



State of
New Hampshire

HOUSE RECORD

First Year of the 169th General Court Calendar and Journal of the 2025 Session

Web Site Address: www.gc.nh.gov

Vol. 47

Concord, N.H.

Friday, December 19, 2025

No. 51

Contains: Amendments; Committee Reports; Ethics Advisory Opinion; House Deadlines;
Meetings and Notices; Revised Fiscal Notes.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

In accordance with Part II, Article 3, the opening day of the 2026 Session will be on the first Wednesday following the first Tuesday in January. The House will meet on Wednesday, January 7, 2026 at 10:00 a.m., and Thursday, January 8th at 9:00 a.m. in Representatives Hall.

This calendar contains all of the committee reports for those session days. Please retain your copy of this calendar as they will not be reprinted.

Members who have assigned parking in the LOB parking garage, which remains closed, will receive parking instruction reminders prior to session day. Members with an assigned street space should continue to use those assigned spaces. Members who are assigned to park in the Legislative Garage on Storrs Street should continue to use that garage.

State offices will be closed on Thursday, December 25. There will be no House Calendar published the week of Christmas.

I wish everyone a Merry Christmas and Happy New Year. I hope the holiday season allows you to spend time with family and loved ones.

House Committees may begin hearing 2026 bills as soon as the week beginning January 12. All scheduling will appear in the calendar published on January 8, 2026.

As legislative activity ramps up, please remember that the State House Café is available for regular breakfast and lunch service, as well as catering meetings and events. Learn more at <https://statehousecafe.com/>.

Sherman A. Packard, Speaker of the House

NOTICE

There will be a Republican Caucus on **Wednesday, January 7th at 9:00 a.m.** in Representatives Hall.

Rep. Jason Osborne, Majority Leader

NOTICE

There will be a Democratic Caucus on **Wednesday, January 7th at 9:00 a.m.** in the State House Cafeteria.

Rep. Alexis Simpson, Democratic Leader

NOTICE

Please note, there will not be a calendar on Friday December 26th.

ALL reports, scheduling and notices are due in the House Clerk's Office by **3:00 p.m. on WEDNESDAYS**. Reports and scheduling shall be turned in to House Committee Services for processing **no later than 1:00 p.m.** on Wednesday. Please be sure to complete that work in a timely fashion to meet the Calendar deadline.

CLOSES AT 3:00 p.m. ON:

Wednesday, December 31, 2025

Wednesday, January 7, 2026

Wednesday, January 14, 2026

AVAILABLE ON:

Friday, January 2, 2026

Friday, January 9, 2026

Friday, January 16, 2026

Paul C. Smith, Clerk of the House

2026 HOUSE DEADLINES

Second Year Session Deadlines

Thursday, January 8, 2026	Last day to introduce House Bills
Thursday, February 12, 2026	Last day to report House Bills going to a second committee
Thursday, February 19, 2026	Last day to act on House Bills going to a second committee
Thursday, March 5, 2026	Last day to report House Bills not in a second committee
Thursday, March 12, 2026	Last day to act on House Bills not in a second committee
Thursday, March 19, 2026	Last day to report all House Bills
Thursday, March 26, 2026	CROSSOVER – Last day to act on all House Bills
Thursday, April 16, 2026	Last day to report Senate Bills going to a second committee
Thursday, April 23, 2026	Last day to act on Senate Bills going to a second committee
Thursday, May 7, 2026	Last day to report all Senate Bills
Thursday, May 14, 2026	Last day to act on all Senate Bills
Thursday, May 21, 2026	Last day to form committee of conference
Thursday, May 28, 2026	Last day to sign committee of conference reports (4:00 p.m.)
Thursday, June 4, 2026	Last day to act on committee of conference reports
Tuesday, September 1, 2026	First day for incumbents running for re-election to file LSRs with complete information
Friday, September 11, 2026	Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
Friday, October 23, 2026	Last day to file 2026 Interim Study reports
Wednesday, November 4, 2026	First day for all Representatives to file LSRs with complete information
Wednesday, November 18, 2026	Last day to file LSRs with complete information (4:00 p.m.)
	Ten-day signoff begins
Tuesday, January 5, 2027	Last day to sign-off on all LSRs (4:00 p.m.)
Friday, January 15, 2027	Last day to introduce House Bills
	Last day to amend House Rules by majority vote

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee, at its meeting on November 24, 2025, voted to formally issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2025-5

Response to a Request for an Advisory Opinion from Representative Sherri Reinfurt (November 24, 2025)

The Legislative Ethics Committee, at its meeting on November 24, 2025, considered a request for an advisory opinion from Representative Sherri Reinfurt addressing whether she is required to recuse from voting or testifying on 2026 House Bill 1554-FN, “AN ACT requiring insurance carriers to provide peer-to-peer review at any stage of prior authorization and mandating disclosure of reviewer credentials.”

In her email message to the Committee, dated November 6, 2025, Representative Reinfurt stated that she and her husband own a chiropractic center and “at times during the prior authorization requirement by insurance companies, treatment is denied as not being medically necessary.” She stated that under current law the decisions “are generally made by someone outside of the chiropractic/musculoskeletal profession. As a result, we would stand to benefit by this legislation if treatment were approved as a result of a peer-to-peer review.” She further stated that the number of times such approvals happen “is maybe 1-1000, however, with insurance companies ever changing and requiring prior authorization, the opportunity does still exist.” She also stated that financial remuneration from insurance companies for one patient is roughly \$50.00 per visit.

Relevant Statutory Provisions

14-C:4-a Recusal for Conflicts of Interest. – I. A legislator shall recuse themselves from participation in any official legislative activity pertaining to legislation when:

- (a) The legislator has a conflict of interest with the subject of the legislation as defined in RSA 14-B:1, I; and
- (b) The legislator or a member of the legislator’s household could reasonably be expected to incur a direct and substantial financial benefit or detriment as a result of the outcome of the legislative activity.

14-B:1 Definitions. –

In this chapter:

I. “Conflict of interest” means the condition in which a legislator has a special interest in any matter which could directly or indirectly affect or influence the performance of the legislator’s official activities.

V. “Special interest” means any financial or non-financial personal interest in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large.

(a) A financial interest exists where a legislator or household member, or a person or organization, whether nonprofit or for profit, by which the legislator is employed, or from which the legislator receives compensation, to act as the person’s or organization’s agent or advocate, could stand to gain or lose anything of material value as a result of the official activity.

Committee Analysis

In completing its consideration, the Committee reviewed the written request submitted by Representative Reinfurt, received testimony from her, and reviewed the relevant provisions of law.

Under the statutory language set forth in RSA 14-C, recusal is required when a legislator has a conflict of interest with the subject of legislation and the legislator “could reasonably be expected to incur a direct and substantial financial benefit or detriment” [emphasis added].

The proposed bill is not limited to insurance claims involving chiropractic health care providers. It applies to all health care providers licensed by the state who participate in managed care plans. While it is possible that required peer-to-peer reviews might increase the likelihood of claims being approved, that result is uncertain. Whether peer-to-peer reviews would result in an increase of claims involving Representative Reinfurt’s own practice is speculative. As the Committee held in *Advisory Opinion 2025-3*:

A “direct” benefit must be more than hypothetical. To be direct, a benefit need not be immediate, but given the legislator’s current circumstances, there must be a reasonable expectation that the legislator will receive financial benefit from the legislative activity.

The Committee concluded that based on the facts presented, the proposed bill would not result in a direct financial benefit to Representative Reinfurt and her husband through their ownership of the chiropractic center.

Conclusion

The Committee determined that Representative Reinfurt’s participation in testifying and voting on the proposed insurance bill would not violate RSA 14-C:4-a, I. She would not receive a direct and substantial benefit from her participation in official legislative activity pertaining to the proposed bill. She is not required to recuse.

We appreciate the opportunity to be of assistance.

Honorable Edward M. Gordon, Chairman

Honorable Donna Sytek, Vice Chairman

Senator Ruth Ward

Senator Patrick Long

Representative Bob Lynn

Representative Catherine A. Rombeau

Honorable David W. Hess

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

WEDNESDAY, JANUARY 7

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 241-FN, relative to treatment alternatives to opioids. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill, as amended, inserts a new section in RSA 420-J requiring health carriers to develop and maintain a comprehensive program of pain management services for persons with chronic pain. The program must provide access to a broad range of covered pain management options, including but not limited to non-medication, nonsurgical, and non-opioid treatment modalities as alternatives to opioid prescribing. The plan is to be filed with and approved by the Insurance Department as

part of the carrier's form filing and approval process. The amendment requires carriers to make information about these pain management programs publicly available and to distribute educational materials to providers and covered persons. It further prohibits insurers from requiring prior authorization or utilization controls for services the carriers are already providing as part of their pain management program and instructs that treatment options cannot be more restrictive than those applicable to comparable opioid medications. The effect of the bill is to expand access to evidence-based, non-opioid pain management services and promote safer alternatives for chronic pain patients. The committee finds that this measure supports patient choice and advances public health by reducing reliance on opioid-based therapies. **Vote 17-0.**

HB 297-FN, relative to providing self-funded employer health benefit plans access to their claims data. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill, as amended, updates RSA 420-G:11, V, to extend data submission and transparency requirements to health carriers, licensed third-party administrators, and entities registered under RSA 402-H that manage self-funded employer-sponsored plans. The amendment requires that when an employer opts in to submit claims data, the carrier or administrator must notify the employer that, if authorization is provided, the Insurance Department will deliver a de-identified and aggregated utilization report to the employer on an annual basis. The amendment also specifies that health carriers and third-party administrators administering self-funded plans shall provide this notification annually upon renewal. It ensures that employers who choose to participate receive access to claims data in a secure, de-identified format to promote cost transparency, benchmarking, and informed health benefit management. The effect of this bill is to improve employer access to health care utilization information while maintaining strict privacy protections for individual claims data. The committee finds that this measure enhances transparency in employer-sponsored coverage and supports better cost control and accountability within New Hampshire's health insurance markets. **Vote 17-0.**

HB 312, relative to the right of intercollegiate student-athletes to earn compensation through the use of their name, image, or likeness. **REFER FOR INTERIM STUDY.**

Rep. Adam Presa for Commerce and Consumer Affairs. Although it is important for intercollegiate student-athletes to be able to benefit from use of their name, image, or likeness, at this point we do not have enough information to pass legislation surrounding this issue. **Vote 17-0.**

HB 359, prohibiting denial of banking and insurance services based on any factor that is not quantitative, impartial, and risk-based as measured by an objective standard. **REFER FOR INTERIM STUDY.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill addresses so-called "debanking" by prohibiting financial institutions and insurers from denying services based on non-quantitative, subjective factors. On August 7, 2025, President Trump signed a federal executive order directing federal banking regulators to remove "reputational risk" from their guidelines and audit prior debanking incidents. This bill would establish similar state-level protections by amending banking law (RSA 383-A:5-511-b) and insurance law (RSA 417:4) to prohibit service denials based on political beliefs, religious affiliation, firearm ownership, fossil fuel engagement, ESG standards, or other non-quantitative factors. Violations would be treated as unfair or deceptive practices under RSA 358-A. Banking and insurance industry representatives opposed the bill, warning it would constrain underwriting discretion, increase costs, and reduce service availability. The Banking Commissioner flagged enforcement costs requiring additional staff. The Department of Justice raised concerns about enforceability, given existing RSA 358-A exemptions for banking and insurance. Public testimony highlighted potential conflicts with federal banking oversight. While the underlying policy concern has merit, the bill requires refinement regarding enforceability, federal preemption risks, impact on underwriting practices, and lack of baseline data on debanking incidents. **Vote 15-2.**

HB 427, relative to amending the uniform commercial code. **REFER FOR INTERIM STUDY.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill proposes amendments to New Hampshire's Uniform Commercial Code (UCC) (RSA Chapter 382-A) to apply New Hampshire law to securities transactions; prioritize investor claims over creditor claims in securities intermediary insolvencies; and exclude programmable digital currencies from "deposit account" status. The bill would apply New Hampshire law to securities intermediation, shield pooled investor assets from intermediary creditors, prioritize investors over creditors in insolvency, and exclude programmable currencies from deposit account treatment. Proponents argue that current securitization practices shift ownership and control to institutions, creating systemic risk, and that the bill therefore protects investor rights. Opponents from the Uniform Law Commission and banking industry contend state-level UCC changes would fragment national uniformity, destabilize markets, and create litigation risk. They advocate for federal solutions. The committee found the issues sufficiently complex and interconnected with federal authority to warrant an interim study rather than passage. No consensus existed on whether identified problems justify departing from established UCC uniformity. The committee determined that further study would allow assessment of whether workable elements could emerge or whether federal guidance would provide clearer direction. **Vote 17-0.**

HB 454, requiring that retailers of fuel blends with 15% ethanol also offer fuel blends with 10% or lower ethanol content. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. The bill was requiring that retailers of fuel blends with 15% ethanol also offer fuel blends with 10% or lower ethanol content. The committee wants to keep this bill in case the issue does become a problem. **Vote 17-0.**

HB 565, allowing persons under 21 into veterans' clubs, private clubs, and social clubs under certain conditions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Potucek for Commerce and Consumer Affairs. This bill as introduced allows persons under 21 into veterans' clubs, private clubs, and social clubs if they are signed in by a person who is 21 years of age or older. The committee amendment now says: "No person under the age of 18 shall be in any room where liquor, beverages, and specialty beverages are sold, unless accompanied by a parent, legal guardian, or adult spouse and who has signed the minor or minors into the club and listed their ages. A person who is under 21 years old that presents a valid military identification card shall not need to be accompanied by a person 21 years old or older." **Vote 16-1.**

HB 706-FN, relative to prohibiting insurance companies from conducting an audit of providers services after services have been delivered but before payment has been made to such provider. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. The Insurance Department is currently making rule changes so the committee wants to revisit the issue once the new rules have been implemented. **Vote 17-0.**

HB 721-FN, relative to establishing gold and silver as legal tender. **REFER FOR INTERIM STUDY.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill would establish gold and silver in coin and bar form as legal tender for public and private transactions in New Hampshire, contingent on the buyer and seller agreeing on fair market value. The bill would create RSA Chapter 5-E and permit unlimited possession of precious metals. As of 2025, at least twelve US states have enacted laws recognizing gold and silver as legal tender, including recent adopters Alabama, Florida, Idaho, and Arkansas, alongside earlier adopters such as Utah, Oklahoma, Louisiana, Wyoming, and Texas. This trend is grounded in Article I, Section 10 of the U.S. Constitution, which reserves to states the authority to recognize gold and silver as legal tender. The committee identified practical concerns during review. Local government officials expressed opposition, citing security and storage burdens for municipalities. State fiscal agencies flagged potential tax complications and possible exemption of gold/silver transactions from the business profits tax, with indeterminable revenue impacts. State financial agencies reported a lack of infrastructure to accept or process precious metals. The committee concluded the bill requires refinement regarding enforcement mechanisms, municipal coordination, and interaction with state tax and banking law before passage. **Vote 17-0.**

HB 725-FN, relative to ground ambulance services. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. The issue of ground ambulance services was resolved earlier this year, so the bill is no longer needed. **Vote 17-0.**

SB 162-FN, relative to restrictions on acquisition of ownership, controlling, and occupancy interests in real property by certain foreign principals on or around certain military installations, and criminal penalties and civil forfeiture procedures for illegal acquisition. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. The issue of ownership in real property by certain foreign principals was resolved earlier this year, so the bill is no longer needed. **Vote 17-0.**

SB 247, prohibiting network exclusion for pharmacies that refuse to dispense a prescription of the PBM reimbursement that is below the pharmacy's acquisition cost. **REFER FOR INTERIM STUDY.**

Rep. Carry Spier for Commerce and Consumer Affairs. A study committee was active during the summer of 2024 to determine what type of legislation could be developed to reduce the losses encountered by pharmacies for some drugs that cannot be obtained for the prices set by pharmacy benefit managers (PBMs). Pharmacies and PBMs were well represented. This bill touched on some of the recommendations, and after two amendments the committee heard from the owner of several pharmacies that the bill did not reflect the problems he was seeing. As a result, the committee feels that the bill will benefit from further study to reconcile the various points of view. **Vote 17-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 102-FN, relative to oversight of federal law enforcement actions. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee, after hearing from the public and discussing the bill came to the conclusion that it was inexpedient to legislate. The bill on its face is unconstitutional as it violates the Supremacy Clause of the United States Constitution. It's a well-meaning, but legally flawed attempt at oversight that courts would invalidate to preserve federal primacy. **Vote 16-0.**

HB 206-FN, relative to government agent entries into secured premises. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. This bill strengthens core fourth amendment and Part I, Article 19 safeguards for granite state property owners by mandating that law enforcement agents, or any individuals acting on their behalf, obtain a judicial warrant, supported by individualized probable cause, before entering “secured premises” on private land. The amendment precisely refines the definition of “government agent” to encompass only state or local law enforcement agents, or other persons working with or at the behest of law enforcement, ensuring the bill’s focus remains squarely on protecting against unauthorized police intrusions without implicating routine regulatory or administrative visits by non law enforcement officials. Crucially, the bill preserves the full statutory authority of Fish and Game conservation officers under RSA 206:26, I, to access any property outside buildings for wildlife enforcement, exempting them entirely from the warrant requirement and addressing concerns from the department without compromising their essential work. Landowners, hunters, and rural residents testified passionately about the need to end suspicionless warrantless entries onto clearly marked private property, which have long undermined trust in law enforcement while serving little practical purpose. The amendment’s targeted scope garnered unanimous support, with no opposition from stakeholders, affirming that this is a balanced restoration of constitutional boundaries: government agents must respect the same “No Trespassing” signs that bind every private citizen. **Vote 16-0.**

HB 257-FN, establishing the crime of criminal neglect of a child. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Buzz Scherr for Criminal Justice and Public Safety. New Hampshire has been in need of more tools to manage those cases in which children are at a substantial and unjustified risk of abuse or have been subject to such abuse. This bill adds a tool that allows police and prosecutors to intervene in more cases in which serious abuse is at risk. It more easily allows for criminal charges where children have been the subject of such abuse, the parent is aware of the consequences of their actions and still continues to engage in the abusive conduct. **Vote 16-0.**

HB 330-FN, relative to establishing penalties for violations of the confidentiality of motor vehicle records. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee after public hearing and discussion, concluded that this bill should be found inexpedient to legislate. The bill seeks to impose new state penalties for violating the confidentiality of motor vehicle records, such as driver’s license data or registration info, under RSA 260:14. While protecting privacy sounds good, the bill is problematic as it risks legal challenges, administrative chaos, and unintended economic harm without meaningfully enhancing privacy. Better to strengthen federal compliance training than layer on flawed state rules. **Vote 16-0.**

HB 767-FN, expanding requirements for reports to law enforcement by the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nancy Murphy for Criminal Justice and Public Safety. During the work session, the committee heard testimony from the bill’s prime sponsor, the DCYF Director, and DCYF’s Chief of Legal, Regulatory and Legislative Affairs regarding DCYF protocols and procedures, how they would be impacted by this bill as introduced, and the proposed \$6M fiscal note. This bill as amended amends RSA 169-C:38, I, and requires that in addition to its duties as outlined in 169-C:34, the department immediately make a verbal report to on-duty local law enforcement, in the community in which the acts of abuse are believed to have occurred, in all cases in which there is reason to believe any person under age 18 has been subject to sexual contact or sexual penetration as defined in RSA 632-A:1, III; sexual exploitation; intentional physical injury causing serious bodily injury; physical injury by other than accidental means causing serious bodily injury; non-accidental physical injury by a parent or legal guardian such that visible contusions inconsistent with reasonable physical discipline are present; or is a victim of a crime. It requires that a written report be made to law enforcement within 48 hours, Saturdays, Sundays, and holidays excluded. This bill as amended also makes clear that law enforcement shall not rely upon the department to gather information for its investigation unless required by RSA 169-C:38-a. And finally, this bill as amended amends RSA 169-C:38, IV clarifies that law enforcement personnel or department employees who are trained caseworkers shall have the right to enter any public place, including but not limited to schools and child care agencies, for the purposes of conducting an interview with a child, with or without the consent or notification of the parent or parents of such child if there is reason to believe the child has been subject to the aforementioned included list of harms, with the addition of abandonment and neglect. The committee prioritizes child protection and welfare, supports the department’s efforts, and chose unanimously to amend the bill as introduced in an effort to be consistent with those goals while remaining fiscally responsible. **Vote 14-0.**

SB 41-FN, changing the reckless driving minimum penalties. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. This is the Senate version of the same House Bill that was passed and signed into law in 2025. **Vote 16-0.**

SB 49-FN, establishing the crime of and penalties for unlawful use of unmanned aircraft systems. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. This is the Senate version of a House Bill that was passed and signed into law. It was discovered that a minor edit to the law, including dates was necessary and the amendment adopted by the committee accomplishes this. **Vote 16-0.**

SB 71-FN, relative to cooperation with federal immigration authorities. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The bill is the Senate version of the same House Bill that was passed and signed into law. **Vote 16-0.**

SB 149-FN, relative to the crime of aggravated driving while intoxicated. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. This is the Senate version of the same House Bill that was passed and signed into law in 2025. **Vote 16-0.**

EDUCATION FUNDING

HB 443, relative to terms of appointed members on the higher education commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education Funding. This bill was introduced for the purpose of clarifying the terms of members of the Higher Education Commission. The purpose of the commission is to regulate career schools, administer financial programs for students at higher education institutions, enter into cooperative interstate or international agreements with higher education institutions, approve and regulate private post-secondary career schools, and more. The statute this bill addresses has been determined by both the committee and the Department of Education as not needing clarification or change. **Vote 18-0.**

HB 729-FN-A, making an appropriation to the department of education for an attorney to recodify education laws. **REFER FOR INTERIM STUDY.**

Rep. Daniel Popovici-Muller for Education Funding. This bill requires the review and recodification of all education statutes, an immense undertaking. The process would address many valid concerns as some of the education related statutes are in conflict and some are simply difficult to read and apply. Unfortunately, the more the committee looked into procedural details, the clearer it became that passing this bill as written, due to complexities, associated costs, and many unresolved issues, is not possible; and therefore, the committee recommends Interim Study. The committee will continue to work on this important matter to determine the best way to address these concerns. **Vote 18-0.**

HB 734-FN, relative to the state education property tax and the low- and moderate-income homeowners property tax relief program. **REFER FOR INTERIM STUDY.**

Rep. Walter Spilsbury for Education Funding. This bill has three components: 1) requiring that all statewide education property tax revenues be remitted to the Department of Revenue Administration for deposit into the education trust fund; 2) modifying the criteria for relief from that tax for low-and-moderate-income homeowners; and 3) establishing a study committee to further assess that relief program. Similar bills have come before the House the past two terms. While the committee sees merit in these proposals, it is not ready to settle on the exact mix of measures that should tie together in a comprehensive reform of our statewide property tax, which it will continue to work on during 2026. **Vote 18-0.**

HB 742-FN-A, requiring catastrophic special education state aid funding to be drawn from the education trust fund. **REFER FOR INTERIM STUDY.**

Rep. Rick Ladd for Education Funding. This bill removes the prorated distribution requirement when insufficient special education funding is appropriated by the state. For example, in the previous session, \$34 million was appropriated for special education aid (catastrophic aid). The actual cost for this period of time amounted to \$50+ million, a \$16 million shortfall. Due to the shortfall, funds received by local education agencies were prorated to 68% of the actual amount spent. As introduced, this bill would require the Governor to draw a warrant for the education trust fund to satisfy the shortfall amount. If the balance in the education trust fund after the issuance of the warrant is less than zero, the state comptroller would be required to transfer sufficient funds from the general fund to eliminate the shortfall. To address "shortfall" type issues in the future, a statute change was made this previous year to set the proration amount at 80%. The Education Funding Committee has recommended Interim Study on this bill as the issue of costing special education is currently underway by a statutory commission addressing the costing and accountability for all aspects of special education by federal, state, and local governments. The commission recognizes that local education agencies cannot continue to support 85% of special education costs. In FY24, special education costs totaled \$977.1 million, of which the state appropriated \$33.9 million for special education aid, \$67.4 million for differentiated special education aid, and the federal government contributed \$50.8 million (IDEA). Local districts then covered the difference, \$825.1 million. The study commission's report is due July 1, 2026. **Vote 18-0.**

HB 772-FN, establishing a foundation opportunity budget program for funding public education. **REFER FOR INTERIM STUDY.**

Rep. Walter Spilsbury for Education Funding. This is an ambitious bill to modify the determination and funding for an opportunity for an adequate education, by proposing a complex scheme of “foundation opportunity budgets and state foundation opportunity grants.” A similar bill came before the House last term, and the committee welcomed it again this term but did not have a sufficient opportunity to get deeply into its details. While the committee is not prepared to recommend either pass or fail at this time, it is best that the topic remains in front of the committee as we continue to work on solutions to our public funding of local public education in 2026. **Vote 17-0.**

EDUCATION POLICY AND ADMINISTRATION

HB 362, granting the department of education rulemaking authority to require candidates to obtain passing scores on professional education assessments. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for Education Policy and Administration. The committee believes the legislation is duplicative of current law established by HB 440 (2025). Under the law, specifically RSA 186:11, X(a), all candidates for licensure must pass a professional education assessment, as determined by the State Board of Education. This requirement may be waived for Career and Technical Education (CTE) teachers with an industry-recognized credential. **Vote 18-0.**

SB 211, relative to biological sex in student athletics. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for Education Policy and Administration. The majority of the committee arrived at the same recommendation via different paths. While some are against the policy entirely, others will defer to a bill coming from the Senate in this next session. **Vote 16-2.**

ELECTION LAW

HB 281, requiring electronic voter checklists to be supplied in a sortable format. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. As amended this bill mandates that when the voter file is requested and delivered electronically that it be sent in a sortable format. This is to counter the “PDF” issue where some clerks are complying to the existing law by sending the voter list in a largely unusable format. **Vote 17-0.**

HB 289, regarding domicile qualifications for voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. Testimony raised concerns that a voter’s dependent tax status could affect their ability to vote. As drafted, the bill risked allowing a parent or guardian’s decision to claim someone as a dependent—possibly without the dependent’s knowledge—to influence that person’s voting rights. While applicants may use tax forms to establish domicile, privacy issues may arise if a third party’s tax documents are needed to determine someone else’s domicile. Additional testimony addressed the university system’s method for determining student residency at the time of application. Applying that standard to voting could effectively create an excessive durational requirement. For these reasons, the bill in its original form is unlikely to survive legal challenge. The committee also heard consistent testimony that registering or voting in New Hampshire requires compliance with the state’s residency requirements. Meeting those requirements is a verifiable expression of intent to establish domicile. This raises core questions: If an individual fails to meet residency requirements, does that failure invalidate their claim of domicile? And does it render them unqualified to vote in future elections until those requirements are satisfied? Many states impose minimum residency periods before a voter may cast a ballot. The majority agrees that failure to meet residency obligations is not voter fraud. Voting is, however, a civic responsibility, and voters must accept the obligations that come with establishing residency. The New Hampshire Supreme Court addressed many of these issues in *Casey v. New Hampshire Secretary of State* (May 20, 2020). Because of the concerns that were raised, however, the committee chose to recommend this bill as Inexpedient to Legislate. **Vote 17-0.**

HB 341-FN, requiring the secretary of state to check voter records prior to every election. **INEXPEDIENT TO LEGISLATE.**

Rep. Gerald Ward for Election Law. The purpose of this bill has been obviated by recent legislation, rendering it unnecessary. **Vote 17-0.**

HB 590, relative to cooperative school district school board elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. This bill clarifies that school boards must re-apportion their membership based on the decennial census, as every other elected body does, to comply with the one-man-one-vote principle. **Vote 15-2.**

HB 693-FN, relative to ballot counting procedures and permitting the hand counting of ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill enabled voters to request their ballot be hand counted. This was enacted this legislative term via another bill and is thus unnecessary. **Vote 17-0.**

SB 44, relative to hand counts of ballots in elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill enabled voters to request their ballot be hand counted. This was enacted this legislative term via another bill and is thus unnecessary. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 244, updating and recodifying the municipal enforcement of the building and fire code. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill pulls sections of law related to the building code out of two sections of law and recodifies them in RSA 155-A. In doing this, it repeals 13 sections of law and several smaller portions of law and places these in RSA 155-A. It also removes references to actions and roles moved, and updates references throughout. It is a significant undertaking, and for that reason the bill has been amended by the committee to improve upon the initial draft in accuracy and precision. **Vote 16-0.**

HB 525-FN, transferring administration of the program for the deaf and hard of hearing and the board of licensure of interpreters for the deaf, deafblind, and hard of hearing to the office of professional licensure and certification. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill was drafted because it appeared that there were funds accruing to an account without associated spending. During testimony, the committee learned that the accumulation of fees is appropriately offset by statutorily authorized spending. In the course of preparing the bill for hearing, it was learned that the intended transfer would entail the expenditure, by the Office of Professional Licensure and Certification, of an estimated \$250,000, with no certain benefit to the system. Accordingly, the sponsor consented to a committee motion of inexpedient to legislate. **Vote 14-0.**

HB 610-FN, relative to repealing the office of the consumer advocate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. As introduced, this bill repealed the Office of the Consumer Advocate and moved certain responsibilities to advocate for residential ratepayers to the Public Utilities Commission. As amended, this bill charges the consumer advocate “to focus exclusively on assuring that residential utility customers receive safe and reliable service at the lowest possible cost while maximizing customer freedom and autonomy.” It requires this focus in advocacy regarding regional and federal rules and policies, and places an oversight responsibility on the residential ratepayers advisory board to ensure the consumer advocate is focused on this charge, with enforcement by the newly created power for a 2/3 vote of the board to recommend to the governor and council that the consumer advocate be removed if they fail in this duty. This is an expansion of the current role of the board in recommending whether or not to re-appoint the consumer advocate, and is consistent with the current consumer advocate’s view of the relationship between himself and the board where he seeks the board’s input on a regular basis. Lastly, the amendment opens the potential field for future consumer advocates to include professional engineers and economists, and gives suggestions on which professional backgrounds should be included in the office staff. Simply put, this makes clear that the role of the consumer advocate is to fight for reliable and affordable energy for the people of New Hampshire. **Vote 16-0.**

HB 727-FN, relative to the New Hampshire retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This New Hampshire Retirement System bill was one of several bills received by ED&A and the one retained by the committee as the state retirement plans went through the budgeting process. Since this bill was passed in HB 2, this bill is no longer needed and the committee recommends inexpedient to legislate. **Vote 15-0.**

SB 94, prohibiting municipal amendments to the state building code. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. The original version of this bill mimics the intent of HB 428 passed by the House earlier this year. This amendment replaces the original bill in its entirety and addresses a concern with HB 428 that would reinstate a town’s ability to reopen technical issues if a building code is more than two years behind the current code. Since there are 8 model codes and if any codes lag, the intent of HB 428 is moot. **Vote 15-1.**

SB 182, relative to the maternal mortality review committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. As introduced, this bill made several changes to the maternal mortality review committee including a change in data collection methods. As amended, this bill updates the name of the Northern New England Perinatal Quality Improvement Network (NNEQUIN) to the New Hampshire Perinatal Quality Collaborative (NHPQC) affiliated with Dartmouth Health, requires

that each meeting summarizes panel recommendations to be distributed to members' respective institutions and adds close contacts to those who are contacted regarding the deceased woman should the family refuse an interview. This amendment was supported by HHS agency representatives. **Vote 14-0.**

SB 185-FN, relative to office of professional licensure and certification investigations. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill would have put time limitations on investigations conducted by the Office of Professional Licensure and Certification (OPLC) in response to allegations of professional misconduct. There were two issues recognized by the committee. The bill would have conflicted with current statute that was implemented through HB 655 (2023) and passed by the House last term and OPLC was in the process of implementing a process in harmony with that existing statute. The committee has asked for an update from OPLC on their complaint procedure and backlog to be reviewed in January 2026. **Vote 15-0.**

SB 193-FN, requiring the head of each state agency to submit a strategic plan for program activities. **REFER FOR INTERIM STUDY.**

Rep. Erica Layon for Executive Departments and Administration. This bill seeks to codify good governance principles of strategic planning, setting goals and metrics to evaluate the efficacy of programs, and to provide for ongoing assessment of whether the goals implemented by the legislature are being delivered in a cost-effective manner. After implementing the processes in this bill in fiscal year 2026, it provides for greater flexibility through a waiver process tied to performance goals and implementation. The committee believes that an efficient government that can deliver effectively on policies established by the legislature on a cost effective manner is an important undertaking, and intends to review this bill and prior efforts to implement better governance in the state of New Hampshire after the conclusion of normal committee business in 2026. For this reason, the committee recommends referring the bill for interim study. **Vote 16-0.**

FINANCE

HB 54-FN, allowing alternative treatment centers to operate for-profit. **OUGHT TO PASS.**

Rep. Carol McGuire for Finance. This policy change was unanimously endorsed by DHHS, the policy committee, and passed the House 358-14. The fiscal impact is minimal (\$13,000) for software and process changes, so the Finance Committee sees no reason to oppose this bill. **Vote 25-0.**

HB 111-FN, (New Title) extending the position of right-to-know ombudsman for 2 years and exempting individuals who assist in the preparation of a right-to-know complaint at no charge from the unauthorized practice of law. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for Finance. House Finance unanimously recommends this bill to be found Inexpedient to Legislate. The state budget enacted significant reforms to the position of Right-to-Know Ombudsman. Advancing this bill separately would create conflicting time-lines and statutory inconsistencies. The committee believes the budget already resolved these matters comprehensively, and ITL ensures consistency with enacted policy and avoids reopening settled issues. **Vote 25-0.**

HB 129-FN, relative to the definition of the term "evidence-based" within public education. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The sponsor of HB 129 recommends ITL as an updated bill has been submitted. **Vote 25-0.**

HB 133-FN, modifying the new resident drivers' license transfer requirements, specifying when the division of motor vehicles shall send violation notices, and appropriating funds to the division for technological upgrades required for legal compliance. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The sponsor of this bill recommends ITL as an updated bill has been submitted. **Vote 25-0.**

HB 215-FN, requiring a landfill permit applicant to submit a report listing potential harms and benefits of the project. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jose Cambrils for Finance. This is a common sense bipartisan bill that will require new landfill applicants to submit a report listing potential harms and or benefits of their project. **Vote 25-0.**

HB 216-FN, relative to workers' compensation and creditable service towards retirement. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol McGuire for Finance. This bill would eliminate the arbitrary one year limit of time off on worker's compensation applying to pension service. As far as our research can tell, it applies to very few employees – but we don't know how few. Neither the pension system nor worker's compensation carriers have been able to report on how many individuals are affected by this limit. Since that makes the cost of this change totally unquantifiable, we recommend ITL. **Vote 25-0.**

HB 519-FN-A, making an appropriation to the department of health and human services to fund and support the Waypoint youth and young adult shelter. **INEXPEDIENT TO LEGISLATE.**

Rep. Rich Nalevanko for Finance. The substance of this bill is included in a footnote of HB 1 - AU 3170 and is therefore no longer relevant. **Vote 25-0.**

HB 547-FN, relative to county reimbursement of funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Finance. This bill was to address a situation where additional federal funding for county nursing homes was not credited properly in 2020 and 2021 as a result of budgetary timing issues. The bill proposed to return money that the counties reimbursed the state's Medicaid fund and do so over the period of this biennium. The bill's language has now been implemented by HB 2 (Section 287), except that the amount will be allocated over four years instead of two. With the solution in place, this bill is redundant and no longer needed. **Vote 25-0.**

HB 563-FN, (New Title) relative to the cost of an opportunity for an adequate education, extraordinary need grants, fiscal capacity disparity aid, and determination of education grants. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The Senate version of HB 563 is included as sections 223-227 in HB 2 on pages 61-63, so this bill is unnecessary. **Vote 25-0.**

HB 570-FN, (New Title) repealing the prescription drug affordability board. **INEXPEDIENT TO LEGISLATE.**

Rep. Samuel Farrington for Finance. This bill is unnecessary, as the board was already repealed through HB 2 (2025), section 141:312. **Vote 23-2.**

HB 607-FN, relative to funding the Hampton Beach area commission and making appropriations therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for Finance. The majority of House Finance recommends this bill be found inexpedient to legislate. Funding for the Hampton Beach Area Commission was already addressed within the state budget, eliminating the need for a separate appropriation. The committee determined that moving this bill forward would duplicate existing funding mechanisms and create unnecessary administrative overlap. ITL upholds fiscal discipline and consistency with the approved budget. **Vote 23-2.**

HB 611-FN, (New Title) relative to repayment regarding appointed counsel for indigent criminal defendants. **INEXPEDIENT TO LEGISLATE.**

Rep. Gerald Griffin for Finance. HB 2, sections 216 - 222 essentially incorporated the provisions of HB 611 with minor changes, thus making this bill redundant. We are recommending ITL. **Vote 25-0.**

HB 619-FN-A, making an appropriation to the solid waste management fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol McGuire for Finance. An alternate funding mechanism for this fund was passed in HB 2, making this bill redundant. **Vote 25-0.**

HB 640-FN, relative to the transparency of federal agency operations within New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol McGuire for Finance. This bill would require regular reporting on a number of aspects of federal agency action within New Hampshire. However, we can only ask for this data, as we cannot force federal agencies to report to the state, and our belief is that very few agencies would oblige us by reporting on their operations. This report would be desirable, if it actually contained data; if it is a series of blanks, the committee believes it would be a waste of resources to set up the reporting structure. **Vote 25-0.**

HB 671-FN-A, establishing a kindergarten literacy readiness program. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The program description, "provide the kindergarten readiness literacy program to the pre-schoolers of the state," is vague, no data was collected on the effectiveness of a prior pilot version, no funds are appropriated for this purpose and current revenues are running below budget. For all these reasons the Finance Committee Division II unanimously recommend ITL. **Vote 25-0.**

HB 716-FN, making an appropriation for the dual and concurrent enrollment program. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The funding for this CCSNH program is included in budget bill HB 1, so this bill is unnecessary. **Vote 25-0.**

HB 773-FN, relative to aid to school districts for the cost of special education. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for Finance. The Senate version of HB 773 (SB 292) is included in budget bill HB 2 so this bill is unnecessary. **Vote 25-0.**

SB 63-FN, relative to funding for the division of travel and tourism. **INEXPEDIENT TO LEGISLATE.**

Rep. Jose Cambrils for Finance. The Department of Business and Economic Affairs, Division of Travel and Tourism already had \$7 million per year funded in the next biennium. And the legislature felt it was best to retain control of funding versus making automatic payments from the meals and rooms tax. **Vote 25-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 621-FN, allowing the birth mother to opt out of sharing certain information from the birth worksheet with state agencies. **INEXPEDIENT TO LEGISLATE.**

Rep. Wayne MacDonald for Health, Human Services and Elderly Affairs. This bill was heard during the House Session earlier in the year and the Committee on Health, Human Services and Elderly Affairs (HH-SEA) decided to retain it for further examination and consideration and a subcommittee was formed. The bill would have allowed the birth mother to opt out of sharing certain information from the birth worksheet with state agencies. The subcommittee scheduled a work session and heard extensive testimony against the bill. In addition to potentially jeopardizing federal funding, the bill lacked specifics as to what information could be refused. The information that is currently collected is done by every other state in the country and is used to track Maternal Child Health (MCH). The information is also valuable in terms of establishing citizenship, preventing child trafficking, establishing identity, establishing legal kinship, avoiding fraud, helping with rural health efforts, generating federal population estimates and making timely referrals for newborn medical concerns. The subcommittee also was told that this bill, if it were to become law, would conflict with other state statutes. A clear concern and focus of the bill was the issue of privacy. Under HIPAA Guidelines and Department of Health and Human Services policies, only authorized personnel have access to the information gathered and it can only be used for limited, official purposes. Finally, SB 105-FN (Ch. 211, Laws of 2023), already removes any penalties, if there is a refusal to provide information. Based on all of these findings, the HHSEA Committee recommended this bill Inexpedient to Legislate. **Vote 17-0.**

HOUSING

HB 65, directing landlords to offer tenants the option of reporting rental payments to consumer reporting agencies. **REFER FOR INTERIM STUDY.**

Rep. David Paige for Housing. This bill would require landlords operating fifteen or more rental units to offer tenants the option of having their on-time rental payments reported to a consumer reporting agency, at the landlord's expense. The committee recognizes the merit in the sponsors' goal of helping tenants build credit and improve financial stability. Enabling renters to have their timely payments reflected in their credit history is a promising approach to supporting their upward mobility. Testimony also highlighted that a number of fee-based and free self-reporting services already exist to help tenants achieve this objective. While the committee strongly supports the underlying intent of expanding credit-building opportunities for renters, members concluded that additional study is warranted to determine the most effective way to achieve that goal—particularly in light of the existing options already available to tenants. **Vote 16-0.**

HB 459-FN, relative to acreage requirements and zoning regarding sewer infrastructure and single-family residential uses. **REFER FOR INTERIM STUDY.**

Rep. Joe Alexander for Housing. In a unanimous vote the Housing Committee believes this bill has merit. This bill would allow for smaller lot sizes for areas depending on water and sewer infrastructure. During the public hearing, the committee heard testimony of the need for smaller lots in order to build smaller houses to address the “missing middle” in this housing shortage. The committee heard that many municipalities are not allowing for this for various reasons some of which are not based in scientific evidence or soil ability to support such infrastructure. Fortunately for this bill and its companion bill, the conversation regarding smaller lots will continue in an Interim Study committee as well as a newly formed Commission to Study the New Hampshire Zoning Enabling Act. **Vote 16-0.**

HB 465, relative to the housing opportunity zone program. **INEXPEDIENT TO LEGISLATE.**

Rep. Allan Howland for Housing. This bill seeks to define how tenant income verification can be used to determine if a housing project has met the requirements to qualify for Housing Opportunity Zone tax relief. Municipalities already have the ability to use the United States Department of Housing and Urban Development (HUD) income data to calculate if a project meets this requirement without using tenant income verification. This led to the committee recommendation of Inexpedient to Legislate. **Vote 16-0.**

