

HB 328 - AS AMENDED BY THE HOUSE

6Feb2025... 0069h

2025 SESSION

25-0512

02/08

HOUSE BILL

328

AN ACT

establishing a charitable gaming oversight commission.

SPONSORS:

Rep. Ames, Ches. 13; Rep. Ohm, Hills. 10; Rep. Doucette, Rock. 25; Rep. Stringham, Graf. 3; Rep. Haskins, Rock. 11; Rep. Hakken-Phillips, Graf. 12; Rep. Berch, Ches. 6; Rep. Fellows, Graf. 8; Rep. Spilsbury, Sull. 3; Sen. Rochefort, Dist 1; Sen. Fenton, Dist 10; Sen. Long, Dist 20; Sen. Lang, Dist 2

COMMITTEE:

Ways and Means

AMENDED ANALYSIS

This bill changes the membership and duties of the charitable gaming oversight commission, extends it by 10 years, and makes an appropriation to the lottery commission to support the work of the commission.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing a charitable gaming oversight commission.

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

1 1 Racing and Charitable Gaming; Study Commission Established. RSA 284:6-c is repealed and
2 reenacted to read as follows:

3 284:6-c Study Commission Established. There is established a charitable gaming oversight
4 commission.

5 I. Seven voting members of the commission shall be as follows:

6 (a) Two members of the senate, one of whom shall be a member of the majority party
7 appointed by the president of the senate and one of whom shall be a member of the minority party,
8 appointed by the minority leader of the senate.

9 (b) Five members of the house of representatives, 3 of whom shall be members of the
10 majority party appointed by the speaker of the house of representatives and 2 of whom shall be
11 members of the minority party, appointed by the minority leader of the house of representatives.
12 One of the members so appointed by the speaker shall be a member of the house ways and means
13 committee.

14 II.(a) Eight non-voting members of the commission shall be as follows:

15 (1) Four New Hampshire citizens with no financial interest in charitable gaming and
16 no governing board responsibilities for charitable gaming entities shall be selected as follows: one
17 shall be appointed by the president of the senate; one shall be appointed by the minority leader of
18 the senate; one shall be appointed by the speaker of the house; and one shall be appointed by the
19 minority leader of the house.

20 (2) Two New Hampshire citizens shall be appointed by the governor, provided that
21 one shall be representative of gaming operators and one shall be representative of charities
22 participating in charitable gaming.

23 (3) The executive director of the lottery commission, or designee.

24 (4) The attorney general, or designee.

25 (b) Non-voting members shall have no vote in commission matters but shall be eligible to
26 participate in all other commission proceedings.

27 III. Voting and non-voting members of the commission shall serve until replaced by their
28 respective appointing authority, until no longer meeting the conditions on which their original
29 appointment was based, or until resignation.

30 IV. Legislative members shall receive mileage at the legislative rate when attending to the
31 duties of the commission.

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V. The commission shall oversee the implementation of charitable gaming laws, including historical horse race gaming, shall consider the issues identified in the November 1, 2024, final report of the commission to study the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races established in 2023, 79:583, and shall make from time to time such recommendations for administrative and legislative changes to charitable gaming law and rules as it deems necessary and appropriate, including priority consideration of:

(a) Changes needed to address problem gambling.

(b) Changes needed to restructure or modify systems for allocating and overseeing the use of funds granted to the state and to charities and gaming operators participating in games of chance and in historical horse race gaming.

(c) Changes needed to prevent undue concentration or proliferation of gaming locations, facilities, and ownership, including a municipal option to opt into or out of components of charitable gaming.

(d) Changes that would enable the use of so-called slot machines instead of or in addition to historical horse racing machines.

(e) In its consideration of the allocation and use of charitable gaming funds and of the risk of undue economic concentration of gaming facilities and locations, the commission shall recommend any changes it deems needed to ensure compliance with Part 2, Article 6-b, of the New Hampshire Constitution relating to the use of lottery funds and Part 2, Article 83, of the New Hampshire Constitution relating to prohibiting monopolies and requiring free and fair competition.

VI. The voting members of the study commission shall elect a chairperson from among the voting members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five voting members of the commission shall constitute a quorum.

VII. The commission shall submit a report on or before November 30, 2025, and on or before November 30 each year thereafter, to the general court including findings, recommendations, and any corrective or technical improvements that charitable gaming may require.

VIII. The commission shall be administratively attached to the lottery commission.

2 Study Commission Established; Prospective Repeal. Amend 2023, 79:587 to read as follows:

79:587 Effective Date. Section 586 of this act shall take effect July 1, ~~2025~~ **2035**.

3 Appropriation; Charitable Gaming Oversight Commission. The sum of \$100,000 for the biennium ending June 30, 2027, is appropriated to the lottery commission to support the work of the charitable gaming oversight commission established pursuant to RSA 284:6-c. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such funds shall be nonlapsing.

4 Effective Date.

I. Section 1 of this act shall take effect June 30, 2025.

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1 II. The remainder of this act shall take effect upon its passage.

HB 328-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-0069h)

AN ACT establishing a charitable gaming oversight commission.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$100,000		\$0
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$100,000		\$0
<i>Funding Source(s)</i>	General Fund			

***Expenditure = Cost of bill**

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

METHODOLOGY:

This bill provides a general fund appropriation of \$100,000, for the biennium ending June 30, 2027, to the Lottery Commission to support the work of the Charitable Gaming Oversight Commission. It is assumed all of the appropriation would be expended during the biennium. Any unexpended funds would lapse to the general fund on June 30, 2027.

AGENCIES CONTACTED:

None