HB 132-FN - VERSION ADOPTED BY BOTH BODIES

26Mar2025... 0927h
26Jun2025... 2787CofC

2025 SESSION

25-0224
11/02

HOUSE BILL ***132-FN***

AN ACT relative to liability for familial support under RSA chapter 165, aid to assisted persons.

SPONSORS: Rep. Ladd, Graf. 5

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill changes the standard of responsibility of relatives to support poor persons.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to liability for familial support under RSA chapter 165, aid to assisted persons.

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

1 Liability for Support. Amend RSA 165:19 to read as follows:

165:19 Liability for Support. 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. Said relation [~~shall~~] ***may*** be deemed able to assist such person if [~~his~~] ***their*** weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. [~~Should a relation refuse to render such aid when requested to do so by a county commissioner, selectman, or overseer of public welfare, such person or persons shall upon complaint of one of these officials be summoned to appear in court. If, after hearing, it is found that the alleged poor person is in need of assistance, and that the relation is able to render such assistance, the court shall enter a decree accordingly and shall fix the amount and character of the assistance which the relation shall furnish. If the relation neglects or refuses to comply with the court order without good cause, as determined by the court at a hearing, or by refusing to work or otherwise voluntarily places himself in a position where he is unable to comply, he shall be deemed to be in contempt of court and shall be imprisoned not more than 90 nor fewer than 60 days.~~] If a poor person has no relation of sufficient ability, the town or city in which [~~he~~] ***they*** [~~resides~~] ***reside*** shall be liable for [~~his~~] ***their*** support. ***Aid to a person who is otherwise eligible for assistance under this chapter shall not be withheld due to the failure of a legally liable relative to respond to the welfare administrator, or their refusal to provide aid. Any town or city furnishing aid may seek reimbursement from any legally liable relative with sufficient means to provide the reimbursement without financial hardship.***

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

LBA
25-0224
12/19/24

HB 132-FN- FISCAL NOTE
AS INTRODUCED

AN ACT repealing liability for familial support under chapter 165, aid to assisted persons.

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