

HB 132-FN - AS AMENDED BY THE SENATE

26Mar2025... 0927h

05/15/2025 2046s

05/15/2025 2144s

2025 SESSION

25-0224

11/02

HOUSE BILL

132-FN

AN ACT eliminating liability for support and recovery over certain indigent relations.

SPONSORS: Rep. Ladd, Graf. 5

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill repeals the statutory provision requiring that the relation of any poor person in the line of father, mother, stepfather, stepmother, son, daughter, husband, or wife shall assist or maintain such person when in need of relief and limits or eliminates counties' authority to recover costs for public assistance, including legal actions for reimbursement, expense recovery from municipalities and relatives, and claims against estates of deceased recipients.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT eliminating liability for support and recovery over certain indigent relations.

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

1 1 Aid to Assisted Persons; Recovery of Expenses and Court Costs Limited. Amend RSA 165:20
2 to read as follows:

3 165:20 Recovery of Expense. If a town, city, or county acting as agent for a town under RSA
4 165:34 spends any sum for the support, return to his home, or burial of an assisted person having a
5 residence in another town or city, ~~[or for an assisted person having relations able to support him~~
6 ~~under RSA 165:19,]~~ such sum may be recovered from the town[, **or** city~~[-or relation]~~ so chargeable or
7 from a county acting as agent for the town under RSA 165:34. ~~[In any civil action brought under this~~
8 ~~section to recover such sum, the court shall award costs to the prevailing party].~~

9 2 Repeal. The following are repealed:

10 I. RSA 165:19, relative to liability for support.

11 II. RSA 166:12, relative to rights of actions.

12 III. RSA 166:24, relative to recovery of expense and court costs.

13 3 Effective Date. This act shall take effect January 1, 2026.

HB 132-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENTS #2025-2046s and #2025-2144s)

AN ACT eliminating liability for support and recovery over certain indigent relations.

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	Indeterminable, de minimus	Indeterminable, de minimus	Indeterminable, de minimus
Local Expenditures	\$0	Indeterminable, de minimus	Indeterminable, de minimus	Indeterminable, de minimus

METHODOLOGY:

This bill eliminates the requirement that a relative of certain family members must support any of those members who are poor.

The New Hampshire Municipal Association states it is unaware of any statewide database or resource that tracks reimbursement for local support of indigent persons. As such, the impact on revenue or expenditures is indeterminable. However, according to the Local Welfare Administrators Association, this provision is sometimes used, but infrequently. New Hampshire Legal Assistance reports the same. As such, the Association believes that this provision's use is likely de minimus.

The New Hampshire Association of Counties indicates this is a rarely used statute by the County Commissioners and the Association does not anticipate any fiscal impact to the counties.

The Department of Health and Human Services states it operates several programs of assistance to provide necessary food, medical care, or financial assistance to eligible residents of New Hampshire. The Department's assistance programs are not part of RSA 165 and are not supported by local authorities' ability to require or recoup assistance from relatives pursuant to RSA 165:19. Therefore, the Department does not expect the bill to impact state revenues or expenditures.

It is assumed that any fiscal impact would occur after FY 2025.

AGENCIES CONTACTED:

Department of Health and Human Services, New Hampshire Association of Counties and New Hampshire Municipal Association