HB 604-FN, relative to a loan forgiveness program for low-income homeowners to build new accessory dwelling units or renovate existing structures into accessory dwelling units. **REFER FOR INTERIM STUDY.**

Rep. David Paige for Housing. This bill would establish a forgivable loan program through the New Hampshire Housing Finance Authority to help lower-income homeowners construct or renovate accessory dwelling units (ADUs). The committee recognizes that high construction costs remain one of the greatest barriers for property owners who wish to help address the state's housing shortage by adding ADUs. The sponsors are to be commended for seeking creative solutions to make ADU development more attainable. The committee, however, believes further study is needed to evaluate the best use of limited affordable housing funds in supporting ADU development and to better understand the evolving impact of recent statewide ADU zoning changes and emerging private-sector financing options. **Vote 16-0.**

SB 84-FN, relative to zoning procedures concerning residential housing. **REFER FOR INTERIM STUDY.** Rep. Joe Alexander for Housing. In a unanimous vote the Housing Committee believes this bill has merit. This bill would allow for smaller lot sizes for areas depending on water and sewer infrastructure. During the public hearing, the committee heard testimony of the need for smaller lots in order to build smaller houses to address the “missing middle” in this housing shortage. The committee heard that many municipalities are not allowing for this for various reasons some of which are not based in scientific evidence or soil ability to support such infrastructure. The wording for this bill is closer to what the committee sees as a thoroughly vetted piece of legislation. For various reasons this bill is not ready to send to the floor. However, fortunately for this bill and its companion bill, the conversation regarding smaller lots will continue in an Interim Study committee as well as a newly formed Commission to Study the New Hampshire Zoning Enabling Act. **Vote 16-0.**

JUDICIARY

CACR 6, relating to the right to compute. Providing that the right of individuals to use computation resources shall not be infringed. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This proposed constitutional amendment would guarantee individuals the right to use, access, and employ computational resources, including networks, without limitation, and would prohibit unreasonable discriminatory rates and restrictions. The committee expressed concern that the lack of clear definitions within the proposal could result in unintended consequences and extensive litigation. Questions were raised as to whether the amendment might undermine efforts to protect children from harmful online materials or inadvertently provide constitutional protections to individuals engaging in predatory behavior. The committee also noted that the amendment could open the door to harassment suits over internet service costs and regulatory measures. Finally, it was emphasized that enshrining such provisions in the NH Constitution would make future adjustments or necessary updates exceedingly difficult. **Vote 17-0.**

HB 74, defining the term citizen for the purposes of the right to know law and including preliminary drafts circulated to a quorum of a majority of a public body as disclosable documents. **INEXPEDIENT TO LEGISLATE.** Rep. Bob Lynn for Judiciary. This bill would amend the right to know (RTK) Law to provide a definition of “citizen” as used in the law to mean a person who is domiciled in New Hampshire or who is a member of the press. It also provides that preliminary drafts of materials circulated to a quorum or majority of the members of a public body must be disclosed under the RTK Law. The bill originally was retained because it was a companion bill to the more comprehensive HB 66, which was passed by the House but was killed by the other body. Given that the RTK Law has been amended a number of times recently, that some of the amendments have been very contentious, and that, as evidenced by the other body’s vote on HB 66, there appears to be no appetite for making further changes to this law at the present time, the committee unanimously concluded that the bill should be voted Inexpedient to Legislate. **Vote 15-0.**

HB 253, relative to interest-bearing pooled trust accounts maintained by lawyers. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This bill seeks to transfer the administration of Interest on Lawyers Trust Accounts (IOLTA) accounts from the NH Supreme Court to the political control of the NH Legislature. Lawyers often hold client funds temporarily — for example, settlement checks, retainers, or real estate deposits. These funds do not belong to the lawyer, and sometimes the amounts are too small, or held too briefly, to justify setting up a separate interest-bearing account for each client. Instead, lawyers put these small or short-term deposits into a pooled trust account (an IOLTA account). Larger or longer-held amounts are put in client fund accounts. The interest earned on the pooled IOLTA accounts is paid by the bank which holds the funds to the NH Bar Foundation and the money is generally used for funding civil legal aid for low-income people — help with housing, domestic violence, family law, as well as access to justice programs and education about our legal system. Every state has such a program, and virtually every one is administered through its state supreme court. No evidence was presented that any State has put the program under the direct administrative control of a political body. This bill would shift the administration of the program to the legislature and would allow the legislature to direct the funds to NH’s Indigent Defense Program. A future amendment could direct it elsewhere, subject to the political preferences of that legislative body. In NH, the IOLTA program is established under Rule 50 of the Rules of the NH Supreme Court and administered by the NH Hampshire Bar Foundation, a non-profit 501(c)(3). There is a public process for input to suggest changes to rules through the Supreme Court Advisory Committee on Rules. Some members of the Committee question why the interest earned in these accounts is not paid to the clients to whom it belongs. However, the constitutionality of IOLTA has been upheld by the US Supreme Court, and given the likelihood that making such a major change would undoubtedly spark strong opposition from stakeholders, these committee members do not believe this is the proper time to attempt to make such a change. Accordingly, the Judiciary Committee unanimously voted recommend Inexpedient to Legislate. **Vote 15-0.**

HB 293-FN, preventing minors from accessing obscenity on certain electronic devices with internet access. **REFER FOR INTERIM STUDY.**

Rep. Katelyn Kuttub for Judiciary. This bill mandates that manufacturers of tablets and smartphones must automatically activate a filter to block obscene material upon device activation for minors. It also requires the option for a password to deactivate and reactive the filter. The bill imposes civil liability on manufacturers who fail to install filters and creates both civil and criminal liability for intentionally disabling a filter to allow minors access to obscene material. The committee recognized the addictive nature of such material for those under 18 and its potential harm to minors' development. In response, the committee established a study committee to delve further into this important subject. During the subcommittee's investigation, it was revealed that Apple had already implemented such a filter as a result of legislation in Utah. Considering the ongoing legal challenge to the Utah legislation, the committee sees value in monitoring its outcome, given the existing availability of the filter. Therefore, the committee recommends an interim study to observe the industry's developments and assess whether legislative intervention remains necessary. **Vote 17-0.**

HB 313, relative to non-public sessions at public meetings where discussion in public would likely affect a person's reputation. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This proposed legislation would allow a person whose reputation may be adversely affected during a non-public session of a public meeting to be given notice thereof and to require that the session be conducted in public. While there was sympathy for the proposal, the committee found that its provisions would not be workable in practice. The bill contemplates the situation of a single affected individual but is silent as to circumstances in which two or more persons may have identical concerns yet disagree on whether the meeting should be open. An additional concern arises when the name of such a person or persons is unknown at the onset, yet arises during the session. Moreover, the bill makes no provision for preserving confidential or privileged matters that may be discussed. The committee notes that existing provisions of law adequately address these concerns without creating the procedural difficulties that this bill would introduce. **Vote 17-0.**

HB 580-FN, relative to retaliatory defamation in domestic violence and sexual violence cases. **REFER FOR INTERIM STUDY.**

Rep. Zoe Manos for Judiciary. This bill seeks to prohibit a person accused of domestic or sexual violence from filing a defamation claim against the person alleging such conduct. The committee believes that this bill may have merit, but that it needs further work. Among the concerns expressed by the committee was that it "closes the courthouse door" to persons who may have valid defamation claims, while still not protecting victims of sexual abuse and domestic violence. The bill currently provides two exceptions as to when a defamation claim may proceed: (1) if the claimed act was "a factual impossibility" for the alleged perpetrator to have committed; and (2) if the alleged victim has publicly stated that the reported incident did not occur. Victims of domestic and sexual violence frequently withdraw their claims out of fear or pressure, however, so allowing a defamation claim to proceed because the victim has publicly stated that the reported incident did not occur, does not necessarily provide protection to the victim. Nor is it clear what "factual impossibility" or "publicly stated" means. In addition, a victim-defamation claim defendant under this bill would still have to engage in litigation to assert and establish that neither of the exceptions apply. This would lead to the victim-defendant spending time and money on defense. Finally, some on the committee were concerned about how punitive damages would be calculated, as well as the harshness of a potential award of treble compensatory damages. For these reasons, the committee voted unanimously for Interim Study on this bill. **Vote 15-0.**

SB 189, relative to fetal death records. **OUGHT TO PASS.**

Rep. Katy Peternel for Judiciary. This bill changes and updates requirements and procedures for fetal death records. This bill is at the request of the Secretary of State and utilizes electronic reporting for the few fetal deaths that are reported annually in NH. **Vote 15-1.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 128, establishing a committee to study unemployment insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Granger for Labor, Industrial and Rehabilitative Services. The purpose of this bill was to find out why there exists insurance for a variety of daily woes, from medical insurance, paid family leave, automotive insurance, home insurance, to renters insurance and concealed carry insurance and general liability insurance, and all of this being done by the private sector, while one specific portion of the insurance industry, namely unemployment insurance, is done by the state. The bill was retained to allow further research into this question. We now know the answer. President Franklin Delano Roosevelt established a federal unemployment insurance mandate through the Social Security Act of 1935. It implemented a massive payroll tax on employers as a federal excise tax. This tax applies across the entire United States. However, employers in states that enact their own unemployment compensation laws meeting federal standards receive a 90% credit,

thus forcing states to implement state-level unemployment insurance schemes whether or not the citizens of that state wish there to be such an unemployment insurance scheme or not. Since we now know the answers to the questions the bill sought, the bill is now Inexpedient to Legislate. **Vote 18-0.**

LEGISLATIVE ADMINISTRATION

HB 477, establishing a commission to study safety and security procedures in the New Hampshire state house. **INEXPEDIENT TO LEGISLATE.**

Rep. Vanessa Sheehan for Legislative Administration. This bill would create a commission to publicly discuss and seek solutions to all manner of security and safety conditions around the State House and Legislative Office Building complex. The committee quickly identified a major concern, namely that commissions, by definition, cannot operate in non-public session. Therefore, any member of the public, but especially those with evil intentions, would have access to a potentially extensive record of where our limitations and security problems may exist. That would be extremely foolish and dangerous for the most obvious of reasons. Secondly, the committee heard testimony and understood clearly that within the established bipartisan Joint Legislative Facilities Committee, these critical discussions are continuously viewed as a top priority with a very important distinction, this committee may operate in non-public session and frequently does. In fact, as recently as this summer, an independent firm was selected to do a high-level safety review and report in consultation with our Homeland Security personnel and our own security forces. The report is due to be presented mid-November 2025. So, while perhaps the discussions along these lines are not widely known, understood, or discussed by the rank and file legislative members, it remains true that absolutely anyone can offer suggestions or areas of inquiry to the bipartisan Joint Legislative Facilities Committee at any time. For these reasons, this legislation was deemed not only unnecessary, but in fact, dangerous, unanimously. **Vote 11-0.**

SB 186, relative to a portrait in the likeness of Senator Jeb Bradley at the state house. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Len Turcotte for Legislative Administration. Our committee reviewed and discussed extensively two bills-- SB 186 and SB 200-- relative to requested acceptance of portraits of recently retired legislators. As has been the case in the past with similar legislation, questions around suitability and available space quickly surfaced. The committee researcher provided summary information from the National Conference of State Legislatures (NCSL) of the conditions across the country concerning portraits. State solutions range widely from outright moratorium to denial of application unless the individual was pre-deceased 25 years, and notably a few states require a positive super-majority vote of the legislature. The committee unanimously agreed to accept a replace-all amendment to this bill, the first of the two portrait bills scheduled for executive session, although absolutely no inference should be made regarding which bill was chosen to move forward with the amendment and which was recommended Inexpedient to Legislate. In recognition that undoubtedly much further discussion will be offered during this legislative process, the amendment sets the standard that all future applications will be accepted for consideration once the individual has been pre-deceased for at least 10 years and contains the assumption that within the application, notable and exemplary service to the people of NH shall be included and well-documented. In future legislation, other provisions may be looked upon favorably, such as "fast-tracking" (applications filed and approved prior to the 10-year waiting period which must be passed by super-majority votes in both Houses) and stipulations where required sums of money must accompany portraits that would be placed in a State Treasurer's fund to assure future maintenance of the portrait. Lastly, the committee felt the Joint Legislative Historical Committee would be suggested to set limits on size and materials used for future portraits as well. **Vote 11-0.**

SB 200, relative to accepting a portrait of Sylvia Larsen. **INEXPEDIENT TO LEGISLATE.**

Rep. Vanessa Sheehan for Legislative Administration. The committee reviewed and discussed extensively two bills-- SB 186 and SB 200-- relative to requested acceptance of portraits of recently retired legislators. The committee unanimously agreed to accept a replace-all amendment on SB 186, the first numerically of the two portrait bills, which set the new standard that all applications for legislative portraits would be considered only after the subject was pre-deceased by at least 10 years. Since this standard would apply to all portrait requests, this bill was recommended Inexpedient to Legislate. **Vote 11-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 453, prohibiting municipalities from banning use of grounds maintenance and snow and ice removal equipment with internal combustion engines. **INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for Municipal and County Government. This bill adds a new section under RSA 41, Choice and Selection of Town Officers (Selectmen), prohibiting a local governing body from restricting the operation of grounds maintenance or snow and ice removal equipment powered by internal combustion engines on any property within the municipality. It also allows the legislative body, by vote, the ability to prohibit the municipality from purchasing such equipment. The bill contained several, significant, technical deficiencies

which the committee was unable to resolve, largely in part because the prime sponsor did not appear at either the public hearing or the full committee work session. As a result, no evidence, testimony, or examples were presented to the committee demonstrating a problem in New Hampshire warranting a statutory change. The committee therefore was compelled to unanimously recommend the bill Inexpedient to Legislate. **Vote 17-0.**

HB 458-FN, limiting local assistance to U.S. citizens or permanent legal residents. **INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for Municipal and County Government. This bill would allow only local assistance to United States citizens or permanent legal residents. Based on legal research, the committee believes the bill as written would be unconstitutional and conflict with federal law. The prime sponsor did not appear for the scheduled bill hearing and made no arrangement for a cosponsor to introduce the bill. The committee was unable to ask questions concerning the rationale or need for this bill. **Vote 17-0.**

PUBLIC WORKS AND HIGHWAYS

HB 100-FN, prohibiting the use of state funds for new passenger rail projects. **REFER FOR INTERIM STUDY.** Rep. Martin Jack for Public Works and Highways. The bill seeks to prevent state funds from being used to design, construct, or operate passenger rail. The committee avoids appropriating transportation funds outside of the Ten Year Transportation Plan cycle, and it is wrong to pass a bill that would restrict the use of funds outside of that process. Importantly, the committee learned that both the Mount Washington Cog Railway and the Conway Scenic Railway have obtained loans from the class III and Cog Railroad Revolving Loan Fund. The Department of Transportation is concerned that this bill could affect these and other transactions with the state's very popular tourist rail services. Amtrak operates the Downeaster from Boston into Maine, and the Vermonter that crosses into New Hampshire to make a stop in Claremont. These are not using state funds at this time, but they may wish to in the future. The bill does not achieve its goal. The bill mentions project 40818 which was completed in 2023 and cannot be the subject of further expenditures. If a future legislature decided to advance a new passenger rail project after a full and vigorous debate on the financial plan, that legislature could also easily repeal the prohibition enacted by this bill. **Vote 16-0.**

HB 561, relative to the transfer of state-owned real property to municipalities. **REFER FOR INTERIM STUDY.**

Rep. Bill Boyd for Public Works and Highways. This bill requires the State of New Hampshire to seek approval from municipalities prior to transferring state owned class I or II highways to them. The committee feels this bill should be Referred for Interim Study to facilitate a larger conversation regarding the Department of Transportation's process of selection, management, and ownership of class I and II roadways. Accordingly, the committee unanimously voted to support Interim Study. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 113, relative to OHRV operation on certain highways within the town of Windsor. **REFER FOR INTERIM STUDY.**

Rep. Will Darby for Resources, Recreation and Development. This legislation would permit the use of Off-Highway Recreational Vehicles (OHRVs) on two state-maintained class II roads in the town of Windsor. As amended by the committee, the bill authorizes the New Hampshire Bureau of Trails, with approval from the Department of Safety and Department of Transportation, to permit OHRV use on these state roads without providing a procedure for local approval by the town, such as a vote by the board of selectmen, nor is there a means to rescind such usage. Additionally, the Recreational Off-Highway Vehicle Association, a national trade association for OHRV manufacturers, opposes this bill and the on-road use of OHRVs. After consideration, the committee unanimously agreed to Refer the bill for Interim Study in order to find a solution for the town of Windsor to assert local control of OHRV usage on these public roads. **Vote 15-0 .**

HB 595-FN, relative to coastal resilience zones. **INEXPEDIENT TO LEGISLATE.**

Rep. Allison Knab for Resources, Recreation and Development. This bill would have added flood resiliency improvements to the definition of qualifying improvements for the purposes of C-PACE and R-PACE funding; enabled municipalities to offer property owners who engage in flood resilience projects a property tax abatement or tax assessment freeze for a specified period of time; and enabled municipalities to assess a fee on properties in a flood resilience zone to be deposited into a non-lapsing flood resilience investment fund. These are important goals to address flooding issues both in coastal regions of the state as well as inland regions that have had extreme weather and river flooding events in recent years. However, it was decided by the committee as well as the prime sponsor that the goals would better be reached in separate pieces of legislation. **Vote 15-0.**

HB 629-FN, funding the operation maintenance and repair of state dams. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ron Dunn for Resources, Recreation and Development. The bill was amended to add a \$5 fee to the boat sticker fee. This revenue will be used to raise between \$500,000 and \$600,000 that will be added to the dam maintenance fund. This money is critical to help repair the state owned dams that are in urgent need of repairs. **Vote 15-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 266, relative to structural changes to the department of energy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Harrington for Science, Technology and Energy. This bill, as amended, makes various administrative changes to how the Department of Energy and the Public Utilities Commission interact with each other. Both parties have agreed to these changes. **Vote 17-0.**

SB 106-FN, relative to the participation of customer generators in net energy metering. **REFER FOR INTERIM STUDY.**

Rep. Michael Vose for Science, Technology and Energy. This bill poses many unanswered questions and problems concerning its operation, including: what is an “institutional” class; group host ambiguity; a doughnut hole of time where the bill’s guardrails don’t apply; no limits on the scope of the expansion except five megawatts (MW), nothing about groups, types of businesses, etc.; grandfathering, no other industry gets such guarantees; Value of Distributed Energy Resources study was a snapshot of below one MW net metering effects that cannot be assumed to be valid for over one MW systems, much less five MW; 33% on-site use should be closer to 100% if reducing costs is the goal, otherwise you become a generator; net metering costs should be borne by commercial/industrial customers, not residential ratepayers; requires another Department of Energy employee to manage. Given these questions and problems, this bill needs much more study. **Vote 17-0.**

SB 112-FN, relative to purchased power agreements for electric distribution utilities. **REFER FOR INTERIM STUDY.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill allowed existing resources to qualify for purchase power agreements (PPAs), where existing statute only allows new resources to qualify. Questions arose about the cost to ratepayers and prompted calls for more study. **Vote 16-1.**

TRANSPORTATION

HB 209-FN, allowing a new vehicle purchased in the model year or before to be inspected in the second year after purchase. **INEXPEDIENT TO LEGISLATE.**

Rep. Ted Gorski for Transportation. The intent of this bill was to start the official car inspection in the second year of purchase of a new vehicle purchased in a model year. Due to the repeal of the New Hampshire car inspection program, this bill is no longer relevant. **Vote 16-0.**

HB 212, allowing a 180-day operation waiver when a motor vehicle fails an emission control test. **INEXPEDIENT TO LEGISLATE.**

Rep. Ted Gorski for Transportation. The intent of this bill was to provide a 180-day operation waiver when a motor vehicle fails an emission control test. Due to the recent repeal of the car inspection program, this bill is no longer relevant. **Vote 16-0.**

HB 298-FN, creating an exception to the prohibition on removing VIN tags from vehicles manufactured prior to 1981 where removal is reasonably necessary for repair or restoration. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. On the surface removing vin tags for repairs or restorations seemed reasonable on older vehicles. However the prohibition of tampering with vin tags is just as important on older, particularly collectible vehicles As it is for newer vehicles. The untampered with vehicle identification number tag is the only way to prove the authenticity and originality of the vehicle. If the tag had to be removed for repair the vehicle is no longer authentic and original. **Vote 16-0.**

HB 439-FN, relative to non-driving related violations and driver’s license suspension. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Veilleux for Transportation. The motivation behind this bill is to reduce situations where the state can suspend a driver’s license for issues unrelated to motor vehicle safety, particularly debt-based suspensions. While the concept has bipartisan support, the mechanics are complex and interact with multiple sections of statute. Our committee felt it was important to take a little more time to ensure the language is clear, consistent, and avoids unintended consequences. **Vote 16-0.**

HB 533, relative to the use of civilian employees in commercial truck inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles Foote for Transportation. This bill sought to utilize civilian employees for commercial truck inspections, a responsibility currently tasked to the NH state police. The committee feels that the privatization of state functions without proper guardrails in the place is unappealing and worrisome. **Vote 16-0.**

WAYS AND MEANS

HB 224-FN, relative to rebates to ratepayers from the renewable energy fund. **REFER FOR INTERIM STUDY.**

Rep. Mary Murphy for Ways and Means. This bill needs further study. Given that electricity bills for residential customers would be reduced by only a minimal amount, and given that the impact to the state is minimal, further study to avoid unintended consequences makes sense. **Vote 20-0.**

HB 417-FN, relative to repealing the communications services tax. **REFER FOR INTERIM STUDY.**

Rep. Scott Bryer for Ways and Means. This bill would decrease the Communication Services Tax (CST) rate from 7% to 4% effective July 1, 2025, and repeal the CST effective July 1, 2026. The decrease and the eventual repeal of the CST will decrease general fund revenue by an indeterminable amount. The Department of Revenue Administration (DRA) could not estimate the amount of revenue from the CST in future years. The Department notes that the CST cash basis collected in FY 2024 was \$30.6 million. Assuming these amounts remain consistent, general fund revenue would decrease by \$7.7 million in FY 2026 and by \$30.6 million in FY 2027 and each year thereafter. Given that current year revenue collections are below estimates as well as other issues and concerns brought up during the public hearing and committee discussions, the committee voted to study this issue further. **Vote 19-0.**

HB 524-FN, repealing the New Hampshire vaccine association. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jordan Ulery for Ways and Means. After receiving several technical corrections, the committee re-examined and held a public hearing on amendment 2025-3021h which replaced all the language of this bill as introduced. The committee changed a previous replace-all amendment by adding up to a 90-day extension period to the end of the fiscal year to assure adequate time to complete the obligations of the law. In addition to the 90-day grace period, the bill as amended requires annual deposits into the vaccine purchase fund and additionally establishes a new committee to investigate the efficacy of the NH vaccine association. Under current law, the new committee would expire by November 1, 2026 or when a report is filed by the committee, whichever occurs first. **Vote 17-0.**

HB 585, relative to the property tax exemption for religious organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Cyril Aures for Ways and Means. This bill granted a real estate property exemption on rental of a church building and parsonage. SB 291 as amended in committee passed the legislature and has been signed by the governor. It allows a rented or vacant church parsonage to be real estate tax exempt. This was a good compromise between all three bills that were focused on this topic this year. As a result, the legislation proposed in this bill is no longer necessary. **Vote 20-0.**

HB 635-FN, relative to taxing non-profit entities who settle illegal immigrants as for-profit entities. **REFER FOR INTERIM STUDY.**

Rep. Mary Ford for Ways and Means. This bill allows taxing non-profit entities who settle illegal immigrants, and the Department of Revenue Administration (DRA) to award bounties at their discretion to persons who report instances of non-profits settling illegal immigrants. The DRA has no information on the estimated fiscal impact and this bill may also result in impermissible re-classification of taxpayers which only the federal government has authority to do. More in-depth study is needed, therefore the committee moved Interim Study on this bill. **Vote 19-0.**

HB 728-FN, authorizing video lottery terminals at charity gaming facilities and repealing historic horse racing licensing. **INEXPEDIENT TO LEGISLATE.**

Rep. Julius Soti for Ways and Means. This bill authorizes and regulates video lottery terminals at charitable gaming facilities and repeals the authorization of historic horse racing. Given that much of this bill was implemented in HB 2, before making any further changes, it is best to let the current law changes in HB 2 get implemented and evaluate the results. **Vote 20-0.**

SB 83-FN, establishing an elderly, disabled, blind, and deaf property tax exemption reimbursement fund, authorizing video lottery terminals, renaming the lottery commission, and creating a voluntary statewide self-exclusion database. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Ohm for Ways and Means. The passage of video lottery terminals (VLTs) in HB 2 has raised some loose ends that the Lottery Commission would like to resolve. This bill has been amended by a replace-all amendment to remedy those concerns. The amended bill: removes the maximum amount of free play that may be deducted from gross video lottery revenue; directs breakage (fractional payouts) to the Governor's Commission on Addiction, Treatment and Prevention; and clarifies the definitions of primary and secondary game operators, allowing the FBI to work with the State Police on background checks. **Vote 17-0.**

WEDNESDAY, JANUARY 7 REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 518-FN, requiring the commissioner of the department of health and human services to provide a detailed annual report of all costs incurred by the division for children, youth and families. **INEXPEDIENT TO LEGISLATE.**

Rep. Sheila Seidel for Children and Family Law. The majority of the committee does not believe there to be a need to place an additional burden upon the division for children, youth and families, as they already provide this information, through their budget and finance office to the New Hampshire Department of Health & Human Services. These reports are posted annually or biennially as required by statute or chapter law, and are submitted to the NH state legislature for review. **Vote 13-1.**

HB 652-FN, abolishing the family division, creating the office of family mediation, and reassigning the jurisdiction of the family division. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Mark Pearson for the **Majority** of Children and Family Law. The New Hampshire Constitution grants the legislature the authority to establish non-constitutional courts and define their jurisdictions. Thirty years ago, the legislature exercised this authority to create a specialized Family Court pilot program – removing family cases from Superior Court. Due to its demonstrated ability to address better the needs of litigants, this program was later expanded statewide. Subsequently, during the 2011 Circuit Court consolidation, these specialized Family Courts were integrated into the current Circuit Court as the family division. The family division was entrusted with jurisdiction over a wide range of family-related matters, including marriage dissolution, parenting actions, child support, domestic violence petitions, guardianship of minors, termination of parental rights, abuse/neglect cases, juvenile delinquency, and child in need of services cases. Today, the family division operates in 32 locations across the state and handles over 18,000 cases annually. Nearly 75% of states have implemented some form of specialized family court, with this trend continuing to grow as more states recognize the benefits of such systems. The proposed bill, however, seeks to reverse this progress by transferring the family division's jurisdiction to the Superior Court. This shift would undermine the specialized expertise of the family division and fail to address the concerns raised by this body and the public. In the last legislative term, the Speaker established a Special Committee on the Family Division of the Circuit Court to examine common criticisms of the family division. This committee conducted extensive research and heard 12 hours of public testimony. Although the Special Committee's two-year term has concluded, its work continues through a subcommittee of the Children and Family Law Committee. This subcommittee remains focused on even further improving the family division and collaborating with the Judiciary to enhance access to its specialized services. Significant progress has already been made through this collaboration. For instance, the family division has committed to developing simplified forms and instructional materials to assist pro se litigants in navigating their cases more effectively. Additionally, the family division has expanded access to mediation services, empowering litigants to have greater control over case outcomes. The family division continues to refine its practices, rules, and procedures to address the concerns of this body and the public. Abolishing the family division and reallocating its cases to the Superior Court would not resolve the issues raised. On the contrary, such a move would be counterproductive. Concerns stemming from negative case outcomes in the family division are better addressed through the existing appeals process, which allows for review of family division determinations. Furthermore, transferring 18,000 cases annually to the Superior Court would overwhelm its dockets, which are not equipped to handle such a significant increase. This would result in delays for all cases before the Superior Court and force litigants to present family-related matters to judges lacking the specialized expertise of family division judges. Ultimately, this would lead to poorer outcomes for family cases and slower proceedings overall. For these reasons, this bill should be deemed inexpedient to legislate. Instead, the subcommittee should continue its efforts to enhance the family division, ensuring it evolves to meet the needs of the public and the litigants it serves. **Vote 12-2.**

Rep. David Love for the **Minority** of Children and Family Law. Having heard testimony and comments during the executive session, the minority of the committee found this bill necessary to the restoration and repair of our Family Courts. The minority of the committee would have preferred a recommendation of Interim Study in order to do the previously mentioned "restoration and repair."

COMMERCE AND CONSUMER AFFAIRS

HB 186-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jared Sullivan for the **Majority** of Commerce and Consumer Affairs. It is time to stop arresting people for simple possession of cannabis and start treating it with the same fairness and regulation we apply to

alcohol. The majority of our constituents already support legal cannabis, and it is time for the law to reflect the will of the people. This bill creates a framework for responsible regulation, testing, and taxation while protecting public safety and freeing law enforcement to focus on serious crimes. Legalization will open the door to new economic opportunities for local businesses and generate revenue for prevention, treatment, and education. Most importantly, it acknowledges reality — cannabis is already part of our society, and it is better for everyone when it is safe, legal, and responsibly regulated. **Vote 10-7.** Rep. Lilli Walsh for the **Minority** of Commerce and Consumer Affairs. Legalizing marijuana in New Hampshire would come with significant psychiatric, public safety, and societal costs that far outweigh any projected state revenue. Numerous studies show that frequent marijuana use — especially among young men — leads to higher rates of depression, psychosis, and long-term cognitive decline. Daily users often struggle with motivation, concentration, and productivity, creating barriers to steady employment and personal stability. We have an obligation to protect our youth from the proven mental health risks of early cannabis use, not normalize it under the false guise of harmless recreation. Unlike alcohol, there is currently no reliable roadside test for marijuana impairment, leaving law enforcement without a practical way to ensure road safety. States that have legalized cannabis have also seen an increase in impaired driving incidents and related fatalities. While some argue that state-controlled sales could generate revenue, the long-term costs — additional strain on police, fire, emergency medical, and mental health services — will far exceed any financial gain. New Hampshire does not need to follow the path of Vermont, Massachusetts, or Maine; we should instead lead with prudence and prioritize public health and safety over profit.

HB 529, relative to the liquor commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As introduced, this bill would have extended the hours of sales of alcoholic beverages and allowed on-premises licensees to sell beer in refillable containers and refill such containers with beer. Since these issues were already addressed last year they were amended out of the bill and the only other item in the bill was to allow on-premises licensees to deliver liquor to customers who order a meal for home delivery. The amendment moves past legislation related to restaurant's selling alcohol that was in a bottle to a different section of our liquor laws and now also allows restaurants to have private parties by saying that they are "generally" held out to the public. **Vote 17-0.**

HB 648-FN, relative to insurance coverage for glucose monitoring. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Carry Spier for the **Majority** of Commerce and Consumer Affairs. This bill requires health carriers to cover the cost of continuous glucose monitoring (CGM) equipment for anyone with any type of diabetes or hypoglycemia. The bill includes provisions detailing the requirements for qualifications, caps on out of pocket expenses and coverage under Medicaid. A doctor's prescription would not be necessary. The Insurance Department was asked to perform a cost analysis. The results showed that the bill as written would put upward pressure on premiums at a time when NH families under the Affordable Care Act (ACA) are losing premium assistance and the cost of health insurance is going up for everyone. As it exists, the bill is too broad in scope with no way to bound those costs. The committee considered, but did not support, just limiting the bill by eliminating the caps on out of pocket expenses. Research collected in September of 2025 from DiabetesJournals.org indicates that "In people with type 2 diabetes not taking insulin, routine glucose monitoring may be of limited additional clinical benefit. By itself, even when combined with education, this practice has shown limited improvement in outcomes." This is not to say that the recommendations will not change as new information becomes available. The thinking of the committee now is to consider wording changes to limit support for CGM to those individuals with type 2 diabetes on insulin or oral hypoglycemic agents that can dangerously lower blood sugar. An amendment that just relies on a doctor's prescription for those cases of type 2 diabetes not on those types of regimen for which there are low cost alternatives presents a problem with respect to medical necessity as well as costs with respect to premium impacts. **Vote 11-6.** Rep. Manoj Chourasia for the **Minority** of Commerce and Consumer Affairs. CGM (Constant Glucose Monitoring) devices are a major advancement in the field of diabetes. It consists of a sensor placed just under the skin, from where the glucose levels can be transmitted real time to a smartphone app or any compatible receiver and hence can be used to track blood sugar levels throughout the day and night. CGM is a game-changer in diabetes management because it provides a more complete picture of blood sugar patterns than traditional finger-prick testing, which only gives a single snapshot in time. It is very easy to use and usually lasts for 14 days, so there is no need to do finger-prick testing multiple times a day to get the blood sugar levels, which itself can be a painful chore. Diabetes is considered to be a slow killer, as the high and low blood sugar levels and the fluctuations (that can happen due to multiple reasons) can affect various parts of the body, including the heart, brain, kidneys, nerves, blood vessels, eyes, feet, etc. and can cause severe complications, sometimes life threatening. The alarm system in CGM alerts when the glucose level rises and falls a certain amount called the red zone. So with this information available in real time, rather than waiting to guess the red zone based on high/low blood sugar symptoms like headache, dizziness, fatigue, blurred vision, etc. and then using finger-prick testing to verify it, you may be able to treat or prevent high blood sugar or low

blood sugar episodes immediately before they turn into bigger issues. CGM is an excellent device to manage your diabetes before it progresses to a level where you would need insulin therapy to manage it, and at that point, the treatment is much costlier just to keep it under control. Also at that level, diabetes can have far worse consequences on the body, treatment of which can be again much costlier, sometimes landing in the emergency room for life threatening situations. That is why medical professionals recommend the usage of CGM for diabetes management. At present, insurance covers CGM devices only when the diabetes treatment requires insulin therapy, so basically when the diabetes level has gotten worse and cannot be handled by conventional medicine and diet. The insurance is ready to pay for CGM and costly treatments when diabetes has gone to the insulin therapy stage but declines to cover the costs at earlier stages of diabetes. By requiring a prescription, the amended bill asserts that insurance companies should not be in the business of determining treatment coverage for diabetes, the medical doctor's prescription should. If insurance can pay for CGM based on a doctor's prescription when diabetes is in earlier stages, then not only can the patient do better diabetes management thereby preventing the complex issues and suffering caused by advanced stages of diabetes, but also the insurance companies can save a considerable amount of money that they end up spending at advanced levels of diabetes treatment. This small investment by the insurance company in the beginning, by covering for CGM (which costs an average 100 dollars per month or less) at earlier stages of diabetes, can save them big time eventually compared to what they end up spending to cover for advance level diabetic treatment. These savings in medical costs should in fact help reduce the insurance premiums in the long run.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 194-FN, relative to the crime of interference with custody. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matt Sabourin dit Choinière for the **Majority** of Criminal Justice and Public Safety. This bill strengthens New Hampshire's law against interference with custody by closing loopholes that allow individuals to evade or undermine lawful custody orders. The bill clarifies what actions and intentions qualify as interference, especially when someone acts with the intent to violate a custody order or evade court jurisdiction. This bill as amended seeks to close perceived legal gaps that allow interference with custody to go unpunished and contains clearer statutory language, including a "3 strikes" provision so that the children involved in these interactions between parents do not have to suffer the trauma of seeing a parent get arrested should a dispute arise. This bill promotes accountability, strengthens child protection, and reinforces respect for court-ordered custody. **Vote 9-7.** Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill needlessly inserts the criminal justice system into child custody battles. Mechanisms already exist in the civil system to bring to account those who are violating child custody orders in some fashion. Inserting the criminal justice system into the mix will only escalate the frequent emotional battles that come with divorce and child custody matters.

HB 609-FN, relative to the general court's authority over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, and other matter pertaining to firearms, stun guns, Tasers, pepper spray devices, knives and other self-defense tools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority, after public hearing and committee debate and discussion, found that this bill ought to pass. The bill clarifies existing state level primacy on the registration of firearms by changing the word "state" to "General Court." The original intent of the bill was that only the state could regulate the 2nd Amendment in New Hampshire and it would do so through laws. Certain state agencies and subdivisions of the state government have taken "state" in the law to mean any agency of the state. Agencies cannot make laws, and even their regulations must be vetted by the General Court. This has led to the deprivation of rights, confusion and the loss of liberty. This bill restricts state-level regulation of firearms and self-defense tools to the general court. It has no effect on federal jurisdiction. The Air National Guard's ability to enforce weapons bans at the air show derives from federal law and DOD directives, not state agency discretion. Passage of this bill would not alter existing federal prohibitions, screening procedures, or the guard's authority to remove violators. All three branches of government are required to make a law in every state in the United States. In New Hampshire, the General Court writes, debates and takes public input on every bill before passing it. The governor, acting as a check on the legislature, agrees or disagrees. If the governor disagrees and vetoes the bill, the legislature, if it has a super majority for the bill, can nullify the governor. The courts determine whether the law is constitutional. All of this is required if the government wishes to infringe on a core constitutional right with a law. When an agency head decides he or she doesn't like guns in their building, one unelected person can strip thousands of citizens of their rights with the stroke of a pen as though they were a king. The majority came to the conclusion that this is unacceptable. We threw off the shackles of rule by monarch 248 years ago. It is not the will of the people to allow it to return. **Vote 9-7.** Rep. David Meuse for the **Minority** of Criminal Justice and

Public Safety. In addition to jeopardizing public safety by expanding the law prohibiting political subdivisions from regulating firearms, ammunition, and knives to include stun guns, tasers, pepper spray devices, and other weapons, this bill would change New Hampshire law to specify that only “the General Court” instead of “the state” has the power to regulate these weapons. As a practical matter, this action would remove the ability of state agencies to regulate the carrying of weapons during public events. For example, the Thunder Over Pease Air Show, which is conducted on the airfields at the Pease Tradeport, currently prohibits “weapons of any type” beyond the event entry point. The prohibition includes any firearm or weapon capable of launching a projectile, including signal guns and sling shots, all knives with a blade over 3” long, switch and spring bladed, stiletto, trench, machete, straight razors, throwing stars, nunchucks, sand and blackjack club weapons, batons, and metal knuckles. Should this bill pass, the New Hampshire Air National Guard, a state agency which is part of the New Hampshire Department of Military Affairs and Veterans Services and under the jurisdiction of the Governor of New Hampshire through the Adjutant General, would no longer have the authority to prohibit people from carrying weapons into the event, and no authority to remove them after they have entered. With no way to maintain security and public safety, passage of this bill could jeopardize the future of air shows at Pease as well as other events held in public places across the state.

SB 15-FN, relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. This bill as amended restores accountability and retribution to New Hampshire’s sentencing framework for the most egregious offenses, capital murder under RSA 630:1 and aggravated felonious sexual assault on a child under 13 under RSA 632-A:2, by authorizing juries to impose life imprisonment at hard labor when aggravating factors such as deliberate cruelty or severe victim injury substantially outweigh any mitigating circumstances. Requiring a super majority of at least nine jurors to impose hard labor, with life without parole as the default if fewer than nine agree, guarantees rigorous due process while giving victims and communities a voice in ensuring justice reflects the gravity of these monstrous crimes. The amended bill carefully defines hard labor as supervised, physically intensive tasks, agricultural fieldwork, infrastructure maintenance, sanitation, or similar work, performed exclusively inside secure prison facilities, eliminating any public safety concern about outside work details. The commissioner of corrections retains full authority to assign, modify, or suspend hard labor based on staffing, weather, or safety, automatically triggering alternative punitive measures (restrictive housing, loss of privileges, or forfeiture of good-time credits) to preserve the sentence’s retributive purpose. Rigorous medical exemption protocols, including mandatory malingering assessments and semiannual reviews, protect legitimate health needs while deterring fraud. Far from creating risk or draining resources, this bill as amended delivers certainty of punishment, strengthens deterrence against New Hampshire’s most heinous crimes, and reaffirms that those who commit them will spend every remaining day in meaningful, productive retribution. **Vote 9-7.** Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill as amended opens the door to letting people convicted of capital murder or of sexual assault of a child under the age of 13 work outside the walls of the prison. Currently, every inmate in the state prison works at some job or another within the walls of the prison. Only those on the verge of release are allowed to work outside the walls. Passing this bill as amended would needlessly create public safety risks and deplete staffing resources that are already troublingly low.

EDUCATION FUNDING

HB 112-FN, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education Funding. This bill, as amended, requires University System and Community College System students, as a requirement for graduation, to either pass the 2020 version of the United States Citizenship and Immigration Services (USCIS) naturalization test, take a course that covers fundamental American documents as part of the higher education curriculum, or pass a civics course competency test. Currently, 30+ states require this requirement for high school graduation. New Hampshire is one of the 30+ states where passing the USCIS assessment in high school is required. Exchange students, foreign nationals, military personnel on full-time active duty or part-time service, or a veteran pursuant to RSA 110-D:3, II or XX shall be exempt from this proposed legislation. Some states, such as Missouri, require all undergraduate students at public higher education institutions to pass an exam on American civics and history; however, that state does not use the USCIS test. This bill, as amended, provides another pathway for an undergraduate higher education student to further acquire knowledge and skills in civics by successfully completing a higher education civics course, or by passing the civics course competency test. The following states require college students to take at least one civics course while in college: Arizona, Arkansas, Florida,

Georgia, Missouri, Nevada, North Carolina, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah and Wyoming. A significant first step to meet the intent of this legislation is to require all undergraduate students to take a civics course that covers the fundamental American documents as part of the general education curriculum. Courses that provide this subject matter are currently taught by history and political science higher education departments. The goal of this legislation is to better prepare students for civic engagement by improving their understanding of government, history, and political science, and importantly, for them to responsibly participate in society with civic minded discourse. This bill affirms support for the USCIS and offers alternative options as a measure of civic knowledge, skills, and civic engagement of students. **Vote 10-8.** Rep. Wayne Burton for the **Minority** of Education Funding. While the minority very much supports efforts to increase civic engagement and being an informed citizen voter, we recommend Inexpedient to Legislate for this bill as it affronts both the spirit and language of applicable NH statutes. This bill, if enacted, would violate and deviate significantly from legislative policy set in 1981 holding that “the general court has delegated broad authority to the board of trustees who shall be responsible for managing the university system in a manner which promotes academic excellence and serves the educational needs of the people of New Hampshire.” Under RSA 187-A:16, “It is the intent of the general court that the [USNH] trustees, when exercising their responsibilities under this chapter, recognize and foster the unique character and educational mission of each institution of the system. To this end, the institutions are to be permitted to operate with the highest measure of autonomy and self-governance, subject to the supervision of the board of trustees.” All aspects of the University System of New Hampshire (USNH), both academic and non-academic, flow from the stated outcomes it seeks to produce as reflected in its graduation requirements. Legislative meddling in a key component of USNH policy violates that dictum setting a dangerous precedence with regard to their relative but essential autonomy and violates the statute cited above. Moreover, the bill is flawed in that it fails to identify what constitutes “proof” of test passage, who that proof should be reported to, and what record keeping is required. As written, instead of passing by answering twelve of twenty questions (60%) correctly taken from the 128 on the exam as is normal, the bill requires 70% indicating the student must answer the full 128-question for a test designed to be given orally and with different requirements during the naturalization process. At a time when the legislature cut significantly USNH’s appropriation, the additional effort to support this bill is estimated to cost up to \$500,000 annually in administrative support hurting, not helping, USNH’s efforts to stabilize their financial position in an era of declining enrollment and legislative attempts to micromanage the University System.

