HB 1559 - AS INTRODUCED

2020 SESSION

HOUSE BILL

1559

AN ACT relative to sealing records in nonpublic session under the right-to-know law.


COMMITTEE: Judiciary

ANALYSIS

This bill declares that sealed minutes in nonpublic sessions under the right-to-know law would only be sealed for one year and would require annual revoting to keep them sealed.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT relative to sealing records in nonpublic session under the right-to-know law.

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

1 Non-Public Sessions; Right-to-Know Law. Amend RSA 91-A:3, III to read as follows:

III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes of such sessions shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, [information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply] the vote to not publicly disclose the minutes and decisions shall be valid for up to one year and may be revoted annually to not publicly disclose the minutes and decisions if such circumstances continue to exist.

2 Effective Date. This act shall take effect January 1, 2021.