

Amendment to HB 170

1 Amend RSA 91-A:2, II as inserted by section 1 of the bill by replacing it with the following:

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3 II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means
4 of telephone or electronic communication, or in any other manner, shall be open to the public.
5 Except for town meetings, school district meetings, and elections, no vote while in open session may
6 be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not
7 limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such
8 meetings, including nonpublic sessions, shall include the names of members, persons appearing
9 before the public bodies, and a brief description of the subject matter discussed and final decisions.
10 Subject to the provisions of RSA 91-A:3, minutes shall be promptly recorded and open to public
11 inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and
12 shall be treated as permanent records of any public body, or any subordinate body thereof, without
13 exception. ***If minutes are posted on the public body's Internet website, then they shall be***
14 ***posted on such website consistently for all subsequent meetings, once they become***
15 ***available.*** Except in an emergency or when there is a meeting of a legislative committee, a notice
16 of the time and place of each such meeting, including a nonpublic session, shall be posted in 2
17 appropriate places one of which may be the public body's Internet website, if such exists, or shall be
18 printed in a newspaper of general circulation in the city or town at least 24 hours, excluding
19 Sundays and legal holidays, prior to such meetings. ***If notices are posted on the public body's***
20 ***Internet website, then they shall be posted on such website consistently for all subsequent***
21 ***meetings.*** An emergency shall mean a situation where immediate undelayed action is deemed to
22 be imperative by the chairman or presiding officer of the public body, who shall post a notice of the
23 time and place of such meeting as soon as practicable, and shall employ whatever further means are
24 reasonably available to inform the public that a meeting is to be held. The minutes of the meeting
25 shall clearly spell out the need for the emergency meeting. When a meeting of a legislative
26 committee is held, publication made pursuant to the rules of the house of representatives or the
27 senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or town
28 or guidelines or rules of order of any public body require a broader public access to official meetings
29 and records than herein described, such charter provisions or guidelines or rules of order shall take
30 precedence over the requirements of this chapter. For the purposes of this paragraph, a business
31 day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state
32 holidays.

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AMENDED ANALYSIS

This bill declares that if notice of meetings and minutes of public meetings are posted on a public body's Internet website, they shall be posted for all subsequent meetings.