

HB 163 - AS AMENDED BY THE SENATE

6Feb2025... 0086h
05/01/2025 1631s

2025 SESSION

25-0822
07/05

HOUSE BILL **163**

AN ACT relative to state funds.

SPONSORS: Rep. Almy, Graf. 17; Rep. Janigian, Rock. 25; Rep. D. McGuire, Merr. 14; Rep. Weyler, Rock. 14; Sen. Gray, Dist 6; Sen. Rosenwald, Dist 13

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill:

I. Defines new categories of dedicated funds.

II. Restructures the placement of dedicated funds within the chapter.

III. Repeals outdated fund references and clarifies certain categories of funds.

IV. Establishes the New Hampshire armories or other national guard facilities fund in the department of military affairs and veterans services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to state funds.

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

1 1 State Treasurer and State Accounts; Application of Receipts. Amend the introductory
2 paragraph of RSA 6:12, I(b) to read as follows:

3 (b) Moneys received by the state treasurer, as provided in RSA 6:11, shall be accounted
4 for in the state's accounting system as general revenue of the state, with the exception of the
5 following dedicated funds or accounts:

6 ***(1)(a) Funds received pursuant to RSA 6:12-c, which shall be maintained***
7 ***under the terms of the referenced trust or permanent or endowment fund.***

8 ***(1)(b) Funds received pursuant to RSA 6:12-d, which shall be maintained***
9 ***under the terms of the referenced custodial or escrow account.***

10 ***(1)(c) Any dedicated fund or account not included in RSA 6:12-c or 6:12-d.***

11 2 New Subparagraphs; State Treasurer and State Accounts; Application of Receipts. Amend
12 RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraphs:

13 (400) Moneys deposited in the water resources project accounts of the department of
14 environmental services established in RSA 482-A:3, III.

15 (401) Moneys deposited in the drinking water groundwater trust fund established in
16 RSA 6-D:1.

17 (402) Moneys deposited in the fox forest trust funds account of the department of
18 natural and cultural resources.

19 (403) Moneys deposited into the New Hampshire armories or other national guard
20 facilities fund established in RSA 110-B:32-b.

21 3 State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, III(i) to read
22 as follows:

23 (i) "Custodial fund or account" means moneys or other assets owned by a person or
24 entity but which are entrusted to and controlled by another, the custodian. The role of the custodian
25 includes, but is not limited to, holding such moneys or other assets in safekeeping, arranging for the
26 settlement of any purchases or sales of such assets, collecting income from investments, and
27 providing information to the owners of such moneys or other assets. ***The state, as a holder of***
28 ***these assets, acts in a fiduciary capacity, agrees to remit the assets, income from the assets,***
29 ***or both, to a specified beneficiary at a specified time.***

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1 4 State Treasurer and State Accounts; Trust and Agency Funds. Amend the title of RSA 6:12-c
2 to read as follows:

3 6:12-c Trust, **Permanent**, and **Endowment** ~~[Agency]~~ Funds.

4 5 New Subparagraphs; State Treasurer and State Accounts; Trust and Agency Funds. Amend
5 RSA 6:12-c, II by inserting after subparagraph (j) the following new subparagraphs:

6 (k) The land conservation investment program trust fund under RSA 162-C.

7 (l) The community conservation endowment pursuant to RSA 227-M:12.

8 (m) The New Hampshire excellence in higher education endowment trust fund under
9 RSA 6:38.

10 (n) The Benjamin Thompson trust fund under RSA 11:6.

11 (o) The Nesmith trust fund under RSA 186-B:8.

12 (p) The special teacher competence fund under RSA 186:7-a.

13 (q) The Connecticut lakes headwaters tract monitoring endowment fund under RSA
14 216:7.

15 (r) The Connecticut lakes headwaters natural areas stewardship endowment account
16 under RSA 216:9.

17 (s) The Connecticut lakes headwaters tract road maintenance endowment fund under
18 RSA 216:10.

19 (t) The Guy Thompson account of the New Hampshire veterans' home.

20 (u) The youth development center trust funds.

21 6 New Subparagraphs; State Treasurer and State Accounts; Custodial and Escrow Accounts.
22 Amend RSA 6:12-d, II by inserting after subparagraph (m) the following new subparagraphs:

23 (n) The private postsecondary career school deposit accounts pursuant to RSA 188-G:3,
24 IV(b).

25 (o) The yellow transportation escrow account of the department of labor.

26 (p) The crown paper workers compensation escrow account of the department of labor.

27 (q) The electric assistance program fund established in RSA 6:12-b.

