

HB 1218 - AS INTRODUCED

2024 SESSION

24-2499

08/10

HOUSE BILL ***1218***

AN ACT relative to voting for municipal bonds.

SPONSORS: Rep. M. Cahill, Rock. 10; Rep. Maggiore, Rock. 23; Rep. Cloutier, Sull. 6; Sen. Altschiller, Dist 24

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows for the adoption of municipal bonds by a simple majority vote.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to voting for municipal bonds.

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

1 1 Official Town Ballot Council; Bond Adoption. Amend RSA 49-D:3, I-a to read as follows:

2 I-a. Official ballot town council shall be a variation of the town council which provides for
3 voting on some or all matters that general law requires to be addressed at the annual or a special
4 meeting of a town, by official ballot. In such event, the town council shall be vested only with the
5 limited authority to vote on all matters not voted on by official ballot. When an official ballot town
6 council is included in any charter, the provisions of RSA 49-D:3, I, relative to town councils, shall
7 apply in all respects, except with respect to those matters to be voted on by official ballot. When a
8 charter provides for an official ballot town council it shall also specify with precision the budgetary
9 items to be included on the official ballot, a finalization process for the annual budget, the process for
10 public hearings, debate, discussion, and amendment of questions to be placed on the official ballot,
11 the procedures for the transfer of funds among various departments, funds, accounts, and agencies
12 as may be necessary during the year, and the applicability of the official ballot procedure to special
13 elections. The majority vote required to approve bonds or notes shall be ~~[either 2/3 or 3/5 as adopted~~
14 ~~and provided for in the charter. If a charter does not specify which majority vote is required, then~~
15 ~~the required majority vote shall be 2/3]~~ **a simple majority**. All voting by official ballot shall be in
16 accordance with the procedures established in RSA 669:19-29, RSA 670:5-7 and RSA 671:20-30,
17 including all requirements pertaining to absentee voting, polling places, and polling hours.
18 Nonbudgetary items may be placed on the official ballot pursuant to this section notwithstanding the
19 provisions of RSA 40:4-e and RSA 39:3-d.

20 2 Town Charters; Official Ballot Town Meeting; Bond Adoption. Amend RSA 49-D:3, II-a to
21 read as follows:

22 II-a. Official ballot town meeting shall be a variation of the open town meeting which
23 provides for voting on some or all warrant articles, including part or all of the annual town operating
24 budget, by official ballot. In such event, the open town meeting shall be vested only with the limited
25 authority to vote on all matters not voted on by official ballot. When an official ballot town meeting
26 is included in any charter, the provisions of general law relative to town meetings, their warning, the
27 right for petitioned articles at such meetings, and the conduct of such meetings shall apply to the
28 official ballot and open town meeting in all respects. The majority vote required to approve bonds or
29 notes shall be ~~[either 2/3 or 3/5 as adopted and provided for in the charter. If a charter is silent with~~
30 ~~regard to such required majority, then the majority vote shall be 2/3]~~ **a simple majority**. When a
31 charter provides for an official ballot town meeting it shall also specify with precision the budgetary

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1 items to be included on the official ballot, a finalization process for the annual budget, the process for
2 public hearings, debate, discussion, and amendment of questions to be placed on the official ballot,
3 the procedures for the transfer of funds among various departments, funds, accounts, and agencies
4 as may be necessary during the year, and the applicability of the official ballot procedure to special
5 meetings. All voting by official ballot shall be in accordance with the procedures established in RSA
6 669:19-29, RSA 670:5-7 and RSA 671:20-30, including all requirements pertaining to absentee
7 voting, polling places, and polling hours. Nonbudgetary items may be placed on the official ballot
8 pursuant to this section notwithstanding the provisions of RSA 40:4-e and RSA 39:3-d.

9 3 Municipal Budget Law; Appropriations for Capital Projects. Amend the introductory
10 paragraph of RSA 32:7-a to read as follows:

11 In addition to any other appropriation authority, and notwithstanding any other provisions of
12 law, at any annual meeting the legislative body may, by the affirmative vote of [~~2/3~~] **a simple**
13 **majority** of those present and voting, or by the affirmative vote of [~~3/5~~] **a simple majority** of those
14 voting on the question in a town or district that has adopted the official ballot referendum form of
15 meeting, appropriate funds for a term beyond one fiscal year, but not to exceed 5 fiscal years, as
16 follows:

17 4 Effective Date. This act shall take effect 60 days after its passage.