HB 295, making school building aid program funds nonlapsing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the **Majority** of Education Funding. This bill makes leftover funds allocated to school building aid, but unspent at the end of the biennium, non-lapsing. This means they would be available for building aid in subsequent biennia rather than being reallocated in the next budget. This is a minor issue because little or no funds have been allocated to new building aid grants recently, but there are two subtle reasons why this policy change is inappropriate. First, each budget is created based on currently available funds, including revenue estimates, and on current needs. Building aid is just one possible use of funds, and it should be allocated in each budget cycle balanced against all other spending priorities. It is impossible to know today what those future priorities will be, therefore maximum flexibility is best. Second, budgets are created with estimated lapses, usually around 2.5%. What that means is that if revenue is estimated at \$1 billion, then the budget allocates \$1 billion plus \$25 million. Unspent money is not really available for future spending, it is anticipated and spent today. Bills like this one, which purport to allocate unspent money to the future, would cause those lapse estimates to be reduced, and therefore less would be spent in the present. **Vote 10-8.** Rep. Sallie Fellows for the **Minority** of Education Funding. The minority supports Ought to Pass because many school construction and renovation projects have been stuck on the building aid waiting list for years. A handful of projects were funded in 2024, but for most of the last 15 years there have been no budget appropriations for new projects. School construction projects typically cost millions of dollars, and state building aid covers 30% to 60% of the essential elements needed to provide an adequate education. While most projects are new construction or substantial renovations, smaller renovations are also on the list. When money for new projects is included in future budgets, there may be biennial end balances, sometimes exceeding \$1 million. This bill, by making the building aid fund non-lapsing, will accumulate those end balances until there is enough to fund an additional small project.

HB 366-FN-A, relative to school building aid for eligible projects. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Keith Erf for the **Majority** of Education Funding. This was a bill to increase school building aid. The replace-all amendment addresses how school building aid spending is prioritized. The NH Department of Education and the NH School Building Authority rank school building aid projects. Each biennium, a number of applications for building aid are filed by school districts with the NH Department of Education. The projects are individually ranked for priority using a point system. The law changed in the last biennium to add a new

restriction. The procedure changed such that re-submitted applications from the prior biennium are placed at the top of the list in the order they held in the prior biennium regardless of their point ranking. New applications are placed beneath them in the ranked order of the new applications. This amendment returns the procedure to past practice where all applications, regardless of when an application was originally submitted, are ranked anew each biennium. In essence, the need of the project being applied for is more important than the age of the application. **Vote 10-8.** Rep. Toni Weinstein for the **Minority** of Education Funding. The minority supported the bill as written and presented to the committee with its modest increase in building aid funding and some reimbursement for building projects that occurred during the building aid moratorium. The state has a constitutional responsibility to provide an adequate education to all New Hampshire students and that includes sufficient and safe school facilities. The decade-long moratorium on school building aid did not erase the needs of many districts in the state. Communities faced serious fire and life safety issues resulting in risk of losing accreditation, forcing them to act even in the absence of aid. The state should have been a reliable partner in providing funding for education, but instead communities spent over \$537 million dollars during the moratorium, shouldered entirely by local property taxpayers. This bill would have provided a small amount of relief to communities across the state. The replace-all amendment proposes a significant revision to the building aid application process. While the minority does not disagree with the concept of revisiting the building aid request process, replacing the bill with this amendment without a hearing or input from stake holders is unacceptable.

HB 491, establishing a committee to study alternative funding methods for public education and how to reduce its reliance on local real estate property taxes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Walter Spilsbury for the **Majority** of Education Funding. The purpose of this bill is to bring together members of House and Senate, cutting across committee jurisdictions relating to Education, Finance, and Ways and Means, into one concentrated conversation to evaluate options to our current heavy reliance on real property tax for the funding of public K-12 education. This joint legislative committee would be charged to “make recommendations for rebalancing and changing available revenue sources” in a manner that would alleviate the extreme burden of real property taxes. Such a joint committee may well prove necessary, in the event that the legislature is not able during 2026 to resolve current challenges, including those laid out in court opinions. But for the current biennium, both the House and the Senate have created new specialized committees to focus on education finance and funding and it is prudent to allow those two committees to do their work in cooperation before supplanting them with a study committee that may prove unnecessary. Therefore, this bill is not timely. **Vote 10-8.** Rep. Dick Ames for the **Minority** of Education Funding. This bill establishes a nine member legislative committee, five members from the House and four from the Senate, to study New Hampshire’s system for funding public education and to consider in this study how best to rebalance and change available revenue sources so as to reduce the public education funding system’s over dependence on local real estate property taxes. The current funding system is widely recognized as inadequate and constitutionally insufficient. The study called for by this bill is a necessary and essential step on the way to establishing a constitutionally adequate public school funding system.

HB 510-FN, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Popovici-Muller for the **Majority** of Education Funding. This bill, as amended, enshrines into statute basic due process rights for students, student organizations, and staff at state institutions for higher learning. It is essential that we protect the following: 1) the right to receive written notice of the specific violations; 2) the right to have time to review evidence; 3) the right to the presumption that no violation occurred; 4) the right against self-incrimination; 5) the right to present a defense and to call witnesses in support of the defense; 6) the right to an impartial hearing officer or panel; 7) the right to have assistance; 8) the right to have a verbatim record of the hearing made and preserved; 9) the right to appeal an adverse decision, and more. A similar bill (HB 1288) passed the House in 2024, then was referred for Interim Study by our colleagues across the wall. This bill’s language was modified to address their concerns, but it was retained in Education Funding to address a few other issues, which the committee amendment does by changing a few definitions to be consistent with RSA 188-J and by clarifying the language on self-incrimination. The committee amendment also addresses the one specific concern brought by the minority by making sure that if they so request, a person claiming to be a victim of the conduct being investigated shall not be directly cross examined by the person they are accusing. Other than the direct cross examination issue addressed above, the minority did not identify a specific provision they disliked. Instead, they argue that the bill is not needed because due process is already provided, while at the same time arguing that passing this bill will require extensive (and expensive) changes to the existing procedures. Instead of dwelling on the mutually exclusive and logically inconsistent nature of those two arguments, we will address them separately. If the due process rights are already respected, no changes should be needed, and the cost of implementing this will be zero. And having

the statute in place will protect everyone if a future federal administration decides to allow a return to past abhorrent, unconstitutional practices such as the single investigator, which made one administrator the cop, district attorney, judge, jury and executioner. If significant changes are needed (as the college testimony and the fiscal note suggest), then due process rights are not respected, and the bill is needed to ensure that due process rights are respected going forward. Lastly, this bill does not affect any union contracts in place - it will just make sure that no future union contracts have protections that are less than the standard that this bill sets. **Vote 10-8.** Rep. Wayne Burton for the **Minority** of Education Funding. The minority opposes this bill as it is a bill searching for a problem to solve. The current university and community college systems' due process policies and procedures are working effectively. This "one shoe fits all" bill, should be rejected as it is unnecessary, costly to implement, counters federal law, and confounds collective bargaining. Further, the bill's sponsor in several meetings could not identify any pathology in the current due processes available in the University System of New Hampshire (USNH), nor cite any instance when anyone or organization had been denied same. Rather than needlessly add costs while reducing resources available to USNH, the minority supports Inexpedient to Legislate.

HB 651-FN, modifying the base cost and differential aid costs of an adequate education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Walter Spillsbury for the **Majority** of Education Funding. This bill increases the base cost and differential aid costs of an adequate education and expands the definition of the cost of an adequate education. This bill has served a useful purpose in the committee's deliberations during 2025, and for that reason was retained. It applies the base adequacy figure embraced by Judge Ruoff in the *Conval* decision, which happens to be 1.73 times the current rate, and then extrapolates from that by applying the same multiplier to the several forms of differential aid, which is not justified by any direct analysis of incremental costs associated with those conditions. Since there are other bills on the same subject matter coming to us for the 2026 session that present a better opportunity for fashioning a full and balanced response to the challenges of reforming our education funding formulas, including the question of where those funds will come from, the majority cannot support passing this bill in this form at this time. **Vote 10-8.** Rep. Dick Ames for the **Minority** of Education Funding. In a decision issued on July 1, 2025, in the case of *Contoocook Valley School District v. the State of New Hampshire*, the New Hampshire Supreme Court upheld a lower court ruling that had been issued after a three week trial in 2023, holding that the state's statutory school funding adequacy aid formula provides per pupil funding at a level insufficient to meet the state's constitutional obligation to "provide New Hampshire's children with the opportunity for a constitutionally adequate education." The court also upheld the trial court's findings establishing that a constitutionally valid base adequacy amount per pupil must exceed a "conservative minimum threshold" of \$7,356. A subsequent trial court decision issued in the case of *Rand v. the State of New Hampshire* in August 2025 found that the state's statutory differentiated aid per pupil funding level for special education services was also constitutionally too low. This bill seeks to conform the state's adequacy formula to this judicial guidance. Accordingly, it raises the base cost of adequacy per pupil from \$4,351 to the minimum threshold amount of \$7,356 and then applies the same rate of increase to each of the three differentiated aid categories (pupils eligible for special education, free or reduced price meals, and English language learning). The result, when properly funded through appropriate state budget processes, will provide significant property tax relief across the state.

HB 656, relative to the authority of local school districts to accept federal grants. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education Funding. This bill requires that all funds disbursed from a federal government unit to a school district be deemed unanticipated money for the purposes of appropriation of unanticipated funds made available during the year. It also requires that notice of a hearing on unanticipated funds, or minutes of the school board meeting taken action on unanticipated funds, include a summary of any obligations incurred by accepting the funds. As amended, 1) all funds disbursed from a federal government unit shall be deemed to be unanticipated money under the provisions of this section, 2) such notice shall contain a summary of any obligations incurred by accepting the unanticipated funds, or notice that there are no obligations incurred, and 3) the minutes of the school board meeting shall contain a summary of any obligations incurred by accepting the unanticipated funds, or state that there are no obligations incurred. This bill is all about "transparency" for elected officials and the public. Elected school boards and the public must be made aware of any necessary matching local dollars, any in-kind obligations using local education agency personnel, and/or of the use and accountability process associated with disbursement of federal funds. **Vote 10-8.**

Rep. Hope Damon for the **Minority** of Education Funding. The minority recognizes the importance of transparency in government. However, we find this bill an unrealistic and unnecessary approach that would burden local school districts without benefit. Local school districts already recognize obligations incurred by accepting federal funds. Title I for enhanced learning support especially for low-income communities, Title II-A for teacher professional development, Title III for English language learners, Title IV, Perkins V and IDEA (Individuals with Disabilities Education Act) for federally required special education would all be con-

sidered unanticipated funds – even though they are specifically defined by federal law and the amounts are typically stable from one year to the next, often over decades. At the time that most allocations are awarded, the local district budget process is long past. The timing of official confirmation of grants does not align with the printing of school district annual reports. Further, the statute does not address what happens if the local school board decides not to take the funds after the public hearing. How are the necessary education services then funded? Truly unanticipated revenue occurs as bequests or significant increases in adequacy aid after the school budget has been approved. Currently, the state Department of Education (DOE) serves as a pass through for these reliable federal funds to local school districts. There already is a very precise approval process in place at DOE with school districts providing very detailed explanations of every expense in minute categories with thorough documentation of reimbursable expenditures. Perhaps a simpler approach would be to require the DOE to provide districts with a list of the obligations associated with each grant. Districts would then make informed decisions which grants to apply for. Districts already prepare for the end of grant fund availability. It should be noted that while federal grant funding provides less than 10% of the cost of public education in NH, it is critical funding to our public schools. Given the ongoing reluctance of the majority to concur with court rulings regarding funding of an adequate education, it seems completely unreasonable to make access to these essential federal funds more difficult.

HB 665-FN-A, relative to eligibility for free school meals. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Daniel Popovici-Muller for the **Majority** of Education Funding. The bill supporters speak of addressing student hunger, but despite repeated requests for information made both last term and this year, no testimony was provided by anyone about specific instances of kids being denied food or specific school districts denying food to students based on their inability to pay, making it impossible to substantiate a need for this bill. Proposed language in the bill would require that any meal provided by schools “be served without cost to any child whose annual household income is less than or equal to 300 percent of the federal poverty guidelines,” as opposed to our current system (based on the federal guidelines) of offering free meals under 130% and reduced meals between 130% and 185% of the federal poverty guidelines. As of now, the state is leveraging federal funds to pay for meals and only reimburses schools for breakfast (at \$0.03 or \$0.30 per meal), with no state funds used for lunches. Federal reimbursement rates are: \$2.37 free breakfast, \$2.07 reduced breakfast, \$0.39 paid breakfast, \$4.52 free lunch, \$4.12 reduced lunch, \$0.51 paid lunch. By replacing the reduced price meals with free meals, then greatly expanding the free meal program without any federal funds reimbursements, the state would be liable for over \$48 million per year (around \$16.6 million for breakfast, \$31.7 million for lunch, assuming no changes in what meals are offered by schools from last year). Given that every child that asks for a meal is given one regardless of their family’s ability to pay, these kinds of expenses cannot be justified-- if this proposed policy was sound, it would have been part of the state budget. **Vote 10-8.**

Rep. Hope Damon for the **Minority** of Education Funding. The minority recommends Ought to Pass for this bill to require that at least one school meal is available without cost to children who qualify based on a household income less than or equal to 300% of the federal poverty guidelines. 39% of NH children live in households that do not have sufficient food. Children who are food insecure have lower reading and mathematics scores and the effects are cumulative as they continue through school. There is an inverse relationship between adequate food intake and cognitive delay. Food insecure children learn at a slower rate than their adequately fed peers and are more likely to repeat grades. Chronically hungry, food insecure children are twice as likely to be receiving special education services as those who are not hungry and food insecure. Children who are food insecure have more behavioral problems, are twice as likely to be suspended and have a greater risk of dropping out of high school. Aside from the moral obligation to provide for the fundamental needs of impoverished children, the minority recognizes the economic costs of not addressing food insecurity. Current eligibility for free meals is set at 130% of the federal poverty level. For a family of three, that is an annual income of \$34,645. Working full time at \$15 hourly, which is more than twice the NH minimum wage, yields an annual gross income of \$31,200. Yet the MIT Living Wage Calculator shows that a family of three needs nearly triple that amount or \$97,876 to afford today’s living expenses. It is clear that current eligibility for free school meals bars many hardworking NH families from accessing this critical support, leaving children hungry in school, watching their peers eat. Relying on the generosity of school staff to purchase snacks for children or providing stigmatizing alternate meals, is not an equitable or adequate approach. At least nine states including our neighbors in Maine, Vermont, and Massachusetts provide universal free school meals. This bill is much more moderate than universal meals while meeting the most urgent needs.

SB 204-FN-A, relative to the responsibility of local school districts to provide meals to students during school hours, reimbursing schools for meals provided to students at no cost, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the **Majority** of Education Funding. The National School Lunch Program is administered by the US Department of Agriculture and provides federal funds that pay for free and reduced price lunches for school children who come from low-income families. There are related federal programs for

breakfasts, milk, summer meals, etc. Free meals are given to children at 130% of the federal poverty level or less and reduced price meals for those at 185% of the federal poverty level or less. Federal reimbursements, and the state breakfast supplement, are for fixed dollar amounts, so local funds can be involved if the costs of providing meals is different than those reimbursements. This bill would allow school districts to raise the income qualification for free meals (breakfast and lunch) to 200% of the federal poverty level. If they do so, this bill has half the extra costs paid for by the state and half paid for by the local school district. Our Department of Education estimates that this change could add \$7 million in cost to the state, and an unknown, but likely similar amount, on local property taxpayers. Our state budget is a trade-off among competing uses for available funds. This program didn't make that cut. Outside the budget process, it is inappropriate to add new spending of this magnitude without corresponding reductions elsewhere. **Vote 9-8.** Rep. Hope Damon for the **Minority** of Education Funding. The minority recognizes that this bill is a pragmatic, modest effort to address food insecurity in K-12 students. It provides school districts the option of increasing eligibility for free meals to 200% of the federal poverty level. It would also require districts who choose to opt-in to provide online applications for school meals which has been shown to increase applications, decrease error rates and reduce administrative costs. It should be noted that the fiscal note for this bill presents an unrealistically costly outcome, calculated on 100% of eligible students choosing to enroll in free meals with 100% of those students attending school every single day, and 100% eating both free meals every day. US Department of Agriculture data show that 45% of eligible students eat free breakfast and 70% of eligible students eat free lunch. Not all students attend school every day. Thus, it is clear to the minority that the fiscal note considerably overstates the true expected cost. The minority of the committee recognizes that there are many students whose family resources are simply not adequate to meet their basic needs. Despite the reality that most of the adults in those families are working – they simply don't earn enough. Considering that 200% of the federal poverty level is \$64,300 for a family of four, it should be obvious how impossible it is for those families to pay rent or mortgage, utilities, child care, health insurance, and somehow have enough resources left for even the most basic meals. NH Fiscal Policy Institute recently reported that median household income falls \$2,000 short of covering basic costs of living. Students who are reliably and adequately fed perform better academically and have fewer behavioral issues. Both of these benefits provide cost savings to districts. Particularly in the current time of uncertain funding for other food programs, meeting the needs of these students is critical.

EDUCATION POLICY AND ADMINISTRATION

HB 121-FN, establishing local school district special education parent advisory councils. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. This non-germane amended bill is an answer to the failure of auditing, communication, transparency, and accountability with the Claremont School District. This addresses those issues after working with the Department of Education (DOE) and Department of Revenue Administration (DRA). Audit requirements are strengthened, the DRA Commissioner is given the ability to require a financial or forensic audit, potential fines increased, and completed audits or lack of audits be made available to the DOE and public. Power is given to the State Board of Education to put public schools on probation for failing to meet fiscal management standards, reporting failures, or violating state or federal laws. Probation for public charter schools was signed into law last year and the same should be true for traditional public schools. The DOE and State Board of Education will work with the district to develop a remedial plan to correct the issues. If the issues are not corrected, however, the DOE shall hire or appoint an "administrator" to oversee district operations and corrective actions. The bill specifies authorities that may be given to the administrator including appointing a chief financial officer, reassigning or terminating personnel, establishing new internal controls, and providing monthly reports to the DOE and state board. This bill, as amended, should help to prevent another Claremont situation and, in the event that it doesn't, there will be a process in place for corrective action. **Vote 10-7.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. This bill with non-germane amendment seeks to address issues around schools experiencing financial distress. The minority finds that the amendment goes much further than that, leaves significant legal questions unanswered, and removes local control to an unnecessary, harmful extent. The bill ultimately creates uncertainty for departments and districts. If the intention was to provide a vehicle to help address fiscal oversight issues within districts, this bill was rushed and does not effectively address those concerns. The amendment cites RSA 309-A:8 which was previously repealed. Citing a statute that does not exist leaves the committee with an inaccurate understanding of the section of law that it is supposed to affect with respect to accounting and fiscal oversight. There should have been a full hearing to discuss the implications this bill may have relative to the appropriate section of law. The committee heard no testimony or information from auditors regarding the feasibility of either a forensic or traditional audit in the time noted. We also heard feedback from many who shared concerns around the vague application of the subjective words "reasonable notice." Districts would be open to a wide array of possibilities as to what "reasonable" means - something the NH Department of Education's attorney noted was overly vague. Districts are left

with little understanding of what would place them into a “probationary period.” The proposed language also notes that a district could be placed onto probation for issues or concerns that extend far beyond financial problems. The bill opens the door to districts being placed on probation for violations of *any* administrative rule. The minority finds this amendment reaches far too broadly, resulting in districts losing much of their local control. It is unclear whether or not probationary periods can be extended. In the same section, the bill appears to be able to place districts on probation prospectively and without a full due-process finding under alleged state or federal law violations, and does not discuss an appeal process either. The minority prefers a motion of Inexpedient to Legislate with careful study of alternative moderate state approaches to addressing school district fiscal insolvency.

HB 131, requiring school boards to develop and enact policies regarding personal cell phone use in schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Kristin Noble for the **Majority** of Education Policy and Administration. The original bill was related to cell phone use but was not needed due to the passage of other legislation. The bill was amended by the committee with a non-germane amendment with House-passed language from SB 210 on bullying and cyber bullying. In addition, the amendment addresses retaliation; requires all staff, coaches, and bus drivers to report incidences of bullying; calls for notification of parents about steps to prevent further bullying of their child after an incident; and requires a conference with an alleged bully and their parents about impacts of bullying. SB 210 stalled last spring because the Senate wanted to study bullying. Our committee and the House last spring said we need to take action. We ask that you repeat that call to action. **Vote 10-8.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. There is no question that addressing bullying and cyberbullying in our schools is important. However, this non-germane amendment is fraught with concerns and is clearly not the solution. It includes suspensions and expulsion for disciplinary action, regardless of age or disability. Furthermore, this legislation removes the definition of bullying as defined in current statute, includes a provision for conferences without parental participation, has a chilling effect on educators with the threat of code of conduct violations, and takes away local control from school districts. Strategies that have been proven to work in our schools, such as those identified in MTSS-B (a multi-tiered system of support for behavioral health and wellness) should be the focus of remediation and not exclusionary school disciplinary practices. The minority supports legislation that would establish a study committee to collaborate on best practices to reduce bullying in our schools

HB 360, prohibiting public schools from performing diagnostic tests or surgical procedures, or prescribing pharmaceutical drugs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. The amendment eliminates diagnostic tests from both the title and body of the bill as it had become a challenge to clearly define. It also adds that contracted health care providers, in addition to those directly employed by the school district, shall not perform surgical procedures or prescribe pharmaceutical drugs on school grounds. School-based health centers (SBHCs) have operated across the United States for decades, with thousands of public schools nationwide providing an array of services including primary care, prescription medications, and contraceptive methods such as implantable devices (e.g., Nexplanon). New Hampshire is one of the last states where SBHCs are not widely available. As amended, this legislation seeks to prevent public schools from functioning as comprehensive medical facilities, thereby preserving their sole purpose: the education of children. **Vote 10-8.** Rep. Patricia Cornell for the **Minority** of Education Policy and Administration. The minority is opposed to this bill as amended, prohibiting public schools from performing surgical procedures or prescribing pharmaceutical drugs. No child in New Hampshire is having or has had a surgical procedure or been prescribed drugs in a public school. Written permission by a parent or guardian is needed to dispense even an aspirin to a child, or to dispense medication prescribed by the child’s own physician. This bill is vague and may result in unintended consequences. Is removing a splinter a surgical procedure? This bill is being depicted as preventative but in fact is a bill in search of a problem.

HB 564, relative to the adoption of school administrative unit budgets. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Margaret Drye for the **Majority** of Education Policy and Administration. This bill revises the budget adoption process for school administrative units (SAUs) by requiring that the SAU budget be a separate warrant article at a district’s annual meeting. The bill has provisions for both single-district and multi-district SAUs. Superintendents are some of the highest paid employees in NH public schools. SAU budgets do not necessarily break out salary and operating costs in a way that is easily visible to the average voter. Even if information on SAU budgets may be available on SAU websites or at deliberative sessions, the budget is not voted on as a separate article. This bill ensures all SAUs propose a known, transparent SAU budget as a separate warrant article. While the Committee to Study Reducing the Number of School Administrative Units in the State has submitted its report, any changes or consolidations will not happen soon. This bill helps

provide transparency and accountability in the interim. **Vote 11-7.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee has grave concerns with legislation that is eroding the local control of a process that otherwise has been deeply rooted in communities through traditional town/school meetings and/or SB 2 school/town deliberative processes and within locally elected boards. This bill never had a second committee hearing in either the Election Law Committee or Judiciary Committee to discuss the potential impacts of voter disenfranchisement that could occur as a result. Additionally, RSA 194-C:9, IV(b) of the proposed bill states, “(b) The adjusted budget in the warrant article . . . shall not include any pay increases, any benefits cost increases associated with pay increases, any new positions, or any new services that were not in the previous year’s approved budget.” There is very vague language in the bill when referring to the prohibition of “new services;” it is unclear if that refers to a school administrative unit expense that is closer in nature to something like a new printer repair company changing within the district, or if the suggested language means something more broad and disallows a district from entering into new services that would involve learners, curriculum, or special education needs.

HB 709-FN, allowing parents or guardians to admit their children into any school district where they pay any property or school district taxes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for the **Majority** of Education Policy and Administration. The amended bill permits students to attend any school district in which their parent/guardian pays property taxes, provided such parent/guardian resides in New Hampshire. Although the amended bill does not remove school district enrollment boundaries, the bipartisan majority believes that loosening arbitrary geographic restraints would increase academic opportunities. Finally, the majority believes increased proficiency and a greater overall joy of learning would result. **Vote 11-7.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. Allowing parents or guardians to enroll their children in any school district where they pay property or school district taxes is problematic. This open enrollment legislation creates a two-tier system where access is determined less by community ties and more by the ability to pay taxes in multiple places. Since legal residence would now be any place where the parents pay property taxes, a legal residence for a minor could be a vacant piece of land in another community. This could have serious financial implications for individual school districts. Unanticipated special education costs could lead to higher taxes for those communities impacted. This legislation is once again furthering the divide between the haves and have-nots. The minority believes that adequately funding our schools should be the first step to ensuring educational equity and opportunity.

HB 748-FN, establishing a local education freedom account program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. The majority of the committee is supportive of the concept of locally-funded education freedom accounts. We saw issues with the legislation related to grant amounts, mechanics of separate state and local programs, provision of services to a child with special needs, and other issues. The amended bill establishes a study committee to look at all the issues related to the program in anticipation of new legislation in the future. **Vote 10-8.** Rep. Patricia Cornell for the **Minority** of Education Policy and Administration. The minority feels this bill, as amended, which seeks to establish a committee to study the establishment of a local education freedom account program, should be voted Inexpedient to Legislate. Universal Education Freedom Accounts (EFAs) were just passed last session, already resulting in a cost of \$12.3 million over budget. Additionally, the percentage of low-income families, who the program was intended to benefit, dropped from 37% last school year to 19% this school year. We do not know if the program is successful; the performance audit will not be presented until next summer. When the original bill was presented last session, the online response was 25 in support and 2,637 opposed. Our constituents do not want this program to be paid for out of, and in all likelihood increase, our local property taxes.

SB 33-FN, relative to the regulation of public school materials. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. The amendment to the bill largely keeps the challenge process intact except for removing the requirement that challenged material be made available at the front desk of the school. The amendment adds the definitions and criteria from last session’s HB 324. This provides clear guidance for school boards to make an objective decision with criteria that sets a high bar for challenged material to be removed. The amendment removes the K-12 exemption for private justifiable dissemination of obscene material by changing it to higher education only. This bill, as amended, keeps the decision local. In the opinion of the majority, minors should not have access to pornography in their public school libraries nor should taxpayers be paying for such a thing. This is not a book banning bill. If an obscene book is removed from the library, the parents are free to purchase it elsewhere. **Vote 10-8.** Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee opposes this renewed attempt to block a First Amendment right by creating new ways for people to ban books. Governor Ayotte stated, “I do not believe the State of New Hampshire needs to, nor should it,

engage in the role of addressing questions of literary value or appropriateness.” Further, there is already a path for a parent/guardian to opt their own child out of reading material they find objectionable without this bill. In addition, school boards must approve all public school materials and anyone can go to their local school board to request that a specific book not be part of their district’s materials. Even with the more explicit terms defined in this new amendment, the minority of the committee agrees with the Governor in rejecting any further attempt to ban books and supports Inexpedient to Legislate.

SB 34, relative to parental consent for student participation in Medicaid to schools program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. Federal law requires a one-time parental consent to be obtained to access a child’s Medicaid benefits for the billing of services. States are permitted to regulate beyond that to ensure transparency and to protect against fraud. This bill, as amended, adds annual reporting to legislative committees and would require parental consent for each new service a child receives. This is consistent with services obtained outside of a school setting, where a parent would be present to provide consent. In the opinion of the majority, parents should be involved in all aspects of their child’s education, including knowledge of all services received. This bill was recommended by the Committee to Study Consent and Confidentiality Laws Applicable to Adolescent and Young Adult Health Care in New Hampshire. **Vote 10-8.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee would like to make it clear that Individualized Education Program (IEP) teams are the group of individuals who ensure a collaborative approach between parents, a student, and their teaching team, in making adequate progress toward their agreed upon learning goals for the learner. Under no circumstances are IEP teams responsible for verifying whether a student is eligible to pursue benefits under the Medicaid to Schools programs. In fact, this legislation misses the point, as one single permissive signature is all that is necessary to simply permit a district in sharing that a student *may* be eligible for Medicaid, but ultimately that determination sits outside of an IEP team. Federal law states that only one signature is necessary annually by a parent to inquire whether or not a student’s services are in part, or in whole, eligible for reimbursement as they relate to Medicaid eligibility requirements. It seems burdensome to add superfluous signatures when they are not necessary and could hinder the reimbursement processes. If this bill were to go through, this would create yet another level of reimbursement billing confusion and possibly an interruption in a district’s ability to simply recoup some of what may be eligible through state and federal funding streams for reimbursement and stands to penalize the community as a whole by creating more hurdles. New Hampshire has made great strides in expanding school-based Medicaid services in order to help students receive collaborative services in schools, and in their least restrictive environment, through school-based and community-based providers and partnerships. The minority supports the Inexpedient to Legislate motion to ensure streamlined processes in Medicaid to Schools partnerships with districts.

ELECTION LAW

CACR 4, relating to voting eligibility. Providing that only legal resident citizens who are at least 18 years of age or older who reside in the place they claim as a domicile shall be eligible voters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. As amended, this bill clarifies the long-standing principle that a voter must genuinely live in the community where they cast a ballot. Granite states expect that when they vote, they are joined by their actual friends and neighbors—not individuals who temporarily establish “domicile” for the sole purpose of voting. The amendment removes the vague citizenship language and focuses solely on residency, while a separate bill addressing citizenship requirements has been introduced for the second session. Seasonal residents and others who legitimately keep New Hampshire as their home for voting purposes would remain eligible. **Vote 10-7.**

Rep. Russell Muirhead for the **Minority** of Election Law. This bill is poorly crafted and will introduce needless confusion in the administration of New Hampshire elections. The proposed amendment to the NH Constitution states that only those who “actually reside in the place they claim as domicile” can vote in New Hampshire, but it does not define what “actually reside” means. Would this exclude those who live in Florida between November and March, but who intend to return to New Hampshire in April? Perhaps not, since such citizens do not “actually reside” in New Hampshire when November elections take place. The proposed amendment would not solve any known issues or problems with NH election administration but would introduce ambiguities and confusions that would threaten to deprive citizens of their right to vote. For that reason the minority opposes Ought to Pass.

HB 158, relative to public inspection of absentee ballot lists. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill strengthens transparency and public confidence in New Hampshire’s elections by ensuring that absentee ballot lists—already maintained by law—are avail-

able for timely public inspection. Under current RSA 657:15, clerks must keep orderly lists of all applicants to whom absentee ballots have been sent. This bill simply modernizes this process by making those lists accessible 60 days after the election, with appropriate protections for individuals with valid protective orders. This strikes the right balance between transparency and personal safety. **Vote 10-7.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill would force clerks to reveal the identities of New Hampshire citizens who voted by absentee ballot, thus violating the privacy and imperiling the security of citizens who voted by absentee ballot. One concrete worry animating the minority is that the bill would allow those with nefarious motives to discover which homes have been vacated for the winter, and to target those homes for theft. As it stands the bill needs more refining before it is ready for passage.

HB 317, preventing a supervisor of the checklist from verifying a person's identity without identification, even if they personally know that person. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill closes a loophole in New Hampshire's voter ID law that allows an election official to let someone vote simply by claiming personal knowledge of the individual. This practice circumvents widely supported voter ID requirements, is vulnerable to abuse, and is nearly impossible to verify independently. When voters cast a ballot, they should present identification—plain and simple and that is the standard the majority seeks to uphold. **Vote 10-7.**

Rep. Gerald Ward for the **Minority** of Election Law. This unnecessary bill eliminates the longstanding (albeit very rarely used) ability of some election officials to recognize registered and qualified voters at the polls by sight and personal knowledge. It is the classic bill that is a solution in search of a problem; it also takes a needless swipe at the integrity of our outstanding election officials. No testimony was offered to suggest that this procedure has ever been misused, and one could argue that an identification based on personal knowledge is more reliable than one reliant on a bit of plastic that often has a less than flattering image. The bill is yet another attempt to throw a roadblock in the face of a qualified (but perhaps forgetful) voter, who may have left their ID at home inadvertently.

HB 323, requiring the presentation of a government-issued photographic means of identification in order to vote. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill, as amended, clarifies that only official government-issued identification may be used to meet New Hampshire's voter ID requirement. This change removes college IDs from the list of acceptable documents because they are not issued by a governmental authority and often lack uniform security standards. Testimony also showed that not all college IDs across the state were accepted consistently, further underscoring their unreliability. For New Hampshire's voter ID law to remain secure and credible, the identification used must come from an official entity that meets the standards voters expect. **Vote 10-7.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill would prohibit photo identification cards such as student identification cards to prove identity for the purpose of voting. Proving identity is a simple matter of showing that one is the person one says one is – it is not about proving citizenship or residence. It is easy to do with a photo ID card, regardless of whether the ID card is provided by an employer or a university in New Hampshire. Prohibiting university identifications and employer identifications increases the burden on citizens of proving they are eligible to vote, in exchange for no public benefit. Voter impersonation voter-fraud is de minimus. The bill's sponsors could adduce no case of voter impersonation voter-fraud using a student or employer identification. Such instances of fraud are perhaps akin to the incidence of witches in colonial Salem. Given the absence of any public benefit to the proposed legislation and the increased burden on exercising the most basic right of citizenship, the minority opposes Ought to Pass with Amendment.

HB 463, relative to the composition of the board of recount in elections for the select board and for the school board. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill clarifies that candidates for school board office may not participate in recounts in which they are the candidate whose race is being reviewed. The majority believes candidates should not count votes for themselves or their opponents — this is common sense. **Vote 10-7.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill is well-motivated but will create logistical and legal complications for multi-town school districts. Election laws that regulate school board elections cannot assume that school districts and town districts always coincide, as this bill assumes. For that reason the minority opposes Ought to Pass.

HB 686-FN, requiring a voter to provide identification when requesting an absentee ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. As amended, this bill establishes a "reasonable person" standard for determining whether a public employee has illegally electioneered while performing their official duties. With multiple examples across the state of conduct that is inappropriate yet still legal under current law, the majority believes the statute must be updated to give the Department of Justice clear authority to

prosecute violations as intended. The reasonable person standard is the most practical way to address situations in which public employees necessarily interact with political matters, and the majority recognizes that it is impossible to legislate every conceivable scenario. The majority's view is that any public employee acting in good faith will have reasonable leeway to conduct legitimate business while understanding that they must not, in the course of their duties, place a thumb on the scale of an election. The majority also firmly believes that public employees are entitled to their political opinions outside the conduct of their office and may express those views under the First Amendment—just not while on taxpayer time. **Vote 10-7.** Rep. Russell Muirhead for the **Minority** of Election Law. The original version of this bill has been entirely replaced by a non-germane amendment that revives a bill that was vetoed in the 2025 session. That bill expands the legal definition of electioneering in order to address one person's conflict with employees of one public library, who circulated an ill-advised opinion poll, the wording of which contained a partisan bias. While the minority sympathizes with the indignation that this case aroused, it does not think that legislation is the proper way to deal with one frustrating experience. This legislation will have unintended consequences that stretch far beyond the single case that motivated it. While the minority appreciates that the majority has approved amendments that address some of these consequences, the minority does not believe that the unintended consequences and complications of this bill have been fully mitigated. For that reason the minority opposes Ought to Pass with Amendment.

SB 103-FN-LOCAL, relative to the number of polling stations that are available for certain towns. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. This bill sets a minimum number of polling locations in a municipality for every 15,000 registered voters during a presidential election. During the 2024 election, many locations experienced significant wait times and long lines to vote — well over the recommended maximum of 30 minutes. The Senate expressed a desire to continue working on the bill, so minor changes were made via the amendment to accommodate that request instead of restarting the process. This bill also includes a relief clause for large, well-run locations, such as the town of Derry. **Vote 17-0.**

ENVIRONMENT AND AGRICULTURE

HB 396, exempting meat and meat food products slaughtered and prepared in state for sale in state from certain inspections. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Comtois for the **Majority** of Environment and Agriculture. This bipartisan bill, as amended, is especially important to food security here in NH. It lets small scale farmers know that the state will not stop them from slaughtering amenable species (cows, pigs, goats, and sheep) on-farm and also to allow them to sell cuts of meat to consumers. This goes against federal U.S. Department of Agriculture (USDA) law, but this bill limits activity to intrastate commerce (only in NH). We currently allow on-farm slaughter of rabbits, poultry, and non-amenable species (bison, elk, red deer), and these can be sold to businesses and consumers and is a policy that we have not had problems with. However, currently farmers raising amenable species can only sell a whole or fractional (half or quarter) portion to the consumer, slaughter on-farm and then bring the animal to the butcher of the customers' choice, as per federal law. We think that NH farmers should be able to slaughter an animal on-farm, have it butchered, and sell cuts directly to consumers in NH just like they can for federally exempted animals (rabbits, poultry, and non-amenable species: (bison, elk, red deer). The majority asks the question, what makes slaughter at a USDA facility better or safer than on-farm? We know that an animal is stressed by transporting it to a slaughter facility and that affects the quality of meat, making it less tender and can also affect the taste. We also know that USDA facilities do not always act in good faith and that there have been instances of recalls on meat due to unsanitary conditions and dubious practices. Slaughter at USDA facilities do not ensure food safety, and we have also heard that sometimes the meat a farmer may receive back might not even be the animal they brought to the facility. The other problem is the limited availability of slaughter house scheduling. This bill is important as the federal government has been ignoring the small farming states and making it harder and harder for us here in NH to have the meat we want from the farmer we want if we only want to purchase a cut of meat from a farmer. They have not changed the current federal law, despite calls to do so. This bill requires cuts will be labeled as non-USDA inspected, and the farmer registered at the Department of Agriculture, signing a document saying that the farmer understands they could be prosecuted under federal law. The bill provides guard rails by limiting the amount of meat a farmer can process, and requires labeling to let the consumer know that it is not USDA inspected and also requires sanitary practices on the farm. It treats amenable species the same as already USDA exempted species. The majority believes we are a sovereign state and should be able to buy locally produced food that we want from our local farmers. **Vote 9-3.** Rep. Peter Bixby for the **Minority** of Environment and Agriculture. The bill as amended addresses a serious problem facing New Hampshire farmers: the capacity to slaughter amenable livestock (cattle, pigs, sheep, goats) under USDA inspection is significantly limited, so

smaller farmers have to schedule slaughter dates over a year in advance, sometimes before the animals are even born. This bill piggybacks a limited exemption for amenable livestock onto a state program designed for non-amenable livestock (red deer, elk, bison) that allows for on-farm slaughter and intrastate sale, a practice that is allowed under federal law. The problem with this bill is that it allows at the state level a practice for amenable livestock that is explicitly illegal under federal law. This opens our farmers up to federal legal liability. The bill requires that farmers using this state level exemption sign a form indicating they are aware of this liability, which has the advantage of making sure they do not get blindsided by federal consequences, but provides no further protection. The other, perhaps greater problem, is that farmers cannot get assistance from state agencies like the Department of Agriculture, Markets and Food (DAMF), the Department of Health and Human Services (DHHS), or co-operative extension because the state cannot afford to be complicit with activity that is illegal under federal law.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 349-FN, relative to the practice of optometry and authorization to perform ophthalmic laser procedures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Patrick Long for the **Majority** of Executive Departments and Administration. Optometrists have safely performed the covered procedures, laser capsulotomy, laser trabeculoplasty, and laser peripheral iridotomy, in 14 other states for years. A study of over 146,000 procedures found complications in only 2 of them. This bill increases patients' access to needed surgeries, and their choice in providers. The north country in particular has had a shortage of providers for years. The majority appreciates ophthalmologists' recent efforts to address the shortage, but finds that patients' access to needed treatment should not be dependent on the continued availability and good will of one limited subset of providers. In response to the bill as originally written, ophthalmologists raised reasonable concerns about the training and experience required in order to perform these surgeries. The amendment successfully addresses these concerns, by requiring optometrists who want to perform these procedures to have the same prior training and experience in these procedures that a newly licensed ophthalmologist would be required to have. **Vote 12-3.** Rep. Peter Schmidt for the **Minority** of Executive Departments and Administration. The ED&A committee, augmented with four members of the HHS committee, was tasked, this year, with consideration of this bill, a bill to significantly expand the practice of optometry in NH. The basis for this was twofold: a straightforward desire on the part of optometrists to enhance their profession, and a reported inadequate access to eye-care in the north country of NH. There was considerable substantiating testimony before the committee as to the issue of access; and it has led to the development of a comprehensive plan, by NH ophthalmologists, to remediate the problem, starting in January 2026. This fact alone militates strongly against proceeding with this bill as constituted, and at this time. Specifically, the run-up to implementation of this bill is, at best, premature, since it does not allow for factoring in the new circumstances created by the above-referenced ophthalmological facility in Berlin. Given this bill's flaws, it needs to be substantially reworked. Specifically, regarding the three additional procedures to be incorporated into approved treatments by appropriately trained optometrists, the committee received undisputed expert testimony stating that said treatments constitute less than 2% of needed care. If anything, this bill needs to be rewritten as a study, once the Androscoggin facility has re-oriented eye care in the north country.

