

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 1233, relative to the minutes of non-public sessions.

Hearing Date: March 18, 2026

Time Opened: 1:58 p.m.

Time Closed:

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

Members of the Committee Absent: None

Bill Analysis: This bill modifies the right-to-know law by requiring that the only minutes or decisions withheld from public disclosure are those portions covered by the motion to enter nonpublic session. The bill also adds start times and end times in the list of nonpublic session minutes available under the right-to-know law.

Sponsors:
Rep. Beaulier

Who supports the bill: Cory Stone, Curtis Howland, Julie Smith, Brad Louth, Timothy Finney, Pamela Harders, Aubrey Freedman

Who opposes the bill: Sarah Burke Cohen, Kate Horgan

Summary of testimony presented:

Senator Lang introduced the bill on behalf of the prime sponsor.

Sarah Burke Cohen, NH Municipal Association (NHMA)

- Opposes this bill.
- Believes RSA 91-A already requires a body to make a motion to go into a public session and to explain why they are transitioning to a non-public session. The statute already outlines the reasons for entering non-public sessions.

Senator Rochefort said he's hearing concerns that discussions are happening in non-public sessions that shouldn't be. Who should someone contact to file a complaint if this is the case?

Ms. Burke Cohen stated that it was formerly the Right to Know Ombudsman, but now she believes it is the Attorney General.

Senator Rochefort asked about the start and end times in the bill and whether NHMA has any issues with that.

Ms. Burke Cohen said NHMA doesn't see an issue with that.

Senator Rochefort said he has also heard concerns that this could be a problem not just for municipalities but with professional boards as well.

Ms. Burke Cohen said she has heard that as well, and NHMA would not object to recording start and end times for non-public sessions.

Senator Lang said he interprets the start time differently. He doesn't see it as requiring the recording of start and end times when they move into a non-public session. Instead, he understands it as a town needing to maintain an ongoing list recording the dates and times when it begins and ends a non-public session.

Ms. Burke Cohen said this appears misplaced and would be better placed elsewhere in the statute. The list would serve as an index of the days and times when non-public sessions occurred and their durations. She believes the goal is to include this information in the actual minutes of the meeting.