



# City of Concord

Mayor James P Bouley  
41 Green Street  
Concord, New Hampshire 03301  
(603) 225-8500

April 8, 2021

Honorable Sherman Packard, Speaker  
New Hampshire House of Representatives  
State House, Room 311  
107 North Main Street  
Concord, New Hampshire

Re: Opposition to House Bill 111

Dear Honorable House Speaker Packard:

We are writing to express our strong opposition to House Bill 111, which, if passed, would expose New Hampshire taxpayers to a significant and material increase in their property taxes and other State taxes and fees. House Bill 111 seeks to eliminate all sovereign and municipal immunity, including the limits on State and municipal liability for damages under RSA 541-B and 507-B. This Bill, as written, would subject the State and municipalities to unfettered lawsuits for good-faith decisions made by State and/or municipal employees in the reasonable exercise of their discretion. This is not good for New Hampshire and its municipalities.

Sovereign and municipal immunity places reasonable limits on persons bringing claims against the State and municipalities. These immunities apply to claims involving good faith decision making by our New Hampshire and municipal officials. Removing these important immunities, as well as the limits on claims, unnecessarily results in the State and municipalities being exposed to far greater liability with far greater risks of high-cost settlements and judgments. These costs would ultimately be borne by New Hampshire citizens and taxpayers.

Sovereign and municipal immunity do not protect the State and municipality from bad faith conduct. These cases move forward as they should, and the injured party is entitled to the relief afforded to them under the judicial system. Cases involving bad faith by a State or municipal official may proceed under current law.

House Bill 111 represents a significant threat to New Hampshire citizens and municipal taxpayers. The benefactors of this proposed legislation are lawyers and people claiming a right to sue for good faith conduct by our State and municipal employees. Their benefit should not be at the expense of New Hampshire citizens, and we urge your opposition to House Bill 111.

Thank you for your consideration.

Sincerely,

James Bouley  
Mayor of Concord

Paul Grenier  
Mayor of Berlin

Charlene Lovett  
Mayor of Claremont

Robert Carrier  
Mayor of Dover

Olivia Zink  
Mayor of Franklin (acting)

Andrew Hosmer  
Mayor of Laconia

Tim McNamara  
Mayor of Lebanon

Rick Becksted  
Mayor of Portsmouth

Joyce Craig  
Mayor of Manchester

James Donchess  
Mayor of Nashua

Caroline McCarley  
Mayor of Rochester

Dana Hilliard  
Mayor of Somersworth

George Hansel  
Mayor of Keene