FINANCE

HB 97-FN, making an appropriation to the department of environmental services for wastewater infrastructure projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerald Griffin for the **Majority** of Finance. This bill was replaced by section 379 of HB 2 which appropriates \$2,500,000 for fiscal year ending June 30, 2026 and \$2,500,000 for the fiscal year ended June 30, 2027. The current projection of the state revenue prevent full funding of the bill but the intent of this bill is being met by HB 2, if not the full funding. **Vote 14-11.** Rep. Rosemarie Rung for the **Minority** of Finance. The minority supports an OTPA motion for HB 97-FN. This bill is intended to provide \$15 million per year of the biennium for on-going financial assistance to offset eligible costs from the construction of wastewater infrastructure projects, as outlined in RSA 486. That RSA calls for the state to reimburse municipalities 20% or 30% of the eligible costs incurred during the design and construction of wastewater facilities, plus a proportionate share of interest on borrowing for the project. Many voters approve these bonded projects because of anticipated state reimbursements from this fund. Amending HB 97 to \$5 million per year of the biennium is only a third of the bill's appropriation but it doubles what was eventually included in HB 2, which was \$2.5 million per year of the biennium for projects previously awarded state aid grant funding for eligible and completed wastewater infrastructure projects. Supporting wastewater treatment projects is one of the most effective ways to increase affordable housing, which is a critical priority to sustain and grow NH's economy, since a building lot can accommodate more housing when serviced by municipal sewer. However, municipali-

ties need to be able to rely on state funding to defray some of their capital costs, which is now estimated to be \$1.2 billion in pending projects. Any increase in the infrastructure grant fund will bring a greater return in economic growth. Additionally, municipal sewer systems prevent the environmental and health risks created by failed septic systems. The minority recommends an OTPA with amendment 2025-2996h which would increase the funding to \$5 million per year of the biennium.

HB 164-FN, relative to local records retention. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jose Cambrils for Finance. The Secretary of State identified this initiative as critical for the availability of government records to the general public. Therefore, the committee voted unanimously OTP/A. **Vote 25-0.**

HB 197-FN, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for the **Majority** of Finance.

This bill would require the state to pay 7.5 % of retirement system contributions of other employers, namely cities, towns, school districts and counties, for teachers, fire and police. Cities, towns, and schools have full authority on how many employees they hire and the salary for each of them; making the state pay a percentage of payroll opens the door to state control. This proposed legislation will not accelerate the payoff of pension debt, since the total amount paid towards pensions does not change. This proposed legislation will make the state responsible for an unknown and uncontrolled financial obligation. **Vote 14-11.** Rep. Chris Muns for the **Minority** of Finance. As it was originally filed HB 197 provided that the state would pay for 7.5% of the contributions to the state retirement system for Group I (state, county and municipal employees and teachers) and Group II (first responders) members beginning with state fiscal year 2026. The amendment submitted by the minority (2025-2976h) changes the beginning date to fiscal year 2027. It will provide immediate local property tax relief during FY 27 of at least \$19 million to school districts and \$9 million to cities and towns across our state. It is a small – but significant – step to restore the grand bargain the NH Legislature entered into with our cities, towns and school districts in 1967 when the NH Retirement System was created and we agreed to pay 40% of the employer contributions our cities, towns and school districts were required to make to that system. The legislature honored that “grand bargain” until 2011 when the legislature eliminated the state subsidy of employer Group I and Group II members. [To this day, the minority believes that action remains the single largest tax increase ever imposed by our state legislature on the residents of our cities, towns and school districts.] In 2024, an identical bill to this – HB 1279 – passed the House in bi-partisan fashion 194 in favor to 178 opposed. Unfortunately, our colleagues in the other body referred that bill for Interim Study.

HB 219-FN, (New Title) relative to changes to the minimum electric renewable portfolio standards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jose Cambrils for the **Majority** of Finance. The majority of the committee felt that the electricity rate payers of New Hampshire deserved this cost savings on their bills. It is projected that this bill will return \$5.7 million per year. **Vote 14-11.** Rep. Chris Muns for the **Minority** of Finance. Virtually all of the power we consume in NH is generated using natural gas, which places us at great risk from geopolitical, weather-related and market supply disruptions. The Renewable Portfolio Standard promotes renewable energy in New Hampshire by setting target percentages of total megawatt-hours of electricity supplied by suppliers of electricity in New Hampshire from various classes of renewable energy sources. Suppliers can meet these targets by purchasing Renewable Energy Certificates from renewable energy producers or making Alternative Compliance Payments that are then used to fund renewable energy projects. This bill lowers the value of Class I, III and IV Renewable Energy Certificates to 2011 levels. Class I includes all NEW investments in solar, wind, hydro, biomass and geothermal; Class III included existing Biomass/Methane producers; Class IV includes Existing Small Hydroelectric. By reducing the value of these Renewable Energy Certificates, investors are less likely to invest in new projects of this type and/or hold onto existing projects. The bill also eliminates Class II Renewable Energy Certificates entirely. These are for older solar projects - some of which are owned by towns or school. These changes will NOT save the state anything, because no state funds are spent on the Renewable Portfolio Standard. The only cost of complying with this law is about \$2.00 a month that is added to each residential customer's bill. To put that in perspective, starting August 1, the typical Eversource residential customer using an average of 600 kWh per month is estimated to see an overall increase of approximately \$14, or 9.9%, on their total bill compared to their current bill. And those rates of increase are likely to continue if we continue to rely almost exclusively on natural gas. That is what we should be trying to address. The impact of these changes will significantly weaken one of the last remaining programs we have to encourage the development of alternative sources of energy that will make us less dependent on the very volatile natural gas market.

HB 246-FN-A, directing the state conservation committee to implement the conservation district climate resilience grant program and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Ebel for Finance. This bill directs the State Conservation Committee to implement the conservation district climate resilience grant program. As amended by amendment 2025-2986h, the bill makes an appropriation to the NH Department of Agriculture, Markets and Foods for the biennium ending June 30, 2027 of \$100, 000. Those funds are to be distributed by the State Conservation Committee to the state's ten Conservation Districts to implement the grant program. The House Finance committee unanimously agreed that state funding of the climate resilience grant program would provide much-needed and valuable assistance to our state's farmers and their farm resilience projects. Stakeholders offered enthusiastic, convincing testimony that this program would help the state's agriculture community improve its soil health, thereby increasing yields. It is in our best interest to support food production in the Granite State through this program. Extreme weather events, frequent and prolonged drought and increased pest pressures are increasing challenges for our farmers, whose budgets are already strained. Improving soil and farming practices should make their lands more resistant to flood, drought and pest infestation, promoting increased food production that will benefit us all. **Vote 25-0.**

HB 365-FN, relative to proof of United States citizenship for indigent voters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for the **Majority** of Finance. The majority of the committee recommends HB 365-FN be found Ought to Pass with Amendment. This bill strengthens election integrity by ensuring indigent voters have a means to obtain proof of U.S. citizenship while maintaining a fair and accessible process. The amendment clarifies procedures to ensure no eligible voter is disenfranchised due to financial hardship. Supporting OTP/A reflects a balanced approach—upholding secure elections while safeguarding access to the ballot. **Vote 16-9.** Rep. David Preece for the **Minority** of Finance. The minority of the committee opposes HB 365 because it creates a convoluted, vague, and impractical process that imposes unnecessary administrative and fiscal burdens on New Hampshire's towns and cities. The process set forth in the bill for proving indigence is both humiliating and inefficient. It forces individuals to disclose personal financial circumstances merely to exercise their constitutional right to vote. Such requirements demean the dignity of citizens and place an undue burden on those already struggling to make ends meet. New Hampshire has long relied on a proven, effective, and fiscally responsible method of verifying citizenship: the affidavit. The affidavit system has worked for decades, ensuring election integrity while maintaining accessibility for all eligible voters. It is a system rooted in trust, local control, and administrative simplicity—values that have long defined our state's approach to elections. Ironically, HB 365 acknowledges the very flaw it fails to fix—that the current system disenfranchises the poor and those who cannot readily locate their citizenship documents. Yet instead of remedying this, the bill replaces a practical, humane process with a bureaucratic, exclusionary, and costly one. The minority believes that sometimes the best way to do the right thing is simply to do the right thing: return to the use of affidavits. This method is straightforward, inexpensive, and consistent with New Hampshire's longstanding electoral traditions. HB 365 would increase local administrative costs due to new documentation requirements, staff training, and record-keeping. The bill provides no state funding to offset these additional expenses, effectively creating an unfunded mandate on municipalities. For these reasons, the minority of the committee finds HB 365 to be unnecessary, inefficient, and contrary to the principles of fairness and fiscal responsibility. For these reasons the minority disagrees with the motion of OTP/A and supports a motion of ITL.

HB 572-FN, (New Title) establishing the “partners in housing” program, an initiative under the housing champions fund to assist municipalities, counties, and developers in building workforce housing, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Sweeney for the **Majority** of Finance. The majority of House Finance recommends HB 572-FN be found Inexpedient to Legislate. The policy concepts contained in this bill were already adopted through the state budget, making separate legislation unnecessary. While the appropriation was not included, the underlying program framework exists and can be funded by a future legislature. The majority believes ITL maintains coherence with current budget language and respects the state's existing spending plan. **Vote 14-11.** Rep. Chris Muns for the **Minority** of Finance. This bill passed the House on a voice vote on March 13. It came out of the Committee on Housing with a 16-0 unanimous recommendation of ought to pass as amended. It established the Partners in Housing program which will reduce costs and accelerate housing production by identifying municipal and county-owned land suitable for development and expediting the planning board review process. As introduced, HB 572 would have appropriated \$2 million to the Partners in Housing program, \$500,000 to the Department of Business and Economic Affairs to administer that program and \$8 million to the Housing Champions program established in 2023 for the fiscal year that ended on June 30, 2025, with funds lapsing on June 30, 2027. Unfortunately, the Committee on Housing reduced that funding to only \$150,000 and that is the version of this bill the House referred to the Committee on Finance. The language of that amended bill was incorporated into HB 2, but the \$150,000 in appropriations to implement it was deleted. The minority of the committee believe that if we are serious about addressing the very real and significant housing chal-

lenges Granite Staters everywhere are facing, we need to do more than simply pass language that proposes to address those challenges; we need to be willing to back up our words with the resources necessary to implement those ideas. It is going to take private developers and local government working together – consistently, over a number of years – in partnership with the State of New Hampshire to tackle our housing crisis. That is precisely what the Partners in Housing and Housing Champions programs envision. We do not believe that the Committee on Housing went far enough when it recommended an appropriation of only \$150,000. The proposed amendment to this bill (2025-2956h) will appropriate a total of \$5.25 million for the Partners in Housing and Housing Champions programs for the fiscal year ending June 30, 2027, which is one-half of the amount originally envisioned when HB 572 was introduced and a good faith down payment by the state towards addressing our long-term housing needs.

HB 624-FN-A, establishing a local river management advisory committee grant program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Joe Sweeney for the **Majority** of Finance. The majority of House Finance recommends this bill be found Inexpedient to Legislate. The bill would create a new river management grant program duplicating efforts already managed by the Department of Environmental Services under existing statutes. Establishing another fund would increase administrative costs without producing measurable improvements in conservation outcomes. The majority determined ITL preserves efficiency and avoids unnecessary bureaucratic expansion. **Vote 13-12.** Rep. Rosemarie Rung for the **Minority** of Finance. The minority supports an OTP motion for 624-FN-A. This bill would appropriate \$40,000 for each year in the biennium to establish a Local River Management Advisory Committee Grants program. Protecting our rivers is not exclusive to those water bodies, but is a critical component to protecting the environmental and economic health of many NH lakes as well, several of which are part of the river's watershed and/or through which a river flows. For example, each year dozens of NH lakes and rivers suffer toxic cyanobacteria blooms. Just one in-lake treatment to mitigate chronic blooms comes at a cost of at least \$300,000. A relatively modest investment of \$40,000 per year will empower and equip local river volunteer advocates to implement projects to stem potential impairment of rivers and the many other NH freshwater bodies they impact.

HB 661-FN, relative to the department of health and human services management of social security payments, supplemental security income payments, and veterans benefits for children in foster care. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for the **Majority** of Finance. This bill came to Finance as the second committee after passing the House on the consent calendar. It proposes to change the way DCYF would pay for the cost of certain youth assigned to their custody. Specifically, money from social security and/or the veterans administration can currently be used to offset the cost of custody. The bill would allow the youth or their family to retain these funds, covering the cost with state money. Such language was not part of the original budget and, at an ongoing cost estimated around \$3 million per year, was not added by the House. In addition to the bottom-line price tag, the solutions' details vary. Different sources of money have different requirements and some pieces of the solution would need upgraded IT systems and additional DHHS staff to implement. The majority believes that, because funding is likely to be unavailable before the next budget cycle, it makes sense to further refine the proposal through interim study with a goal of resolving some of the outstanding issues.

Vote 14-11. Rep. Mary Jane Wallner for the **Minority** of Finance. This bill is in response to a report which was funded by the legislature to provide New Hampshire with a roadmap and guidance on New Hampshire's long standing practice of the state collecting social security benefits from foster children. The report recommended that the state hold foster children's social security benefits in interest earning savings accounts. The benefits would then become available to young people aging out of foster care instead of being deposited in the state's general fund. The report outlined policies and procedures necessary to assure the benefits were available to the foster child when they aged out of foster care. Testimony was given that young people leaving foster care struggle to provide housing, education and transportation for themselves and many become homeless. Having their social security benefits available for them could be life changing. The proposed amendment takes steps toward assuring that social security benefits are preserved for eligible foster children. The effective dates of the amendment are July 1, 2027 and July 1, 2028.

HB 675-FN-A-LOCAL, (New Title) limiting the authority of school districts to make certain appropriations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Keith Erf for the **Majority** of Finance. This bill, as amended, establishes a mechanism for harnessing annual school district budget growth, excluding facilities construction, by tying increases to the Consumer Price Index through 2028. Beginning in 2029, appropriations would also reflect enrollment changes using the district's average daily membership & residence (ADMR.) Districts may increase spending by obtaining a higher threshold of consent, requiring approval by a two-thirds vote of their legislative body. The majority of this committee finds this a fair and transparent approach to ensure responsible budgeting while preserving local control and accountability. It allows districts flexibility for emergencies but curbs unchecked spending

growth, protecting taxpayers and promoting sustainable long term education funding. **Vote 14-11.** Rep. Kate Murray for the **Minority** of Finance. The minority opposes imposing a cap on local school district spending for several reasons. First, New Hampshire continues to underfund public education at the state level, which forces local school districts to cover the majority of the cost. With so much financial responsibility falling to the local districts, it would be arbitrary and punitive for the state to restrict those districts from funding their educational needs. Second, our public schools are very diverse in size, needs, and character. Forcing all schools into the same financial bind fails to take these differences into account, and will only exacerbate the difficulties faced by many districts. Poor school districts will have little opportunity to improve, continuing an unfair and unnecessary cycle of poor student outcomes. Lastly, this bill would make it impossible for school districts to address unexpected financial obligations, which many districts throughout the state are currently facing. While districts are considering a mix of approaches to meet their obligations, including spending cuts, revenue increases, and tapping into savings, this bill would tie their hands and require unexpected costs to be absorbed through cuts only. Students will suffer, as sports and extracurricular activities are often the first programs to go. In the end, instituting a cap will negatively affect many of our school districts, resulting in cuts to programs, larger class sizes, and locking in existing funding inequities. It will become harder for schools to provide essential services, implement reforms, and keep up with inflation, which will lead to worse student outcomes, especially for low-income students. For these reasons, we oppose this bill.

HB 704-FN-A, relative to caregiver respite and senior volunteer programs and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Telerski for Finance. The original bill made appropriations for the purpose of funding the Alzheimer's disease and related disorder (ADRD) caregiver respite program, the foster grandparent program, the retired senior volunteer program (RSVP), and the senior companions program. The recent budget funded the ADRD caregiver respite program as well as the senior companion program and suspended for the biennium the foster grandparent program. Amendment 2025-2963h amends the bill by removing the sections funded or suspended and appropriates \$180,000 for RSVP with funds not otherwise appropriated. The RSVP connects adults aged 55 and older with volunteer opportunities in their communities providing support for various community needs, from assisting seniors and veterans to mentoring children, tutoring, and helping with disaster relief. **Vote 25-0.**

HB 751-FN, (New Title) requiring licensure of outpatient substance use disorder treatment facilities and relative to complaint investigation of treatment facilities by the department of health and human services office of the ombudsman and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Maureen Mooney for the **Majority** of Finance. The majority of the House Finance Committee agrees with amending HB 751 to create a study committee on the subject of licensure for outpatient substance use disorder treatment facilities. The topic of licensing indeterminable facilities is very complex as is demonstrated by the bill's introductory form versus the amended version that came to division III in House Finance. The bill was introduced to establish a certification procedure (different from licensure) for an unknown number of outpatient substance use disorder treatment facilities throughout the state. The original bill contained a revenue stream from fees generated from certification over the next three years (called the "substance use treatment certification fund"), the adoption of rules relative to training and education, additional staff (likely four FTEs), a one time IT cost of \$500,000 and general fund expenses of approximately \$872,000 in the first year and approximately \$389,000 and \$399,000 in the two years thereafter, including \$50,000 additional training. The amended bill version that arrived to House Finance changed the model from certification to licensure, omitted the certification revenue stream, and requested one FTE (subject to available funding) for an approximate cost of \$211,000 (for one year) from the general fund to investigate and resolve complaints. The majority of the House Finance Committee commends the attempt to cut costs from one bill version to the next, but still foresees a plethora of critical issues warranting further discussion and resolution before this bill can proceed, starting with whether or not one FTE at \$211,000 for one year is enough to effectively perform this regulatory mandate. In a biennium when the DHHS budget is lean, it is imperative that taxpayer money be prudently spent. The majority of the House Finance Committee agrees that HB 751 advances a course of action that is not ready for responsible funding; therefore, the majority endorses a study of the matter as is articulated in our amendment. **Vote 14-11.** Rep. Laura Telerski for the **Minority** of Finance. The bipartisan intent of this bill is to address the crisis of underground substance use disorder treatment programs in the state that operate with no oversight or protections for those receiving treatment. A 2023 investigative podcast uncovered a story of abuse, harassment, and sexual assault at independent SUD treatment centers and the need for oversight. HB 751-FN passed the House and went to the Finance committee for a second review. The majority amendment replaces the bill with a study committee which is unnecessary since SB 495 (2024) was interim studied in 2024, a subcommittee report issued, and the Health and Human Services and Elderly Affairs committee recommended the policy for future legislation with a bipartisan vote. Since the issue has already been studied and recommended for future legislation, the minority recommends amendment #2025-

2957h which strips the bill down to include outpatient treatment facilities under the DHHS facility licensing program to help regulators better monitor which organizations are operating in the state and ensure high quality, evidence-based services. One position is funded to implement the changes, however revenue coming in from licensing would partially offset the expense. Passing HB 751-FN with the minority amendment will be a small, but positive, step forward to better position ourselves to overcome the ongoing addiction crisis in the state.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 392-FN, directing the dissolution of the department of health and human services' office of health equity, department of environmental services' functions for civil rights and environmental justice, and the governor's council on diversity and inclusion. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Yury Polozov for the **Majority** of Health, Human Services and Elderly Affairs. The majority believes this bill promotes true equality by removing equity-based policies that prioritize certain groups unrelated to objective individual medical needs. The bill eliminates policies that inadvertently created discriminatory resource allocation. It aligns New Hampshire with national reforms safeguarding federal funding while cutting excessive bureaucracy, saving taxpayer dollars, and refocusing agencies on individual needs over divisive ideologies. Passage ensures efficient, impartial government service for all Granite Staters. The support of this legislation comes with the understanding that, since the bill's introduction, there have been major changes — such as renaming the Office of Health Equity to the Office of Health Access and major improvements in the Department of Environmental Services following the removal of so-called environmental justice mandates. Finally, the majority supports this legislation to the extent that it does not clash with federal mandates; despite the Supremacy Clause, the majority looks forward to clarifying that via an upcoming floor amendment. **Vote 9-8.** Rep. Trinidad Tellez for the **Minority** of Health, Human Services and Elderly Affairs. This bill, directing the dissolution of three different government entities, is completely unnecessary, as the three offices, as described in the bill, no longer exist. With respect to the department of health and human services, HB 2 (Ch. 141, Laws of 2025), the budget trailer bill, changed the name of the office to better reflect that its mission is and always has been to ensure health care access for all and to remove barriers to health care access. The first function of the office is to ensure adequate communication access as required by federal and state law, including translation services. Examples of populations for whom communication is a barrier include persons with developmental disabilities or traumatic brain injuries, persons who are deaf or hard of hearing, and persons who are blind or visually impaired. Second, the office assists with programs that promote self-sufficiency for refugees who have been legally resettled in this country, and who are a necessary, valuable and legal part of the local work force. Third, the office works on access through community engagement. In rural areas, this work ties directly into the applications for the Rural Health Transformation grants. Many of these functions are mandated by either federal or state law, and will have to be performed, whether the office exists or not. With respect to the department of environmental services, the “functions” have already been addressed, and the department was mandated to review all outstanding contracts to determine if there were aspects of diversity, equity and inclusion contained in them, with a report already made to the executive council. Finally, the governor's council on diversity and inclusion dissolved with the end of Governor Chris Sununu's term, and the council was not reestablished by Governor Ayotte.

SB 36, relative to the collection and reporting of abortion statistics by health care providers and medical facilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for the **Majority** of Health, Human Services and Elderly Affairs. This bill updates current reporting requirements for health care providers and medical facilities regarding abortion statistics. The amendment removes the word “estimated” from the reporting of gestational age, ensuring that data collected is precise and protects false reporting. It also changes the effective start date of the law to July 2027, allowing sufficient time for implementation by the department. The majority of the committee supports the amendment, noting that it clarifies the intent of the law, improves accuracy in data collection, and provides a reasonable timeline for implementation. **Vote 10-7.**

Rep. Lucy Weber for the **Minority** of Health, Human Services and Elderly Affairs. The provisions of this bill were incorporated into HB 2 (Ch. 141, Laws of 2025), making the underlying bill unnecessary. The amendment does makes two changes to language already in statute. Two things: first, it extends the date of implementation from January 1, 2027 to July 1, 2027. Members of the minority have no objection to this change. However, at the last minute, that change was paired in a single amendment with a further provision that changes the current statutory language “estimated gestational age when the abortion was performed” to “gestational age when the abortion was performed.” This is of concern to the minority because they do not want to subject patients to intrusive procedures to determine gestational age, requiring procedures which are both costly and medically unnecessary.

SB 134-FN, relative to work requirements under the state Medicaid program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Kofalt for the **Majority** of Health, Human Services and Elderly Affairs. The bill, as amended, aligns New Hampshire statute with the new federal Medicaid work requirement/community engagement guidelines as outlined in HR-1 (aka the “One Big Beautiful Bill”). The amendment also stipulates that New Hampshire shall implement certain program integrity measures that are allowed under federal law, such as prohibiting self-attestation and instead requiring documentary proof of eligibility or exemption. The amendment also stipulates that re-verification shall occur at least quarterly. **Vote 11-6.** Rep. Lucy Weber for the **Minority** of Health, Human Services and Elderly Affairs. Amendment 2025-3093h replaces the original bill and brings the work requirements, currently in statute but never fully implemented, into line with the new federal work requirements. The current statutory requirements for continued eligibility were found to be onerous, expensive, and difficult for recipients and department workers alike. The amendment also makes choices on some program specifics within the guidelines included in the federal legislation, such as the look-back period and the prohibition of self-attestation as to eligibility for exceptions. The minority understands the goal of ensuring that the program is not accessed fraudulently by those who do not qualify for the program, and acknowledges that a small degree of fraud will be present in any such program. However, members of the minority are concerned that in the quest to bar access by those who do not qualify, significant barriers to access are being put in the way of far more people who are qualified for the program, but who will have difficulty completing the requirements to document continued compliance with work requirements or qualification for an exception. In particular, persons with disabilities or chronic illness, older persons, persons with low health literacy, and persons who are uncomfortable with electronics will be particularly vulnerable to losing coverage for which they are qualified. For those who lose coverage, health care will be provided at far greater expense in our emergency departments and, for some, in our jails or prisons.

JUDICIARY

HB 232-FN, relative to the rights of conscience for medical professionals. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for the **Majority** of Judiciary. This bill, as amended, provides that health care providers have a right to conscientiously object to participating in providing abortions. The amended bill requires health care institutions to prominently post an employee notice to this effect and establishes civil remedies, including fines, for its violation. Federal law protects rights of conscience but when administrations change, those laws may or may not be enforced. If New Hampshire wants to keep, as well as attract, ethical healthcare providers then the state needs to ensure they are not forced to violate their consciences, whether by threat of termination or a lawsuit. **Vote 10-7.** Rep. Zoe Manos for the **Minority** of Judiciary. This is a bill that restricts abortion access, as it allows anyone working at a health care facility, even at the front desk, to turn away an abortion patient. It will, in many circumstances, deprive women of their ability to access health care that is legal in New Hampshire. If passed, this bill would allow anyone in the health care system to refuse to “participate in” abortion care, which is defined so broadly, it could include turning away a patient at the front door of a hospital or refusing to provide a printout of information at a community health center if the patient asks. The individual provider is allowed to make a private decision, without ever informing their employer - or the patient - in advance. They are also not required to find another individual in the health care facility to support the patient. This would permit anyone in the health care system, from the scheduler to the receptionist to a pharmacist to a medical student to a nurse to a physician to a physician’s assistant and beyond, to refuse care to a patient. It applies to all abortion care, including medication abortion. The individual provider is not required to give any notice to the employer, and this bill would tie the employer’s hands: they may take no disciplinary or professional action by rescheduling health care providers to other shifts, transferring them to other positions, or by “any other penalty, disciplinary or retaliatory action, whether executed or threatened.” Even an employer’s mere discussion with health care providers of accommodating their objections to providing abortion care would violate the bill and result in penalties to the institution. There is no requirement in the bill to offer information to the patient on where else to go. Patients in rural parts of the state could be left without options and have to travel even further than they already do to access care. In non-emergency situations, if a health care provider in a rural area refuses to provide abortion care, and no other provider is available, then women will go without care or have to travel long distances. This amounts to a denial of care which is guaranteed to women in New Hampshire. The only health care providers exempted from this bill would be those that provide abortion as “a major part” of its services, though that term is not defined. Hospitals, community health centers, OB/GYN offices - every employer of health care providers of any type would be impacted, as well as their patients. For all these reasons, the minority recommends a vote of ITL on this bill.

HCR 11, declaring the directives of the judicial branch in the Claremont cases that the legislative and executive branches define an “adequate education,” adopt “standards of accountability,” and “guarantee adequate funding” of a public education are not binding on the legislative and executive branches. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Bob Lynn for the **Majority** of Judiciary. This House Concurrent Resolution would declare that the decisions of the Judicial Branch in the so-called “Claremont Cases” dealing with school funding, including the most recent decision in the Conval School District case, are not binding on the legislative and executive branches of state government. Although committee members had differing views concerning the court decisions in question and how the legislature should respond to them, the majority of the committee, for a variety of reasons, felt that the most appropriate way for the legislature to address the court’s decisions, particularly its most recent Conval decision, is to do so through substantive legislation rather than a concurrent resolution, which carries no legal weight or authority. The committee majority therefore concluded that Refer for Interim Study was the proper recommendation. **Vote 16-1.** Rep. Joe Alexander for the **Minority** of Judiciary. The minority of the Judiciary Committee believes this concurrent resolution should be voted Ought to Pass in order to reassert the legislature’s responsibility to set adequacy in education. The body most closely connected to the people is in the best place to determine the adequacy needed in order to produce the best outcome for our student populations. This resolution does not say the legislature will not listen to the Claremont decision, rather the courts’ power of judicial review does not and should not compel the legislature or the Governor to act. The courts have the longstanding authority to opine on a constitutional issue if there is a law implemented that goes against the court’s view on the constitution, however it does not have the authority to determine whether the legislature has acted in a sufficient manor in its duties. The Supreme Court has overstepped its duties enshrined in the “separation of powers” clause in its Claremont ruling. The minority believes this issue of educational funding should be left up to the legislature and the text in this resolution clearly outlines that the legislature must not and will not surrender their authority under the Part 2, Article 3 of the NH Constitution.

SB 268, permitting classification of individuals based on biological sex under certain limited circumstances. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristine Perez for the **Majority** of Judiciary. Safety is a commonsense concern. The safety and the comfort of all individuals is the purpose of this bill. This is not by any means a discrimination issue as the legislature is committed to treat all individuals without such discrimination. This bill reinforces the legislature’s commitment to treat all individuals with equal dignity and respect. There are very limited circumstances in which protecting privacy and physical safety for any individual needs to be considered and these are outlined in this bill and recognized by multiple states as well as recently by the NCAA and the Olympic Committee. **Vote 10-7.** Rep. Eric Turer for the **Minority** of Judiciary. This bill would create exceptions to the sexual or gender identity protections under New Hampshire’s RSA 354-A:1, titled the “Law Against Discrimination.” It would allow “classification of individuals based on biological sex” in three circumstances, including the use of restrooms/locker rooms, participation in sports, and housing for jails/prisons. Nearly identical language has been vetoed twice, under HB396 in 2024 and HB148 in 2025 by two different governors. Their veto notes cite a range of concerns including questions of the need for such legislation, its vague language, the impracticality of implementation, and the potential to create an “exclusionary environment” for some citizens. The bill is vague in its language and dangerous in its construction. Most notably, the key term “biological sex” is not defined in any way; ignoring the multitude of approaches to how one’s sex can be described biologically. No classification system exists which is purely binary, and the different approaches can produce different classifications at the same point in one’s life and at different points in one’s life, due to natural changes and/or legal medical interventions. This bill would permit each person, and every public or private organization in the state, to adopt any standard they choose for what sex to assign to a person in the scenarios listed. It further raises significant privacy concerns regarding what an individual might be compelled do or to provide in order to demonstrate their “biological sex.” Additionally, the bill does not prescribe how a person is to be treated in each of the three circumstances outlined, once their “biological sex” is ascertained. This would permit different treatment of the same individual by different entities in the same scenario at the same time. Rather than offering some form of needed protection, the bill engenders and legalizes discrimination, endangers vulnerable populations, and would likely lead to the very situations that it seeks to prevent.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 303-FN, relative to requiring the department of labor review and adopt workers’ occupational safety requirements that are similar to OSHA standards. **REFER FOR INTERIM STUDY.**

Rep. Mike Drago for Labor, Industrial and Rehabilitative Services. The data presented to the committee showed a higher injury rate per capita in the private sector than the public sector. The committee also heard testimony that private sector employers are the biggest violators when it comes to injury reporting making the actual injury numbers in the private sector likely higher than the data provided. The amendment did

not have a fiscal report at the time of the vote. The majority of the committee, not knowing the cost of the amendment and seeing data that showed public sector employees already have less injuries than their private sector counterparts, decided interim study was the best option at this time. **Vote 17-1.**

LEGISLATIVE ADMINISTRATION

HB 314-FN, prohibiting the use of federal, state, or local funds for lobbying activities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len Turcotte for the **Majority** of Legislative Administration. This amended version repeals and replaces the entirety of the original bill, while developing a middle ground between opposing sides of the issue of taxpayer-funded lobbying activities. Most importantly, the amendment provides for additional transparency to our citizens. First, since we repeal the original content of the bill, the only opposition the committee heard through public-hearing testimony and correspondence applied only to the old language and not this amendment which is extremely different and addresses, for the most part, the concerns we heard with the original legislation. Once this language passes the House, it will receive a full public hearing in the other body. Secondly, the changes to the statutes would require those receiving any form of public funds (newly defined as a grant or appropriation to, and received by a state, county, town city, village district, unincorporated place or school district) to first receive taxpayer approval utilizing the existing warrant article process, prior to expending those funds on lobbying entities and activities. This “local decision-making” action is appropriate since many municipalities spend tens of thousands of dollars of taxpayer money on lobbying activities. Having taxpayers deciding on appropriations through the voting process, like they do on dozens of other expenditures, is desirable. These expenses would no longer be buried within hundreds of pages of the budget, which very few citizens even recognize exist. Instead, these expenses would now be clearly delineated for transparency in the municipality’s annual report. Next, the amendment removes an additional fear we heard by clearly stating that public officials and employees would not be prohibited from testifying before the legislature, a common misconception we heard in correspondence. Lastly, there is no change to the existing statutes requiring public entities to segregate lobbying/non-lobbying funds and there is no new segregation of funds requirement of lobbyists or firms engaged in lobbying activities. **Vote 7-4.**

Rep. Stephanie Payeur for the **Minority** of Legislative Administration. This bill was amended during the executive session which means it has not yet had a public hearing. By the count of the minority of the committee, over 40 cities and towns have sent in letters in opposition to the original bill. The amendment requires cities and towns do additional work when they want to hire lobbying firms. They must post the cost of dues in their annual report and must utilize the warrant article process and have a majority of the attendees at town meetings support the lobbying expense. The minority also has concerns how counties, that hire lobbying firms, would comply given they don’t have the same town meeting processes as cities and towns. The minority of the committee believes the mandatory ballot language needs clarification. The worry is if the legislative body votes no, the town or city will not be able to join organizations like NH Municipal Association (NHMA) at all and they would be unable to access all the non-lobbying benefits these organizations may offer. The minority points out that services are not “sold separately” by these organizations. Also, a no vote on the ballot question by taxpayers would presumably prohibit a single town from paying dues to a whole slew of different organizations. The bill’s amendment does not allow for separate votes or decisions on distinct organizations. This means less voter choice. The minority points out the current process gives a vote on the dues when taxpayers vote on the budget every year. The minority indicates that voters can, at town meeting, already have a process to remove the dues line item for any organization from the budget or institute a petition warrant article to not be a member of an organization. Finally, the minority of the committee believes that without organizations like NHMA and others, many small towns far from Concord would have to spend resources, possibly sending an employee, and use a full day driving down to testify. These smaller towns do have elected representatives, it should be noted. Regardless, the minority of the committee believes this bill is another attempt at overreach of local control of our cities, towns, and counties.

MUNICIPAL AND COUNTY GOVERNMENT

HB 173, relative to maintaining the purpose of a petitioned warrant article. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Franz for the **Majority** of Municipal and County Government. This bill seeks to add new language to RSA 40:13, IV(c) that disallows amending the purpose of a petitioned warrant article. At annual meetings, legislative bodies are inappropriately altering the subject matter and purpose of petitioned warrant articles. For example, petitioned warrant articles to adopt a local tax cap are often amended at the annual meeting into a study of a local tax cap. Such an amendment clearly alters the subject matter and purpose of the petitioned warrant article. Amending the dollar amount of an appropriation within the petitioned warrant article is allowed and not affected by the new language. This bill reaffirms that petitioned warrant articles

are to be treated the same as those placed on the warrant by the governing body and prohibits amendments that would nullify the article's purpose. **Vote 10-7.** Rep. Eleana Colby for the **Minority** of Municipal and County Government. The minority of the committee believes this bill undermines the fundamental purpose of a deliberative session, which is to promote meaningful discussion and collaboration among participants. It seeks to restrict voters' opportunities to engage in the deliberative process by prohibiting any amendments to the purpose of a petitioned warrant article. Petitioned warrant articles should be given the same level of respect and scrutiny as traditional warrant articles. However, this bill introduces preferential treatment that infringes upon citizens' rights to fully participate in their municipal meetings and the democratic process. There is significant concern among the minority that if a petitioned warrant article passes and inadvertently directs the municipality to violate state or federal statutes, the municipality could incur legal liabilities, the costs of which would ultimately fall on property taxpayers. If the petitioned warrant article fails to meet legal standards and cannot be acted upon, this will sow seeds of distrust in municipal leadership and election officials alike.

HB 348, relative to eligibility for local assistance. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sly Karasinski for the **Majority** of Municipal and County Government. This bill as amended, is enabling legislation that allows the local governing body of every town and city in the state to adopt written guidelines relative to general assistance, that shall include, but not be limited to, criteria for determining general assistance which may include acceptable evidence of residency, and a monthly local assistance limit of not less than 50 percent of the federal poverty level. Special consideration may be provided to non-residents fleeing domestic violence, stalking, sexual assault, or human trafficking. The governing body may authorize the local assistance administrator to provide emergency assistance to a non-resident for up to 72 hours, to allow application and coordination with the town of origin. This bill as amended protects those residents seeking local assistance by ensuring the municipality has the means available to help. At the same time, providing assistance to those escaping violence, and transients seeking short term assistance as they find a means to return home. **Vote 9-8.**

Rep. Laurel Stavis for the **Minority** of Municipal and County Government. Providing assistance to the poor has been a requirement of New Hampshire towns and cities since Colonial times. It is a distinctive and resounding statement that recognizes aid to the poor as a foundational obligation of New Hampshire communities, ensuring that no person is deprived of assistance when in need. The bill as amended chips away at this bedrock commitment, and thus at our historic impulse to provide aid – by allowing municipalities to condition that aid on proof of residency through documents such as car registrations, lease agreements, tax and utility bills – the very documents that our neighbors in need almost never have. For those fleeing violence such as human trafficking and sexual assault, the bill further conditions assistance by allowing governing bodies to permit individuals 72 hours to obtain such documents. Even if these requirements could be met, the bill makes no exceptions for weekends, holidays, and other circumstances that would prevent anyone from obtaining such records within the 72 hour limit. Proponents of the bill point to the “special consideration” that “may be provided” by governing bodies to those who are not residents of the town in which they seek aid and who may be victims of domestic violence or stalking. But the key word is “may,” which allows municipalities to withhold said “special consideration” despite RSA 165’s clear statement that “Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has residence there.” Courts, including the United States Supreme Court, have continually struck down laws that condition aid on residency, since they contravene the right to travel and the equal protection clause. Therefore, this bill, if signed into law, would violate the US Constitution. The minority of the committee stands in opposition to this bill, which contradicts the very provisions of the law it seeks to amend by making assistance voluntary and conditional. For two centuries, New Hampshire has demonstrated its commitment to providing assistance to persons in need. Conditioning that assistance on residency and other requirements, as the bill seeks to do, goes against that proud history. It chips away at our commitment to each other and, by extension, the human connections that undergird all our communities.

