the Public	Myself	Support
lershey, Jane	A Member of the Public	Myself	Support
Schuman, Diana	A Member of the Public	Myself	Support
Mercer, Jennifer	A Member of the Public	Myself	Support
Walker, Deborah	A Member of the Public	Myself	Support
Holt, David	A Member of the Public	Myself	Support
perencevich, ruth	A Member of the Public	Myself	Support
Sumner, Deborah	A Member of the Public	Myself	Support
saad, david	A Member of the Public	Myself	Support
Brennan, Nancy	A Member of the Public	Myself	Support
DeMark, Richard	A Member of the Public	Myself	Support
DeMark, Harriet	A Member of the Public	Myself	Support
Willing, Maura	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # HB 321-FN-L

Hearing date: 3/28

Executive Session date: 5/9

Motion of: OTP/A **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	✓		✓	
Sen. Gannon, V-Chair			✓	
Sen. Ward			✓	
Sen. Whitley		✓	✓	
Sen. Chandley			✓	

Motion of: 1491s **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	✓		✓	
Sen. Gannon, V-Chair			✓	
Sen. Ward			✓	
Sen. Whitley			✓	
Sen. Chandley		✓	✓	

Motion of: Consent **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair			✓	
Sen. Gannon, V-Chair		✓	✓	
Sen. Ward	✓		✓	
Sen. Whitley			✓	
Sen. Chandley			✓	

Reported out by: Sen. Chandley

Notes:

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, May 10, 2023

THE COMMITTEE ON Judiciary

to which was referred **HB 321-FN-LOCAL**

AN ACT relative to minutes from nonpublic sessions under the right to know law.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1729s

Senator Shannon Chandley
For the Committee

House Bill 321-FN-L requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public. The Committee Amendment makes no substantive change to the bill; it simply changes the format to enhance clarity. This bill ensures that nonpublic meeting minutes will be routinely assessed and released furthering government transparency in this state.

Matthew Schelzi 271-3266

FOR THE CONSENT CALENDAR

JUDICIARY

HB 321-FN-LOCAL, relative to minutes from nonpublic sessions under the right to know law.
Ought to Pass with Amendment, Vote 5-0.
Senator Shannon Chandley for the committee.

House Bill 321-FN-L requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public. The Committee Amendment makes no substantive change to the bill; it simply changes the format to enhance clarity. This bill ensures that nonpublic meeting minutes will be routinely assessed and released furthering government transparency in this state.

General Court of New Hampshire - Bill Status System

Docket of HB321

Docket Abbreviations

Bill Title: relative to minutes from nonpublic sessions under the right to know law.

Official Docket of **HB321.**:

Date	Body	Description
1/9/2023	H	**Introduced** (in recess of) 01/05/2023 and referred to Judiciary **HJ 3** P. 11
1/11/2023	H	Public Hearing: 01/19/2023 02:00 pm LOB 206-208
1/25/2023	H	Executive Session: 02/01/2023 09:00 am LOB 206-208
2/8/2023	H	Committee Report: Ought to Pass 02/01/2023 **(Vote 20-0; CC) HC 11** P. 10
2/14/2023	H	**Ought to Pass**: MA VV 02/14/2023 **HJ 5**
3/7/2023	S	Introduced 02/22/2023 and Referred to Judiciary; **SJ 9**
3/22/2023	S	**Hearing:** 03/28/2023, Room 100, SH, 02:00 pm; **SC 15**
5/10/2023	S	Committee Report: Ought to Pass with Amendment **#2023-1729s**, 05/18/2023; Vote 5-0; CC; **SC 22**
5/18/2023	S	Committee Amendment **#2023-1729s**, AA, VV; 05/18/2023; **SJ 15**
5/18/2023	S	**Ought to Pass with Amendment** 2023-1729s, MA, VV; OT3rdg; 05/18/2023; **SJ 15**
6/15/2023	H	House Concurs with Senate Amendment 2023-1729s (Rep. Lynn): MA VV 06/15/2023 **HJ 15** P. 3
7/18/2023	S	Enrolled Adopted, VV, (In recess 06/29/2023); **SJ 20**
7/19/2023	H	Enrolled (in recess of) 06/29/2023 **HJ 17** P. 18
8/9/2023	H	Signed by Governor Sununu 08/04/2023; Chapter 189; eff: 10/03/2023 **HJ 17**

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 321-FN-L **Senate Committee:** JUD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

X Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

X - amendment # 1491s X - amendment # 1729s

___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

X as amended by the senate ___ as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Matthew Peterson 8-31-23

Committee Aide **Date**

Senate Clerk's Office AK