

CHAPTER 331
HB 1727 - FINAL VERSION

12Mar2026... 0847h
05/07/2026 1748s
4Jun2026... 2113CofC
4Jun2026... 2195EBA

2026 SESSION

26-2965
05/06

HOUSE BILL ***1727***

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

SPONSORS: Rep. Bordes, Belk. 5

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill creates a system for automatic enrollment of eligible students into the Summer EBT (Electronic Benefits Transfer) program, unless their parent or guardian opts out.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

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

1 331:1 New Section; Food and Nutrition Programs; Summer EBT Enrollment and Data Sharing.
2 Amend RSA 189 by inserting after RSA 189:11-e the following new section:

3 189:11-f Summer EBT Enrollment and Data Sharing.

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

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

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

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

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

23 331:2 New Section; Department of Health and Human Services; Summer EBT. Amend RSA 161 by
24 inserting after section 14 the following new section:

25 161:15 Summer EBT Implementation.

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

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

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1 (a) Standardized language for the notice and opt-out form required under RSA 189:11-f, II.
2 The notice shall inform parents that completing the school meal application may result in automatic
3 Summer EBT enrollment unless they affirmatively opt out;

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

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

6 (d) The minimum required terms of the memorandum of understanding required under RSA
7 189:11-f, V.

8 331:3 New Section; Department of Health and Human Services; Summer EBT. Amend RSA 161 by
9 inserting after section 15 the following new section:

10 161:16 Summer EBT Implementation.

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

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

16 (a) Standardized language for the notice and opt-out form required under RSA 189:11-f, II.
17 The notice shall inform parents that completing the school meal application may result in automatic
18 Summer EBT enrollment unless they affirmatively opt out;

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

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

21 (d) The minimum required terms of the memorandum of understanding required under RSA
22 189:11-f, V.

23 331:4 Contingency. If SB 615 of the 2026 regular legislative session becomes law, section 2 of this
24 act shall not take effect and section 3 of this act shall take effect upon its passage. If SB 615 of the 2026
25 regular legislative session does not become law, section 2 of this bill shall take effect upon its passage
26 and section 3 of this act shall not take effect.

27 331:5 Contingent Renumbering. If SB 615 of the 2026 regular legislative session becomes law, the
28 cross-reference to RSA 161:15, II(d) in RSA 189:11-f, V, as amended by section 1 of this act, shall be
29 renumbered as RSA 161:16, II(d).

30 331:6 Effective Date.

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

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

Approved: July 15, 2026

Effective Date:

I. Sections 2 & 3 effective as provided in section 4

II. Remainder effective July 15, 2026

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