

Senate Commerce Committee

Aaron Jones 271-2609

HB 98, relative to professional limited liability company (PLLC) assistant manager status.

Hearing Date: April 1, 2025

Time Opened: 9:30 a.m.

Time Closed: 9:36 a.m.

Members of the Committee Present: Senators Innis, Ricciardi, Murphy, McGough and Fenton

Members of the Committee Absent : Senator Watters

Bill Analysis: This bill amends the law to permit a single-member professional limited liability company to designate an assistant manager, who is not a qualified person, to manage the PLLC in the case of the death, incapacity, or disqualification of the manager for certain purposes.

Sponsors:

Rep. Turer

Who supports the bill: Representative Eric Turer, Colleen Thistle, Christopher Bourassa, Jane Smith, Aiden Remillard

Who opposes the bill: Andrew Cyr, Daniel Kaussner, Alisha Brinson, Adam Decato, David Verboncoeur, Tammy Verboncoeur, Daniel Chickering, Peter Gerges, Aaron Bibens, Erica Goggin, Hayley Johnston, Karianne MacIntosh, Alexander Pooler, Tabitha Baker

Who is neutral on the bill: No one

Summary of testimony presented in support:

Representative Eric Turer

- This bill is identical to HB 1082, which was filed last year at the request of a constituent who ran a veterinarian practice. That bill was sent to Interim Study because it was the end of the legislative session, and the Bar Association had not weighed in.
- This year, Representative Turer said the Bar Association did not raise any questions.
- The House Judiciary Committee passed this bill unanimously, and it was adopted by voice vote in the House.

- RSA 304-D governs the practice of professional limited liability corporations (PLLC), which are solo practices with only one professional member.
- A qualified person must be the director of the corporation. If a solo member, who is the only qualified person in the organization, has died, become incapacitated, or disqualified from the profession, there is no one available in the corporate structure to take action.
- This bill would allow the assistant manager, who does not normally exercise those rights, to operate in a corporate capacity for 1 year as long as they do not provide professional services. It also would allow a corporation to hire a new professional or sell to another entity.
- Currently, the only option is to form a non-official alliance with an individual within the profession to dissolve the organization.
- This bill was amended to clarify that an individual would not be able to do anything other than operate the organization as a corporation.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

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Date Hearing Report completed: April 2, 2025