28 7 State Treasurer and State Accounts; Reporting Requirements for Dedicated Funds. Amend
29 the introductory paragraph of RSA 6:12-e to read as follows:

30 6:12-e Reporting Requirements for Dedicated Funds. The definitions established in RSA 6:12
31 shall apply to this section. The administrator of each fund, account, or trust listed in RSA 6:12, RSA
32 6:12-b, RSA 6:12-c, and RSA 6:12-d shall complete and file an annual report with the commissioner
33 of administrative services on or before ~~[September]~~ **October** 15 of each fiscal year, covering the most
34 recently ended fiscal year. The commissioner of administrative services shall compile these reports
35 into a document known as the annual compilation of dedicated funds report on or before November
36 15 of each year and forward it to the governor, the president of the senate, the speaker of the house
37 of representatives, the legislative budget assistant, and the relevant legislative policy committees of

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1 the house and senate as indicated on said reports by the administrator of each fund, account, or
2 trust. The compilation shall be made available in a searchable electronic format and an extractable
3 modified version shall be available for sorting. Each annual report shall be retained in the office of
4 the state comptroller and made available as requested, and shall include, but not be limited to:

5 8 State Treasurer and State Accounts; Inclusion of All Dedicated Funds, Accounts, or Trusts.
6 Amend RSA 6:12-f, II (b) to read as follows:

7 (b) Submitting a request to the state treasurer to open and separately manage a new
8 trust, **permanent or endowment** [~~and agency~~] fund, pursuant to RSA 6:12-c, or a new custodial **or**
9 [~~and~~] escrow account, pursuant to RSA 6:12-d.

10 9 Repeal. The following are repealed:

11 I. RSA 6:12, I(b)(71), relative to funds received pursuant to RSA 6:12-b.

12 II. RSA 6:12, I(b)(78), relative to moneys deposited in the land conversation investment
13 program trust fund.

14 III. RSA 6:12, I(b)(115), relative to moneys deposited in the New Hampshire excellence in
15 higher education endowment trust fund.

16 IV. RSA 6:12, I(b)(134), relative to moneys deposited in the Benjamin Thomas trust fund.

17 V. RSA 6:12, I(b)(138), relative to moneys deposited in the Nesmith Trust fund.

18 VI. RSA 6:12, I(b)(139), relative to moneys deposited in the special teacher competence fund.

19 VII. RSA 6:12, I(b)(167), relative to funds received pursuant to RSA 6:12-c.

20 VIII. RSA 6:12, I(b)(168), relative to funds received pursuant to RSA 6-12-d.

21 IX. RSA 6:12, I(b)(219), relative to moneys deposited in the Connecticut Lakes headwaters
22 tract monitoring endowment fund.

23 X. RSA 6:12, I(b)(220), relative to moneys deposited in the Connecticut Lakes headwaters
24 natural areas stewardship endowment account.

25 XI. RSA 6:12, I(b)(221), relative to moneys deposited in the Connecticut Lakes headwaters
26 tract road maintenance endowment fund.

27 XII. RSA 6:12, III(h), relative to the definition of an agency fund.

28 XIII. RSA 6:12-c, II(a), relative to the Caroline A. Fox fund.

29 XIV. RSA 6:12-d, II(c), relative to the special fund for active cases account.

30 XV. RSA 6:12-d, II(e), relative to the dissolution of corporation account.

31 XVI. RSA 6:12-d, II(h), relative to the Guy Thompson account.

32 XVII. RSA 6:12-d, II(j), relative to the water resources project accounts.

33 XVIII. RSA 6:12-d, II(l), relative to the racing and charitable gaming escrow account.

34 10 New Section; Public Defense and Veterans' Affairs; Department of Military Affairs and
35 Veterans Services; New Hampshire National Guard Training Center Funds. Amend RSA 110-B by
36 inserting after section 32-a the following new section:

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1 110-B:32-b New Hampshire Armories or Other National Guard Facilities Fund. There is
2 established a fund to be known as the New Hampshire armories or other national guard facilities
3 fund, which shall exclude the New Hampshire national guard training center funds. The money in
4 this fund shall be nonlapsing and shall be continually appropriated to the department of military
5 affairs and veterans services. This fund shall be used to supplement general funds provided to
6 manage and operate the facilities related to rentals other than federal program income. Agency
7 income identified by the chief financial officer of the New Hampshire national guard as eligible for
8 this fund shall be deposited into the fund. Funds may be released for their stated purpose at the
9 discretion of the adjutant general.

10 11 Effective Date. This act shall take effect 60 days after its passage.