

SB 655 - AS INTRODUCED

2026 SESSION

26-3263

04/05

SENATE BILL **655**

AN ACT relative to employee leasing companies and workers' compensation coverage options.

SPONSORS: Sen. Innis, Dist 7; Sen. Rochefort, Dist 1; Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Ward, Dist 8; Sen. McGough, Dist 11; Rep. Labrie, Hills. 2; Rep. Peternel, Carr. 6

COMMITTEE: Commerce

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ANALYSIS

This bill permits client companies or leasing companies to secure workers' compensation coverage.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six*

AN ACT                    relative to employee leasing companies and workers' compensation coverage options.

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

1            1    Employee Leasing Companies; License Application and Fees. Amend the introductory  
2 paragraph of RSA 277-B:5, IV to read as follows:

3            IV. Every application for an original, renewal, or restricted license[<sup>7</sup>] shall be accompanied  
4 by evidence satisfactory to the commissioner that the leased employees are covered by workers'  
5 compensation insurance issued by a carrier admitted to write such coverage in this state ***for leased***  
6 ***employees for whom the employee leasing company has the contractual obligation to***  
7 ***maintain workers compensation coverage***. No unlicensed leasing company shall be provided  
8 workers' compensation coverage. An employee leasing company, ***if it has the contractual***  
9 ***obligation to maintain workers' compensation coverage for leased employees***, may meet its  
10 obligation to provide such insurance for leased employees through no more than 2 policies. When 2  
11 policies are issued, one shall be issued in the voluntary market, and the other shall be issued in the  
12 residual market.

13            2    New Paragraph; Employee Leasing Deemed Co-Employment. Amend RSA 277-B:9 by  
14 inserting after paragraph II the following new paragraph:

15            II-a. Either the employee leasing company or the client company shall purchase and  
16 maintain workers' compensation insurance for those employees in an employee leasing arrangement.

17            3    Employee Leasing Companies; Exclusivity and Vicarious Liability. Amend RSA 277-B:10 to  
18 read as follows:

19            277-B:10 Exclusivity and Vicarious Liability. An employee leasing company and its client  
20 company shall both be entitled to the exclusivity of remedy provisions of RSA 281-A:8 ***regardless of***  
21 ***which entity purchases the workers' compensation insurance***, and the employee leasing  
22 company shall not be vicariously liable for the actions or omissions of the client company and the  
23 client company shall not be vicariously liable for the actions or omissions of the employee leasing  
24 company. Nothing in this section shall prohibit any direct contractual liability between the  
25 employee leasing company and the client company, nor shall the same limit any liability or  
26 responsibility imposed by this chapter.

27            4    Effective Date. This act shall take effect 60 days after its passage.