

June 23, 2026
2026-2195-EBA
12/07

Enrolled Bill Amendment to HB 1727

The Committee on Enrolled Bills to which was referred HB 1727

AN ACT relative to student data sharing for the Summer EBT program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1727

This enrolled bill amendment makes a technical correction to the bill to incorporate changes made to chapter law 36:1 of the 2026 legislative session and inserts a contingency to incorporate changes made if SB 615 of the 2026 regular legislative session becomes law.

Enrolled Bill Amendment to HB 1727

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Food and Nutrition Programs; Summer EBT Enrollment and Data Sharing.
Amend RSA 189 by inserting after RSA 189:11-e the following new section:

189:11-f Summer EBT Enrollment and Data Sharing.

I. Consistent with 42 U.S.C. section 1762(c)(1)(A), the department of education shall provide the department of health and human services with the name, date of birth, and household address of each student eligible for free or reduced-price meals for the purpose of automatic enrollment in the Summer EBT program. No additional personally identifiable information beyond the elements enumerated in this paragraph shall be transmitted under this section.

II. School districts and school administrative units shall provide a distinct notice and opt-out form consistent with 42 U.S.C. section 1762(c)(1)(E) to the parent or guardian of each student concurrently with the notice of decision for free and reduced-price meals. If the decision is provided in a paper format, the opt-out form shall be a separate physical insert. If provided electronically, the opt-out mechanism shall be a prominent, separate step within the process.

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III. If a student is determined eligible for free or reduced-price meals and the parent or guardian has not returned the opt-out form within 15 days of receipt of notice of the decision, the student shall be automatically enrolled in the Summer EBT program.

IV. Data transmitted under paragraph I shall be confidential, used exclusively for the administration and distribution of Summer EBT benefits, and deleted upon the completion of the distribution of benefits for the corresponding summer period, unless otherwise required by federal law.

V. Transmissions under paragraph I shall be governed by a memorandum of understanding between the department of education and the department of health and human services, conforming to the minimum required terms established by rule under RSA 161:15, II(d).

2 New Section; Department of Health and Human Services; Summer EBT. Amend RSA 161 by inserting after section 14 the following new section:

161:15 Summer EBT Implementation.

I. The department of health and human services shall establish and maintain a secure electronic mechanism, adopted by rule under RSA 541-A, to receive student data from the department of education for the purpose of Summer EBT enrollment.

II. The department of health and human services shall adopt rules pursuant to RSA 541-A establishing:

(a) Standardized language for the notice and opt-out form required under RSA 189:11-f,

II. The notice shall inform parents that completing the school meal application may result in automatic Summer EBT enrollment unless they affirmatively opt out;

(b) Secure transmission protocols for the mechanism required under paragraph I;

(c) Data retention and deletion procedures consistent with RSA 189:11-f, IV; and

(d) The minimum required terms of the memorandum of understanding required under RSA 189:11-f, V.

3 New Section; Department of Health and Human Services; Summer EBT. Amend RSA 161 by inserting after section 15 the following new section:

161:16 Summer EBT Implementation.

I. The department of health and human services shall establish and maintain a secure electronic mechanism, adopted by rule under RSA 541-A, to receive student data from the department of education for the purpose of Summer EBT enrollment.

II. The department of health and human services shall adopt rules pursuant to RSA 541-A establishing:

(a) Standardized language for the notice and opt-out form required under RSA 189:11-f,

II. The notice shall inform parents that completing the school meal application may result in automatic Summer EBT enrollment unless they affirmatively opt out;

(b) Secure transmission protocols for the mechanism required under paragraph I;

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(c) Data retention and deletion procedures consistent with RSA 189:11-f, IV; and

(d) The minimum required terms of the memorandum of understanding required under RSA 189:11-f, V.

4 Contingency. If SB 615 of the 2026 regular legislative session becomes law, section 2 of this act shall not take effect and section 3 of this act shall take effect upon its passage. If SB 615 of the 2026 regular legislative session does not become law, section 2 of this bill shall take effect upon its passage and section 3 of this act shall not take effect.

5 Contingent Renumbering. If SB 615 of the 2026 regular legislative session becomes law, the cross-reference to RSA 161:15, II(d) in RSA 189:11-f, V, as amended by section 1 of this act, shall be renumbered as RSA 161:16, II(d).

6 Effective Date.

I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.