

Amendment to HB 460

1 Amend the bill by replacing section 1 with the following:

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3 1 New Paragraph; Right-to-Know Law; Objection by Member of Public Body. Amend RSA 91-
4 A:2 by inserting after paragraph II the following new paragraph:

5 II-a. If a member of the public body believes that any discussion in a meeting of the body,
6 including in a nonpublic session, violates this chapter, the member may object to the discussion. If
7 the public body continues the discussion despite the objection, the objecting member may request
8 that his or her objection be recorded in the minutes and may then continue to participate in the
9 discussion without being subject to the penalties of RSA 91-A:8, IV or V. Upon such a request, the
10 public body shall record the member's objection in its minutes of the meeting. If the objection is to a
11 discussion in nonpublic session, the objection shall also be recorded in the public minutes, but the
12 notation in the public minutes shall include only the member's name, a statement that he or she
13 objected to the discussion in nonpublic session, and a reference to the provision of RSA 91-A:3, II,
14 that was the basis for the discussion.

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AMENDED ANALYSIS

This bill declares that a member of a public body may object to a discussion in a meeting of the body, including nonpublic session, if the member believes the discussion violates RSA 91-A. Upon request of the member who is objecting to the discussion, the public body shall record the member's objection in its minutes of the meeting.