

HB 1211 - AS AMENDED BY THE HOUSE

11Mar2026... 0906h

2026 SESSION

26-2859

09/06

HOUSE BILL **1211**

AN ACT relative to the scope of review of state agency interpretations.

SPONSORS: Rep. Kofalt, Hills. 32; Rep. Granger, Straf. 2; Rep. Slottje, Hills. 13; Rep. Ankarberg, Straf. 7; Rep. Layon, Rock. 13; Rep. Alexander Jr., Hills. 29; Rep. Sabourin, Rock. 30; Sen. Innis, Dist 7; Sen. Murphy, Dist 16; Sen. Sullivan, Dist 18

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill states that in actions brought by or against state agencies, after applying all customary tools of interpretation, the court or hearing officer shall resolve any remaining doubt as to legal meaning in favor of a reasonable interpretation that limits agency power and maximizes liberty for the individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute, regulation, or other subregulatory agency document.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the scope of review of state agency interpretations.

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

1 1 New Section; Standards for Review. Amend RSA 541-A by inserting after section 24 the
2 following new section:

3 541-A:24-a Standards for Review.

4 I. In interpreting a state statute, regulation, or other subregulatory agency document, a
5 state court or an officer hearing an administration action shall not defer to a state agency's
6 interpretation of the statute, regulation, or subregulatory document and shall instead interpret its
7 meaning and effect de novo.

8 II. In actions brought by or against state agencies, after applying all customary tools of
9 interpretation, the court or hearing officer shall resolve any remaining doubt as to legal meaning in
10 favor of a reasonable interpretation that limits agency power and maximizes liberty for the
11 individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state
12 statute, regulation, or other subregulatory agency document.

13 2 New Section; Statutory Construction. Amend RSA 21 by inserting after section 55 the
14 following new section:

15 21:56 Presumption of Liberty in Administrative Law. Consistent with RSA 541-A:24-a, in
16 actions brought by or against state agencies, after applying all customary tools of interpretation, a
17 court or hearing officer shall resolve any remaining doubt as to legal meaning in favor of a
18 reasonable interpretation that limits agency power and maximizes liberty for the individuals
19 impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute,
20 regulation or other subregulatory agency document.

21 3 Effective Date. This act shall take effect January 1, 2027.