

HB 77-FN - AS INTRODUCED

2025 SESSION

25-0093

07/05

HOUSE BILL            **77-FN**

AN ACT                prohibiting businesses from scanning individuals' licenses when selling alcohol or tobacco products.

SPONSORS:            Rep. Verville, Rock. 2; Rep. Ammon, Hills. 42

COMMITTEE:          Commerce and Consumer Affairs

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ANALYSIS

This bill prohibits a business from scanning an individual's license when selling alcohol or tobacco products.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT prohibiting businesses from scanning individuals' licenses when selling alcohol or tobacco products.

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

1 1 Prohibiting Scanning of Licenses. Amend RSA 263:12, X to read as follows:

2 X. [~~Knowingly scan~~]**Scan**, record, retain, or store, in any electronic form or format, personal  
3 information, as defined in RSA 260:14, obtained from any license[~~—unless authorized by the~~  
4 ~~department~~]. Nothing in this paragraph shall prohibit a person from transferring, in non-electronic  
5 form or format, personal information contained on the face of a license to another person, provided  
6 that the consent of the license holder is obtained if the transfer is not to a law enforcement agency.  
7 Notwithstanding any other provision of law, any person selling alcohol or tobacco who uses due  
8 diligence in checking identification to prevent unauthorized sales and purchases of alcohol and  
9 tobacco shall not be held responsible for the acceptance of fraudulent identification. Where due  
10 diligence is exercised on the part of the seller, the unauthorized purchaser shall be liable for any  
11 penalty or fine resulting from the unauthorized sale. ***This paragraph shall prohibit any person***  
12 ***selling alcohol or tobacco products from scanning, recording, retaining, or storing, in any***  
13 ***electronic form or format, personal information, as defined in RSA 260:14, obtained from***  
14 ***any license.*** This paragraph shall not prohibit the scanning, recording, retaining, or storing of such  
15 information in electronic form collected with the license holder's consent as part of a sale of  
16 merchandise to a pawnbroker, scrap metal dealer, or other secondhand dealer, and submission of  
17 such information to law enforcement databases for the sole purpose of identifying sellers of stolen  
18 merchandise. The pawnbroker, scrap metal dealer, or secondhand dealer shall not retain the  
19 scanned information in electronic form transmitted to a law enforcement database, unless required  
20 by local regulation, and shall not furnish the information to anyone except a law enforcement officer.  
21 The pawnbroker, scrap metal dealer, or secondhand dealer may maintain in a log or other document  
22 the name and address of the person whose license was scanned along with a description of the items  
23 the individual sold, pawned, or purchased, and shall allow such log or document to be examined by a  
24 law enforcement official upon request. Nor shall this paragraph prohibit the scanning, recording,  
25 retaining, or storing of such information in electronic form collected with the license holder's consent  
26 to a licensed real estate broker for the purpose of identifying ownership as part of a sale of real  
27 property. The real estate broker shall not retain the scanned license for a period of longer than the  
28 closing date or when requested by the license holder.

29 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 77-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT prohibiting businesses from scanning individuals' licenses when selling alcohol or tobacco products.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>	Indeterminable			
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill      \*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	Indeterminable			

**METHODOLOGY:**

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: [https://gencourt.state.nh.us/lba/Budget/Fiscal\\_Notes/JudicialCorrectionalCosts.pdf](https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf)

**AGENCIES CONTACTED:**

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association