

HB 1603-FN - AS INTRODUCED

2022 SESSION

22-2464

10/11

HOUSE BILL

1603-FN

AN ACT defining certain school information as governmental records under the right to know law.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Testerman, Merr. 2; Rep. Yakubovich, Merr. 24; Rep. Abrami, Rock. 19; Rep. Stapleton, Sull. 5; Rep. Santonastaso, Ches. 14

COMMITTEE: Judiciary

ANALYSIS

This bill provides for the inclusion of certain records of schools and school administrative units under the right-to-know law, RSA 91-A.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT defining certain school information as governmental records under the right to know law.

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

1 1 Right-to-know Law; Governmental Records; School Records. Amend RSA 91-A:1-a, III to read
2 as follows:

3 III. "Governmental records" means any information created, accepted, or obtained by, or on
4 behalf of, any public body, or a quorum or majority thereof, or any public agency in furtherance of its
5 official function. Without limiting the foregoing[;]:

6 **(a)** The term "governmental records" includes any written communication or other
7 information, whether in paper, electronic, or other physical form, received by a quorum or majority
8 of a public body in furtherance of its official function, whether at a meeting or outside a meeting of
9 the body.

10 **(b)** The term "governmental records" shall also include the term "public records."

11 **(c)** *The term "governmental records" includes, but is not limited to, a school's*
12 *and school administrative unit's:*

13 **(1)** *Curriculum, including curriculum for all educator/staff training*
14 *regardless of the source.*

15 **(2)** *Bylaws and policies.*

16 **(3)** *Receipts, expenditures, and supporting documentation.*

17 **(4)** *Requests for proposals (RFPs), responses to RFPs, and contracts.*

18 **(5)** *Articles of agreement.*

19 **(6)** *Out-of-district placement information with redaction of student*
20 *identifying information.*

21 **(7)** *Complaints and responses to complaints with redaction of student*
22 *identifying information.*

23 **(8)** *Communications with transportation providers related to route*
24 *planning, staffing shortages, or any other matter that affects the ability of all students to*
25 *be transported to and from school in a timely manner.*

26 **(9)** *Communication or other information about subparagraphs (1)-(8).*

27 2 Effective Date. This act shall take effect 60 days after its passage.

HB 1603-FN- FISCAL NOTE
AS INTRODUCED

AN ACT defining certain school information as governmental records under the right to know law.

FISCAL IMPACT: ☐ State ☐ County ☒ Local ☐ None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill provides for the inclusion of certain records of schools and school administrative units (SAUs) under RSA 91-A, the state “right-to-know” law. While it is not expected that this bill will have any impact on state budgets, there may be local school district impacts as this will likely generate additional “right-to-know” record requests. Any impact to local expenditures is indeterminable.

It is assumed any fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

Department of Education