Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

SB 514, preventing ballot questions concerning alterations to municipal tax caps from being altered by local legislative bodies.

Hearing Date: January 20, 2026

Time Opened: 10:57 a.m. **Time Closed**: 11:07 a.m.

Members of the Committee Present: Senators Gray, Lang, Rochefort, Perkins Kwoka and Long

Members of the Committee Absent: None

Bill Analysis: This bill prevents ballot questions concerning alterations to municipal tax caps from being altered by local legislative bodies.

Sponsors:

Sen. Murphy	Sen. Avard	Sen. Carson
Sen. Sullivan	Sen. McGough	Sen. Innis

Who supports the bill: 5 people signed in support of this bill. For the complete list of names, please contact committee aide, Jessica Bourque at jessica.bourque@gc.nh.gov

Who opposes the bill: 86 people signed in opposed to this bill. For the complete list of names, please contact committee aide, Jessica Bourqe at jessica.bourque@gc.nh.gov

Summary of testimony presented:

Grant Bosse, Senate Deputy Chief of Staff, introduced the bill on behalf of Senator Keith Murphy

- New Hampshire has a tax cap law that allows local voters to put limits on spending and tax rates on the ballot, where they can then vote to approve or reject it.
- The Goffstown School District experienced a situation where people were able to get a warrant article onto the ballot, and then the school board decided to amend it from a 3% increase to a 33% annual increase, which ultimately makes a tax cap useless.
- This also happened in New Boston on the town side, where a 2% tax cap was going to be amended to a 50% annual increase in the tax cap. The town backed off after litigation was threatened.

- Senator Murphy believes that if local voters petition to include a warrant article on the ballot, it should be placed there. This bill states that it should appear on the ballot as is and not, under the guise of an amendment, be completely gutted.

Brodie Deshais, NH Municipal Association

- NHMA opposes this bill as written.
- In section 1 on Line 8, the NHMA is confused by the language, "but the question shall not be placed on the official ballot used to elect officers," and considers it redundant. Towns exploring a tax cap might get confused when reading that language.
- Sections 2 and 3 impact how a locally adopted tax cap may be adopted. Some of the examples cited in previous testimony are not the same as a traditional warrant article, which goes on the ballot and is voted on yes or no.
- NHMA is concerned that limiting the legislative body's ability to amend any warrant article undermines the legislative body's legal and historical authority.
- Warrant articles are not always written in a legal manner, so amendments are necessary to make something clear, legal, and binding.
- Section 4, the applicability section, is extremely confusing; lines 6-8 on page 2 could be interpreted as retroactively nullifying any tax cap article adopted by a legislative body in the six towns that already have a locally adopted tax cap. This could cause the articles eventually adopted to be considered illegal and non-binding.

Senator Lang asked whether there are any other circumstances in which a legislative body lacks the authority to amend a warrant, and why we would limit this topic.

Mr. Deshaies said that is their position. Whether it's a petition or a specific subject matter, it should be subject to change, because we shouldn't create separate categories for different articles. The only thing he can think of is planning and zoning, because these can be very technical, and someone might not have followed the planning process.

Senator Long said he is wondering whether this applies only to warrant articles or to cities with tax caps, since the bill says "Towns, Cities, Village Districts, and Unincorporated Places."

Mr. Deshais does not think so because cities that have adopted tax caps have adopted them through their charters. This bill would not impact cities.

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Date Hearing Report completed: January 23, 2026