HOUSE BILL 1673-FN

AN ACT relative to the definition of "public body" under the right-to-know law.


COMMITTEE: Judiciary

ANALYSIS

This bill adds all entities which receive state funding to the definition of "public body" under the right-to-know law.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the definition of "public body" under the right-to-know law.

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

1 New Subparagraph; Right-to-Know Law; Definition of "Public Body." Amend RSA 91-A:1-a, VI by inserting after subparagraph (e) the following new subparagraph:

   (f) Any private for profit or not-for-profit corporation, limited liability company, partnership, or other entity or organization for whom state funding is a material portion of its budget. For the purposes of this paragraph, a "material portion" shall mean $25,000 in one year, or 10 percent or more of the entity's income, whichever is greater.

2 Effective Date. This act shall take effect January 1, 2021.
AN ACT relative to the definition of "public body" under the right-to-know law.

FISCAL IMPACT: [ X ] State [ ] County [ ] Local [ ] None

<table>
<thead>
<tr>
<th>STATE:</th>
<th>Estimated Increase / (Decrease)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY 2020</td>
<td>FY 2021</td>
</tr>
<tr>
<td>Appropriation</td>
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<tr>
<td>Expenditures</td>
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<td>Indeterminable Increase</td>
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<tr>
<td>Funding Source</td>
<td>[ X ] General</td>
<td>[ ] Education</td>
</tr>
</tbody>
</table>

METHODOLOGY:

This bill adds entities which receive state funding to the definition of public body under the right-to-know law. The Judicial Branch indicates the bill has the potential to add to the case load of the Branch. Such additional cases would be classified as routine equity cases in the superior court. The Branch has no information on the possible number of additional cases, but has provided cost information for an average routine equity case. The cost to the Judicial Branch of an average routine equity case in the trial court is estimated at $268.13 for FY 2021 and $279.09 for FY 2022. The Branch notes that the cost information is based on studies of judicial and clerical weighted caseload times for processing the average routine equity case. These studies are now more than fourteen years old for judicial time and over eleven years old for clerical time so the data may not have current validity. In addition, changes have occurred during that time span with respect to processing these types of cases.

AGENCIES CONTACTED:

Judicial Branch