

Senate Ways and Means Committee

Sonja Caldwell 271-2117

SB 633-FN, establishing a voluntary surcharge program and fund for the division of the arts and state council on the arts.

Hearing Date: January 14, 2026

Members of the Committee Present: Senators Lang, Sullivan and Fenton, McConkey, Perkins Kwoka

Members of the Committee Absent : Senators Murphy and Rosenwald

Bill Analysis: This bill establishes a voluntary surcharge program and fund for the division of the arts and state council on the arts.

Sponsors:

Sen. Watters

Sen. Innis

Sen. Rosenwald

Sen. Birdsell

Sen. McGough

Sen. Fenton

Sen. Perkins Kwoka

Sen. Pearl

Rep. Butler

Rep. M. Pearson

Who supports the bill: Natch Greyes (BIA), Sen. Watters, Sen. Pearl, Sen. McGough, Sen. Rosenwald, Sen. Innis, Sen. Fenton, Julian Long (Arts Council of Tamworth), Salvatore Prizio, Jennifer Minicucci

Who opposes the bill: Julie Smith, Daniel Richardson, Deanna Hoying, Ginnie Lupi, Megan Schmitt

Who is neutral on the bill: Mary McLaughlin

Summary of testimony presented:

Sen. Watters

- This bill establishes a voluntary surcharge program and fund for the Division of the Arts and State Council on the Arts.
- The bill provides a way to have sustainable funding for the Arts Council and allows individuals, rather than businesses, to make a contribution.
- For context, he explained that the House cut the Arts Council as part of the budget process, but the Senate came up with a plan to fund the office for \$150,000 and provide tax credits for businesses who make a contribution to the arts.

- He believes the legislature could also provide a more sustainable way to fund the Council and not burden them with fundraising through a voluntary ticket surcharge for venues that want to do it.
- Arts organizations have told Sen. Watters that fundraising is complicated in terms of asking their own donors to also give to the Arts Council.
- In 2022, 21,000 jobs in the State of NH and 3.4% of NH's GDP were contributed by the arts sector.
- This bill would allow, on a voluntary basis, arts organizations of a certain size to add a 50-cent surcharge onto a ticket. The bill creates a fund and a mechanism for management.
- An alternative suggestion was to have a box you can check to donate \$1 to the Arts Council and then that money would be transferred into the account that the bill would set up. Senator Watters said he was having conversations with Ticketmaster about how this alternative approach could be accomplished and said he needed a week to prepare an amendment to bring back to the committee.

Sen. Perkins Kwoka pointed out that line 10 of the bill needs clarification that it's the surcharge that is 50 cents per ticket and not the price of the ticket.

Sen. Lang asked what stops anyone from creating a checkbox now.

Sen. Watters said there are complications with funding from a nonprofit being donated to a nonprofit. He thinks there are questions regarding bylaws of arts organizations. Secondly, he explained that what we do need in the bill is to establish the fund. If someone wants to do it anyway, a fund still must be established so the money can be collected and administered with appropriate oversight.

Sen. Lang said HB2 created the Granite Patron of the Arts Fund.

Sen. Watters said he would look into whether that fund would be feasible for this bill, however, he said this is based more on individuals.

Sen. Sullivan asked what keeps the people involved in NH arts now from having an agreement that they will take 50 cents off each ticket and place it into a fund that will promote the arts.

Sen. Watters said there are real complications over the law and bylaws for nonprofits to be able to give money to another nonprofit. Some say you cannot raise money for other organizations.