HB 488, relative to limiting conflicts of interest for municipal board and committee members. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jim Maggiore for Municipal and County Government. Currently, conflict of interest policies vary widely from town to town. This patchwork of policies leaves too much room for confusion and the potential for misconduct which, left unchecked, could create serious errors and erode public confidence. The majority of the committee believe this bill, as amended, clearly defines the limits by which an individual may serve in their local governments and limits an individual from holding multiple roles that could create divided loyalties — for example, when a town employee also sits on a board that makes decisions affecting their department. Our existing conflict of interest laws for municipal government have not always kept pace with the complex realities of today’s local governance. This bill protects the integrity of our local officials, ensuring that every vote, every permit, every contract, and every dollar spent is guided by fairness and the public good. **Vote 15-1.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 27-FN, relative to dwellings over water. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tanya Donnelly for the **Majority** of Resources, Recreation and Development. This bill thoughtfully amends RSA 482-A:26, III. Property owners should have a reasonable pathway to maintain and improve their homes, provided such actions do not harm public waters or the environment. Under RSA 482-A:26, these unique limited number of homes are defined as private structures built over NH public waters. Since there are only a few homes in NH within this category, the bill's impact is limited in scope but important for those affected to support their property rights. NH Department of Environmental Services becoming more active in enforcing violations for people harming our water ways would be a very good deterrent. By allowing the few property owners this affects a practical path to maintaining their unique homes, this bill balances individual rights with New Hampshire's strong commitment to protecting its lakes and rivers. This bill is a fair and sensible update that benefits both homeowners and the environment. Importantly, it also ensures that while improvements are allowed, the existing footprint cannot be expanded into the water and no additional columns can be placed in the water, protecting both the property and the environment. **Vote 8-7.** Rep. Suzanne Vail for the **Minority** of Resources, Recreation and Development. The bill was written to benefit owners of a single private property that extends over water, which is held in the public trust. It asks the state to allow any property owner to expand their living space over public waters, usurping local control, and interfering with a municipality's ability to enforce local building codes. This bill was written with one case in mind, and the minority considered the possibility of expanded impact to be problematic, as this would lead to further expansion of private property, on shorelines, over water that is in public trust, without completing the requirements for appropriate local permits. The Department of Environmental Services (DES) testified that they have no ability to enforce local building codes, which the bill, as written, requires. DES does not have any present capacity to manage the mandate, and the bill does not attempt to create or open any authority for such an endeavor. For these reasons, the state should not intervene on behalf of a single homeowner.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 104-FN, relative to requiring an official declaration of war for the activation of the New Hampshire national guard in a foreign state. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Christine Seibert for the **Majority** of State-Federal Relations and Veterans Affairs. The majority of the committee on State-Federal Relations and Veterans Affairs sees this bill as creating unnecessary risks while unfairly burdening granite state citizens and communities. This legislation seems straightforward, but it invites complicated consequences that would prove costly to NH in several ways. Our state has a long tradition of putting politics aside to support our active-duty service people, especially those who risk making the ultimate sacrifice while protecting our national interests and the freedoms we hold dear. National Guard members competently sign contracts and are fully aware of possible overseas deployments. Defending our guard should mean making sure it has funding and access to the latest equipment/training so it may be instantly ready if called upon for various missions, including overseas missions. There are nuances here that deserve attention. Our National Guard receives considerable federal funding which entails federal expectations. It is part of the Ready Reserve as a component of the Army/Air National Guard of the United States. Default status, i.e. Title 32 status, sets the terms by which National Guard forces train for war while under the command of a state governor. The Governor can call the National Guard into state service at state expense. If the President cannot similarly utilize our National Guard when needed, then why would the federal government continue to subsidize our National Guard? New Hampshire's guard has long supported stateside/remote Title 10 missions while providing a significant portion of overall national military power, in some cases taking on specialized missions that would be difficult to replicate elsewhere. That National Guard units have less turnover than their active-duty counterparts ensures the retention of valuable institutional knowledge. A good example is the refueler program, which other states would like to host. Losing this capability would be a significant blow to our joint force's overall capabilities with huge local financial implications. Service members and their families rely on authorities to uphold their end of service contracts. The NH National Guard receives at least \$395 million in federal funding annually. Federal funding not included in state appropriations totals \$200 million annually, which covers military/civilian pay, including benefits. This includes \$140 million/year (for construction, operations, and maintenance), \$33 million annually for the state operations, and \$22 million for the state capital budget each year. Significantly, our federal constitution does not allow governors to refuse consent to the use of the guard. Governors only get input because Congress allows it and only on terms which Congress has set, as in 10 USC § 12301. Furthermore, our federal constitution doesn't require Congress to issue a formal declaration of war to take certain military actions. What matters is legislative approval — such

as an authorization for the use of military force (AUMF). The constitutional requirement involves legislative approval but not necessarily a Declaration of War. While the notion of “no more wars without a congressional declaration” is well-intended, addressing sponsor concerns by isolating NH from defense missions does nothing to change policies rooted at the national level. As state legislators we need to be wary of unintended consequences, and those pesky fiscal and social impacts that subsequently trickle down into our communities. Many have worked hard to overcome historical stigmas relating to the National Guard, building it up to the impressive organization we know today. People join the National Guard for many reasons, and all have their own unique experiences. To take some of these opportunities away from guard members and potential guard members would be detrimental to individuals while severely limiting our circumstances vis-a-vis other states. It’s an individual choice to chart a course in life that includes bravely serving in uniform. While we respect this proposed bill’s potential for raising awareness re: National Guard/Joint Force missions and dangerous overseas deployments, that awareness could be better raised via a resolution that seeks accountability while addressing the issue of force authorization, as opposed to passing a statute that is not supported by the organization that this bill purports to support—our NH National Guard. **Vote 11-6.**

Rep. Tom Mannion for the **Minority** of State-Federal Relations and Veterans Affairs. The minority of the committee believes the Defend the Guard Act remains the most proactive measure New Hampshire can take to hold Congress accountable for abdicating its constitutionally granted warmaking authority to the Executive Branch for the last half century. We have seen “forever wars” of the 21st century rage on, destabilizing nations, killing hundreds of thousands, displacing millions, creating new enemies like ISIS, and handing over an entire nation to Al-Qaida with the ascension of Abu Mohammed Al-Julani in Syria – all without a formal War Declaration by Congress. Our men and women in uniform swear an oath to the defend the Constitution, but the politicians in Washington, D.C. won’t follow the processes outlined by our founders before sending them off to fight for nebulous causes that have no clear objective. It is time for New Hampshire to stand up for these men and women in uniform, as Daniel Webster did with his quote: “It will be the solemn duty of the State Governments to protect their own authority over their own Militia, and to interpose between their citizens and arbitrary power.” Therefore, the minority opposes the Inexpedient to Legislate Motion in favor of Ought to Pass with Amendment.

HB 256, establishing a committee to study the federal government’s response to the 1967 attack on the USS Liberty. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mike Belcher for the **Majority** of State-Federal Relations and Veterans Affairs. This bill seeks to establish a special investigative committee to examine the terrible attack by Israel on the USS Liberty in June of 1967, during the so-called “Six Day War” in the Middle East. Through testimony received in committee a reasonable factual rationale exists to investigate the incident and the treatment of US servicemen involved, as well as the abominable nature of the attack and its effects on our men. This was established to a convincing degree. However, the majority find that even if the New Hampshire legislature has jurisdiction to investigate, it lacks the capacity to yield useful results, given how much time has passed and the nature of the documents, the classifications, and that the ability to compel testimony from all relevant people is nearly impossible. The majority feels that the concept of a resolution urging federal action, investigation, and transparency could be a more effective and more appropriate vehicle to raise awareness to hopefully deliver a measure of justice regarding the survivors. **Vote 13-4.** Rep. Tom Mannion for the **Minority** of State-Federal Relations and Veterans Affairs. The committee minority believes that this proposed study committee will likely serve as the last chance the surviving veterans of the USS Liberty will ever get to have their experiences recorded as part of a formal investigation into the event. It’s been almost six decades since the attack took place, and the only formal investigation involved a hasty, inadequate, and haphazard conclusion of mistaken identity by Israeli forces. After hearing two versions of this bill, it’s become apparent that the official conclusion does not do justice to the survivors and that time is running out for the survivors to be platformed in an official capacity to better share their truths.

TRANSPORTATION

HB 414-FN, prohibiting the division of motor vehicles from suspending a license on the basis of debt owed to a private entity related to the towing or storing of a motor vehicle. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Thomas Walsh for the **Majority** of Transportation. The committee has seen several bills that seek to remove license suspensions as a form of punishment for things not directly related to motor vehicle law. This bill deals with the non-payment of towing fees and storage. The committee learned that abandoned vehicles are a major problem and if there is no serious consequences for just walking away from your vehicle, the expense will have to be handled by others. That is not fair. The majority of the committee is open to a change but has yet to come up with an acceptable alternative. **Vote 9-7.**

Rep. Seth Miller for the **Minority** of Transportation. Driving with a license is not a right. It is, however, still a liberty. This bill takes that liberty without due process. It does so by forcing a vehicle owner into a com-

mercial contract with a third party. Tow operators have a choice to enter into these contracts, facilitated by the state or municipalities, and profit handsomely from them. Vehicle owners, however, are forced into the contract with no opportunity to select the vendor nor negotiate on prices. Rather than providing flexibility to owners in the aftermath of what is almost certainly a terrible experience we are, as a state, compounding those challenges.

SB 150-FN, defining electric vehicle charging station and charging a fee for annual testing by the division of weights and measures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Henry Giasson for the **Majority** of Transportation. The bill intends to require electric vehicle (EV) charging stations to be certified for accuracy by the division of weights and measures and for the division to inspect and levy an inspection fee. The committee recognizes that this is a new and growing industry and a support structure is needed but felt that approach was not ready for implementation. While the need in the state is small at this time and growth is anticipated, the prohibitive cost of the state's general fund in both equipment and personnel in addition to training costs would create a burden during a time when the government is not known to reduce burden. Further, there are no known complaints, litigation, or civil disputes of EV charge purchases that lend to the need of government intervention at this time. **Vote 12-4.** Rep. George Sykes for the **Minority** of Transportation. This bill will set up a system of consumer protection for those owners of electric vehicles who utilize public charging stations. Testing by the division of weights and measures will ensure that the consumer knows what they are paying, how much they are getting, and that the measures are accurate. The bill as written can be amended to improve the language to make it more effective.

WAYS AND MEANS

HB 155-FN, reducing the rate of the business enterprise tax. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for the **Majority** of Ways and Means. This bill, as introduced, reduced the Business Enterprise Tax (BET) from the current 0.55% to 0.50% effective for the tax year ending on or after December 31, 2026. After reflection and consideration, the majority of the committee suggested that the effective date should be pushed out one year so that the tax reduction will be effective for the tax year ending on or after Dec 31, 2027. This is important in order to allow a number of changes in tax law to settle and take effect. The principle of cutting taxes to increase revenue proved by both democrats (Kennedy) and republicans (Eisenhower and Reagan) on a national level - and most clearly illustrated in the proven Laffer Curve, demands some cuts be implemented. Some argued that tax cuts don't increase revenue, despite documented evidence to the contrary.

Vote 11-9. Rep. Susan Almy for the **Minority** of Ways and Means. The legislature has been reducing state revenues by cutting business tax and other rates since 2016, and we have reached a crisis point. The value of a dollar bill deflates over time, as inflation causes the dollar cost of goods, services, and infrastructure to increase. This year, the New Hampshire Fiscal Policy Institute calculated the total dollar cost of the tax cuts that occurred from 2016 through 2024 as a total loss of \$900 million to \$1.2 billion. For each cut not paid for by federal stimulus packages, our towns, cities, and counties lost resources that paid for our schools, roads, water plants, and local salaries for needed services. Now, the federal stimulus packages are replaced by claw-backs. We have been helping the smaller businesses and start-ups by increasing the exemption limits every two years by inflation. It is the largest multinational corporations that pay the lion's share of business taxes, and our state's tax bills to them are such a small part of their costs that many did not realize until recently that their tax bills had been cut. Every time we cut more, we cut services the legislature thinks disposable, but which the people of our state and their school, municipal, and county governments regard as necessary. The result is constant property tax increases, and people lose services they value. We cannot continue like this. Three months into the fiscal year, the budget is already 3% under plan. Business taxes account for 42% of our revenue, and are 8.4% below plan in the critical month of September, because the corporations reduced their estimates. The top four other revenue sources, equaling another 42%, are Meals and Rentals (up .1%, and almost half of this group), Real Estate Transfer Tax (down 4.3%), Tobacco Tax (3.7% above but highly irregular), and "Other", most of which is Treasury interest, which is now 35% below FY25, and falling, as we spend down our reserve. Lottery is in 6th place providing \$33 million, and despite the casinos, surpassed the expected take by \$3.5 million only due to the largest Powerball ever. Our businesses are asking for more help to fund housing, child care, and addiction, not more cuts. Our school districts, municipalities, and counties are struggling to keep up with reduced revenues and rising costs. The minority believes this bill should not pass.

HB 660-FN-LOCAL, requiring historic horse racing facilities to compensate their host communities with a percentage of the revenue generated from their historic horse racing machines. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James Tierney for the **Majority** of Ways and Means. During the discussions on this bill, several very good questions arose from both sides of the debate, and two amendments were proposed. However, there were

no solutions presented that the committee was able to agree on. The majority of the committee also felt that since the Racing and Charitable Gaming Study Commission will work on an issue such as this, Interim Study was appropriate at this time. **Vote 16-4.** Rep. Bill Ohm for the **Minority** of Ways and Means. The minority of the committee recognizes the charge of the recently convened Racing and Charitable Gaming Study Commission to address the amount of funds going to charity. However, those funds are likely to exceed \$60 million in the current year, funds raised by new taxes on gaming. The minority feels that a portion of this tax money is better allocated to mitigate costs in the hosting jurisdictions, rather than given away to charity. And once the charity funds are allocated, it will be increasingly difficult to change the distribution model. The minority of the committee recommends that the Interim Study recommendation be voted down so that amendment 2025-2977h might be considered. The amendment would allocate 50% of the tax revenue to charity, 30% to the hosting municipality, 10% to the county, and 10% to the abutting municipalities.

COMMITTEE MEETINGS

FRIDAY, DECEMBER 19

COMMISSION TO STUDY COSTS OF SPECIAL EDUCATION (RSA 186-C:1-a), Room 232, GP

10:00 a.m. Regular meeting.

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a), REMOTE

3:00 p.m. Regular meeting. Join Zoom:

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdGwQnQvc2ZRbkNOBGhGc3M0dz09>

Meeting ID: 861 1781 8803 Passcode: 669915

FISCAL COMMITTEE (RSA 14:30-a), Room 234, GP

11:00 a.m. Regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 158, GP

10:00 a.m. Regular meeting.

MONDAY, DECEMBER 22

HEALTH CARE CONSUMER PROTECTION ADVISORY COMMISSION (RSA 7:6-h), Room 153, GP

10:00 a.m. Regular meeting.

TUESDAY, JANUARY 6

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), Edward Cross Training Complex 722 Riverwood Drive, Pembroke

5:00 p.m. Regular meeting.

THURSDAY, JANUARY 8

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Training Room, Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Subcommittee meeting.

FRIDAY, JANUARY 9

MOUNT WASHINGTON COMMISSION (RSA 227-B:3), Mt. Washington View Room, Base Lade, Bretton Woods Ski Are, Bretton Woods

10:00 a.m. Regular meeting.

PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z), Department of Education, Event Center, 25 Hall Street, Concord

9:00 a.m. Regular meeting.

MONDAY, JANUARY 12

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), 25 Hall Street, Concord

9:00 a.m. Regular meeting.

CAPITAL PROJECT OVERVIEW COMMITTEE (RSA 17-J:2), Room 228, GP

9:00 a.m. Regular meeting.

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 228, GP
9:30 a.m. Regular meeting.

TUESDAY, JANUARY 13

EDUCATION FUNDING, Department of Education Event Center, 25 Hall Street, Concord

9:00 a.m. Presentation on education trends and content area topics by NH Department of Education. NH Department of Education invites members of committees focused on education issues to attend.

EDUCATION POLICY AND ADMINISTRATION, Department of Education Event Center, 25 Hall Street, Concord

9:00 a.m. Presentation on Education trends and content area topics by NH Department of Education. NH Department of Education invites members of committees focused on education issues to attend.

WEDNESDAY, JANUARY 14

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 154, GP

10:00 a.m. Committee orientation.

FRIDAY, JANUARY 16

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Training Room, Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a), NH Dept. of Natural and Cultural Resources, 172 Pembroke Road, Concord

10:00 a.m. Regular meeting. Join Zoom: <https://zoom.us/join>
Meeting ID: 246 473 049 276 6 Passcode: En9FD7iP

NEW HAMPSHIRE-IRELAND TRADE COUNCIL (RSA 12-O:22-a), Department of Business and Economic Affairs, 100 North Main Street, Suite 100, Concord

2:00 p.m. Regular meeting.

WEDNESDAY, JANUARY 21

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Training Room, Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Subcommittee meeting.

FRIDAY, JANUARY 23

SOLID WASTE WORKING GROUP (RSA 149-M:61), NHDES, 29 Hazen Drive, Concord, (Room 208C)

9:30 a.m. Regular meeting. Remote attendance option:
<https://attendee.gotowebinar.com/register/3435858814888164108>

TUESDAY, FEBRUARY 3

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), Edward Cross Training Complex, 722 Riverwood Drive, Pembroke

5:00 p.m. Regular meeting.

FRIDAY, FEBRUARY 6

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 234, GP

10:00 a.m. Regular meeting.

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 112, HB 215, HB 219, HB 224, HB 518, HB 547, HB 563, HB 570, HB 572, HB 595, HB 607, HB 609, HB 611, HB 619, HB 621, HB 624, HB 630, HB 635, HB 648, HB 651, HB 652, HB 665, HB 671, HB 675, HB 686, HB 716, HB 721, HB 725, HB 727, HB 729, HB 734, HB 751, HB 767, HB 772, HB 773, HB 1029, HB 1420, HB 1433. SB 36, SB 49, SB 71, SB 103, SB 112, SB 134, SB 247.

OFFICIAL NOTICES

The **Rockingham** County Executive Committee will meet on **Friday, January 23, 2026, at 9:30 a.m.**, in the Municipal Building Lobby Conference Room, 94 North Road, Brentwood, NH. The purpose of the meeting is to conduct the FY-2026 Second Quarter Budget Review. A quorum is required. Executive Committee Members must attend in person. Zoom Access is available:

<https://zoom.us/j/5713255541?pwd= TkV4NnM5OHp5SnZzVEcxaFlrL0VYZz09>

To access the meeting by audio; Dial 1-929-205-6099 or 1-312-626-6799, Meeting ID: 571-325-5541, No Participant ID - Press # to continue, Meeting Password: 312900

Rep. John Potucek, Clerk

MEMBERS' NOTICES

The following notices are published in the House Record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

The Economic Justice Caucus is back! If you are interested in advancing a livable minimum wage, strengthening a worker's right to organize a labor union, for the common good/social justice goals of caring for the most vulnerable in our society, and taxing the uber rich so the rest of us finally get some relief, then you are more than welcomed to join this caucus. Please contact Kris Schultz kris.schultz@gc.nh.gov for more information or to join.

Rep. Kris Schultz

Six months before the Declaration of Independence, the colonial government of New Hampshire drafted the first constitution in America. The original document will be on display **Monday, January 5th** in Exeter, 250 years to the day from when it was written, in the town where it was written!

I hope you will join us in Exeter to celebrate this important and unique piece of American revolutionary history. Enjoy complimentary refreshments and learn more about the draft constitution from special guests Judge Will Delker and Professor Lawrence Friedman. Courtesy of the New Hampshire Supreme Court Society, this event is free to the public. Doors open at 6:00 p.m. on January 5. Here's the link to reserve your free ticket: <https://www.independencemuseum.org/event/in-congress-at-exeter/>

Looking forward to celebrating with you!

Rep. Alexis Simpson

The Emerging Technologies Caucus will meet on **Monday, January 5, at 1:00 p.m.** online via video conference. The topic will be Safer Gene Editing Technologies in Reproductive Medicine, with presenters from General Cybernetics. Details are posted on the caucus website at <https://www.emergingtechnh.org/events/694017122a90f7a559833c88>.

Rep. Keith Ammon

All House members and House staff are cordially invited to attend the "Meet the Legislators" reception hosted by the Business and Industry Association, New Hampshire's statewide chamber of commerce. The reception will take place at the newly renovated DoubleTree in Concord, from **4:00 to 6:00 p.m., on Thursday, January 8th, 2026**. The reception is complimentary to House members and staff, but the BIA is requesting advance registration to assist in planning for the event. Please RSVP online at www.BIAofNH.com. Click on the events calendar for January 8. You may also RSVP by calling the BIA at 224-5388, ext. 102.

Speaker Packard and Rep. Alexis Simpson

Legislators are invited to Great Bay Community College for the opening of the college's new welding lab, on **Friday, January 16 at 10:00 a.m.** The new lab will provide space for the college to expand and enhance its welding programs and broaden workforce training to meet acute employer demand. Join the team at Great Bay, Gov. Ayotte and other invited guests to help us celebrate this exciting milestone. Refreshments will be served. RSVP to cblackington@ccsnh.edu. Location is 320 Corporate Drive, Portsmouth NH (on the Pease Tradeport).

Rep. Michael Edgar

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to CACR 4 (2025-2937h)

Proposed by the Majority of the Committee on Election Law-r

Amend the resolution by replacing all after the resolving clause with the following:

I. That article 11 of the first part of the constitution be amended to read as follows:

[Art.] 11 [Elections and Elective Franchises.] All elections are to be free, and every ~~inhabitant~~ **legal resident** of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered ~~an inhabitant~~ **a qualified voter** for the purposes of voting in the town, ward, or unincorporated place where he has his domicile **only if they are 18 years of age and upwards and actually reside in the place they claim as a domicile**. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has an equal right to be elected into office.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2026.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2026 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2025 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending article 11 of the first part of the constitution to read as follows:

[Art.] 11 [Elections and Elective Franchises.] All elections are to be free, and every legal resident of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a qualified voter for the purposes of voting in the town, ward, or unincorporated place where he has his domicile only if they are 18 years of age and upward and actually reside in the place they claim as a domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has an equal right to be elected into office.”

V. That the secretary of state shall print the question to be submitted on a separate ballot with other constitutional questions or on the official ballot. The ballot containing the question shall include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words “Questions Relating to Constitutional Amendments proposed by the 2025 General Court” shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters’ Guide.

AT THE PRESENT TIME, the constitution guarantees the right of all inhabitants of the state who are 18 years or older to vote in the place in which they are domiciled.

IF THE AMENDMENT IS ADOPTED, the constitution will guarantee the right of all legal residents who are 18 years or older to vote in the place they claim as domicile, so long as they actually reside in the place they claim as domicile.

2025-2937h
AMENDED ANALYSIS

This constitutional amendment concurrent resolution would amend the constitution to recognize the right of all legal residents who are 18 years or older to vote in the place they claim as domicile, so long as they actually reside in the place they claim as domicile.

**Amendment to HB 97-FN
(2025-2996h)**

Proposed by the Minority of the Committee on Finance-r

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Environmental Services; Eligible Wastewater Projects; Appropriation.

There is hereby appropriated to the department of environmental services the sum of \$5,000,000 for the biennium ending June 30, 2027, which shall be nonlapsing, for the purpose of funding wastewater projects approved pursuant to RSA 486 on or before June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect upon its passage.

**Amendment to HB 104-FN
(2025-3007h)**

Proposed by the Minority of the Committee on State-Federal Relations and Veterans Affairs-r

Amend RSA 110-B:5-a as inserted by section 2 of the bill by inserting after paragraph VI the following new paragraph:

VII. This section shall take effect upon certification by the secretary of state to the director of the office of legislative services that a total of 5 states, including New Hampshire, have enacted substantially similar legislation, or upon certification by the secretary of state to the director of the office of legislative services that both the Commonwealth of Massachusetts and the state of Maine have enacted substantially similar legislation, whichever occurs first.

**Amendment to HB 112-FN
(2025-3095h)**

Proposed by the Majority of the Committee on Education Funding-r

Amend the title of the bill by replacing it with the following:

AN ACT requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test, take a course that covers fundamental American documents as part of the general education curriculum, or pass a civics course competency test.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; University System of New Hampshire; Civics Graduation Requirement. Amend RSA 187-A by inserting after section 16-c the following new section:

187-A:16-d Civics Graduation Requirement.

I. Every undergraduate student admitted or transferring to an institution in the university system of New Hampshire on or after July 1, 2027, shall, as a requirement for graduation, and in addition to any other baccalaureate degree graduation requirements:

(a) Show proof of having passed the 128-question 2020 version of the United States Citizenship and Immigration Services naturalization test with a score of 70 or better, or shall be required take and pass such test with a score of 70 or greater; or

(b) Successfully complete a civics course that covers fundamental American documents as part of the general education curriculum, or pass said civics course competency test.

II. University system of New Hampshire institutions shall establish procedures to administer, certify, and record results of this assessment for students needing to satisfy this requirement. Exchange students, foreign nationals, military personnel on full-time active duty or part-time service, or a veteran pursuant to RSA 110-D:3, II or XX shall be exempt from this section.

2 New Section; Community College System of New Hampshire; Civics Graduation Requirement. Amend RSA 188-F by inserting after section 6-a the following new section:

188-F:6-b Civics Graduation Requirement.

I. Every student admitted or transferring to an institution in the community college system of New Hampshire on or after July 1, 2027, shall, as a requirement for graduation and in addition to any other degree graduation requirements:

(a) Show proof of having passed the 128-question 2020 version of the United States Citizenship and Immigration Services naturalization test with a score of 70 or better, or shall be required take and pass such test with a score of 70 or greater; or

(b) Successfully complete a civics course that covers fundamental American documents as part of the general education curriculum, or pass said civics course competency test.

II. Community college system of New Hampshire institutions shall establish procedures to administer, certify, and record results of this assessment for students needing to satisfy this requirement. Exchange students, foreign nationals, military personnel on full-time active duty or part-time service, or a veteran pursuant to RSA 110-D:3, II or XX shall be exempt from this section.

3 Effective Date. This act shall take effect on July 1, 2027.

2025-3095h
AMENDED ANALYSIS

This bill requires students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test, take a course that covers fundamental American documents as part of the general education curriculum, or pass a civics course competency test.

**Amendment to HB 121-FN
(2025-3086h)**

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend the title of the bill by replacing it with the following:

AN ACT relative to school district financial requirements and district probation processes.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Revenue Administration; Municipal and Property Division; Audit. Amend RSA 21-J:19 to read as follows:

21-J:19 Audit.

I. Any town, or school district, or village district or precinct, at the annual meeting or at a special meeting, or the selectmen of any town, or the governing body of any city, or the school board of any school district, or the commissioners of any village district or precinct, may hire a certified public accountant or a public accountant licensed by the state under RSA 309-A:8 to conduct ~~[such an audit within]~~ **and complete such audit no later than** one year after the close of the municipality's **or school district's** fiscal year in accordance with audit guidelines and applicable statutes.

II. Every audit made by independent public accountants licensed under RSA 309-A:8, except examinations for special limited purposes, shall cover the accounts and records of all officials responsible for the receipt, custody, and disbursement of public funds. The audit reports shall include a summary of findings and recommendations regarding compliance with applicable statutory provisions of law, and the adequacy of accounting and business procedures pursued by the unit of government examined. Management letters, so-called, shall be included as part of the official audit findings and recommendations. Contracts executed between local units of government and counties and independent public accountants shall stipulate that all accounts and funds of the governmental unit are to be audited and a report of audit prepared in accordance with this section. A written or printed report of every completed audit shall be made to the proper local officials including a summary of the findings and recommendations of the auditors and a copy of such summary shall be published in the next annual report following the fiscal year in which the audit was completed. **A copy of the completed audit shall be posted on the governing body's website and the findings and recommendations reviewed at the next public meeting of the governing body.**

2 Department of Revenue Administration; Municipal and Property Division; Audit on Motion of Commissioner. Amend RSA 21-J:20 to read as follows:

21-J:20 Audit on Motion of Commissioner. The commissioner may cause ~~[an]~~ **a financial or forensic** audit to be made of the accounts of any city, town, school district, or village district or precinct, ~~[as often as once in 2 years, or]~~ whenever conditions appear ~~[to him]~~ to warrant such audit. **The commissioner shall consult with the commissioner of the department of education if the conditions are related to a school district.** The accounts of all county officers shall be audited annually by a certified public accountant, and a complete report of such audit shall be made available to the public.

3 Department of Revenue Administration; Municipal and Property Division; Failure to Complete Audit. RSA 21-J:20-a is repealed and reenacted to read as follows:

21-J:20-a Notification Required; Failure to Complete Audit.

I. Upon completion of an audit made pursuant to RSA 21-J:19 or RSA 21-J:20, each city, town, school district, village district, county, or precinct shall provide notification to the department of the completed audit and a copy of such audit shall be sent to the department. If a required audit is not completed by the due date of such audit, the commissioner:

(a) May levy a fine of up to \$500 per day for every day of noncompliance, commencing 60 days after the department has provided written notice to the municipality, political subdivision, school district, or county of the intent to levy such fine; or

(b) Shall not consider the unreserved fund balance of the municipality, political subdivision, school district, or county when setting tax rates if the department questions the validity of the financial data due to the lack of an audit.

II. The municipality, political subdivision, or county may petition the commissioner for waiver of the fine in instances where the failure to complete a statutorily required audit by the due date of such audit was due to reasonable cause. If a waiver is granted, the municipality, political subdivision, or county shall within 90 days of receiving the waiver from the department provide the department an executed contract binding the municipality, political subdivision, or county, to conduct the required audit with an entity licensed and certified to do so, and within a time frame approved by the commissioner. Fines collected by the department pursuant to this section shall be deposited in the general fund. The department shall notify the commissioner of the department of education of the completion or failure to complete the audit by the due date of such audit by each school district or waiver granted by the commissioner. School districts failing to complete the audit shall be listed on the department of education website and the chair of the state board of education shall be notified.

III. The department shall adopt rules for the criteria to be used in the determination of granting a waiver of fines, for issuing fines, and the amount of the fines.

4 Department of Revenue Administration; Municipal and Property Division; Publication of Report of Audit. Amend RSA 21-J:21 to read as follows:

1-J:21 Publication of Report of Audit. A written or printed report of every completed audit shall be made to the proper local officials including ~~[a summary of]~~ the findings and recommendations of the auditors and a copy of such ~~[summary]~~ shall be published in the next annual report, ***a complete copy of the audit shall be posted on the governing body's website, and reviewed at the next public meeting of the governing body*** following the fiscal year in which the audit was completed. If, in the opinion of the governing board of a city or the selectmen, school board, county or village district commissioners, the whole report of audit should be published, the report may be published. If such ~~[summary of]~~ findings and recommendations ~~[is]~~ ***are*** not so published, the commissioner, at the expense of the county, city, town, or district affected thereby, may cause such ~~[summary]~~ to be separately published and, ***if available***, distributed or published in a newspaper having a general circulation in said county, city, town, or district.

5 School Money; Penalty for Failure to File a Report. Amend RSA 198:4-f, I to read as follows:

I. A school district, city, chartered public school, or public academy shall file the reports due under RSA 198:4-d~~[-HH]~~ no later than September 1 of each year.

6 New Paragraph; School Money; Penalty for Failure to File Report. Amend RSA 198:4-f by inserting after paragraph III the following new paragraph:

IV. A school district, city, chartered public school that is greater than 6 months late in complying with the audit requirements pursuant to RSA 21-J:19 and RSA 194-B:10 may have state aid withheld by the commissioner of the department of education for just cause. In determining just cause, the commissioner of the department of education, or designee, shall reach out to the auditor performing the work and the auditee to determine if the auditee has caused unreasonable delays. The commissioner of the department of education shall notify the governing body 30 days prior to withholding state aid.

7 New Section; The State School Organization; State Probation. Amend RSA 186 by inserting after section 5 the following new section:

186:5-a Public School District Probation.

I. After reasonable notice has been provided to all affected parties, the state board may place a public school district on probationary status for up to 6 months under the following circumstances:

- (a) The school commits a material violation of any of the conditions, standards, or administrative rules.
- (b) The school fails to meet generally accepted standards for fiscal management.
- (c) The school significantly violates state or federal law.
- (d) The school becomes insolvent or financially unstable.
- (e) The school fails to comply with the reporting requirements in accordance with RSA 198:4-f.
- (f) The school fails to comply with state or federal reporting requirements.
- (g) The school fails to remedy the causes of its probation.

II. Notice of the placement on probation shall be provided in writing to the district's school board members, superintendent or staff authorized to perform superintendent services, posted on the district and department's website, the governor, commissioner of the department revenue administration, senate president, speaker of the house, and the chairs of the senate and house education funding and policy committees.

III. The department and state board shall consult with the district school board on the development and implementation of a remedial plan to address specific areas of concern.

IV. The state board may place a public school district on probationary status for up to 6 months to allow the implementation of a remedial plan.

V. After the probationary period, if the remedial plan is unsuccessful in addressing the concerns, the department shall appoint or hire an administrator to oversee the corrections identified pursuant to RSA 186:5-a, I. The department may draw a warrant for payment of the administrator. The state board may authorize the administrator, for a period of up to one year, to:

(1) Override any decisions of the school district's board or the school district superintendent, or both, concerning the management and operation of the school district, and initiate and make decisions concerning the management and operation of the school district.

(2) Attend any and all meetings of the school district's board and administrative staff and provide updates on corrective actions being taken.

(3) Establish and implement a strategy designed to promote family and community involvement.

(4) Supervise the day-to-day activities of the school district's staff, including reassigning the duties and responsibilities of personnel in a manner that, in the determination of the administrator, best suits the needs of the school district.

(5) Place on extended leave, suspend, or terminate for cause the school district's superintendent or business manager, or both. The administrator is not authorized to provide a severance or buyout package to the school district's superintendent or business manager if the school district is placed into probation by the state board of education. A person terminated pursuant to this paragraph may appeal the administrator's decision to the state board of education if an appeal is filed with the state board within 30 days of receiving notice of the termination.

(6) Authorize pupils to transfer from schools operated by the school district to schools operated by another school district that is not currently on probation, pursuant to RSA 193:3, I(g).

(7) Appoint a staff person to perform superintendent services pursuant to RSA 194-C:5, II(a).

(8) Appoint a chief fiscal officer who shall possess the powers and duties of the school district's business manager and any other duties regarding budgeting, accounting, and other financial matters that are assigned to the school district by law.

(9) Appoint a competent independent public accountant to audit the accounts of the school district if not previously done by the department of revenue administration.

(10) Reorganize the school district's financial accounts, management, and budgetary systems to improve financial responsibility and reduce financial inefficiency within the district.

(11) Establish school district fiscal guidelines and a system of internal controls, including internal administrative controls and internal accounting controls, with provisions for internal audits.

(12) Provide monthly updates to the department and state board.

(13) Once the administrator's corrective actions have been completed, they shall provide a verbal and written report to the department and state board outlining the actions taken, needed steps forward, and monitoring recommendations.

8 Regular School Districts; Auditors. RSA 671:5 is repealed and reenacted to read as follows:

671:5 Auditors. School districts shall hire independent auditors pursuant to RSA 21-J:19.

9 Repeal. The following are repealed:

I. RSA 193-H:5, relative to power of the department of education to take control of daily operations of local schools.

II. RSA 198:4-d, VI, relative to school money; reports required.

10 Effective Date. This act shall take effect upon its passage.

2025-3086h
AMENDED ANALYSIS

This bill:

I. Revises the audit process for towns, school districts, or village districts, including penalties for failures to comply.

II. Repeals the election of school district auditors.

III. Allows the state board of education to place a public school district on probationary status and to institute a remedial plan.

IV. Requires the department of education to hire an administrator to oversee a public school district that remains on probationary status and provides duties and powers to that role.

**Amendment to HB 131
(2025-3071h)**

Proposed by the Majority of the Committee on Education Policy and Administration-r

Amend the title of the bill by replacing it with the following:

AN ACT relative to bullying and cyberbullying prevention.

Amend the bill by replacing all after the enacting clause with the following:

1 Education; Pupil Safety and Violence Prevention. RSA 193-F:4 is repealed and reenacted to read as follows:

I. Bullying or cyberbullying shall occur when an action or communication as defined in RSA 193-F:3:

(a) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or

(b) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

II. The school board of each school district and the board of trustees of a chartered public school shall, no later than 6 months after the effective date of this section, adopt a written policy prohibiting bullying and cyberbullying. Such policy shall include the definitions set forth in RSA 193-F:3. The policy shall contain, at a minimum, the following components:

(a) A statement prohibiting bullying or cyberbullying of a pupil.

(b) A statement prohibiting retaliation or false accusations against a victim, witness, or anyone else who in good faith provides information about an act of bullying or cyberbullying and, at the time a report is made, a process for developing, as needed, a plan to protect pupils from retaliation.

(c) A requirement that all pupils are protected regardless of their status under the law.

(d) A statement that there shall be disciplinary consequences or interventions, or both, for a pupil who commits an act of bullying or cyberbullying, or falsely accuses another of the same as a means of retaliation or reprisal.

(e) A statement indicating how the policy shall be made known to school employees, regular school volunteers, pupils, parents, legal guardians, or employees of a company under contract to a school, school district, or chartered public school. Methods of communication may include, but are not limited to, handbooks, websites, newsletters, and workshops.

(f) A procedure for reporting bullying, cyberbullying, or retaliation that identifies all persons to whom a pupil or another person may report bullying, cyberbullying, or retaliation. The procedure shall be included in the student handbook.

(g) A procedure outlining the internal reporting requirements within the school or school district or chartered public school.

(h) A requirement that school staff members, coaches and bus drivers report incidents of bullying to the school principal or other school personnel as outlined in district reporting requirements.

(i) A procedure for notification, within 48 hours of the incident report, to the parent or parents or guardian of a victim of bullying or cyberbullying and the parent or parents or guardian of the perpetrator of the bullying or cyberbullying. The content of the notification shall comply with the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g and the measures being taken to ensure the safety of the student who has been bullied and to prevent further acts of bullying. School officials will provide an alleged victim with a written copy of their rights, protections, and support services available.

(j) A provision that the superintendent or designee may, within the 48-hour period, grant the school principal or designee a waiver from the notification requirement if the superintendent or designee deems such waiver to be in the best interest of the victim or perpetrator. Notification of parents may be waived for no longer than 5 school days except for cases of bullying and/or cyberbullying across multiple school districts. Any such waiver granted shall be in writing. Granting of a waiver shall not negate the school's responsibility to adhere to the remainder of its approved written policy.

(k) A written procedure for investigation of reports, to be initiated within 5 school days of the reported incident, identifying either the principal or the principal's designee as the person responsible for the investigation and the manner and time period in which the results of the investigation shall be documented. The superintendent or designee may grant in writing an extension of the time period for the investigation and documentation of reports for up to an additional 7 school days, if necessary. The superintendent or superintendent's designee shall notify in writing all parties involved of the granting of an extension and the reason for the extension. The alleged victim's parents or guardians shall be notified of the investigation, extension, and the reason for the extension. In cases of bullying and/or cyberbullying across multiple school districts, the principals or designees of all districts involved shall be responsible for conducting an investigation and shall collaborate. In such cases, the investigation shall be initiated by the principal or designee of the first district to learn of the incident. In cases of bullying and/or cyber bullying across multiple states, the principal or designee of the first district located within New Hampshire to learn of the incident shall contact the attorney general's office.

(l) A requirement that the principal or designee develop a response to remediate any substantiated incident of bullying, cyberbullying, or retaliation, including imposing discipline if appropriate, to reduce the risk of future incidents and, where deemed appropriate, to offer assistance to the victim or perpetrator. When indicated, the principal or designee shall recommend a strategy for protecting all pupils from retaliation of any kind.

(m) A requirement that the principal or designee conduct a conference with the perpetrator, the parent or parents or guardian or guardians of the perpetrator, and applicable school personnel for age-appropriate discussion that includes at a minimum the impacts of bullying. The conference shall occur even if the parent or parents or guardian or guardians decline to participate or fail to attend.

(n) A requirement that the principal or designee report all substantiated incidents of bullying, cyberbullying, or retaliation to the superintendent or designee.

(o) A written procedure for communication with the parent or parents or guardian of victims and perpetrators regarding the school's remedies and assistance, within the boundaries of applicable state and federal law. This communication shall occur within 10 school days of completion of the investigation.

(p) Identification, by job title, of school officials responsible for ensuring that the policy is implemented.

III. The department of education may develop a model policy in accordance with the requirements set forth in this chapter which may be used by schools, school districts, and chartered public schools as a basis for adopting a local policy.

IV. A school board or board of trustees of a chartered public school shall, to the greatest extent practicable, involve pupils, parents, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of developing the policy. The policy shall be adopted by all public schools within the school district and, to the extent possible, the policy should be integrated with the school's curriculum. The policy shall be integrated into discipline policies, behavior programs, and other violence prevention efforts.

V. By January 1, 2027, each public school district and chartered public school shall make available a report or link to a report on how their policy has been integrated into the school's curriculum, discipline policies, behavior programs, and other violence prevention efforts. The report or link shall be provided to office of commissioner in the department, chair of the state board of education, the senate president, speaker of the house and members of the house and senate education committees.

VI. It shall be a violation of the educator code of conduct to intentionally violate the district internal reporting requirements, submit inaccurate or false information, fail to adhere to the timelines in this section, or commit an act of retaliation against a reporter of bullying or cyberbullying or against a parent.

VII. Students who have admitted to or been found to have engaged in harassment, intimidation, retaliation or bullying shall be subject to disciplinary action, including suspension and expulsion. Any student determined to have submitted a false report of harassment, intimidation, or bullying is also subject to disciplinary action, including suspension and expulsion.

2 Education; Pupil Safety and Violence Prevention; Reporting. Amend RSA 193-F:6, II to read as follows:

II. The department of education shall prepare an annual report of substantiated incidents of bullying, cyberbullying, or retaliation in the schools. The report shall include the number and types of such incidents in the schools and ***number of waivers granted for parental notification, number of waivers granted for investigation extensions, number of out-of-state cyberbullying cases reported, investigated, and reported to the attorney general's office.*** The report shall be submitted to the president of the senate, the speaker of the house of representatives, and the chairpersons of the house and senate education committees. The department of education shall assist school districts with recommendations for appropriate actions to address identified problems with pupil safety and violence prevention.

3 Education; Pupil Safety and Violence Prevention; Private Right of Action Permitted. Amend RSA 193-F:9 to read as follows:

193-F:9 Private Right of Action Permitted. Any person aggrieved as a result of gross negligence or willful misconduct in violation of any provision of RSA 193-F:4 may initiate an action against a school district or chartered public school and may recover court costs and reasonable attorney's fees as the prevailing party. For the purposes of this chapter, "[gross] negligence" means ~~deliberate indifference~~ ***the failure to behave with the level of care that a reasonable person would have exercised under the same circumstances.*** Nothing in this section shall supercede or replace existing rights or remedies under any other law.

4 Prospective Repeal. RSA 193-F:4, V, relative to public school districts and chartered public schools making reports available on how their antibullying policies have been integrated into the school's curriculum, is repealed.

5 Repeal. RSA 193-F:3, I(b), relative to the definition of bullying, is repealed.

6 Effective Date.

I. Section 4 of this act shall take effect January 1, 2027.

II. The remainder of this act shall take effect 30 days after its passage.

2025-3071h AMENDED ANALYSIS

This bill:

I. Amends the meaning of "negligence" as it applies to bullying and cyberbullying.

II. Requires the department of education to report the number of waivers granted for parental notification, number of waivers granted for investigation extensions, and the number of out-of-state cyberbullying cases reported and investigated.

III. Requires antibullying procedure to be included in the student handbook and that alleged victims get a written copy of their rights, protections, and support services available to them.

**Amendment to HB 155-FN
(2025-2983h)**

Proposed by the Majority of the Committee on Ways and Means-r

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Business Enterprise Tax; Rate Reduced. Amend RSA 77-E:2 by inserting after paragraph II the following new paragraph:

III. For all taxable periods ending on or after December 31, [2026] **2027**, a tax is imposed at the rate of 0.50 percent upon the taxable enterprise value tax base of every business enterprise.

2 Effective Date. This act shall take effect July 1, [2025] **2026**.

2025-2983h

AMENDED ANALYSIS

This bill reduces the rate of the business enterprise tax for tax years ending on or after December 31, 2027.

**Amendment to HB 164-FN
(2025-2979h)**

Proposed by the Committee on Finance-r

Amend the bill by replacing section 6 with the following:

6 Appropriation. The sum of \$150,000 for the fiscal year ending June 30, 2027 is hereby appropriated to the secretary of state, division of archives and records management for the local government records manager position at LG 21, creation, and maintenance of a publicly accessible website for the retention and public access to local electronic records, and implementation of provisions of this act. To the extent the secretary of state is unable to hire the local government records manager position, the funds allocated for the position may be used to employ an outside consultant to perform the duties required. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**Amendment to HB 194-FN
(2025-3019h)**

Proposed by the Majority of the Committee on Criminal Justice and Public Safety-r

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Interference with Custody. Amend RSA 633:4 by inserting after paragraph IV the following new paragraphs:

V. A person commits an offense under this section if, with the intent to interfere with the lawful custody of a child under 18 years of age, the person knowingly entices or persuades the child to leave the custody of:

(a) The other parent or guardian; or

(b) A person lawfully acting in the capacity of parent or guardian.

