

SB 643-FN - AS INTRODUCED

2026 SESSION

26-2091

07/05

SENATE BILL **643-FN**

AN ACT requiring cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

SPONSORS: Sen. Avard, Dist 12; Sen. Lang, Dist 2; Sen. Murphy, Dist 16; Sen. Sullivan, Dist 18; Rep. Barbour, Hills. 35; Rep. Sellers, Graf. 10

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill requires cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

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

1 1 Statement of Findings. The general court finds that:

2 I. There is a compelling state interest in promoting transparency, accountability, and citizen
3 participation when municipalities consider overriding locally adopted tax or spending caps.

4 II. Local tax caps and spending caps, whether adopted under RSA 32, RSA 49-C, or RSA 49-
5 D, reflect the will of the voters to place limits on the growth of local government.

6 III. Existing law permits overrides of such caps by supermajority vote of the legislative body
7 or, in some cases, by ballot vote of the voters, but does not provide uniform procedures to ensure
8 adequate public notice, public comment, and disclosure of how officials vote.

9 IV. Taxpayers are entitled to clear and timely information about when and how their elected
10 representatives vote to override such caps, particularly because such decisions may directly affect
11 the amount of property taxes levied.

12 V. Any attempt to override a tax or spending cap must be accompanied by enhanced
13 procedural safeguards, including extended notice, a guaranteed opportunity for public comment, a
14 recorded roll call vote, and prominent disclosure of the results to taxpayers on their property tax
15 bills.

16 2 New Section; Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget
17 Law; Override Procedures. Amend RSA 32 by inserting after section 5-h the following new section:

18 32:5-i Override Procedures for Local Tax and Spending Caps.

19 I. Before any vote to override a tax or spending cap by a municipality, city, or town may be
20 held, the governing body shall:

21 (a) Hold a public hearing on the proposed override and provide notice of such hearing in
22 accordance with RSA 32:5, I, and other applicable law, except that such notice shall be provided at
23 least 30 days in advance of the hearing;

24 (b) Provide at such hearing a public comment period at least 60 minutes in duration,
25 during which any citizen may address the proposed override; and

26 (c) Record the final vote of the legislative body on the proposed override as a roll call
27 vote, with each member's name and vote entered into an official record.

28 II. The results of the roll call vote, including the name of each member of the legislative body
29 and how such member voted, shall be published on, or included with, the next property tax bill

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1 issued by the municipality, city, or town. Such disclosure shall be presented in a clear and
2 prominent manner.

3 III. Nothing in this section shall alter or diminish any requirement under existing law or
4 charter provision that an override of a tax or spending cap be approved by a supermajority of a
5 legislative body or by a ballot vote at a municipal, city, or town meeting.

6 3 Effective Date. This act shall take effect 60 days after its passage.

**SB 643-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable Increase of under \$10,000 per city			

METHODOLOGY:

This bill requires cities and towns to hold a public hearing when seeking to override a tax or spending cap. However, State statute {RSA 32:5, I} already requires towns to conduct a public hearing for each budget, making the bill's provisions applicable primarily to cities.

The New Hampshire Municipal Association states that there is an indeterminable increase of under \$10,000 per city. However, the cumulative impact would exceed \$10,000 if multiple cities exercised the provisions of this bill due to additional staff time, printing costs, and mailing costs.

AGENCIES CONTACTED:

New Hampshire Municipal Association