

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE FOR THE CONSENT CALENDAR

Wednesday, February 4, 2026

THE COMMITTEE ON Commerce

to which was referred **SB 416**

AN ACT relative to the pooling and sharing of tips among tipped employees.

Having considered the same, the committee recommends that the Bill

SHOULD BE PASSED WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 2026-0507s

Senator Tim McGough
For the Committee

At the request of the \$6 billion restaurant and hospitality industry and countless service tipped employees, this bill would replace the confusing and complicated state restrictions on tip pooling with the simpler federal Fair Labor Standards Act (FLSA) rules governing the pooling and sharing of tips. Despite receiving approvals in writing from the Department of Labor on policies, determinations can change administration to administration. To help reduce confusion and uncertainty, this bill would require New Hampshire to adopt the FLSA standard, which has been in place since 1938. 47 states already default to the federal standard. The Committee Amendment made a minor correction in a reference by changing a drafting typographical error from 29 C.F.R section 531.42 to 531.52.

Aaron Jones 271-2609

FOR THE CONSENT CALENDAR

COMMERCE

SB 416, relative to the pooling and sharing of tips among tipped employees.

Ought to Pass with Amendment, Vote 5-0.

Senator Tim McGough for the committee.

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