VI. (a) A first or second violation of paragraph V shall be a civil violation punishable by a fine of \$500 per offense.

(b) A third or subsequent violation of paragraph V shall be a class B felony.

VII. Any person who violates paragraph V by taking or removing the child from the state of New Hampshire, without consent or contrary to a valid court order, shall be guilty of a class B felony.

2 Effective Date. This act shall take effect January 1, 2027.

2025-3019h

AMENDED ANALYSIS

This bill modifies the crime of interference with custody to add certain actions with an intent to interfere with lawful custody.

**Amendment to HB 197-FN
(2025-2976h)**

Proposed by the Minority of the Committee on Finance-r

Amend the bill by replacing section 1, paragraph I with the following:

I. This act may be known as the "Property Tax Relief Act of 2026."

Amend the bill by replacing all after section 1 with the following:

2 Retirement System; Employer Contributions; State Share of Contributions. Amend RSA 100-A:16, II(b) and (c) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution," provided that beginning with state fiscal year [2013] **2027** and for each state fiscal year thereafter, any employer [shall pay the full amount of such total contributions] **other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case**

of group II members employed by the state, the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraph (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the “normal contribution,” and an additional amount to be known as the “accrued liability contribution;” provided that beginning with state fiscal year [2013] **2027** and for each state fiscal year thereafter, ***in the case of teachers, any employer other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case of teacher members employed by the state, the state*** shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraph (i).

3 Appropriations. The sums necessary to pay the state share of employer contributions required under RSA 100-A:16, II(b) and (c) for the fiscal year ending June 30, 2027 are hereby appropriated to the New Hampshire retirement system. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Any costs of the state share of employer contributions arising in fiscal year 2028 and thereafter shall be included in the operating budget of the New Hampshire retirement system and addressed through the regular biennial budget process.

4 Effective Date. This act shall take effect July 1, 2026.

2025-2976h

AMENDED ANALYSIS

This bill provides that the state shall pay 7.5 percent of contributions of retirement system employers other than the state for group I teachers and group II members. The bill makes an appropriation for this purpose for fiscal year 2027 and provides for its inclusion in the budget process in future fiscal years.

Amendment to HB 206-FN

(2025-3098h)

Proposed by the Committee on Criminal Justice and Public Safety—c

Amend RSA 595-A:11, I as inserted by section 2 of the bill by replacing it with the following:

I. For purposes of this section:

(a) “Government agent” means any state or local law enforcement agent, or any other person working with or acting at the behest of law enforcement.

(b) “Probable cause” means the presence of facts and circumstances within the government agent’s knowledge that would warrant a person of reasonable caution to believe that an offense has been or is being committed.

(c) “Secured premises” means privately-owned land which is posted in a manner prescribed by RSA 207:22-a and 635:4; which is otherwise posted in a manner reasonably likely to come to the attention of intruders; or which is fenced or otherwise enclosed in whole or in part in a manner which a reasonable person would understand evidences an ongoing intent to exclude intruders.

(d) “Warrant” means a court order authorizing a search or seizure that is supported by individualized probable cause and executed by a magistrate or judge.

Amendment to HB 215-FN

(2025-2970h)

Proposed by the Committee on Finance—c

Amend the bill by replacing all after the enacting clause with the following:

1 Public Benefit Requirement; Substantial Public Benefit. RSA 149-M:11, III is repealed and reenacted to read as follows:

III. Prior to completing its full technical review of an application, the department shall determine whether a proposed solid waste facility provides a substantial public benefit through an initial review process. Only if the department determines that a substantial public benefit exists shall the application proceed for further review. The department shall issue its determination of whether the proposed facility provides a substantial public benefit prior to completing a full technical review of the application. If the department determines that the facility does provide a substantial public benefit, the department shall notify the applicant in writing, and shall proceed with technical review. If the department determines that the proposed facility does not provide a substantial public benefit, it shall issue a written denial of the application. To make this determination, the department shall consider:

(a) The short-and long-term need for a solid waste facility of the proposed type, size, and location to provide capacity to accommodate solid waste generated within the borders of New Hampshire, which capacity need shall be identified as provided in paragraph V.

(b) The ability of the proposed facility to assist the state in achieving the implementation of the hierarchy and goals under RSA 149-M:2 and RSA 149-M:3.

(c) The ability of the proposed facility to assist in achieving the goals of the state solid waste management plan, and one or more solid waste management plans submitted to and approved by the department under RSA 149-M:24 and RSA 149-M:25.

(d) For proposed privately-owned landfill facilities only, the ability of the proposed facility to provide a net public benefit. A net public benefit exists if potential benefits for a proposed project are determined to be greater than the potential harms. Net public benefit shall be determined as provided in paragraph VI.

2 New Paragraph; Determination of Net Public Benefit. Amend RSA 149-M:11 by inserting after paragraph XI, the following new paragraph:

XII. Net public benefit of a proposed privately-owned landfill facility shall be determined as follows:

(a) An assessment shall be conducted on behalf of the host community and/or other abutting municipalities by an independent third party contractor and the costs for such assessment shall be borne by the applicant. The applicant shall submit a list of no fewer than three independent third party contractors to the department. The department shall review the qualifications of the contractors and provided that it finds them qualified, shall work in consultation with the host community and the applicant to select a mutually agreeable contractor. If the department determines that one or more of the submitted contractors is not qualified, it shall require the applicant to identify additional contractors. If a mutually agreeable third party has not been identified within 60 days, the commissioner shall choose from the submitted list.

(b) The required assessment shall include both potential harms and potential benefits associated with the proposed facility. Potential harms shall include any potentially harmful impacts on human health, property values, tourism, outdoor recreation, and wildlife. Such impacts may include noise, odor, traffic, greenhouse gas, and other emissions emanating from the facility and emissions from transport of solid waste-related material and by-products to and from the proposed facility. Potential benefits shall include, in addition to capacity need as described in subparagraph III(a), potential economic benefits to the local area and potential infrastructure improvements associated with the proposed project, and other factors as identified by the contractor.

(c) The department shall review the third-party assessment to determine whether the proposed facility provides a net public benefit. To assist in review of the third-party assessment, the department shall consult, as needed, with the department of transportation to evaluate impacts on local traffic and infrastructure; the department of business and economic affairs to evaluate impacts on the local economy; and the department of natural and cultural resources to evaluate impacts on tourism and local natural and cultural resources.

3 New Subparagraphs; Satisfaction of Capacity Need. Amend RSA 149-M:11, V by inserting after subparagraph (d) the following new subparagraphs:

(e) For an applicant seeking to expand an existing and fully permitted RCRA Subtitle D landfill, the department shall find that the expansion will satisfy the state's capacity need if, during the years for which the permit shall be granted, the state will face a capacity shortfall for at least one-half of those years.

(f) For an applicant seeking to develop a new landfill at a site where none currently exists, the department shall find that the new project will satisfy the state's capacity need if, during the years for which the permit shall be granted, the state will face a capacity shortfall for at least one-half of those years. However, the department shall not allow the new landfill to begin accepting waste until the first year in which a shortfall is expected to exist.

4 Public Benefit Requirement. Amend RSA 149-M:11, VIII to read as follows:

VIII. Each applicant for a solid waste permit under this chapter shall have the burden of demonstrating that a proposed solid waste facility provides a public benefit by showing how the proposed facility satisfies the criteria listed under paragraph III. Such demonstration shall be included as part of each application for a solid waste permit. ***The public benefit of a proposed operation or project shall be limited solely to an evaluation of that project and may not be mitigated or enhanced in relation to any other related project.***

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

**Amendment to HB 219-FN
(2025-2988h)**

Proposed by the Majority of the Committee on Finance-r

Amend the bill by replacing section 10 with the following:

10 Effective Date. This act shall take effect July 1, 2027.

**Amendment to HB 232-FN
(2025-2932h)**

Proposed by the Majority of the Committee on Judiciary—r

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. It is the purpose of this act to protect as a basic civil right the freedom of all health care providers to decline to counsel, advise, provide, perform, assist, or participate in providing or performing abortions. Protecting the freedom of health care providers to decline to provide or participate in the provision of services that violate their religious, moral, or ethical convictions safeguards the dignity of individual health care providers and ensures that the citizens of New Hampshire have access to quality health care.

2 New Chapter; Health Care Freedom of Conscience. Amend RSA by inserting after chapter 126-DD the following new chapter:

**CHAPTER 126-EE
HEALTH CARE FREEDOM OF CONSCIENCE**

126-EE:1 Definitions. In this chapter:

I. "Abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will with reasonable likelihood cause the death of the fetus. Such use, prescription, or means is not an abortion if done with the intent to:

- (a) Save the life or preserve the health of the fetus;
- (b) Remove a dead fetus caused by spontaneous abortion; or
- (c) Remove an ectopic pregnancy.

II. "Conscientiously object" or "conscientious objection" means to object because of a religious belief or a moral or ethical conviction.

III. "Discriminate against or discrimination" means any adverse action taken against, or any threat of adverse action communicated to, any health care provider as a result of his or her conscientious objection to participating in an abortion. Discrimination may include, but is not limited to: termination of employment; transfer from current position; demotion from current position; adverse administrative action; reassignment to a different shift or job title; increased administrative duties; refusal of staff privileges; refusal of board certification; loss of career specialty; reduction of wages, benefits, or privileges; refusal to award a grant, contract, or other program; refusal to graduate; refusal to provide residency training opportunities; denial, deprivation, or disqualification of licensure; the threat of any of the administrative, disciplinary, or other adverse proceeding; or any other penalty, disciplinary, or retaliatory action, whether executed or threatened.

IV. "Health care institution" means any public or private hospital, clinic, medical center, physician organization, professional association, ambulatory surgical center, private physician's office, pharmacy, nursing home, medical school, nursing school, medical training facility, or any other entity or location in which an abortion are performed on or provided to any person. "Health care institutions" may include, but are not limited to: organizations, corporations, partnerships, associations, agencies, networks, sole proprietorships, joint ventures, or any other entity that provides abortions.

V. "Health care provider" means any individual who, as part of his or her employment, may be asked to participate in any way in an abortion including, but not limited to: a physician, physician's assistant, nurse, nurse's aide, medical assistant, hospital or clinic employee, pharmacist, pharmacy employee, medical school student, medical school employee, or any professional, paraprofessional, or any other person who furnishes, or assist in the furnishing of an abortion.

VI. "Participate" or "participating in" means to provide, perform, assist with, facilitate, refer for, counsel for, advise with regard to, admit for the purposes of providing, or take part in any way in providing an abortion.

VII. "Prescription or provision of" means to make available or arrange for any medicine, drug, substance, device, or medical procedure.

126-EE:2 Health Care Provider's Right to Conscientiously Object.

I. A health care provider has the right to conscientiously object to participating in an abortion.

II. A health care provider who conscientiously objects to participating in an abortion shall not thereby be administratively, civilly, or criminally liable to any person, estate, public or private entity, or public official.

III. It shall be unlawful for any person, health care provider, health care institution, public or private institution, public official, national licensing board which licenses health care providers, or national certifying board which certifies competency in medical specialties to discriminate against any health care provider in any manner based on his or her conscientious objection to participating in an abortion.

IV. This section shall not apply to a health care provider employed by a health care institution that provides abortion as a major part of its services. Nor shall the section apply to a health care provider who is the only health care provider present in an emergency situation.

126-EE:3 Notice Requirement.

I. A health care institution shall prominently post a notice, not less than 8.5 x 11 inches in size, entitled "Freedom of Conscience for Health Care Providers," in a location where other such notices are normally posted, or if such notices are not so normally posted, in a location in which health care providers are likely to see such a notice. The purpose of this notice is to fully inform health care providers of their right to decline to provide, perform, assist with, facilitate, refer for, counsel for, advise with regard to, admit for the purposes of providing, or take part in any way in providing an abortion.

II. A health care institution shall ensure that every health care provider is informed of his or her right to decline to provide, perform, assist with, facilitate, refer for, counsel for, advise with regard to, admit for the purposes of providing, or take part in any way in providing an abortion.

126-EE:4 Civil Remedies.

I. A civil action for damages, injunctive relief, or both, may be brought for the violation of any provision of RSA 126-EE:2. It shall not be a defense to any claim arising out of the violation of RSA 126-EE:2 that such violation was necessary to prevent additional burden or expense on any other health care provider, health care institution, individual, or patient.

II. Any health care provider discriminated against or injured by any person, health care provider, health care institution, public or private institution, public official, medical licensing board which licenses health care providers, or medical certifying board with competency in medical specialties, by reason of any conduct prohibited by RSA 126-EE:2 may commence a civil action.

III. Upon finding a violation of RSA 126-EE:2, the health care provider shall be entitled to recover all actual damages sustained by the health care provider, including damages for pain and suffering as well as the costs of the civil action, and reasonable attorney's fees.

IV. In no case shall recovery be less than \$10,000 for each violation, not including costs of the civil action and reasonable attorney's fees. These damage remedies shall in no way be exclusive of any other remedies afforded under any other state or federal law.

V. The court in a civil action for a violation of RSA 126-EE:2 may award injunctive relief including, but not limited to, ordering reinstatement of a health care provider to his or her prior job or position.

VI. Any violation of or failure to comply with the requirements of RSA 126-EE:3 by a health care institution shall be punished by a civil fine of not less than \$1,000 and not more than \$10,000 per occurrence.

126-EE:5 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

3 Effective Date. This act shall take effect January 1, 2027.

2025-2932h

AMENDED ANALYSIS

This bill provides that health care providers have a right to conscientiously object to participating in providing abortion. The bill requires health care institutions to prominently post a notice to this effect and establishes civil remedies, including fines, for its violation.

Amendment to HB 241-FN (2025-2990h)

Proposed by the Committee on Commerce and Consumer Affairs –c

Amend the title of the bill by replacing it with the following:

AN ACT relative to health insurance coverage of pain management services for the management of chronic pain.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Managed Care Law; Development of a Comprehensive Program of Pain Management Services for the Management of Chronic Pain. Amend RSA 420-J by inserting after section 7-e the following new section:

420-J:7-f Development of a Comprehensive Program of Pain Management Services for the Management of Chronic Pain.

I. Health carriers shall develop, in accordance with guidelines established by the insurance department, a program to provide access to a broad spectrum of covered pain management services, including, but not limited to, non-medication, nonsurgical treatment modalities, and non-opioid medication treatment options that serve as alternatives to opioid prescribing. This plan shall be approved by the department as a component of the form filing and approval process.

II. Health carriers shall provide to covered persons who suffer from a chronic pain condition information regarding the pain management program and how to access services included in the program. Such information shall also be publicly available on the health carrier's website.

III. Health carriers shall annually distribute educational materials about the program to providers within their networks.

IV. Health carriers shall not require a covered person accessing services as part of the program to obtain prior authorization for covered, non-medication, nonsurgical treatment modalities that include restorative therapies, behavioral health approaches or integrative health therapies, including acupuncture, chiropractic treatments, massage and movement therapies.

V. No program under this section may establish utilization controls, including prior authorization or step therapy requirements, for clinically appropriate non-opioid drugs approved by the United States Food and Drug Administration for the treatment or management of pain, that are more restrictive or extensive than the least restrictive or extensive utilization controls applicable to any clinically appropriate opioid drug.

3 Effective Date. This act shall take effect January 1, 2027.

2025-2990h

AMENDED ANALYSIS

This bill requires health carriers to develop, in accordance with guidelines established by the insurance department, a program to provide access to a broad spectrum of covered pain management services for the management of chronic pain.

Amendment to HB 244

(2025-2952h)

Proposed by the Committee on Executive Departments and Administration—c

Amend the bill by replacing all after the enacting clause with the following:

1 Procedure for Ordering Building Vacated. Amend the introductory paragraph of RSA 147:16-a to read as follows:

The health officer shall have the authority to order occupants to vacate a building, structure, or other premises if the officer determines, based on reasonable information and belief, that the condition of such premises constitutes a clear and imminent danger to the life or health of occupants or other persons, and that protection of life or health requires vacating the premises. For the purposes of this section, “officer” shall mean any municipal official who orders such vacation, including the health officer acting under the authority of this section, RSA 147:4, or RSA 147:11, the building ~~[inspector]~~ **official** acting under RSA ~~[674:52-a]~~ **155-A:3**, or the fire chief acting under RSA 154:21-a. The following procedure shall apply:

2 Public Accommodations Constructed After January 1, 1992. Amend RSA 155:39-d to read as follows:

155:39-d Public Accommodations Constructed After January 1, 1992. This section applies to any new building or facility proposed to be constructed specifically as a place of public accommodation on or after January 1, 1992. This section also applies to any single enlargement of an existing building or facility which enlargement is proposed to be constructed on or after January 1, 1992, if the cost of such enlargement exceeds 25 percent of the fair market value of the real estate and building or facility situated thereon but only to the portion thereof which is so enlarged. Facilities subject to this section shall meet the requirements of the New Hampshire code for barrier-free design established pursuant to RSA 275-C:14-17. This section shall also be enforced by the building ~~[inspector]~~ **official** as provided in RSA ~~[676:11-13]~~ **155-A:3**.

3 New Paragraphs; Definitions. Amend RSA 155-A:1 by inserting after paragraph VI the following new paragraphs:

VII. “District commissioners” means the board of commissioners of a village district or precinct.

VIII. “Local governing body” means, in addition to any other appropriate title:

- (a) Board of selectmen in a town;
- (b) City council or board of aldermen in a city;
- (c) Village district commissioners in a village district; or
- (d) County commissioners in a county in which there are located unincorporated towns or unorganized places.

IX. “Local legislative body” means one of the following basic forms of government utilized by a municipality:

- (a) Council, whether city or town;
- (b) Mayor-council;
- (c) Mayor-board of aldermen;
- (d) Village district or precinct;
- (e) Town meeting; or
- (f) County convention.

X. “Mayor” means the chief executive officer of the municipality, whether the official designation of the office is mayor of a city, city or town manager, the board of selectmen of a town, the board of commissioners of a village district, the county commissioners of a county in which there are located unincorporated towns or unorganized places, or any other title or any official designated in the municipal charter to perform the duties of “mayor.”

XI. "Municipality" or "municipal" means, includes and relates to cities, towns, village districts, and counties in which there are located unincorporated towns or unorganized places.

XII. "Selectmen" means the board of selectmen of a town and the county commissioners of a county in which there are located unincorporated towns or unorganized places.

4 State Building Code. Amend RSA 155-A:2, VI to read as follows:

VI. For any municipality which has not adopted an enforcement mechanism under RSA 674:51, the contractor of the building, building component, or structure shall notify the state fire marshal concerning the type of construction before construction begins excluding one- and 2-family dwellings. Any municipality that has adopted an enforcement mechanism under RSA 674:51 may contract with a local enforcement agency or a qualified third party for these services as an alternative to establishing the position of building inspector under RSA 674:51, III(c), and such agency or third party shall have the same authority as a building ~~inspector~~ **official** as provided in that section.

5 Enforcement Mechanism; Local Enforcement Agency. Amend RSA 155-A:3, I to read as follows:

I. The local legislative body, as defined in RSA ~~[672:8]~~ **155-A:1**, is hereby empowered and authorized to establish a local enforcement agency, as defined in RSA 155-A:1, III, to enforce the state building code adopted under RSA 155-A. The local legislative body may adopt a nationally recognized code not included in, and not inconsistent with, the state building code, except for a nationally recognized code which has the same or similar scope or purpose, as determined by the building code review board, that is included in the most recent edition of the state building code adopted under RSA 155-A:1, IV.

6 Local Amendments; Application. Amend RSA 155-A:3, III(d)(1) - (2) to read as follows:

(1) Accept and review appropriate ~~[design]~~ **construction** documents;

(2) Issue building permits as provided in RSA ~~[676:11-13]~~ **155-A:4**;

7 Local Amendments; Application. Amend RSA 155-A:3, VII to read as follows:

VII. The state building code established in RSA 155-A shall be effective in all municipalities, as defined in RSA ~~[672:10]~~ **155-A:1**, in the state, without further local modification, except as permitted by this section, and shall be enforced as provided in RSA 155-A:7. Notwithstanding any other provision of law, no local legislative body shall enact or enforce any ordinance, adopt or enforce any rule, or implement any regulation that amends, overrides, or deviates from the state building code, or addresses any subject included in the state building code, except as otherwise permitted by this section or other statute, on or after the effective date of this section. All municipalities with an enforcement mechanism shall enforce and comply fully with the state building code without further local modification, except as otherwise permitted by this section or other statute.

8 Local Amendments; Application. Amend RSA 155-A:3, IX and X to read as follows:

IX. No municipality or local land use board, as defined in RSA ~~[672:7]~~ **155-A:1**, shall enforce any ordinance, regulation, code, or administrative practice requiring the installation of automatic fire suppression sprinklers in any new or existing detached one- or two-family dwelling unit in a structure used only for residential purposes, or in existing buildings that contain, or will contain, no more than four dwelling units, unless fire sprinklers are existing or are required by a nonresidential occupancy.

X. Notwithstanding any provision of law to the contrary, no municipality or local land use board shall enforce any existing ordinance, regulation, code, or administrative practice requiring the installation or use of automatic fire suppression sprinklers in any manufactured housing unit, as defined in RSA 674:31, situated in a manufactured housing park, as defined in RSA 205-A:1, II. Nothing in this paragraph shall affect the ability of an applicant for a local land use permit to include the installation of fire suppression sprinklers pursuant to RSA 674:36, ~~[IV]~~ **VI**, or affect the validity or enforceability of such inclusion.

~~[X.]~~ **XI.** No county, city, town, village district, local land use board, or other subdivision of this state shall adopt any ordinance, regulation, code, or administrative practice that prohibits or restricts a person or entity from installing a safe and commercially available heating or other energy system of their choice, or from engaging the services of an energy provider of their choice to install, connect, or resupply such energy system. In this paragraph, "energy provider" means a qualified and licensed distributor of oil, propane, natural gas, or other company or entity that supplies energy or related services to the public.

XII. The building official shall have the authority to order occupants to vacate a building, structure, or other premises if the inspector determines, based on reasonable information and belief, that there is imminent danger of failure or collapse, or the condition of such premises otherwise constitutes a clear and imminent danger to the life or safety of occupants or other persons and that protection of life or safety requires vacating the premises. Such an order shall be subject to the procedures of RSA 147:16-a, which shall supersede inconsistent provisions contained in any local code or code adopted by reference.

XIII. The provisions of paragraph I shall not apply to a residence which is occupied by the owner and his or her immediate family, unless the condition of such premises constitutes a clear and imminent danger to the life or health of persons other than the occupant or occupants.

9 New Sections; Building Code Enforcement. Amend RSA 155-A by inserting after section 3-c the following new sections:

155-A:3-d Building Code Board of Appeals.

I. The building code board of appeals shall hear and decide appeals of orders, decisions, or determinations made by the building official or fire official relative to the application and interpretation of the state building code or state fire code as defined in RSA 155-A:1. If the zoning board of adjustment or board of selectmen is acting as the building code board of appeals under RSA 155-A:3, its jurisdiction shall be limited to hearing appeals of local amendments to the state building code or state fire code, and all other appeals shall be made to the building code review board under RSA 155-A:11-b. An application for appeal shall be based on a claim that the true intent of the code or the rules adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of the state building code or the state fire code.

II. Appeals of decisions of any local building code board of appeals shall be made within 30 days of the board's decision to the state building code review board as outlined under RSA 155-A:10, IV(c).

III. The building code board of appeals shall consist of 3 or 5 members who shall be appointed in a manner prescribed by the local legislative body; provided, however, that an elected zoning board of adjustment may act as the building code board of appeals. Each member of the board shall be a resident of the municipality in order to be appointed.

IV. The term of an appointed building code board of appeals member shall be 3 years. The initial terms of members first appointed or elected to any building code board of appeals shall be staggered so that no more than one appointment occurs annually in the case of a 3 member board and no more than 2 appointments or elections occur annually in the case of a 5 member board, except when required to fill vacancies.

V. The term of office for an appointed building code board of appeals member shall begin on a date established by the appointing authority, or as soon thereafter as the member is qualified, and shall end 3 years after the date so established. If no successor has been appointed and qualified at the expiration of an appointed member's term, the member shall be entitled to remain in office until a successor has been appointed and qualified.

VI. The local legislative body may provide for the appointment of not more than 5 alternate members to any appointed building code board of appeals, who shall be appointed by the appointing authority. The terms of alternate members shall be 3 years.

VII. Each building code board of appeals shall elect its chairperson from the appointed or elected members and may create other offices as it deems necessary.

VIII. The term of every officer and chairperson elected by a building code board of appeals shall be one year. Both the chairperson and officers shall be eligible for reelection.

IX. Meetings of the building code board of appeals shall be held at the call of the chairperson and at such other times as the board may determine.

X. A majority of the membership of a building code board of appeals shall constitute the quorum necessary in order to transact business at any meeting of a building code board of appeals.

XI. Whenever a regular member of a building code board of appeals is absent or whenever a regular member disqualifies himself or herself, and an alternate member is present, the chairperson shall designate an alternate to act in the absent member's place.

XII. Vacancies in the membership of a building code board of appeals occurring other than through the expiration of a term of office shall be filled by the original appointing authority for the unexpired term. The chairperson of the building code board of appeals may designate an alternate member of the board to fill the vacancy temporarily until the vacancy is filled.

XIII. After public hearing, appointed members and alternate members of an appointed building code board of appeals may be removed by the appointing authority upon written findings of inefficiency, neglect of duty, or malfeasance in office.

XIV. The appointing authority or the building code board of appeals shall file with the city or town clerk, the village district clerk, or the clerk for the county commissioners, whichever is appropriate, a written statement of reasons for removal under this section.

XV. No member of a building code board of appeals shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law. Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.

XVI. Each building code board of appeals may appoint such employees as it deems necessary for its work who shall be subject to the same employment rules as other corresponding civil employees of the municipality. Each board may also contract with planners, engineers, architects, and other consultants for such services as it may require. The expenditures of the board, exclusive of gifts, reimbursements, or amounts held pursuant

to this section, shall be within the amounts appropriated for the purpose by the local legislative body, which may provide such funds, equipment, and accommodations as it deems necessary or advisable for the board's work. Each board may accept and use gifts, grants, or contributions for the exercise of its functions, in accordance with procedures established for the expenditure of funds within the municipality.

XVII. Any fee which a building code board of appeals, acting pursuant to this title, collects from an applicant to cover an expense lawfully imposed upon that applicant, including but not limited to the expense of notice, the expense of consultant services or investigative studies under this title, or the implementation of conditions lawfully imposed as part of a conditional approval, may be paid out toward that expense without approval of the local legislative body. This paragraph shall not apply to application, permit, or inspection fees which have been set by the local legislative body as part of an ordinance, or by the selectmen under RSA 41:9-a. Notwithstanding RSA 155-A:1, a building official shall not be considered a "building code board of appeals" for purposes of this section. Such fees shall:

(a) Be placed in the custody of the municipal treasurer whenever held by the municipality, subject to the same investment limitations as for other municipal funds;

(b) Be paid out only for the purpose for which the expense was imposed upon the applicant;

(c) Be held in a separate, nonlapsing account, and not commingled with other municipal funds; provided, however, that such fees may be used to reimburse any account from which an amount has been paid out in anticipation of the receipt of said fees; and

(d) Be paid out by the municipal treasurer only upon order of the building code board of appeals or its designated agent for such purpose.

XVIII. Any fee which a city or town imposes on an applicant pursuant to this title shall be published in a location accessible to the public during normal business hours. Any fee not published in accordance with this section at the time an applicant submits an application shall be considered waived for purposes of that application. A city or town may comply with the requirements of this section by publicly posting a list of fees at the city or town hall or by publishing a list of fees on the city or town's Internet website.

XIX. The chairperson of the building code board of appeals or, in the chairperson's absence, the acting chairperson may administer oaths. Whenever the board exercises its regulatory or quasi judicial powers it may, at its sole discretion, compel the attendance of witnesses. All expenses incurred under this section for compelling the attendance of a witness shall be paid by the party or parties requesting that a witness be compelled to attend a meeting of the board.

XX. Each building code board of appeals shall hold its meetings and maintain its records in accordance with RSA 91-A.

XXI. Whenever a building code is repealed, the records of the building code board of appeals shall be transferred to the planning board.

XXII. Every building code board of appeals, and every zoning board of adjustment acting as a building code board of appeals, shall adopt rules of procedure concerning the method of conducting its business. Rules of procedure shall be adopted at a regular meeting of the board and shall be placed on file with city, town, village district clerk, or clerk for the county commissioners for public inspection. The rules of procedure shall include when and how an alternate may participate in meetings of the building code board of appeals.

XXIII. Anyone affected by a decision made by the building official can appeal to the board of adjustment except as provided in RSA 155-A:3-d, I. To do this, the person affected must file an appeal within a reasonable time, in compliance with the board's rules, by submitting a notice of appeal to both the inspector who made the decision and the board, explaining the reasons for the appeal. The inspector shall send all related documents to the board within a reasonable time.

XXIV. The building code appeals board may impose reasonable fees to cover its administrative expenses and costs of special investigative studies, review of documents, and other matters which may be required by particular appeals or applications.

XXV. The effect of an appeal to the board is to maintain the current state of affairs. An appeal against the issuance of any permit or certificate shall suspend the permit or certificate, and no related construction, alteration, or change of use may begin. An appeal against any order or enforcement action shall halt all related proceedings unless the building official, after receiving the notice of appeal, certifies to the building code board of appeals that a stay would, in their opinion, cause imminent danger to life, health, safety, property, or the environment. In such cases, proceedings shall only be stayed by a restraining order granted by the board or the superior court, upon notice to the building official and for good cause shown.

XXVI. The building code board of appeals shall issue a final written decision and provide a copy to the applicant. This decision shall include specific written findings of fact that substantiate the decision. Should the board fail to provide these specific written findings in the case of a disapproval, it shall be grounds for automatic reversal and remand by the superior court upon appeal, unless the court identifies other factors justifying the disapproval. If the appeal is denied, the board shall furnish the applicant with written reasons for the disapproval. If the appeal is approved with conditions, the board shall include a detailed description of all conditions necessary for final approval in the written decision.

XXVII. Whenever the building code appeals board votes to approve or disapprove an appeal or deny a motion for rehearing, the minutes of the meeting, including the written decision with reasons and all conditions of approval, shall be filed with the town clerk. These documents shall be made available for public inspection within 5 business days of the vote.

155-A:3-e Method of Enactment in Cities Operating Under the Board of Mayor and Aldermen, or the Corresponding Governmental Body Form of Government.

I. The board of mayor and aldermen, or the corresponding governmental body of any city, is hereby empowered and authorized to pass and adopt ordinances establishing a local enforcement agency, as defined in RSA 155-A:1 and amending the state building code as permitted by RSA 155-A:3. Upon adoption of such an ordinance, wherein codes, rules, and regulations or portions thereof are incorporated by reference, 3 copies of these codes, rules, and regulations shall be filed in the main office of the municipal department or agency administering them, and 3 copies shall be filed in the office of the city clerk. All copies filed as provided herein shall be available for public use and examination.

II. Any ordinance may be amended or supplemented in a similar manner, provided that 3 copies of the amended or supplemented ordinance are filed with the office of the building official and 3 copies are filed with the office of the city clerk for public use and examination.

III. The provisions of RSA 155-A:3-d shall not be interpreted to allow the adoption by reference of penalty clauses included in any nationally recognized codes, rules, or regulations. The city councils shall have the authority to impose penalties deemed necessary, not exceeding \$1,000, for any violations of such ordinances.

IV. At least 30 days prior to the adoption of any ordinance or any amendment or supplement thereto, no fewer than 3 copies of the referenced code or regulation shall be filed in the office of the building official, and 3 copies in the office of the city clerk for public use and examination.

V. No ordinance or amendments or supplements thereto, as previously set forth, shall become effective or be altered until after a public hearing. At the hearing, interested parties and citizens shall have the opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the state at least 15 days before the hearing.

155-A:3-f Method of Enactment in Cities and Towns Operating Under Town Council Form of Government.

I. In cities or towns operating under the town council form of government, and in counties with unincorporated towns or unorganized places, the local legislative body shall determine the manner in which a local enforcement agency, as defined in RSA 155-A:1 and amendments to the state building code as permitted by RSA 155-A:3 are established. However, any question concerning the establishment of a local enforcement agency and amendments to the state building code may be placed on a ballot separate from the ballot used to elect city or town officers. All proposed amendments to the state building code shall be forwarded to the town clerk no later than the fifth Tuesday prior to the date for electing city or town officers.

II. No local enforcement agency shall be established or the state building code amended until after a public hearing is held in accordance with the procedures required under RSA 155-A:3-i on the proposed local enforcement agency or amendment.

155-A:3-g Method of Enactment in Certain Towns and Village Districts.

I. Any town not operating under the town council form of government, or any village district which is specifically authorized by law to enact a building code, shall establish a local enforcement agency as defined in RSA 155-A:1 and amend the state building code as permitted by RSA 155-A:3 upon the affirmative vote by ballot of a majority of the legal voters present and voting on the day of the meeting, as provided in paragraph VII.

II. No local enforcement agency shall be established or the state building code amended at a town or village district meeting until after the local governing body holds at least one public hearing on the proposed code or amendment. Notice for the time and place of each public hearing shall be the same as that provided in RSA 155-A:3-i.

III. After the public hearing the local governing body shall, by vote, determine the final form of the ordinance to be presented to the town or village district, which ordinance or amendment may include editorial revisions and textual modifications resulting from the proceedings of that hearing.

IV. An additional public hearing shall be held if the proposal is substantively altered after public hearing. Subsequent public hearings shall be held at least 14 days after the prior public hearing and with the notice provided in RSA 155-A:3-i.

V. Official copies of the final proposal to adopt or amend the building code shall be placed on file and made available to the public at the town or village clerk's office not later than the fifth Tuesday prior to the date when action is to be taken. An official copy of the proposal shall be on display for the voters at the meeting place on the date of the meeting.

VI. Each village district must be specifically authorized to establish a local enforcement mechanism by the legislature.

VII. If the town or village district has adopted an official ballot for the election of its respective officers, the issue as to the adoption of the proposed building code or amendment shall be presented to the voters of the town or village district by having the town or village district clerk prepare an official ballot separate from

the official ballot used to elect town or village district officers which shall include the following question, or by including the following question on the official ballot as prepared by the town or village district clerk: "Are you in favor of the establishment of a local enforcement agency or amendment(s) to the state building code as proposed by the local governing body?" In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of Amendment No. ____ as proposed by the local governing body for the [town (village district)] state building code as follows: (Here insert topical description of substance of amendment.)?" If such action is to be taken at a meeting other than the one at which officers are to be elected, the clerk shall prepare a special ballot containing the question or questions above stated, and the meeting shall open not later than noon and shall remain open at least 8 hours. If such action is to be taken at a meeting in a town or village district which has not adopted an official ballot, the clerk may prepare a special ballot likewise separate from the ballot used to elect town or village district officers for the use of voters in voting on the question. If a majority of the voters present and voting on any question as herein provided shall vote in the affirmative, the ordinance or amendment thereto shall be declared to have been adopted. When submitting any question to the voters under this section, there shall be 2 squares printed after the question, one with the word "yes" beside it and another with the word "no" beside it.

VIII. If an amendment is submitted by the selectmen or village district commissioners, the ballot shall so indicate. A notation on the ballot stating the local governing body's approval or disapproval shall immediately follow the question's description.

IX. The method for establishing a local enforcement agency or amending the state building code, as set forth in this section, may also be utilized to repeal such ordinance or code. The ballot question shall use the word "repeal" in place of the words "adoption" or "amendment."

155-A:3-h Method of Enactment by Petition.

I. Twenty-five or more voters may petition for an amendment to the state building code. Petitioned amendments shall be voted only at the annual town or village district meeting. A petition to amend the state building code shall be submitted to the board of selectmen or the village district commissioners during the period between 120 and 90 days prior to the annual town or village district meeting. The petition shall be in correct warrant article form, as determined by the selectmen or village district commissioners, to amend the state building code. The selectmen or the village district commissioners shall submit the petitions to the planning board in a timely manner.

II. The local governing body at its first regular meeting following the petition period shall set the date of the public hearing for each petitioned amendment which is received and shall hold a public hearing on each petitioned amendment. Notice for the time and place of the public hearing shall be the same as that provided in RSA 155-A:3-i.

III. Each petitioned amendment shall be placed on a ballot which may be separate from the ballot used to elect town or village district officers. A notation on the ballot stating the local governing body's approval or disapproval shall immediately follow the question's description. Any petitioned question receiving an affirmative vote of a majority of the legal voters present and voting shall be adopted. The local governing body shall forward to the town or village district clerk all proposed amendments to the state building code under this section not later than the fifth Tuesday prior to the date for electing town or village district officers.

IV. The town or village district clerk shall include each question on a petitioned amendment on the appropriate official or special ballot, or separate official ballot, in the same manner as provided in paragraph III and in RSA 675:3, VII.

V. The method for amending the state building code, as set forth in this section, may also be utilized to repeal such ordinance. The ballot question shall use the word "repeal" in place of the word "amendment."

155-A:3-i Notice Requirements for Public Hearing.

I. Notice shall be given for the time and place of each public hearing held under RSA 155-A:3-i through 3-k at least 10 calendar days before the hearing. The notice required under this section shall not include the day notice is posted or the day of the public hearing. Notice of each public hearing shall be published in a paper of general circulation in the municipality and shall be posted in at least 2 public places. Any person owning property in the municipality may request notice of all public hearings on proposed amendments to the building code ordinance, and the municipality shall provide notice, at no cost to the person, electronically or by first class mail.

II. In lieu of publication in a paper of general circulation pursuant to paragraph I, notice may be posted on the municipality's Internet website, if such exists. If notice is posted on the municipality's website in lieu of publication in a paper of general circulation, the notice shall:

- (a) Appear prominently on the website home page, or a link directly to the notice shall appear prominently on the home page;
- (b) Be posted at the time stated in paragraph I and shall remain on the website until the conclusion of the hearing; and
- (c) Be posted in 2 other public places.

III. The full text of the proposed building code, or amendment need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice. The notice of a hearing on a proposed amendment to a building code to be sent electronically or by first class mail shall include a statement describing, to the greatest extent practicable and in easily understood language, the proposed changes to the code, the areas affected, and any other information calculated to improve public understanding of the proposal.

155-A:3-j Filing of Building Codes and Amendments. All ordinances establishing a local enforcement agency and amendments to the state building code shall be placed on file with the city, town, or village district clerk, or, in the case of unincorporated towns or unorganized places, with the clerk for the county commissioners for public inspection.

10 Permit Required. Amend RSA 155-A:4, I to read as follows:

I. Before starting [~~new construction or renovation of buildings and structures~~] **work** as described in RSA 155-A:2, I, the person responsible for such construction shall obtain a permit.

11 New Paragraphs; Building Code Enforcement. Amend RSA 155-A:4 by inserting after paragraph III the following new paragraphs:

IV. No building permit shall be denied on the grounds of uncompleted streets or utilities when the construction of such streets or utilities has been secured to the municipality by a bond or other security approved by the planning board pursuant to RSA 674:36, III or RSA 674:44, IV; provided, however, that on land which is part of a subdivision plat or site plan, no building shall be used or occupied prior to the completion of required streets and utilities, except upon such terms as the planning board may have authorized as part of its decision approving the plat or site plan.

V. The building official shall not issue any building or occupancy permit for any proposed construction, remodeling, or maintenance which will not comply with any or all zoning ordinances, building codes, or planning board regulations which are in effect.

VI. No building permit shall be issued when prohibited under the provisions of RSA 674:12, 674:13, 674:21, 674:22, 674:23, 674:41, 674:53, 674:75, 676:8, 676:9 or 676:12.

VII. The building official shall comply with RSA 674:30 and RSA 676:66, if applicable.

VIII. If any building official is prosecuted for violation of RSA 643:1 and found guilty of issuing any permit contrary to the provisions of this section, it shall be prima facie evidence that the building official has knowingly refrained from performing a duty imposed on the building official by law.

IX. The building official shall adopt a form or set of standards specifying the minimum contents of a completed application for any building permit. Upon the submission of a completed application, the building official shall act to approve or deny a building permit within 30 days; provided, however, that nonresidential applications or residential applications encompassing more than 10 dwelling units shall be approved or denied within 60 days.

X. The time for the building official to act upon building permits for collocation applications and modification applications for personal wireless service facilities shall be governed by RSA 12-K:10. In the event that the form or set of standards for a building permit application conflicts with any of the limitations under RSA 12-K:11 for a collocation application or a modification application for a personal wireless service facility, the limitations in RSA 12-K:11 shall control.

12 Accessibility Standards for Public Buildings. RSA 155-A:5-a, III and IV is repealed and reenacted to read as follows:

III. The requirements of paragraph II shall not apply to a public building for which the review of design drawings or construction drawings and inspection of completed work is performed by a municipal building official who:

- (a) Satisfies the qualifications under RSA 155-A:5-b;
- (b) Examines the design drawings or construction drawings prior to the commencement of work and inspects the building upon completion of work for compliance with the accessibility standards in the state building code; and
- (c) Provides the governing body of the municipality with a written certification that the design and construction of the building upon completion of work comply with the accessibility standards of the state building code.

IV. Nothing in this section shall be construed as requiring municipalities to inspect and certify public buildings for compliance with accessibility standards. Public buildings located in a municipality that has chosen to authorize its municipal building official to inspect and certify shall remain subject to all other provisions of this section.

13 Penalty. RSA 155-A:8 is repealed and reenacted to read as follows:

155-A:8 Injunctive Relief. In case any building or structure or part thereof is or is proposed to be erected, constructed, altered, or reconstructed, or is proposed to be used in violation of this title or of any local ordinance, code, or regulation adopted under this title, or of any provision or specification of an application,

approved by, or any requirement or condition of a permit issued by, any local building official acting under the authority of this title, the building official or other official with authority to enforce the provisions of this title or any local ordinance, code, or regulation adopted under this title, may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, alteration, or reconstruction.

