

SB 201-FN - VERSION ADOPTED BY BOTH BODIES

02/13/2025 0293s

2025 SESSION

25-1086

06/08

SENATE BILL

201-FN

AN ACT relative to classified and unclassified positions.

SPONSORS: Sen. Innis, Dist 7

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill authorizes the conversion of certain state positions to classified exempt salary positions, expands the rulemaking authority of the commissioner of the department of administrative services, amends the premium payment structure for state health care coverage, and allows temporary salary classifications for newly authorized unclassified positions.

This bill is a request by the department of administrative services.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to classified and unclassified positions.

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

1 1 New Section; Conversion to Classified Exempt Salary Positions. Amend RSA 99 by inserting
2 after section 9 the following new section:

3 99:9-a Conversion to Classified Exempt Salary Positions.

4 I. The department of administrative services, through its division of personnel, is authorized
5 to convert non-term unclassified positions or qualifying classified positions to classified exempt
6 salary positions.

7 (a) Such conversions are only applicable to positions that meet the requirements and
8 definitions of exempt under the Fair Labor Standards Act (FLSA) and the personnel rules.

9 (b) All conversions shall be voluntary for employees in qualifying filled positions or may
10 occur when a qualifying position becomes vacant.

11 II. The appointing authority at each executive department and executive agency may
12 request that the director of personnel convert any unclassified position that serves at the pleasure of
13 that appointing authority or any qualifying classified position to an exempt salary position in the
14 classified system.

15 (a) Upon receipt of a request under paragraph II, the director of personnel shall convert
16 a non-term unclassified position or qualifying classified position to an exempt salary position, if the
17 requirements of paragraph I(a) and (b) are met.

18 (b) Any position converted to an exempt salary position under paragraph II(a) shall be
19 placed in the appropriate standard occupational classification group based on its duties and
20 responsibilities.

21 (c) Any unclassified incumbent in a position that gets converted shall be placed at the
22 step with a pay rate closest to the pay rate of the step they were at in the unclassified position,
23 ensuring no reduction in pay.

24 (d) Any classified incumbent in a position that gets converted shall be placed at the step
25 with a pay rate closest to the pay rate of the step they were at, ensuring no reduction in pay.

26 2 Expansion of Rulemaking Authority. Amend RSA 21-I:14, XVIII(c) through (d) to read as
27 follows:

28 (c) Transfers between positions within the executive branch and across branches of state
29 government; ~~and~~

30 (d) Termination and payouts upon termination of employment[-];

31 (e) ***Unpaid medical leave; and***

1 ***(f) Employee discipline.***

2 3 Medical and Surgical Benefits. RSA 21-I:30, I is repealed and reenacted to read as follows:

3 I. The state shall pay a partial premium for health care coverage for its employees and
4 eligible family members, reflecting the premium contributions paid by employees as per collective
5 bargaining agreements.

6 4 New Paragraphs; Salaries Established. Amend RSA 94:1-a by inserting after paragraph V the
7 following new paragraph:

8 VI. The commissioner of the department of administrative services is authorized to establish
9 a temporary salary grade and step for an employee in a newly legislatively authorized unclassified
10 position. This temporary classification remains in effect until the final position classification
11 ranking by the state's contractor is determined and approved by the joint committee on employment
12 compensation (JCEC).

13 5 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-1086
2/19/25

SB 201-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0293s)

AN ACT relative to classified and unclassified positions.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Department of Administrative Services