STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE

To:	New Hampshire Moderators, Clerks, and Supervisors of the Checklist
From:	Gordon J. MacDonald, Attorney General
Subject:	UPDATE: Information Regarding COVID-19 and March 2020 Town Meetings and Business Sessions
Date:	Friday, March 13, 2020

Many municipalities will be holding meetings and/or business sessions this weekend (March 14 and 15, 2020). State officials have received inquiries about these meetings in light of the COVID-19 issue.

Pursuant to RSA 40:4, "[i]f an accident, natural disaster, or other emergency occurs which the moderator reasonably believes may render use of the meeting location unsafe, the moderator may, at any time prior to the scheduled deliberative or business session, postpone and reschedule the session to a date, place, and time certain."

The statute requires the moderator to use whatever means are available to inform citizens of the postponement and the rescheduled date or dates. At a minimum, that would require posting such notice on the town's website, publishing notice at the meeting place, and posting notice in other public areas.

In making this determination, moderators are encouraged to consider the latest public health guidance. Applicable guidance follows:

New Hampshire Public Health has published a Frequently Asked Questions document, which is available here: https://www.dhhs.nh.gov/dphs/cdcs/documents/covid-19-faq.pdf. The information contained in the document provides preventative actions town and election officials can take to operate their meetings with reduced risk of exposure.

Moderators should also consider the legal ramifications of postponing their towns' meetings. The purpose of these meetings is to approve annual budgets and for newly elected officials to assume their positions. As such, in making this determination we also encourage moderators to consult with their town's legal counsel.

Individuals have a role in helping protect themselves by staying home when they are sick, washing their hands frequently, covering coughs and sneezes, and practicing social distancing. Meeting places have a role in prevention as well and are encouraged to follow the current CDC guidance.