CHAPTER 147
SB 226-FN - FINAL VERSION

03/31/2022 1295s

2022 SESSION

22-2942
04/08

SENATE BILL ***226-FN***

AN ACT establishing a recruitment and retention program for state employment.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Hennessey, Dist 1; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21; Sen. Gray, Dist 6; Sen. Bradley, Dist 3; Sen. Sherman, Dist 24; Sen. Reagan, Dist 17; Sen. Cavanaugh, Dist 16; Sen. Carson, Dist 14; Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5; Sen. Birdsell, Dist 19; Sen. Kahn, Dist 10

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill establishes specific criteria allowing the director of the division of personnel, department of administrative services, to develop a state employee recruitment and retention program.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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SB 226-FN - FINAL VERSION

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing a recruitment and retention program for state employment.

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

147:1 Department of Administrative Services; Division of Personnel; Recruitment and Retention Program. Amend RSA 21-I:42, VI to read as follows:

VI. Developing a program for the recruitment, selection, [~~and~~] placement*, and retention* of qualified applicants in the state service. *The department shall obtain the approval of the fiscal committee of the general court prior to developing or implementing the program. Upon approval, the program may include:*

(a) Expenditures by state agencies for recruitment and retention incentives, including but not limited to:

(1) Bonuses for newly hired applicants who have not been employed by the state for a period of time to be determined by the director, but no less than one year, immediately preceding the date of hire; and

(2) Referral fees for active employees of the state in good standing, excluding those employed in human resources jobs within their own agencies and hiring manager positions.

(b) Any recruitment or retention incentives received by a state employee pursuant to this paragraph shall not be considered gifts under RSA 15-B.

(c) Referral of applicants by current employees of the state for the purpose of receiving a referral fee pursuant to this paragraph shall not be considered a misuse of position under RSA 21-G:23, provided that any rules adopted by the director pursuant to RSA 21-I:43, II or any directives issued by the director pursuant to RSA 21-I:42, XV require that the benefits of a referral program shall be equally available to all state employees, except as specified in subparagraph (a)(2), and subject to uniform criteria established by the director.

(d) Any expenditures made for recruitment or retention incentives pursuant to this paragraph shall be considered a matter of legislatively-enacted public policy that is designed to benefit employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

(e) Any expenditures for recruitment or retention incentives or bonuses pursuant to this paragraph shall require the approval of the fiscal committee of the general court.

147:2 Repeal. RSA 21-I:42, VI, relative to a recruitment and retention program for qualified applicants in the state service, is repealed.

147:3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2023.

II. The remainder of this act shall take effect 60 days after its passage.

Approved: June 07, 2022
Effective Date:
I. Section 2 effective July 1, 2023
II. Remainder effective August 6, 2022