

Governor Signs Town Meeting Ratification Bill

The Governor on Friday signed [HB 329](#), the bill addressing ratification of voting results from town meeting voting sessions that were postponed due to severe weather on March 14. The bill is effective immediately. We thank the Governor for giving his prompt attention to this bill.

Under the bill, all elections of any person to any elected position in a town, school district, or village district are ratified. No further action is required by the political subdivision to ratify those elections, so the election results are automatically protected against any legal challenge.

In addition, the governing body may ratify all other “actions, votes, and proceedings” held at any session that was scheduled to take place on March 14 and was postponed due to weather. If the governing body elects to follow this process, it must first hold “a properly noticed public hearing.”

Under the terms of the bill, notice of the public hearing must be published at least 72 hours in advance of the hearing “in a newspaper of general circulation in the town or district” and posted at least 72 hours in advance on the public body’s Internet website, if one exists. We emphasize that the newspaper publication and the website posting are both required. Other than those notice requirements, the bill does not prescribe any rules for the conduct of the hearing—but it must be a public *hearing*, so the governing body must allow members of the public to speak before making any decision.

After the public hearing, the governing body may take a vote to “legalize, ratify, and confirm” the actions taken at the postponed session. The governing body’s decision must be in writing and must be “posted in the same manner as the results of the [postponed] election [or meeting].”

The bill does not require any town or district to take a ratification vote. However, if your town or district approved a bond at a postponed voting session, or took other action that might conceivably be subject to challenge (such as amending a zoning ordinance or approving a collective bargaining agreement), your governing body should seriously consider a ratification. We strongly urge all towns to consult with their local legal counsel, or with NHMA, if they have any questions about whether or how to hold a ratification vote.