SB 93-FN - AS INTRODUCED

2025 SESSION

25-0270
07/11

SENATE BILL ***93-FN***

AN ACT relative to establishing an office of regulatory efficiency and oversight.

SPONSORS: Sen. Innis, Dist 7

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill establishes an office of regulatory efficiency and oversight.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

25-0270
07/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to establishing an office of regulatory efficiency and oversight.

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

1 New Subdivision; Office of Regulatory Efficiency and Oversight. Amend RSA 12-O by inserting after section 76 the following new subdivision:

Office of Regulatory Efficiency and Oversight

12-O:77 Office of Regulatory Efficiency and Oversight.

There is hereby established an office of regulatory efficiency and oversight. The office shall be an independent agency administratively attached to the department of business and economic affairs pursuant to RSA 21-G:10. For the purposes of this chapter, "private industry" shall be defined as any entity, persons, or representative thereof, who generate commerce in the state of New Hampshire. The office shall consist of the following:

I. An executive director, appointed by the governor, who shall have experience from the private and public sector, as well as with state regulations. The executive director shall serve a 5-year term and until a successor is appointed and qualified.

II. An advisor of regulatory oversight appointed by the executive director who shall have experience in private industry specifically dealing with and navigating government regulations.

III. An advisor of state government efficiency appointed by the executive director, who shall have experience in public service, government, and interagency regulation.

IV. One staff member to be appointed by the executive director. When filling this position, the executive director should consider appointing a business analyst or attorney with experience working with New Hampshire's regulatory agencies.

12-O:78 Powers and Duties.

I. The office of regulatory efficiency and oversight shall have the power and duty to petition for, initiate, appear, or intervene in any proceeding concerning rulemaking before any board, commission, agency, or regulatory body in which the interests of private industry in New Hampshire are involved and to represent the interests of such industries.

II. The office of regulatory efficiency and oversight shall work in collaboration with private industry, executive agencies, the legislature, and any other parties the executive director deems appropriate to produce an overall cost-benefit analysis, within 6 months of initial appointment of the executive director, that may be used to determine the impact existing rules have and proposed rulemaking could have on private industry. The overall cost-benefit analysis shall be made public upon its completion and updated from time to time as the executive director deems fit.

III. The office of regulatory efficiency and oversight shall, in addition to an overall cost benefit analysis, also create a methodology for targeted cost benefit analyses with respect to specific regulatory stakeholders. These analyses shall include evaluation of the issue the regulation is attempting to solve and proposed alternative approaches to solve the issue with their costs, benefits, and impacts on stakeholders. The office of regulatory efficiency and oversight may use both the overall cost-benefit analysis and the targeted cost-benefit analyses to inform and advise the public, executive agencies, and the legislature and its committees about the impacts of existing or proposed rules on private industry.

IV. The office of regulatory efficiency and oversight shall accept complaints and comments from private industry regarding existing or proposed rules and use both the overall and targeted cost-benefit analysis pursuant to paragraphs II and III to determine the impact of existing or proposed rules to such private industry. Within 6 months from initial appointment of the executive director, the office shall have an online presence whereby private industry may submit complaints and comments.

V. The office of regulatory efficiency and oversight shall work in collaboration with executive branch agencies to evaluate current practices and interagency communications and procedures in order to continually improve efficiencies and eliminate duplicity and unnecessary impediments.

VI. The office of regulatory efficiency and oversight shall annually review all boards and commissions within the office of professional licensure and certification and produce a report to the governor, senate president, and speaker of the house consisting of recommendations to increase efficiencies and remove redundancies.

VII. The executive director shall have the authority to contract for outside consultants within the limits of funds available to the office.

12-O:79 Submission of Proposed Agency Administrative Rules. Executive agencies shall submit all proposed rules to the office of regulatory efficiency and oversight at least 30 days prior to their initial public hearing pursuant to RSA 541-A:11.

2 Appropriation; Department of Business and Economic Affairs; Office of Regulatory Efficiency and Oversight. The sum of $1,500,000 for the fiscal year ending June 30, 2026 is hereby appropriated to the department of business and economic affairs for administration of the office of regulatory efficiency and oversight established under RSA 12-O:77. Such funds shall be non-lapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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

LBA
25-0270
12/19/24

SB 93-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to establishing an office of regulatory efficiency and oversight.

FISCAL IMPACT: This bill provides an appropriation in Section 2 and establishes four positions within the office.

Estimated State Impact				
	FY 2025	**FY 2026**	**FY 2027**	**FY 2028**
Revenue	$0	Indeterminable	Indeterminable	Indeterminable
Revenue Fund(s)	General Fund and Various Agency Funds			
Expenditures*	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source(s)	General Fund and Various Agency Funds			
Appropriations*	$0	$1,500,000	$0	$0
Funding Source(s)	General Fund			

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

METHODOLOGY:

This bill creates the Office of Regulatory Efficiency and Oversight, an independent agency linked administratively to the Department of Business and Economic Affairs. This new office shall have the power and duty to petition for, initiate and intervene in any regulatory rulemaking processes across boards, commissions, agencies, or regulatory bodies that affect the interests of private industries in New Hampshire. Additionally, its responsibilities include collaborating with executive agencies and the Office of Professional Licensure and Certification (OPLC) to enhance operational efficiencies. Additionally, this bill appropriates $1,500,000 in General Funds for the fiscal year ending June 30, 2026, to the Department of Business and Economic Affairs (DBEA) for the establishment of the new office. This appropriation is non-lapsing.

The DBEA states this bill allocates $1,500,000 as initial funding for the new office, which does not lapse. However, it lacks provisions to cover essential business office expenses like human resources, invoicing, budget management, and software needs. The DBEA states they lack the budget to absorb these costs, potentially delaying or hindering their work.

Four positions are authorized with this bill: an executive director, advisors for regulatory oversight and state government efficiency, and an attorney. Their salaries are based on previous job classifications, which might change due to updated wage schedules and classification systems. It's uncertain whether this staffing level is adequate or if additional software, hardware, or training will be needed for their work.

While the Department deems the $1,500,000 sufficient for startup and operational needs, exact expenses remain unclear. The Department plans to submit detailed expenditure requests during the FY28-29 budget process. Despite potential savings from improved efficiencies, these are currently indeterminable.

AGENCIES CONTACTED:

Department of Business and Economic Affairs

[As this bill is identical to SB 483, 2024 Session, we used the same information the agency provided at that time to prepare the above fiscal note]