

CHAPTER 191
HB 1318-FN-LOCAL - FINAL VERSION

03/31/2022 1214s

2022 SESSION

22-2263
10/08

HOUSE BILL

1318-FN-LOCAL

AN ACT relative to penalties for employer noncompliance with retirement system requirements.

SPONSORS: Rep. Schuett, Merr. 20

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill establishes a penalty for noncompliance with certain requirements for administration of the retirement system applicable to retirement system employers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to penalties for employer noncompliance with retirement system requirements.

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

1 191:1 New Paragraph; Retirement System; Employers; Penalty for Noncompliance. Amend RSA
2 100-A:16 by inserting after paragraph VII the following new paragraph:

3 VIII. Any employer who fails to provide, within 30 days of a written request, any information
4 required for the proper administration of the retirement system, including, but not limited to, termination
5 forms; other information necessary to process a member's retirement application; information relating to
6 service credit purchases; and information necessary to perform employer audits and process record
7 corrections arising therefrom, shall be subject to a noncompliance penalty of \$200 per day. Before a
8 penalty is assessed, the board shall notify the employer in writing of the noncompliance, identifying the
9 reasons for the finding of noncompliance, and shall request the employer to explain to the board in writing
10 within 30 days of the notification how the noncompliance occurred. Upon expiration of the 30-day period,
11 the board may impose all or a portion of the penalty provided for in this paragraph, unless there is a
12 showing that the employer did not willfully, intentionally, through gross negligence, or through a pattern of
13 negligence, fail to provide the information as requested.

14 191:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 17, 2022
Effective Date: August 16, 2022

