

CHAPTER 206
HB 164-FN - FINAL VERSION

7Jan2026... 2979h
05/07/2026 1627s

2026 SESSION

25-0128
02/08

HOUSE BILL

164-FN

AN ACT relative to local records retention.

SPONSORS: Rep. Alexander Jr., Hills. 29; Rep. Lynn, Rock. 17; Rep. Kuttub, Rock. 17; Rep. Berch,
Ches. 6; Sen. Innis, Dist 7; Sen. Murphy, Dist 16

COMMITTEE: Judiciary

ANALYSIS

This bill funds and equips the local government record manager with online storage of records that are available for public access.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to local records retention.

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

1 206:1 Local Records; Public Access. Amend RSA 5:35 to read as follows:

2 5:35 Local Records.

3 The director shall accept for storage in the state archives such local records as the municipal records
4 board established under RSA 33-A:4-a may require. ***The director shall designate, with the approval of the***
5 ***municipal records board, a publicly accessible website for the retention and public access to local***
6 ***electronic records.***

7 206:2 Local Government Records Manager; Website Development. Amend RSA 5:49, II to read as
8 follows:

9 II. It shall be the responsibility of the local government records manager to advise the municipal
10 records board concerning local government records policies and procedures, state services and financial
11 support needed to assist or advise local officials, ***and*** regulations pertaining to local government [records,
12 ~~and grants for local government records management improvement pursuant to RSA 5:51~~].

13 206:3 New Paragraph; Duties of Local Government Records Manager. Amend RSA 5:49 by inserting
14 after paragraph II the following new paragraph:

15 II-a. The local government records manager, or if the role is not filled, the state archivist, is
16 authorized to employ specialists in records management, archives, and administration, consultants,
17 and/or other specialists necessary to provide a publicly accessible website pursuant to RSA 5:35 and
18 issue guidance for its proper use.

19 206:4 New Paragraph; Electronic Records. Amend RSA 33-A:5-a by inserting after paragraph II the
20 following new paragraph:

21 III. Electronic municipal records, including paper municipal records transferred to electronic
22 records in accordance with the provisions of paragraph I, may be stored on a publicly accessible website
23 designated by, and in accordance with, guidance issued by the state archivist. If electronic municipal
24 records are stored in this manner, no additional copy need be kept by the municipality if the municipality
25 provides the public at least one cost-free method of accessing the website.

26 206:5 Minutes and Records Available for Public Inspection. Amend RSA 91-A:4, IV(a) to read as
27 follows:

28 IV.(a) Each public body or agency shall, upon request for any governmental record reasonably
29 described, make available for inspection and copying any such governmental record within its files when
30 such records are immediately available for such release ***or, if the record has been uploaded to the website***
31 ***in accordance with RSA 33-A:5-a, III, provide the domain name of the website.***

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- 1 206:6 Appropriation. The sum of \$50,000 for the fiscal year ending June 30, 2027 is hereby
2 appropriated to the secretary of state, division of archives and records management for the creation and
3 maintenance of a publicly accessible website for the retention and public access to local electronic
4 records, and the implementation of provisions of this act. Such funds shall be non-lapsing. The governor
5 is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
6 206:7 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 02, 2026
Effective Date: August 31, 2026

