



CITY OF CONCORD

New Hampshire's Main Street™

City Solicitor's Office

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REPORT TO MAYOR AND THE CITY COUNCIL

DATE: August 29, 2025

FROM: John J. Conforti, Deputy City Solicitor

SUBJECT: House Bill (HB) 737- Keno Opt-Out

Honorable Mayor and Members of the City Council,

The legislature recently passed House Bill 737 (HB 737), which was signed into law by Governor Ayotte on August 1, 2025. This legislation amends RSA 284:51 relating to the operation of keno in cities and towns by changing the local option from an “opt-in” model to an “opt out.” RSA 284:51 previously required cities and towns to authorize the operation of keno within their municipality through a ballot question. Keno authorization was placed on the ballot in the City in November 2017 and failed to pass. Under the revised law, keno is considered authorized unless the municipality specifically prohibits the game through a ballot question.

In accordance with HB 737, the City Council may add the following question to the November 2025 municipal election ballot:

“Shall we prohibit the operation of keno games within the City of Concord?”

This amendment does not become effective until June 1, 2027, however, the only municipal election that will take place before that time will be on November 4, 2025. The deadline for the City Council to place this question on this ballot is the Council’s meeting on September 8, 2025. The legislation does not require a public hearing before the City Council decides on whether to place this question on the ballot. Should the Council approve adding this question to the ballot, it will be required to hold a public hearing at least 15 days but not more than 30 days before the November 4, 2025 municipal election. Holding the public hearing during the scheduled City Council meeting on October 14, 2025 would meet this requirement.

Should the City Council decide not to approve the ballot question, retailers will be eligible to offer keno within this City of Concord starting on June 1, 2027. This question can be revisited at the November 2027 municipal election.