14 New Sections; Remedies. Amend RSA 155-A by inserting after section 8 the following new sections:

155-A:8-a Fines and Penalties.

I. Any person who violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, approved by, or any requirement or condition of a permit or decision issued by, any local building official acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of \$275 for the first offense, and \$550 for subsequent offenses, for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier. Each day that a violation continues shall be a separate offense.

II. In any legal action brought by a municipality to enforce, by way of injunctive relief as provided by RSA 155-A:8, I or otherwise, any local ordinance, code, or regulation adopted under this title, or to enforce any building code board of appeals decision made pursuant to this title, or to seek the payment of any fine levied under paragraph II, the municipality shall recover its costs and reasonable attorney fees actually expended in pursuing the legal action if it is found to be a prevailing party in the action. For the purposes of this paragraph, recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to, inspection fees, expert fees and investigatory expenses.

III. If any violation of a local ordinance, code, or regulation, or any violation of a building code board of appeals decision, results in the expenditure of public funds by a municipality which are not reimbursed under paragraph II, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the municipality for such funds so expended.

IV. The superior court may, upon a petition filed by a municipality and after notice and a preliminary hearing as in the case of prejudgment attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief which may be ordered or both. At the hearing, the burden shall be on the municipality to show that there is a strong likelihood that it will prevail on the merits, that the penalties or remedies sought are reasonably likely to be awarded by the court in an amount consistent with the bond sought, and that the bond represents the amount of the projected expense of compliance with the injunctive relief sought.

V. The building official or other local official with the authority to enforce the provisions of this title or any local ordinance, code, or regulation adopted under this title may commence an action under paragraph I either in the district court pursuant to RSA 502-A:11-a, or in the superior court. The prosecuting official in the official's discretion may, prior to or at the time of arraignment, charge the offense as a violation, and in such cases the penalties to be imposed by the court shall be limited to those provided for a violation under RSA 651:2 and the civil penalty provided in subparagraph I(b) of this section. The provisions of this section shall supersede any inconsistent local penalty provision.

155-A:8-b Cease and Desist Orders. The building official, code enforcement officer, zoning administrator or other official designated as an enforcement authority by ordinance or resolution of the local legislative body may issue a cease and desist order against any violation of this title, any local ordinance, code or regulation adopted under this title, or any provision or specification of an application, approved by, or any requirement or condition of a permit or decision issued by, any local building official acting under the authority of this title, subject to the following:

I. The order shall be in writing and include:

(a) The precise regulation, provision, specification, or condition which is being violated.

(b) The facts constituting the violation, including the date of any inspection from which these facts were ascertained.

(c) The corrective action required, including a reasonable time within which such action shall be taken.

(d) A statement that a motion for summary enforcement of the order shall be made to the court of the district in which the property is situated unless such corrective action is taken within the time provided, or unless an answer is filed within 20 days, as provided under paragraph V.

(e) A statement that failure to either take the corrective action, or to file an answer, may result in corrective action being taken by the municipality, and that if this occurs the municipality's costs shall constitute a lien against the real estate, enforceable in the same manner as real estate taxes, including possible loss of the property if not paid.

II. The order shall be served upon the record owner of the property or the record owner's agent, and upon the person to whom taxes are assessed for the property, if other than the owner, and upon any occu-

pying tenant of the property, and upon any other person known by the enforcing officer to exercise control over the premises in violation, and upon all persons holding mortgages upon such property as recorded in the office of the register of deeds, in the same manner provided for service of a summons in a civil action in district court. Personal service may be made by a sheriff, deputy sheriff, local police officer, or constable. If the owner is unknown or cannot be found, the order shall be served by posting it upon the property and by 4 weeks' publication in a newspaper in general circulation in the municipality.

III. Upon service of the order, the owner or their agent, occupying tenant or their agent, or any other person who is engaged in development, construction, excavation, or other changes of the land or buildings on the land shall cease immediately such activities, if so provided in the order, until such time as judgment is rendered under paragraph VI or VII. Failure to cease such activity shall constitute a separate violation of this title in addition to the violation cited in the order, unless such order is annulled as provided in paragraph VII.

IV. A copy of the order with proof of service shall be filed with clerk of the district court of the district in which the property is located not fewer than 5 days prior to the filing of a motion to enforce under paragraph VI.

V. Within 20 days after the date of service, any person upon whom the order is served may serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the order as are in dispute.

VI. If no answer is served, the enforcement official may move the court for the enforcement of the order. If such a motion is made the court may, upon the presentation of such evidence as it may require, affirm or modify the order and enter judgment accordingly, fixing a time after which the governing body may proceed with the enforcement of the order. The clerk of the court shall mail a copy of the judgment to all persons upon whom the original order was served.

VII. If an answer is filed and served as provided in paragraph V, further proceedings in the action shall be governed by the rules of the district court. If the order is sustained following trial, the court shall enter judgment and shall fix a time within which the corrective action shall be taken, in compliance with the order as originally filed, or as modified by the court. If the order is not sustained, it shall be annulled and set aside. If it appears to the court that the order was frivolous, was commenced in bad faith, or was not based upon information and belief formed after reasonable inquiry or was not well-grounded in fact, then the court shall order the defendant's costs and reasonable attorneys fees to be paid by the municipality. The clerk of the court shall mail a copy of the judgment to the persons upon whom the original order was served.

VIII. If a judgment is not complied with in the time prescribed, the local governing body may cause the corrective action to be taken as set forth in the judgment. The cost to the municipality of taking such corrective action together with its other expenses as provided in paragraph IX, shall be a lien against the real estate on which the violation occurred, which shall continue for 18 months from the date upon which the expense account is allowed by the court, as provided in paragraph IX.

IX. The municipality shall keep an accurate account of the expenses incurred in carrying out the order and of all other expenses in connection with its enforcement, including but not limited to filing fees, service fees, publication fees, the expense of searching the registry of deeds to identify mortgages, witness and expert fees, attorneys fees and traveling expenses. The court shall examine, correct if necessary, and allow the expense account. The municipal governing body, by majority vote, may commit the expense account to the collector of taxes, in which case the mayor, as defined by RSA 155-A:1, shall direct the expense account, together with a warrant under the mayor's hand and seal, to the municipal tax collector, requiring the tax collector to collect the same from the person to whom real estate taxes are assessed for the premises upon which such corrective action was taken, and to pay the amount so collected to the municipal treasurer. Within 30 days after the receipt of such warrant, the collector shall send a bill as provided in RSA 76:11. Interest as provided in RSA 76:13 shall be charged on any amount not paid within 30 days after the bill is mailed. The collector shall have the same rights and remedies as in the collection of taxes, as provided in RSA 80.

X. A party aggrieved by the judgment of the district court may appeal, within 15 days after the rendering of such judgment, to the superior court.

XI. The remedy provided in this section is supplementary to other enforcement remedies provided by this chapter or local ordinance. At the discretion of the local enforcement official, an action to enforce a cease and desist order under this section may be joined with an action under RSA 155-A:8-a, I, and the cease and desist order shall constitute the written notice under RSA 155-A:8-a, I.

155-A:8-c Local Building Code Citations; Pleas by Mail.

I. A building official or other local official with authority to prosecute an offense within the scope of RSA 155-A:8-a, and who, prior to or at the time of serving the summons, elects, pursuant to RSA 155-A:8-a, V, to charge the offense as a violation, may issue and serve upon the defendant, in addition to the summons, a local building code citation as set forth in this section. The defendant receiving such a citation may plead guilty or nolo contendere by mail by entering that plea as provided herein. If such a plea is accepted by the court, the defendant shall not be required to appear personally or by counsel; otherwise the defendant shall appear as directed by the court. The following procedure shall be used:

II. No local building code citation as set forth in this section shall be served unless the defendant has first been given written notice of the violation by the municipality. If the notice involves or includes a decision which may be appealed to the building code board of appeals pursuant to RSA 155-A:3-d, such notice shall set forth a reasonable period, as provided by the rules of the respective board, in no case less than 7 days, within which such appeal shall be filed after receipt of the written notice, and the citation shall not be served until after the end of such period. If such an appeal is filed, further proceedings shall be governed by RSA 155-A:3-g.

III. The local building code citation shall contain:

- (a) The caption: "Local Building Code Citation, Town (City) of ____".
- (b) The name of the offender, and address if known to the prosecuting official.
- (c) The statute, code, ordinance, regulation, provision, specification, requirement or condition the offender is charged with violating.
- (d) The act or circumstances constituting the violation.
- (e) The place of the violation.
- (f) The date upon which the offender received written notice of the violation by the municipality.
- (g) The time and date upon which the violation was witnessed subsequent to such written notice.
- (h) The amount of the civil penalty as set forth in paragraph II, which is payable by the offender for each day the violation continued subsequent to such written notice, up to a maximum of 5 days' violation charged in one citation.
- (i) Instructions informing the defendant that the defendant may answer the citation by mail or may personally appear in court upon the date on the summons, and instructing the defendant how to enter a plea by mail, together with either the amount of the penalty specified in the citation, or a request for a trial.
- (j) The address of the clerk of the district court, where the plea by mail may be entered.
- (k) A warning to the defendant that failure to respond to the citation on or before the date on the summons may result in the defendant's arrest as provided in paragraph VI.
- (l) The signature of the prosecuting official.

IV. Defendants who are issued a summons and local building code citation and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the civil penalty, as set forth in the citation, to the clerk of the court prior to the arraignment date, or shall appear in court on the date of arraignment.

V. Civil penalties collected by the district court under this section shall be remitted to the municipality issuing the citation. Whenever a defendant (a) does not enter a plea by mail prior to the arraignment day or does not appear personally or by counsel on or before that date or move for a continuance; or (b) otherwise fails to appear for a scheduled court appearance in connection with a summons for any offense, the defendant shall be defaulted and the court shall determine what the civil penalty would be upon a plea of guilty or nolo contendere and shall impose an administrative processing fee in addition to the civil penalty. Such fee shall be the same as the administrative processing fee under RSA 502-A:19-b, and shall be retained by the court for the benefit of the state.

VI. The court may, in its discretion, issue a bench warrant for the arrest of any defendant who:

- (a) Is defaulted in accordance with the provisions of paragraph V;
- (b) Fails to pay a fine or other penalty imposed in connection with a conviction under this title which a court has determined the defendant is able to pay, or issues a bad check in payment of a fine or other penalty; or
- (c) Fails to comply with a similar order on any matter within the court's discretion.

VII. For cause, the court in its discretion may refuse to accept a plea by mail and may impose a fine or penalty other than that stated in the local building code citation. The court may order the defendant to appear personally in court for the disposition of the defendant's case.

VIII. The prosecuting official may serve additional local building code citations, without giving additional written notice or appeal opportunity under paragraph II, if the facts or circumstances constituting the violation continue beyond the date or dates of any prior citation. A plea of guilty or nolo contendere to the prior citation shall not affect the rights of the defendant with respect to a subsequent citation.

IX. Forms and rules for the local building code citation and summons shall be developed and adopted by the New Hampshire supreme court.

X. This section is not intended in any way to abrogate other enforcement actions or remedies in the district or superior court pursuant to this title, nor to require written notice as a prerequisite to other types of actions or remedies under this title.

15 Energy Code Compliance Form. Amend RSA 155-A:10-a to read as follows:

155-A:10-a Energy Code Compliance Form. The state building code review board shall prescribe by amendment and make available to the public, in electronic formats, a simplified residential energy code compliance form based upon the energy provisions in the International Residential Code and the International Energy

Conservation Code identified in RSA 155-A:1. The correctly completed form shall be accepted by all code enforcement authorities within the state of New Hampshire as one method of verification that the applicable project meets the code requirements. Completed compliance forms shall be submitted to the building official in those municipalities that have adopted an enforcement mechanism under RSA [674:51] **155-A:3**. For municipalities without an adopted code enforcement mechanism, completed compliance forms shall be submitted to the New Hampshire department of energy, on behalf of the building code review board, for verification that the applicable project meets the code requirements. The department of energy shall then forward the reviewed compliance forms to the municipality for retention in property records.

16 Appeal of Decisions of Local Building Code Board of Appeals. Amend RSA 155-A:11-b, I to read as follows:

I. The board shall hear and decide appeals of orders, decisions, or determinations made by the local building official relative to the application and interpretation of the state building code and state fire code as defined in RSA 155-A:1, and shall hear appeals of final decisions of any local building code board of appeals established under 155-A:3 ~~[and RSA 674]~~.

17 Fees. Amend RSA 205-D:12, III to read as follows:

III. If an inspection is conducted by a local enforcement agency, the local enforcement agency may charge fees established pursuant to RSA [674:51, HH(d)] **155-A:3**.

18 Rehearing; Appeals. Amend RSA 310:14, III to read as follows:

III. Appeals from a decision on rehearing shall be by appeal to the supreme court pursuant to RSA 541, except as specified in RSA [674:34] **155-A:3-d** or other applicable statutes. No sanction shall be stayed by the board during an appeal.

19 Inspectors. Amend RSA 319-C:5, V to read as follows:

V. A state, city, or town building ~~[inspector]~~ **official** or code enforcement officer appointed by the administrative authority of the state, city, or town, who performs electrical inspections authorized in accordance with RSA 155-A:2, IV, RSA 155-A:2, VI, RSA [47:22] **155-A:3** ~~[-or RSA 674:51]~~ shall have the authority to check the license or identification card issued under this chapter.

20 Third Party Electrical Inspections. Amend the section heading and RSA 319-C:5-a, I to read as follows:

319-C:5-a ~~[Third Party]~~ **Third-Party** Electrical Inspections.

I. The board shall adopt rules under RSA 319-C:6-a requiring any entity engaging a person who conducts residential electrical inspections for up to 4 contiguous units, which shall be considered a level 1 inspector, or a person who conducts all types of electrical inspections, which shall be considered a level 2 inspector, who is conducting third-party electrical inspections of electrical installations in this state to have the person conducting the inspection be approved by the office of professional licensure and certification in accordance with criteria established by the board. The board shall determine the qualifications necessary for approval as a level 1 or level 2 electrical inspector. The office of professional licensure and certification shall maintain and make available a list of such persons approved for level 1 or level 2 third-party electrical inspections. The approval of a person to conduct either level of third-party electrical inspections shall not prohibit a city or town that has established inspections under RSA [47:22 or RSA 674:51] **155-A:3** from contracting with any person of its choice to perform third-party electrical inspections.

21 Exemptions. Amend RSA 356-A:3, I(b)(4)(C) to read as follows:

(C) Appointed a building ~~[inspector]~~ **official** pursuant to RSA [673:1, HH] **155-A:3**.

22 Local Land Use Board. Amend RSA 672:7 to read as follows:

672:7 Local Land Use Board. "Local land use board" means a planning board, historic district commission, ~~[inspector of buildings, building code board of appeals,]~~ zoning board of adjustment, or other board or commission authorized under RSA 673 established by a local legislative body.

23 Zoning and Building Code Board of Appeals. Amend RSA 673:3 section heading to read as follows:

673:3 Zoning Board of Adjustment ~~[and Building Code Board of Appeals]~~.

24 Scheduling of Meetings. Amend RSA 673:10, I to read as follows:

I. Meetings of the heritage commission, the historic district commission, the agricultural commission, the housing commission, ~~[the building code board of appeals,]~~ and the zoning board of adjustment shall be held at the call of the chairperson and at such other times as the board may determine.

25 Disqualification of Member. Amend RSA 673:14, I to read as follows:

I. No member of a zoning board of adjustment, ~~[building code board of appeals,]~~ planning board, heritage commission, historic district commission, agricultural commission, or housing commission shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law. Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.

26 Power to Compel Witness Attendance and Administer Oaths. Amend RSA 673:15 to read as follows:

673:15 Power to Compel Witness Attendance and Administer Oaths. The chairperson of the zoning board of adjustment ~~[or the chairperson of the building code board of appeals]~~ or, in the chairperson's absence, the acting chairperson may administer oaths. Whenever the board exercises its regulatory or quasi judicial powers it may, at its sole discretion, compel the attendance of witnesses. All expenses incurred under this section for compelling the attendance of a witness shall be paid by the party or parties requesting that a witness be compelled to attend a meeting of the board.

27 Abolishing Planning Board, Heritage Commission, Historic District Commission, Agricultural Commission, or Housing Commission. Amend subdivision heading preceding RSA 673:18 to read as follows:

Abolition of Boards~~;~~ or Zoning Ordinances~~;~~ ~~or Building Codes~~

28 Transfer of Documents Upon Abolition of Zoning Ordinance or Building Code. Amend RSA 673:22 section heading to read as follows:

673:22 Transfer of Documents Upon Abolition of Zoning Ordinance ~~[or Building Code]~~.

29 Appeals Where There is a Zoning Ordinance. Amend the introductory paragraph of RSA 674:13, I to read as follows:

I. Any zoning ordinance adopted pursuant to RSA 674:16 shall provide that the board of adjustment created under a local zoning ordinance and having the power to make variances or exceptions in zoning regulations shall have the further power, in specific cases and by vote of a majority of its members, upon an appeal filed with it by the owner of any such land, to ~~[grant a permit or]~~ remove the prohibition on a building permit based on considerations of justice and equity for a building or structure, or part thereof, in a mapped-street location shown on the official map, in any case in which the board of adjustment finds, upon the evidence and arguments presented to it upon appeal:

30 Appeals Where There is a Zoning Ordinance. Amend RSA 674:13, II to read as follows:

II. In the event that the board of adjustment decides to authorize or issue remove the prohibition on a building permit in such case, it shall have the power to specify the exact location, ground area to be used or occupied, height, and other reasonable details and conditions of extent and character, and also the duration of the building, or part hereof, permitted. Such requirements shall be designed to promote the health, convenience, safety, or general welfare of and shall inure to the benefit of the municipality. The board of adjustment shall ~~[refuse a]~~ prohibit the issuance of a building permit if the applicant will not be substantially damaged by placing the applicant's building outside the mapped-street location.

31 Appeals; Public Hearing. Amend RSA 674:15 to read as follows:

674:15 Appeals; Public Hearing. Before taking any action authorized in RSA 674:13, 674:14, and 674:41, the zoning board of adjustment~~;~~ or the legislative body~~;~~ ~~or the boards of appeal;~~ according to whichever of them is designated by ordinance as the body to which zoning appeals may be made, shall give a hearing at which parties in interest and others shall have an opportunity to be heard. Notice for a public hearing under this section shall be as provided in RSA 675:7.

32 Board of Adjustment and Administrative Provisions Under Interim Zoning Ordinance. Amend RSA 674:29 to read as follows:

674:29 Board of Adjustment and Administrative Provisions Under Interim Zoning Ordinance. In any town in which an interim zoning ordinance has been adopted, and while it remains in effect, the board of selectmen shall be the appointing authority for the zoning board of adjustment and shall appoint the first such board forthwith, upon the adoption of interim zoning. Such board shall have all the powers and jurisdiction and be subject to all the duties, requirements and other provisions applicable to zoning boards of adjustment under RSA 673. The board of selectmen~~;~~ ~~if no building inspector exists;~~ shall act ~~[jointly]~~ as the ~~[building inspector and]~~ administrative officer charged with enforcement and may issue ~~[building or]~~ use permits in the first instance if clearly permitted by law. The applicable provisions of RSA 677 shall govern motions for rehearing, appeals, enforcement, and interpretation. In addition to other remedies, any person convicted of violation of the provisions of RSA ~~[674:25-29]~~ 674:25 through 29 by a court of competent jurisdiction shall be subject to a fine of not more than \$50 for each offense. Each day the violation continues shall constitute a separate offense.

33 Utility Structures. Amend the introductory paragraph of RSA 674:30 and RSA 674:30, I to read as follows:

674:30 Utility Structures. Local ordinances~~;~~ ~~codes;~~ and regulations enacted pursuant to this title shall apply to public utility structures, provided, however, that:

I. Notwithstanding the provisions of any such ordinance~~;~~ ~~code;~~ or regulation, a planning board, or its designee pursuant to paragraph II, upon application by a utility, may waive any requirement contained in an ordinance~~;~~ ~~code;~~ or regulation for any unoccupied structure which is less than 200 square feet in area, which is necessary for the furnishing of utility service for the public health, safety, or general welfare, and for which the utility's siting options are limited by virtue of said structure being a physically integrated component of the utility's transmission or distribution apparatus. Any such waiver shall terminate, without further action by the planning board, if said structure ceases to be used for provisions of utility services.

34 Utility Structures. Amend RSA 674:30, III to read as follows:

III. A public utility which uses or proposes to use a structure which does not fit the criteria described in paragraph I, or fits those criteria and has been denied a waiver, or has been granted a waiver with conditions unacceptable to the utility when the waiver was applied for pursuant to paragraph I, may petition the public utilities commission to be exempted from the operation of any local ordinance~~[-code,]~~ or regulation enacted under this title. The public utilities commission, following a public hearing, may grant such an exemption if it decides that the present or proposed situation of the structure in question is reasonably necessary for the convenience or welfare of the public and, if the purpose of the structure relates to water supply withdrawal, the exemption is recommended by the department of environmental services.

35 Other General Provisions. Amend RSA 674:32-c, II to read as follows:

II. Nothing in this subdivision, or in RSA 674:32-b, shall exempt new, re-established, or expanded agricultural operations or activities from generally applicable building and site requirements such as dimensional standards, setbacks, driveway and traffic regulations, parking requirements, noise, odor, or vibration restrictions or sign regulations; provided, however, that in circumstances where their literal application would effectively prohibit an agricultural use or activity allowed by this subdivision, or would otherwise be unreasonable in the context of an agricultural use or activity, in accordance with the provisions of RSA 672:1, III-b, the board of adjustment~~[-building code board of appeals,]~~ or other applicable local board, after due notice and hearing, shall grant a waiver from such requirement to the extent necessary to reasonably permit the agricultural use or activity, unless such waiver would have a demonstrated adverse effect on public health or safety, or on the value of adjacent property. Such waiver shall continue only as long as utilized for the permitted agricultural use or activity.

36 Erection of Buildings on Streets; Appeals. Amend RSA 674:41, II to read as follows:

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body~~[-or to a board of appeals,]~~ whichever is appropriate, in accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body~~[-or the board of appeals]~~ for permission to erect the building. In passing on such appeal or application, the board of adjustment~~[-]~~ or local legislative body~~[-or board of appeals]~~ may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body~~[-or by a board of appeals]~~ pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

37 Erection of Buildings on Streets; Appeals. Amend RSA 674:41, III to read as follows:

III. This section shall supersede any less stringent local ordinance~~[-code]~~ or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

38 Procedure. Amend RSA 674:60, IV to read as follows:

IV. A municipality may require that an applicant record restrictive covenants acceptable to the land use board that the workforce housing may not be rented to or sold to any household whose income is greater than that specified in RSA 674:58, IV. The covenant shall be for the term specified in the regulations of the land use board. The municipality may adopt regulations to [insure] **ensure** compliance with the covenants, which regulations may include requirements for the monitoring of the project by the municipality or by a suitable ~~[third party]~~ **third-party** agency qualified to carry out such requirements, including but not limited to requiring the production of annual income verification for renters and non-owner occupiers. The land use board may consider the existence of recorded covenants or income qualification and occupancy criteria as satisfying the purpose of this paragraph if such covenants or criteria are administered by a state or federal entity.

39 Municipal Regulations of Small Wind Energy Systems. Amend RSA 674:63, V to read as follows:

V. Setting electrical or structural design criteria that exceed applicable state~~[-]~~ or federal~~[-or international]~~ building or electrical codes or laws.

40 Abutter and Regional Notification. Amend RSA 674:66, I(a) to read as follows:

I.(a) A municipal building ~~[inspector]~~ **official** shall notify all abutters by verified mail, as defined in RSA 21:53, upon application for a building permit to construct a small wind energy system. Abutters shall be afforded a 30-day comment period prior to the issuance of a building permit. An appeal may be made to the building code board of appeals pursuant to RSA ~~[674:34]~~ **155-A:3-d** or to the zoning board of adjustment pursuant to RSA 676:5, as may be appropriate.

41 General Requirements. Amend RSA 675:1, II to read as follows:

II. Zoning ordinances proposed under RSA 674:16, and historic district ordinances proposed under RSA 674:46 ~~[and building codes proposed under RSA 674:51]~~ shall be adopted in accordance with the procedures required under RSA 675:2-5.

42 Method of Enactment in Cities and Towns Operating Under Town Council Form of Government. Amend the subdivision heading preceding RSA 675:2 and RSA 675:2 to read as follows:

Zoning Ordinance[;] and Historic District Ordinance ~~[and Building Code]~~ Enactment Procedures

675:2 Method of Enactment in Cities and Towns Operating Under Town Council Form of Government.

I. In cities or in towns operating under the town council form of government, and in counties in which there are located unincorporated towns or unorganized places, the local legislative body shall determine the manner in which a zoning ordinance[;] or historic district ordinance~~[-or a building code]~~ is established and amended; provided, however, that any question concerning the establishment and amendment of a zoning ordinance[;] or historic district ordinance~~[-or a building code]~~ may be placed on a ballot separate from the ballot used to elect city or town officers. The planning board shall forward to the town clerk all proposed amendments to a zoning ordinance[;] or historic district ordinance~~[-or building code]~~ not later than the fifth Tuesday prior to the date for electing city or town officers.

II. No zoning ordinance[;] or historic district ordinance~~[-or building code]~~ shall be established or amended until after a public hearing is held in accordance with the procedures required under RSA 675:7 on the proposed zoning ordinance[;] or historic district ordinance~~[-building code]~~ or amendment.

43 Method of Enactment in Certain Towns and Village Districts. Amend RSA 675:3, I and II to read as follows:

I. Any town not operating under the town council form of government, or any village district which is specifically authorized by law to enact a zoning ordinance, shall establish and amend a zoning ordinance[;] or historic district ordinance~~[-or building code]~~ upon the affirmative vote by ballot of a majority of the legal voters present and voting on the day of the meeting, as provided in paragraph VII. Any proposed zoning ordinance, as submitted by a planning board or any amendment to an existing zoning ordinance as proposed by a planning board, board of selectmen or village district commission shall be submitted to the voters of a town or village district in the manner prescribed in this section.

II. No zoning ordinance[;] or historic district ordinance~~[-or building code]~~ shall be established or amended at a town or village district meeting until after the planning board holds at least one public hearing on the proposed ordinance, code or amendment. Notice for the time and place of each public hearing shall be the same as that provided in RSA 675:7.

44 Method of Enactment in Certain Towns and Village Districts. Amend RSA 675:3, V to read as follows:

V. Official copies of the final proposal to adopt or amend the zoning ordinance[;] or historic district ordinance~~[-or building code]~~ shall be placed on file and made available to the public at the town or village clerk's office not later than the fifth Tuesday prior to the date when action is to be taken. An official copy of the proposal shall be on display for the voters at the meeting place on the date of the meeting.

45 Method of Enactment in Certain Towns and Village Districts. Amend RSA 675:3, VII to read as follows:

VII. If the town or village district has adopted an official ballot for the election of its respective officers, the issue as to the adoption of the proposed zoning ordinance or historic district ordinance~~[-building code;]~~ or amendment shall be presented to the voters of the town or village district by having the town or village district clerk prepare an official ballot separate from the official ballot used to elect town or village district officers which shall include the following question, or by including the following question on the official ballot as prepared by the town or village district clerk:

"Are you in favor of the adoption of the zoning ordinance[;] or historic district ordinance~~[-or building code]~~ (or amendment to the existing town (village district) zoning ordinance[;] or historic district ordinance~~[-or building code]~~) as proposed by the planning board?" In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of Amendment No. ___ as proposed by the planning board for the town (village district) zoning ordinance (historic district ordinance ~~[or building code]~~) as follows: (Here insert topical description of substance of amendment.)?" If such action is to be taken at a meeting other than the one at which officers are to be elected, the clerk shall prepare a special ballot containing the question or questions above stated, and the meeting shall open not later than noon and shall remain open at least 8 hours. If such action is to be taken at a meeting in a town or village district which

has not adopted an official ballot, the clerk may prepare a special ballot likewise separate from the ballot used to elect town or village district officers for the use of voters in voting on the question. If a majority of the voters present and voting on any question as herein provided shall vote in the affirmative, the ordinance or amendment thereto shall be declared to have been adopted. When submitting any question to the voters under this section, there shall be 2 squares printed after the question, one with the word “yes” beside it and another with the word “no” beside it.

46 Method of Enactment in Certain Towns and Village Districts. Amend RSA 675:3, IX to read as follows:

IX. The method for amending a zoning ordinance[;] or historic district ordinance [~~or building code;~~] as set forth in this section, may also be utilized to repeal such ordinance[~~or code~~]. The ballot question shall use the word “repeal” in place of the words “adoption” or “amendment.”

47 Method of Enactment by Petition. Amend RSA 675:4, I to read as follows:

I. Twenty-five or more voters may petition for an amendment to a zoning ordinance[;] or historic district ordinance[~~; or a building code~~]. Petitioned amendments shall be voted only at the annual town or village district meeting. A petition to amend a zoning ordinance[;] or historic district ordinance[~~; or a building code~~] shall be submitted to the board of selectmen or the village district commissioners during the period between 120 and 90 days prior to the annual town or village district meeting. The petition shall be in correct warrant article form, as determined by the selectmen or village district commissioners, to amend the zoning ordinance[;] or historic district ordinance[~~; or building code~~]. The selectmen or the village district commissioners shall submit the petitions to the planning board in a timely manner.

48 Method of Enactment by Petition. Amend RSA 675:4, III to read as follows:

III. Each petitioned amendment shall be placed on a ballot which may be separate from the ballot used to elect town or village district officers. A notation on the ballot stating the planning board’s approval or disapproval shall immediately follow the question’s description. Any petitioned question receiving an affirmative vote of a majority of the legal voters present and voting shall be adopted, except as provided in RSA 675:5. The planning board shall forward to the town or village district clerk all proposed amendments to a zoning ordinance[;] or historic district ordinance[~~; or building code~~] under this section not later than the fifth Tuesday prior to the date for electing town or village district officers.

49 Method of Enactment by Petition. Amend RSA 675:4, V to read as follows:

V. The method for amending a zoning ordinance[;] or historic district ordinance [~~or building code~~], as set forth in this section, may also be utilized to repeal such ordinance[~~or code~~]. The ballot question shall use the word “repeal” in place of the word “amendment.”

50 Notice Requirements for Public Hearing. Amend RSA 675:7, II to read as follows:

II. The full text of the proposed master plan, zoning ordinance[~~; building code~~], subdivision regulation, site plan review regulation and historic district regulation, ordinance, or amendment need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice. The notice of a hearing on a proposed amendment to a zoning ordinance to be sent electronically or by first class mail shall include a statement describing, to the greatest extent practicable and in easily understood language, the proposed changes to the zoning ordinance, the areas affected, and any other information calculated to improve public understanding of the proposal.

51 Filing of Zoning Ordinances, Historic District Ordinances, Building Codes, Subdivision Regulations, Site Plan Review Regulations, and Amendments. Amend RSA 675:8 to read as follows:

675:8 Filing of Zoning Ordinances, Historic District Ordinances[~~; Building Codes~~], Subdivision Regulations, Site Plan Review Regulations, and Amendments. All zoning ordinances, historic district ordinances[~~; building codes~~], subdivision regulations, site plan review regulations, historic district regulations and their amendments shall be placed on file with the city, town, or village district clerk, or, in the case of unincorporated towns or unorganized places, with the clerk for the county commissioners for public inspection.

52 Place for Filing Documents; Reporting of Adoptions or Amendments. Amend RSA 675:9 to read as follows:

675:9 Place for Filing Documents; Reporting of Adoptions or Amendments. A copy of each master plan, zoning ordinance, historic district ordinance, capital improvement plan[~~; building code~~], subdivision regulation, historic district regulation, site plan review regulation or amendment which is adopted by a municipality shall be placed in a central file with the office of planning and development; provided, however, that failure to file these documents or amendments with the office of planning and development shall not affect the validity of the document. Every municipality which adopts a master plan, zoning ordinance, historic district ordinance, capital improvement plan[~~; building code~~], subdivision regulation or site plan review regulation or amendment thereto, shall inform the office of planning and development of such adoption or amendment. The office of planning and development is hereby authorized to gather this information by way of an annual survey of the municipalities or other such means as may be deemed appropriate. The office of planning and development shall periodically create lists and reports of the information gathered for use by the municipalities and the general public.

53 Third-Party Review and Inspection. Amend the section heading of RSA 676:4-b and RSA 676:4-b, I to read as follows:

676:4-b ~~[Third Party]~~ **Third-Party** Review and Inspection.

I. A planning board reviewing a subdivision plat, site plan, or other land use application may require the applicant to reimburse the board for expenses reasonably incurred by obtaining ~~[third-party]~~ **third-party** review and consultation during the review process, provided that the review and consultation does not substantially replicate a review and consultation obtained by the zoning board of adjustment. The applicant may request the planning board choose a different ~~[third-party]~~ **third-party** consultant and the request may include the name of a preferred consultant. The planning board shall exercise reasonable discretion to determine whether the request is warranted. When such a request is granted by the planning board, the 65-day period for the board's action on an application stated in RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a different consultant.

54 Third-Party Review and Inspection. Amend RSA 676:4-b, IV and V to read as follows:

IV. A person retained as a ~~[third-party]~~ **third-party** inspector during the construction process shall observe, record, and promptly report to the planning board or appropriate municipal authority and applicant or applicant's successor in interest any perceived construction defect or deviation from the terms of the approval or approved project plans.

V. Any person who becomes aware of a failure by a ~~[third-party]~~ **third-party** inspector to report properly and promptly a construction defect or deviation from the terms of the approval or approved project plans, may file a written complaint to the office of professional licensure and certification under RSA 310 for possible disciplinary action.

55 Appeals to Board of Adjustment. Amend RSA 676:5, II(a) to read as follows:

(a) The "administrative officer" means any official or board who, in that municipality, has responsibility for issuing permits or certificates under the ordinance, or for enforcing the ordinance, and may include ~~[a building inspector,]~~ the board of selectmen~~;~~ or other official or board with such responsibility.

56 Determination of Which Local Ordinance Takes Precedence. Amend RSA 676:14 section heading to read as follows:

676:14 Determination of Which Local **Land** Use Ordinance Takes Precedence.

57 Injunctive Relief. Amend RSA 676:15 to read as follows:

676:15 Injunctive Relief. In case any building or structure or part thereof is or is proposed to be erected, constructed, altered, or reconstructed, or any land is or is proposed to be used in violation of this title or of any local ordinance~~[-code,]~~ or regulation adopted under this title, or of any provision or specification of an application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or board acting under the authority of this title~~[-the building inspector]~~ or other official with authority to enforce the provisions of this title or any local ordinance~~[-code,]~~ or regulation adopted under this title, or the owner of any adjacent or neighboring property who would be specially damaged by such violation may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, alteration, or reconstruction.

58 Fines and Penalties; Second Offense. Amend RSA 676:17, I through III to read as follows:

I. Any person who violates any of the provisions of this title, or any local ordinance~~[-code,]~~ or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of \$275 for the first offense, and \$550 for subsequent offenses, for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier. Each day that a violation continues shall be a separate offense.

II. In any legal action brought by a municipality to enforce, by way of injunctive relief as provided by RSA 676:15 or otherwise, any local ordinance~~[-code]~~ or regulation adopted under this title, or to enforce any planning board or zoning board of adjustment ~~[or building code board of appeals]~~ decision made pursuant to this title, or to seek the payment of any fine levied under paragraph I, the municipality shall recover its costs and reasonable attorney's fees actually expended in pursuing the legal action if it is found to be a prevailing party in the action. For the purposes of this paragraph, recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to, inspection fees, expert fees and investigatory expenses.

III. If any violation of a local ordinance~~[-code]~~ or regulation, or any violation of a planning board~~[-]~~ or zoning board of adjustment ~~[or building code board of appeals]~~ decision, results in the expenditure of public funds by a municipality which are not reimbursed under paragraph II, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the municipality for such funds so expended.

59 Fines and Penalties; Second Offense. Amend RSA 676:17, V to read as follows:

V. The ~~[building inspector or other]~~ local official with the authority to enforce the provisions of this title or any local ordinance~~[-code]~~, or regulation adopted under this title may commence an action under paragraph I either in the district court pursuant to RSA 502-A:11-a, or in the superior court. The prosecuting official in the official's discretion may, prior to or at the time of arraignment, charge the offense as a violation, and in such cases the penalties to be imposed by the court shall be limited to those provided for a violation under RSA 651:2 and the civil penalty provided in subparagraph I(b) of this section. The provisions of this section shall supersede any inconsistent local penalty provision.

60 Cease and Desist Orders. Amend RSA 676:17-a introductory paragraph to read as follows:

676:17-a Cease and Desist Orders. The ~~[building inspector]~~ code enforcement officer, zoning administrator or other official designated as an enforcement authority by ordinance or resolution of the local legislative body may issue a cease and desist order against any violation of this title, any local ordinance~~[-code]~~ or regulation adopted under this title, or any provision or specification of an application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title, subject to the following:

61 Local Land Use Citations; Pleas by Mail. Amend the introductory paragraph of RSA 676:17-b, and RSA 676:17-b, I to read as follows:

676:17-b Local Land Use Citations; Pleas by Mail. A ~~[building inspector or other]~~ local official with authority to prosecute an offense within the scope of RSA 676:17, and who, prior to or at the time of serving the summons, elects, pursuant to RSA 676:17, V, to charge the offense as a violation, may issue and serve upon the defendant, in addition to the summons, a local land use citation as set forth in this section. The defendant receiving such a citation may plead guilty or nolo contendere by mail by entering that plea as provided herein. If such a plea is accepted by the court, the defendant shall not be required to appear personally or by counsel; otherwise the defendant shall appear as directed by the court. The following procedure shall be used:

I. No local land use citation as set forth in this section shall be served unless the defendant has first been given written notice of the violation by the municipality. If the notice involves or includes a decision which may be appealed to the zoning board of adjustment pursuant to RSA 676:5, ~~[or to the building code board of appeals pursuant to RSA 674:34]~~, such notice to the building code board of appeals pursuant to RSA 674:34, then such notice shall set forth a reasonable period, as provided by the rules of the respective board, in no case less than 7 days, within which such appeal shall be filed after receipt of the written notice, and the citation shall not be served until after the end of such period. If such an appeal is filed, further proceedings shall be governed by RSA 676:6.

62 Local Land Use Citations; Pleas by Mail. Amend RSA 676:17-b, II(c) to read as follows:

(c) The statute~~[-code]~~, local ordinance, regulation, provision, specification, requirement or condition the offender is charged with violating.

63 Repeal. The following are repealed:

I. RSA 673:1, III and V, relative to the establishment of local land use boards.

II. RSA 673:3, IV, relative to zoning board of adjustment and building code board of appeals.

III. RSA 673:22, II, relative to transfer of documents upon abolition of zoning ordinance or building code.

IV. RSA 674:34, relative to powers of building code board of appeals.

V. RSA 674:52-a, relative to ordering building vacated.

VI. RSA 676:11, relative to building permits required.

VII. RSA 676:13, relative to building permit restrictions.

64 Effective Date. This act shall take effect at 12:01 a.m. on July 1, 2026.

Amendment to HB 246-FN-A (2025-2986h)

Proposed by the Committee on Finance-r

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriation; Department of Agriculture, Markets, and Foods. The department of agriculture, markets, and foods is hereby appropriated \$100,000 for the biennium ending June 30, 2027. Such funds shall be disbursed by the state conservation committee established in RSA 432:10 to the state's 10 county conservation districts for the implementation of the conservation district climate resilience grant program. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2 New Paragraph; Duties; State Conservation Committee. Amend RSA 432:11 by inserting after paragraph VI the following new paragraph:

VII. Implement and administer the conservation district climate resilience grant program for county conservation districts that have met annual financial reporting requirements.

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

**Amendment to HB 257-FN
(2025-1038h)**

Proposed by the Committee on Criminal Justice and Public Safety–c

Amend the title of the bill by replacing it with the following:

AN ACT relative to the crime of endangering the welfare of a child or incompetent.

Amend the bill by replacing all after the enacting clause with the following:

1 Endangering Welfare of a Child or Incompetent. Amend RSA 639:3, I to read as follows:

I. A person is guilty of endangering the welfare of a child or incompetent if he ~~[knowingly]~~ **recklessly** endangers the welfare of a child under 18 years of age or of an incompetent person by ~~[purposely]~~ **recklessly** violating a duty of care, protection or support he owes to such child or incompetent, or by inducing such child or incompetent to engage in conduct that endangers his health or safety.

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

2025-1038h

AMENDED ANALYSIS

This bill amends the mental state applicable to the crime of endangering the welfare of a child or incompetent.

**Amendment to HB 266
(2025-2998h)**

Proposed by the Committee on Science, Technology and Energy–c

Amend the bill by replacing section 2 with the following:

2 Department of Energy; General Provisions. Amend RSA 12-P:3, III to read as follows:

III. The department shall have the authority to petition for any proceeding before the public utilities commission and shall automatically be a party to all proceedings **and have full party status and right to appeal in any adjudicative or non-adjudicative proceeding** before the commission. Any person or party that initiates a proceeding before the public utilities commission by petition or otherwise shall provide a copy to the department at the time of filing. Any person or party filing confidential information in any proceeding in which the department may appear, or exchanging confidential information in discovery or otherwise, shall provide the department with such confidential information. In adjudicative proceedings as defined by RSA 541-A:1, I, the public utilities commission and the department shall be subject to RSA 541-A:36.

**Amendment to HB 281
(2025-2939h)**

Proposed by the Committee on Election Law–c

Amend RSA 657:15, II - III as inserted by section 1 of the bill by replacing it with the following:

II. Candidates whose names appear on the ballot and persons bearing notarized requests or copies of notarized requests from candidates whose names appear on the ballot may obtain a list of absentee voter applicants from the clerk, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B. If requested this list shall be supplied electronically **in a sortable spreadsheet or comma-separated values (CSV) format** from the information in the statewide centralized voter registration database. If an electronic copy exists, it shall be provided without charge in accordance with RSA 91-A.

III. Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name and address where registered, voter ID number, voter's party, the type of election the absentee ballot was requested in, the date the absentee ballot was requested, the date the absentee ballot was sent or handed to the voter, and the date that the absentee ballot envelope was returned. **If the absentee ballot was sent to an address different from the voter's address where he or she registered, then the address where the absentee ballot was sent shall also be included.**

**Amendment to HB 297-FN
(2025-2987h)**

Proposed by the Committee on Commerce and Consumer Affairs–c

Amend the bill by replacing section 1 with the following:

1 Portability, Availability, and Renewability of Health Coverage; Disclosure of Claims Data from Self-Funded Employer-Sponsored Plans. Amend RSA 420-G:11, V to read as follows:

V. In addition to those lives listed in paragraph IV, the data submission requirements of paragraphs II and II-a shall also apply to all health carriers, licensed third party administrators, and any entity required to be registered with the commissioner pursuant to RSA 402-H with respect to claims data for all lives covered

by any other self-funded employer-sponsored plan, when the employer has opted in writing to the submission of the data. The carrier or administrator shall notify the employer of the employer's option to authorize submission of the data. ***The carrier or administrator shall also notify the employer that, if such authorization is provided, the commissioner shall provide the employer access, on an annual basis, to a utilization report based on the de-identified and aggregated claims data associated with that employer-sponsored plan.*** The commissioner shall adopt rules under RSA 541-A specifying the form of such opt in, which shall include, but not be limited to, notice to the employer regarding why it is receiving the notification form, the privacy protections for the data submitted should the employer choose to opt in, ***the access to its own claims data that will be afforded to the employer,*** and the transparency benefits, including benefits to employers, of broad inclusion of as many lives as possible in the database created under RSA 420-G:11-a. ***Health carriers and third party administrators administering self-funded employer-sponsored plans shall provide this notice to such employers annually upon renewal.*** Nothing in this paragraph shall be construed to impose any reporting obligation on any self-funded employer or plan sponsor, or to impose any requirement with respect to the manner in which any such self-funded plan is administered. Nothing in this paragraph shall prevent a health carrier or third party administrator from communicating its views to an employer about the employer's decision whether to opt in to the submission of claims data.

2025-2987h
AMENDED ANALYSIS

This bill provides that, if an employer sponsoring a self-funded health benefit plan authorizes submission of its claims data to the state's comprehensive health care information system, the insurance commissioner shall provide that employer access to a utilization report based on de-identified claims data for the employer-sponsored plan.

**Amendment to HB 314-FN
(2025-3026h)**

Proposed by the Majority of the Committee on Legislative Administration-r

Amend the bill by replacing all after the enacting clause with the following:

1 Lobbyists; Prohibited Activities. RSA 15:5 is repealed and reenacted to read as follows:

15:5 Prohibited Lobbyist Activities.

I. In this section, "public funds" means a grant or appropriation to, and received by, a state, county, town, city, village district, unincorporated place, or school district.

II. Except as provided in paragraph V, no recipient of a grant or appropriation of public funds may use public funds to lobby or attempt to influence legislation or contribute public funds to any person, partnership, firm, or corporation that is employed to promote or oppose, directly or indirectly, any legislation pending or proposed before the general court.

III. Any recipient of a grant or appropriation of public funds that wishes to engage in any of the activities prohibited in paragraph II, or contribute funds to any entity engaged in these activities, shall segregate the public funds in such a manner that such funds are physically and financially separate from any non-public funds that may be used for any of these purposes. Mere bookkeeping separation of the public funds from other moneys shall not be sufficient.

IV. Nothing in this section shall restrict public officials or public employees from testifying before the legislature unless the individual testifying is required to register as a lobbyist in accordance with RSA 15:1.

V. A municipality that wishes to engage in the activities prohibited by RSA 15:5, II may permit those activities in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows:
"Shall we allow public funds to be used for lobbying, an attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these lobbying activities?"

(d) If a majority of those voting on the question vote "Yes," public funds may be utilized for lobbying activities by the town or city.

(e) If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

(f) A municipality that has voted to allow the public funding of lobbying activities may consider rescinding its action in the manner described in paragraph I of this section.

(g) An unincorporated place may allow the public funding of lobbying activities by majority vote of the county delegation, after a public hearing is held.

(h) In a municipality that approves the use of public funds for the purpose of lobbying activities, the municipality shall publish in the municipality's annual report to its citizens, the dollar amount expensed to each recipient engaged in lobbying activities utilizing public funds. In the case of a recipient which provides other services in addition to lobbying, there shall be no requirement for the segregation of public funds, but the annual report shall delineate the lobbying and non-lobbying expensed of each recipient.

2 Towns, Cities, Village Districts, and Unincorporated Places; Powers; Authorization to Pay Dues. Amend RSA 31:8-a to read as follows:

31:8-a Authorization to Pay Dues. [The] ***After a municipality has satisfied the requirements of RSA 15:5, V regarding the use of public funds for lobbying activities, the*** board of selectmen may vote to pay, from amounts appropriated by the town for town officers' expenses, such amounts as shall be payable for annual membership in the New Hampshire Municipal Association and expenses incurred in attending regular meetings of the said association, provided that the appropriation of such dues has not previously been rejected by a vote at the annual town meeting and provided further that the association shall not record association positions before the general court or committees thereof on matters which do not directly affect New Hampshire towns and cities, nor engage in partisan political activity by endorsing, or otherwise supporting, any political party or candidate.

3 Applicability. This act applies only to an expenditure or payment of public funds as defined in RSA 15:5, I, that is made on or after the effective date of this act, including an expenditure or payment of public funds that is made under a contract entered into before, on, or after the effective date of this act.

4 Effective Date. This act shall take effect January 1, 2027.

**Amendment to HB 323
(2025-2940h)**

Proposed by the Majority of the Committee on Election Law-r

Amend the bill by replacing all after the enacting clause with the following:

1 Obtaining a Ballot. Amend RSA 659:13, II to read as follows:

II.(a) A valid photo identification shall show the name of the individual to whom the identification was issued, and the name shall substantially conform to the name in the individual's voter registration record; it also shall show a photograph of the individual to whom the identification was issued. The photo identification shall also have an expiration date that has not been exceeded by a period of more than 5 years, except that a voter 65 years of age or older may use an otherwise qualified form of identification without regard to expiration date[, and except that student identification cards shall comply with the date requirements in subparagraph (5)]. The following forms of identification bearing a photograph of the voter shall satisfy the identification requirements of paragraph I:

(1) A driver's license issued by any state or the federal government.

(2) An identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b or a nondriver's identification card issued by the motor vehicles division, department, agency, or office of any other state.

(3) A United States armed services identification card.

(4) A United States passport or passcard.

~~[(5) A valid student identification card if:~~

~~(A) The card is issued by:~~

~~(i) A college, university, or career school in New Hampshire and approved to operate or licensed to operate in New Hampshire;~~

~~(ii) A public high school in New Hampshire;~~

~~(iii) A nonpublic high school in New Hampshire accredited by a private school accrediting agency that is recognized by the department of education;~~

~~(iv) Dartmouth College;~~

~~(v) A college or university operated by the university system of New Hampshire or the community college system of New Hampshire;~~

~~(B) The card has either an expiration date or an issuance date that has not been exceeded by a period of more than 5 years, except that, at all elections prior to September 1, 2018,~~

~~(b) [The secretary of state shall post the lists of educational institutions provided by the commissioner of the department of education under RSA 21-N:4, VII on the department of state's website, and otherwise shall make such lists available to local election officials;~~

~~(c)] The secretary of state shall provide training for supervisors of the checklist on how the nonpublic data in the statewide centralized voter registration database may be used to satisfy voter identification requirements.~~

[(d)] (c) The secretary of state shall develop and make available an informational pamphlet explaining the procedure established in RSA 260:21 for obtaining a picture identification card for voter identification purposes only.

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

**Amendment to HB 348
(2025-0154h)**

Proposed by the Majority of the Committee on Municipal and County Government-r

Amend RSA 165:1, II as inserted by section 1 of the bill by replacing it with the following:

II. The local governing body, as defined in RSA 672:6, of every town and city in the state shall adopt written guidelines relative to general assistance. The guidelines shall include, but not be limited to, the following:

(a) The process for application for general assistance.

(b) The criteria for determining eligibility *for general assistance, which may require an individual to provide proof of residency prior to being approved for such assistance. Acceptable evidence of an individual's residence may include a lease, car registration, utility bill, or any government-issued document with an address matching the stated residence.*

(1) Special consideration may be provided to non-residents who have left their town of origin due to domestic violence, stalking, sexual assault, or human trafficking.

(2) The governing body may, at its discretion, authorize the local assistance administrator to provide emergency assistance to a non-resident for up to 72 hours to allow application and communication coordination with the town of origin.

(c) The process for appealing a decision relative to the granting of general assistance.

(d) The process for the application of rents under RSA 165:4-b, if the municipality uses the offset provisions of RSA 165:4-a.

(e) A statement that qualified state assistance reductions under RSA 167:82, VIII may be deemed as income, if the local governing body has permitted the welfare administrator to treat a qualified state assistance reduction as deemed income under RSA 165:1-e.

(f) A monthly local assistance limit of not less than 50 percent of the federal poverty level.

**Amendment to HB 349-FN
(2025-2969h)**

Proposed by the Majority of the Committee on Executive Departments and Administration-r

Amend the bill by replacing section 1 with the following:

1 Authorization to Perform Ophthalmic Laser Procedures. Amend RSA 327 by inserting after section 6-c the following new section:

327:6-d Authorization to Perform Ophthalmic Laser Procedures.

I. Notwithstanding any other provision of this chapter, an optometrist licensed under this chapter shall be authorized to perform the following ophthalmic laser procedures upon certification by the board:

(a) Laser capsulotomy.

(b) Laser trabeculoplasty.

(c) Laser peripheral iridotomy.

II. The board shall adopt rules under RSA 541-A establishing the criteria for certification of an optometrist to perform ophthalmic laser procedures with proficiency, including:

(a) Establishment of minimum education, training, and live experience requirements for a licensee to perform such procedures with proficiency;

(b) Criteria for requiring proctoring and criteria for proctors; and

(c) Outcome reporting requirements for such procedures performed by certificate holders.

III. No optometrist shall perform ophthalmic laser procedures under this section unless the optometrist has submitted evidence of satisfactory completion of all requirements for specific procedures and the board has certified the optometrist as qualified.

IV.(a) To be certified by the board to perform ophthalmic laser procedures as specified in paragraph I, an optometrist licensed under this chapter shall:

(1) Complete the required application designated by the board; and

(2) Submit evidence of successful completion of a laser course approved by the board that includes didactic and clinical training relative to the ophthalmic laser procedures set forth in paragraph I; and

(3) Demonstrate clinical proficiency in performing the specified ophthalmic laser procedure on a living human eye in the presence of, under the direct supervision of, and to the satisfaction of a board-approved proctor. The proctor shall be an ophthalmologist or an optometrist who is authorized to perform the laser procedure. The licensed applicant shall submit to the board evidence of a minimum of 5 laser capsulotomy, 5 laser trabeculoplasty, and 4 laser peripheral iridotomy procedures performed with proficiency under proctored supervision.

(b) A licensee may apply for certification separately and may receive certification individually for each approved ophthalmic laser procedure based upon the above criteria applied individually for each approved procedure.

V.(a) An optometrist licensed under this chapter may apply for laser certification by endorsement from another state by completing the following:

- (1) Complete the required application for laser certification by endorsement designated by the board.
- (2) Submit evidence of licensure in good standing in another state.
- (3) Provide certification by that state to perform the ophthalmic laser procedures as specified in paragraph I.

(4) Submit evidence of successful completion of a laser course approved by the board that includes didactic and clinical training relative to the ophthalmic laser procedures set forth in paragraph I.

(5) Submit evidence of successful completion of a minimum of 5 laser capsulotomy, 5 laser trabeculoplasty, and 4 laser peripheral iridotomy procedures performed.

(b) A licensee may apply for certification separately and may receive certification individually for each approved ophthalmic laser procedure based upon the above criteria applied individually for each approved procedure.

**Amendment to HB 360
(2025-3057h)**

Proposed by the Majority of the Committee on Education Policy and Administration-r

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting public schools from performing surgical procedures or prescribing pharmaceutical drugs.

Amend RSA 200:27, II as inserted by section 1 of the bill by replacing it with the following:

II. Nothing in this section shall allow any school physician or nurse, or other health care provider employed or contracted by the school district, to perform surgical procedures or prescribe pharmaceutical drugs on school grounds.

2025-3057h

AMENDED ANALYSIS

This bill prohibits public schools from performing surgical procedures or prescribing pharmaceutical drugs.

**Amendment to HB 365-FN
(2025-2994h)**

Proposed by the Majority of the Committee on Finance-r

Amend the bill by replacing all after section 1 with the following:

2 Appropriation; Secretary of State. There is hereby appropriated to the secretary of state the sum of \$50,000 for the biennium ending June 30, 2027, for the purpose of reimbursing local municipalities for the costs of vouchers to pay any required fee to obtain a potential voter's birth certificate or equivalent proof of citizenship under RSA 654:12, II-a(b). 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 60 days after its passage.

**Amendment to HB 366-FN-A
(2025-3082h)**

Proposed by the Majority of the Committee on Education Funding-r

Amend the title of the bill by replacing it with the following:

AN ACT modifying the priority of applications for school building aid grants.

Amend the bill by replacing all after the enacting clause with the following:

1 School Building Aid; Priority of Applications. Amend RSA 198:15-c, II to read as follows:

II.(a) The commissioner shall accept school building aid grant applications based upon completeness and submit a preliminary school building aid grant list, with applications ranked in accordance with subparagraph II(b) and rules of the department, to the school building authority established pursuant to RSA 195-C by August 1 each year. The school building authority shall verify the ranking submitted by the commissioner and submit a list in descending rank order to the state board of education for approval. If the ranking submitted to the school building authority differs from the preliminary school building aid grant list, the school building authority shall justify the new ranking using the same criteria in subparagraph II(b) and in rules of the department. The school building authority shall submit the school building aid rank order listing with written report of findings to the state board no later than October 15, each year. The state board of education shall verify the ranking submitted by the school building authority. If the ranking submitted to the state board of education differs from the preliminary school building aid grant list submitted by the commissioner,

the state board of education shall justify the new ranking using the same criteria in subparagraph II(b) and rules of the department. The state board of education shall approve and publish the descending rank order list of approved eligible school construction projects by November 15 each year. School districts and chartered public schools which have projects approved for funding shall be notified by the department of education of the projected amount to be funded within 10 days of approval. The project rating system and criteria used to rate project applications which shall include an administrative review process for appeal of a school district's or chartered public school's project point rating, shall be developed by the department of education and approved by the state board of education.

(b) The commissioner of the department of education shall accept school building construction proposals based upon completeness. The department of education shall consider and score each proposal based on the following criteria:

- (1) Unsafe conditions.
- (2) Facilities not in compliance with the Americans With Disabilities Act, or obsolete, inefficient, or unsuitable facilities or mechanical and building systems.
- (3) Overcrowding and associated influences to instructional areas and programming.
- (4) Enrollment projections and population shifts.
- (5) A school district's or chartered public school's fiscal capacity based on measurable criteria such as the percentage of pupils eligible for free and reduced price meals.
- (6) School security design and integration of security systems.
- (7) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.
- (8) High performance of design that provides environments that are energy and resource efficient. Energy and resource efficient designs are those that improve indoor air quality, air temperature, or water quality; reduce heating costs; provide better lighting; and increase average attendance.
- (9) Any other criteria that the state board of education may determine are necessary.

(c) ~~Except as provided in subparagraph (d), applications on the approved ranked list the previous fiscal year, including the school construction projects on the descending rank order list approved by the state board of education on November 10, 2022, but did not receive a grant due to insufficient funds in the previous fiscal year, shall be ranked ahead of any application that was not on the list in the previous fiscal year provided that construction of the project has not started.~~

(c) Applications shall be funded to the extent of available appropriations in the fiscal year. School districts or chartered public schools with projects for which there is insufficient state grant funding during the biennial budget may resubmit those projects to the department for future consideration in the next biennial budget cycle.

~~(d) Applications with critical needs pursuant to subparagraph II(b) and substantial deficiencies, as defined by the department of education's school construction rules, may be ranked ahead of applications received in the prior fiscal year.~~

(d) The department of education shall make rules in accordance with RSA 541-A to effectuate the provisions of subparagraph (c).

(e) Projects that did not receive approval from the school district's legislative body or chartered public school board of trustees may resubmit those projects to the department for future consideration.

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

2025-3082h AMENDED ANALYSIS

This bill removes the prioritization of school construction project applications that received insufficient funds in the previous fiscal year and applications with critical needs over newer applications.

Amendment to HB 396 (2025-3090h)

Proposed by the Majority of the Committee on Environment and Agriculture-r

Amend the title of the bill by replacing it with the following:

AN ACT relative to the processing of beef cows, swine, sheep, and goats at facilities not certified by the United States Department of Agriculture.

Amend the bill by replacing all after the enacting clause with the following:

1 Exemptions; Food Service Licensure. Amend RSA 143-A:5, IX to read as follows:

IX. A farm owned or operated by any person, firm, or corporation that raises bison, elk, ~~or~~ red deer, **beef cows, swine, sheep, or goats** for human consumption, and the direct sale within this state of the carcasses, parts, **and** meat~~[-and meat food products]~~ of such animals, **and meat food products of uninspected bison, elk, or red deer**, when slaughtered and processed in accordance with RSA 427:2-a, IV, to the consumer from such farm, at the producer's farm stand, and by the producer at farmers' markets, or when sold to a licensed restaurant in accordance with RSA 143-A:20.

2 Uninspected Bison, Elk, or Red Deer; Beef Cows, Swine, Sheep, and Goats Included. Amend RSA 143-A:18 to read as follows:

143-A:18 Definition of Uninspected Bison, Elk, [or] Red Deer, **Beef Cows, Swine, Sheep, or Goats**.

For purposes of this subdivision, “uninspected bison, elk, [or] red deer, **beef cows, swine, sheep, or goats**” means carcasses, parts, meat, ~~and meat food products~~ of bison, elk, [or] red deer, **beef cows, swine, sheep, or goats, and meat food products of bison, elk, or red deer** slaughtered and processed in accordance with RSA 427:16, XII and sold or to be sold as provided in RSA 427:2-a, IV.

3 Labeling; Meat from Uninspected Bison, Elk, or Red Deer; Beef Cows, Swine, Sheep, and Goats Included. Amend RSA 143-A:19 to read as follows:

143-A:19 Labeling; Meat from Uninspected Bison, Elk, [or] Red Deer, **Beef Cows, Swine, Sheep, and Goats**.

All packaging containing uninspected bison, elk, [or] red deer, **beef cows, swine, sheep, or goats** shall be clearly labeled to include a description of the product, the name, address, and telephone number of the farm where the product originates, and the date of slaughter.

4 Purchase of Uninspected Bison, Elk, or Red Deer by Licensed Restaurants; Beef Cows, Swine, Sheep, and Goats Included. Amend RSA 143-A:20 to read as follows:

143-A:20 Purchase of Uninspected Bison, Elk, [or] Red Deer, **Beef Cows, Swine, Sheep, or Goats** by Licensed Restaurants.

I. A licensed restaurant, as defined in RSA 143-A:14, II, may purchase from bison, elk, [or] red deer, **beef cow, swine, sheep, or goat** producers uninspected bison, elk, [or] red deer, **beef cows, swine, sheep, or goat** that is labeled in accordance with RSA 143-A:19.

II. For at least 90 days from the date of each purchase, the licensed restaurant shall keep on file the receipt of purchase to include the product purchased, the date of purchase, the name of the producer, the name and address of the farm, and phone number.

III. The licensed restaurant shall clearly label any menu item containing uninspected bison, elk, or red deer with the following statement: “This product was slaughtered at the farm and is exempt from state and federal inspection.”

III-a. The licensed restaurant shall clearly label any menu item containing uninspected beef, cow, swine, sheep, or goat with the following statement: “This product was slaughtered at the farm and is exempt from state inspection.”

5 Purchase of Uninspected Bison, Elk, or Red Deer by Retailers; Beef Cows, Swine, Sheep, and Goats Included. Amend RSA 143-A:20-a to read as follows:

143-A:20-a Purchase of Uninspected Bison, Elk, [or] Red Deer, **Beef Cows, Swine, Sheep, or Goat** by Retailers.

I. A retailer may purchase from bison, elk, [or] red deer, **beef cow, swine, sheep, or goat** producers uninspected bison, elk, [or] red deer, **beef cow, swine, sheep, or goat** that is labeled in accordance with RSA 143-A:19 for resale.

II. For at least 90 days from the date of each purchase, the retailer shall keep on file the receipt of purchase to include the product purchased, the date of purchase, the name of the producer, the name and address of the farm, and phone number.

III. The retailer shall clearly label any product containing uninspected bison, elk, or red deer with the following statement: “This product was slaughtered at the farm and is exempt from state and federal inspection.”

IV. The retailer shall clearly label any product containing uninspected beef, cow, swine, sheep, or goat with the following statement: “This product was slaughtered at the farm and is exempt from state inspection.”

6 Exemptions; Beef Cows, Swine, Sheep, and Goats. Amend RSA 427:2-a, IV to read as follows:

IV. The slaughter of bison, elk, [or] red deer, **beef cows, swine, sheep, or goats** on a farm for purposes of sale, as provided in RSA 143-A:5, IX, shall be exempt from the provisions of this subdivision requiring inspection of the slaughter of animals and preparation of the carcasses, parts thereof, meat **of such animals**, and meat food products **of bison, elk, or red deer** for sale within this state to the public. The slaughter of a bison, elk, [or] red deer, **beef cows, swine, sheep, or goats** under this paragraph shall be permitted only:

(a) When the owner of the bison, elk, [or] red deer, **beef cows, swine, sheep, or goat** designates a slaughter area on the farm premises **which is maintained in sanitary condition**.

(b) When the bison, elk, [or] red deer, **beef cows, swine, sheep, or goat** is slaughtered in a humane method, as defined in RSA 427:33, III, by the owner or the owner’s full time or seasonal employee.

(c) ~~[From September 1 to April 30]~~

(d) When no more than 12 hours passes from the time of slaughter to the placement of the carcass in a refrigerated facility at or below 41 degrees Fahrenheit.

(e) (d) When a veterinarian licensed under RSA 332-B conducts an ante-mortem examination of each herd on an annual basis and the documents related to his or her examination are kept on file with all relevant information including:

- (1) Species being inspected;
- (2) Herd condition; and
- (3) Location and time of inspection.

~~[(f)]~~ **(e)** When such animal is transported to and processed at a facility that is eligible to conduct custom exempt activities as regulated by the USDA pursuant to 21 U.S.C. section 623(a) and associated departmental regulations.

~~[(g)]~~ **(f)** When the owner of the bison, elk, or red deer retains the original copy of the report made in ~~subparagraph (e)]~~ **subparagraph (d)**. A copy of such report shall accompany the bison, elk, or red deer carcass to the processing facility. The processing facility shall retain a copy of the report for one year.

~~[(h)]~~ **(g)** When bison, elk, or red deer meat is ground for sale, ground meat from every second animal processed shall be tested by the processing facility for *Escherichia coli* and salmonella at the owner's expense. All aspects of the testing, including sampling, shall be done in a manner that complies with standards and procedures of the USDA, and may include the services of an outside laboratory. The owner of the meat shall not sell it until he or she is in receipt of the test result that indicates the product is safe to eat. The test result shall be kept by the owner for at least one year.

~~[(i)]~~ **(h)** Prior to sale, as provided in RSA 143-A:5, IX, it is labeled as required in RSA 143-A:19.

~~[(j)]~~ **(i)** When the elk or red deer are sourced, kept, and propagated consistent with the rules pursuant to RSA 207:14, RSA 212:25, and RSA 436:24.

~~[(k)]~~ **(j)** When, in the event any atypical death of a red deer or elk on the farm, that animal's carcass is tested for chronic wasting disease under rules established by the department of fish and game and the resulting test is negative.

V. Any farm that slaughters and butchers its own beef cows, swine, sheep, or goats under this chapter with intent to sell the meat in intrastate commerce shall register with the department of agriculture, markets, and food. A representative of the farm shall sign a statement in such registration acknowledging that by not processing its own beef cows, swine, sheep, or goats at a United States Department of Agriculture facility the farm is violating federal law and could be subject to federal prosecution.

VI. No more than the following number of animals shall be processed per month under this paragraph:

(a) Three beef cows.

(b) Five swine.

(c) Ten sheep or goats, or a combination thereof.

7 Effective Date. This act shall take effect upon its passage.

2025-3090h

AMENDED ANALYSIS

This bill allows for a limited number of beef cows, swine, sheep, and goats to be processed per month by a farm or a producer at a facility that is not certified by the United States Department of Agriculture.

Amendment to HB 488

(2025-3045h)

Proposed by the Committee on Municipal and County Government-r

Amend the title of the bill by replacing it with the following:

AN ACT relative to limiting conflicts of interest and concentrations of power for municipal board and committee members.

Amend the bill by replacing all after the enacting clause with the following:

1 Incompatibility of Offices. RSA 669:7 is repealed and reenacted to read as follows:

669:7 Incompatibility of Offices.

I.(a) No person shall at the same time hold any 2 of the following offices: selectman, treasurer or deputy treasurer, moderator, trustee of trust funds, collector of taxes, finance director or equivalent position, auditor, highway agent, and head of the town's police or fire department.

(b) No town clerk or deputy town clerk shall hold any other elected or appointed office other than tax collector, if authorized as provided in RSA 41:45-a. No deputy town clerk shall hold any other elected or appointed office other than deputy tax collector, if authorized as provided in RSA 41:45-c. Notwithstanding these requirements, a town clerk or deputy town clerk may serve as a school district clerk.

(c) No town employee or department head shall at the same time hold the office of selectman.

(d) No town manager or town administrator shall at the same time hold any other office listed in subparagraph (a), other than tax collector when authorized under RSA 37:16.

(e) No selectman may also serve as a member of a board of assessors elected pursuant to RSA 41:2-c.

(f) No official handling funds of a town shall at the same time hold the office of auditor.

(g) No selectman, moderator, town clerk, deputy town clerk, or inspector of elections shall at the same time serve as a supervisor of the checklist.

(h) No selectman, town manager, town administrator, member of a school board, village district commissioner, employee, or department head of the town shall serve on their respective town or school advisory budget or finance committee under RSA 32:24. Municipal office limitations for members-at-large of a municipal budget committee shall be as expressly provided in RSA 32:15, V.

(i) No municipal employee working in a capacity that provides support for a local land use board established under RSA 673 may serve on a local land use board of the same municipality or conservation commission established under RSA 36-A of the same municipality.

(j) No municipal employee or department head shall serve on a planning board or zoning board of adjustment, except as expressly provided in RSA 673:2.

II. No person shall at the same time file a declaration of candidacy for any 2 or more elected offices that are incompatible under paragraph I.

III. The provisions of paragraph I shall not be construed to prevent the transfer between offices of information obtained in the regular conduct of business nor to prevent the personnel in any office from furnishing clerical assistance to any other office.

IV. This section shall not prevent a member of the governing body from serving as an ex officio on any committee over which the governing body has supervisory responsibility.

V. Alternates for any board shall be treated as a regular member in the same manner for the purposes of this section.

2 Applicability; Conflicting Positions Pursuant to RSA 669:7.

On the effective date of RSA 669:7, as amended by section 1 of this act, members of boards and committees holding conflicting positions may remain in those positions until the next municipal elections are held.

3 Effective Date. This act shall take effect upon passage.

2025-3045h

AMENDED ANALYSIS

This bill limits conflicts of interest and excessive concentration of power for municipal board and committee members.

Amendment to HB 510-FN (2025-3092h)

Proposed by the Majority of the Committee on Education Funding-r

Amend RSA 188-K:2 and 188-K:3 as inserted by section 1 of the bill by replacing it with the following:

188-K:2 Definitions. As used in this chapter:

I. "Disciplinary proceeding" means an action or proceeding instituted against a student, student organization, or faculty member of a New Hampshire public institution of higher education that could result in the student or faculty member being suspended, expelled, or terminated, or result in a student organization being deprived, either temporarily or permanently, of any of the rights or privileges accorded to other student organizations duly recognized or approved by the institution.

II. "Faculty member" means a full or part-time member of the faculty of a New Hampshire public institution of higher education, but does not include a faculty member who is in probationary status.

III. "Public institution of higher education" means "public institution of higher education" as defined by RSA 188-J:1, V.

IV. "Student" means "student" as defined by RSA 188-J:1, VII.

V. "Student organization" means "student organization" as defined by RSA 188-J:1, VIII.

188-K:3 Due Process Rights Established.

I. In all disciplinary proceedings, as defined by RSA 188-K:2, I, against a student, student organization, or faculty member, the student, student organization, or faculty member shall be entitled to a hearing under published procedures that include, at a minimum, all of the following:

(a) The right to receive written notice at least 7 days prior to the hearing of the allegations upon which the proceeding is based, and the specific provisions of law, rule, regulation, or code of conduct that allegedly were violated.

(b) The right to receive at least 5 days before the hearing a listing of all known witnesses who have provided or will provide evidence or information against the student, student organization, or faculty member, as well as copies of all written documents, statements of witnesses, photographs, electronic data, tangible evidence, and all other relevant inculpatory or exculpatory information. Recipients shall take reasonable steps to prevent the parties from disclosing to third parties information and evidence obtained through the grievance process.

(c) The right to the presumption that no violation occurred. This presumption may be overcome only if the public institution of higher education establishes by a preponderance of the evidence that the violation alleged was committed by the student, student organization, or faculty member charged.

(d) The right against self-incrimination.

(e) The right to confront and cross-examine witnesses who provide evidence against the student, student organization, or faculty member; provided, however, that if a person who claims to be a victim of the conduct giving rise to the disciplinary action objects to being cross-examined by the person accused of the violation, the hearing officer or panel shall require that the cross-examination be conducted by another person selected by the accused and approved by the hearing officer or panel. The person accused shall have the right to be present when his or her accuser is cross-examined.

(f) The right to present a defense and call witnesses in support of the defense.

(g) The right to an impartial hearing officer or panel.

(h) The right to have the assistance of an advisor, advocate, or legal representative, at the student's, student organization's, or faculty member's own expense, who shall be allowed to be present at and directly participate in all aspects of the proceeding. Such advisor, advocate, or legal representative shall not serve in any other role in connection with the proceeding, including as investigator, witness, decider of fact, hearings officer, panel member, decider of an appeal, or advisor to any of the foregoing.

(i) The right to have a verbatim record of the hearing made and preserved for use in the event there is an appeal.

(j) The right to appeal a final adverse decision to the vice president of student affairs or equivalent official or body specifically designated by the institution to hear such appeals. The person or persons comprising the appeal tribunal shall not have directly participated in any other aspect of the proceeding in question.

II. The procedural rights, including the hearing, specified in paragraph I shall be afforded to a student, student organization, or faculty member prior to the imposition of any discipline, provided however that, in cases where the public institution of higher education can show a substantial likelihood of an immediate threat to the physical health or safety of any student or other individual before a hearing can be held, the institution may immediately take such actions as are necessary to prevent or ameliorate the threat and shall thereupon hold the hearing as soon as reasonably practicable after it has taken such actions.

III. A student, student organization, or faculty member may waive any or all of the rights specified in paragraph I, provided that such waiver is made knowingly, intelligently, and voluntarily.

**Amendment to HB 524-FN
(2025-3021h)**

Proposed by the Committee on Ways and Means—c

Amend the title of the bill by replacing it with the following:

AN ACT relative to disbursement of funds by the New Hampshire vaccine association and establishing a committee to study the efficacy of the New Hampshire vaccine association.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; New Hampshire Vaccine Association; Powers and Duties. Amend RSA 126-Q:5 by inserting after paragraph II the following new paragraph:

III. Assessments collected by the association, including funds deposited in the state vaccine purchase fund under RSA 141-C:17-a, shall be disbursed by the end of each fiscal year to the extent practicable and not to exceed 90 days thereafter.

2 Vaccine Association; Collection of Assessments. Amend RSA 126-Q:3, V(m) to read as follows:

(m) Collect assessments from assessable entities as calculated under RSA 126-Q:4 and **annually** deposit said assessments, less the association's administrative costs [~~annually~~] and reserves, with the state treasurer [~~to the credit of~~] **for deposit in** the vaccine purchase fund established pursuant to RSA 141-C:17-a. At the written request of the association following a majority vote of the board of directors, any funds forwarded to the state treasurer for the vaccine purchase fund remaining unexpended for childhood vaccines, shall promptly be returned to the association.

3 Committee Established.

I. There is established a committee to study the efficacy of the New Hampshire vaccine association.

II. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall study the efficacy of the New Hampshire vaccine association. The committee may solicit information and testimony from any individual, agency, or entity with experience or expertise relevant to the study.

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

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2026.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

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

2025-3021h

AMENDED ANALYSIS

This bill directs the New Hampshire vaccine association to disburse funds collected through assessments by the end of each fiscal year to the extent practicable. The bill also establishes a committee to study the efficacy of the New Hampshire vaccine association.

Amendment to HB 529

(2025-3070h)

Proposed by the Committee on Commerce and Consumer Affairs-r

Amend the bill by replacing all after the enacting clause with the following:

1 Alcoholic Beverages; Definitions and General Provisions. Amend RSA 175:1, LIX to read as follows:

LIX. "Restaurant" means a space, in a suitable or permanent building, kept, used, maintained, advertised and **generally** held out to the public to be a place where meals are regularly served. It shall be provided with an adequate and sanitary kitchen, and seating for 20 patrons.

2 New Section; Restaurant Delivery License. Amend RSA 178 by inserting after section 21 the following new section:

178:21-a Restaurant Delivery License.

I. Any on-premises licensee may purchase a restaurant delivery license from the commission for \$250. Such license shall expire one year after the date of issuance and may be renewed by an on-premises licensee for \$250 each year.

II. Notwithstanding the provisions of RSA 175:6 and RSA 179:15, an on-premises licensee in possession of a restaurant delivery license may transport beverages, wines, and liquor for delivery to consumers subject to the following requirements:

(a) All deliveries of beverages, wines, and liquor shall be accompanied by food prepared by the restaurant delivery licensee and ordered by the consumer;

(b) All deliveries of beverages, wines, and liquor conducted pursuant to this section shall be undertaken during the on-premises licensee's hours of operation and shall be delivered only to areas where the sale of alcoholic beverages is permitted;

(c) All deliveries of beverages, wines, and liquor shall be solely for the personal consumption of the consumer and not for resale;

(d) All beverages and wines transported pursuant to this section shall be transported in their original, manufactured, sealed containers;

(e) All alcoholic beverages containing liquor that are transported pursuant to this section shall be transported in a container:

(1) That shall clearly identify the licensee from which the alcoholic beverage was purchased;

(2) That is sealed, with a tamper proof seal, by the restaurant delivery licensee in a manner that clearly demonstrates when the container has been opened;

(3) That identifies, on a label, a detailed description of the contents of the liquor in the alcoholic beverage, including:

(A) The type and brand of the liquor used to make the alcoholic beverage;

(B) The alcohol by volume of the liquor used to make the alcoholic beverage; and

(C) The amount of liquor contained in the alcoholic beverage; and

(4) That contains a warning label that states the following, "GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery and may cause health problems."

(f) Any individual engaged in the delivery of beverages, wines, and liquor pursuant to this section shall be an employee who regularly receives a W-2 from the on-premises licensee and is at least 21 years of age; and

(g) During deliveries conducted under this section, the person engaged in making the delivery shall acquire a signed receipt from the consumer. Consumers who appear visibly intoxicated or who a

reasonable and prudent person would know are intoxicated, who do not produce identification verifying the consumer's age, or who fail to sign a receipt shall not be entitled to his or her delivery of beverages, wines, or liquor.

III. No holder of a restaurant delivery license or on-premises license shall deliver any beverages, wines, or liquor to any college, university, or school, whether public or private, located within the state. No holder of a restaurant delivery license or on-premises license shall deliver any beverages, wine, or liquor to any public library, public playground, or public park.

IV. A person holding an on-premises license engaged in take-out services may include beverages, wines, and liquor with meals sold to a consumer for consumption by the consumer and not for resale. The requirements set forth in paragraph II shall apply to any take-out meal sold with beverages, wines, or liquor.

3 Transportation of Beverages and Wine. Amend RSA 179:15, III - V to read as follows:

III. (a) ~~Notwithstanding the provisions of paragraph II, an on-premises licensee may purchase a restaurant delivery license from the commission for \$250. Such license shall expire one year after the date of issue and may be renewed by an on-premises licensee for \$250 each year.~~

(b) ~~An on-premises licensee in possession of a restaurant delivery license shall only be permitted to transport beverages and wines for delivery to consumers subject to the following requirements:~~

(1) ~~All deliveries of beverages and wines shall be accompanied by food prepared by the restaurant licensee and ordered by the consumer;~~

(2) ~~All deliveries of beverages and wine conducted pursuant to this section shall be undertaken during the on-premises licensee's hours of operation and shall be delivered only to areas where the sale of alcoholic beverages is permitted;~~

(3) ~~All deliveries of beverages and wine shall be solely for the personal consumption of the consumer and not for resale;~~

(4) ~~All beverages and wines transported pursuant to RSA 179:15, II shall be transported in their original, manufactured, sealed containers;~~

(5) ~~Any individual engaged in the delivery of beverages and wines pursuant to this section shall be an employee who regularly receives a W-2 from the on-premises licensee and is at least 21 years of age; and~~

(6) ~~During deliveries conducted under this section, the person engaged in making the delivery shall acquire a signed receipt from the consumer. Consumers who appear visibly intoxicated or who a reasonable and prudent person would know are intoxicated, who do not produce identification verifying the consumer's age, or who fail to sign a receipt shall not be entitled to his or her delivery of beverages or wine.~~

(c) ~~No holder of a restaurant delivery license or on-premises license shall deliver any alcoholic beverage to any college, university, or school, whether public or private, located within the state. No holder of a restaurant delivery license or on-premises license shall deliver any alcoholic beverage to any public library, public playground, or public park.~~

IV. ~~A person holding an on-premises license engaged in take-out services may include beverages and wine with meals sold to a consumer for consumption by the consumer and not for resale. The requirements set forth in subparagraph III(b) shall apply to any take-out meal sold with beverages or wine.~~

V.] Every person operating such a vehicle, when engaged in such transportation or delivery, shall carry a copy of the license in the vehicle so operated, and shall carry such evidence as the commission by rule may prescribe showing the origin and destination of the beverages and wines being transported or delivered. Upon demand of any law enforcement officer, investigator, or employee of the commission, the person operating such vehicle shall produce for inspection a copy of the license and the evidence required by this section. Failure to produce such license or evidence shall constitute prima facie evidence of unlawful transportation. Except as otherwise provided, beverages and wines may be transported within the state only by a railroad or steamboat corporation or by a person regularly and lawfully conducting a general express or trucking business, and in each case holding a valid carrier's license issued by the commission. Nothing in this section shall prohibit individual retail licensees from arranging for the delivery of wine products to a location central for the parties involved.

4 New Paragraphs; Prohibited Sales. Amend RSA 179:5 by inserting after paragraph I the following new paragraphs:

I-a. A licensee that violates paragraph I by serving an individual who is visibly intoxicated or who a reasonable and prudent person would know is intoxicated, and such intoxicated person directly causes the serious bodily injury or death of a person or persons, shall be subject to the following minimum penalties:

(a) For the first offense, subject to the limitations of RSA 179:57, I, a suspension of up to 30 days provided that the suspension cannot exceed 10 days if the person in charge, managers, security staff, servers, and clerks have completed liquor commission training within 24 months before the date of violation; fine of \$7,500;

(b) For the second offense within 7 years of the first offense, a license suspension of a maximum of 30 days; fine of \$7,500; and

(c) For the third offense within 7 years of the second offense, the license shall be revoked by the commission.

I-b. During the period of the license suspension, the licensee shall post a suspension notice distributed and prepared by the commission, on the exterior doors of the premises facing the public and on the public Internet website, if applicable. The suspension notice shall include the following language, "Liquor license suspended by the New Hampshire Liquor Commission for overserving of alcohol in accordance with RSA 179:5".

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

2025-3070h

AMENDED ANALYSIS

This bill allows on-premises licensees to deliver liquor to customers who order a meal for home delivery.

This bill also restores penalties for overserving of liquor by licensees

Amendment to HB 565

(2025-3022h)

Proposed by the Committee on Commerce and Consumer Affairs–c

Amend RSA 178:22, V(h)(2) as inserted by section 1 of the bill by replacing it with the following:

(2)(A) No person under the age of 18 shall be in any room where liquor, beverages, and specialty beverages are sold, *unless accompanied by a parent, legal guardian, or adult spouse and who has signed the minor or minors into the club and listed their ages. A person who is under 21 years old that presents a valid military identification card shall not need to be accompanied by a person 21 years old or older.*

2025-3022h

AMENDED ANALYSIS

This bill allows persons under 21 into veterans' clubs, private clubs, and social clubs if they are accompanied by a parent, legal guardian, or adult spouse, or if they present a valid military identification card.

Amendment to HB 572-FN

(2025-2956h)

Proposed by the Minority of the Committee on Finance–r

Amend the title of the bill by replacing it with the following:

AN ACT appropriating moneys for the New Hampshire housing champion designation and grant program.

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriations; Housing Champion Designation and Grant Program Fund.

I. The sum of \$5,000,000 for the fiscal year ending June 30, 2027 is hereby appropriated to the New Hampshire housing champion designation and grant program fund established pursuant to RSA 12-O:74, with \$1,000,000 to be dedicated to the partners in housing program established pursuant to RSA 12-O:72-a, of which \$150,000 is hereby appropriated for the purpose of establishing the compilation, pursuant to RSA 674:1, VII, of municipally and county-owned property determined to be appropriate for residential development by the select board as residential use, and eligible for available grant or loan funding pursuant to RSA 12-O:72-a, into a publicly available list of properties available for grant or loan funding. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$250,000 for the fiscal year ending June 30, 2027 is hereby appropriated to the department of business and economic affairs for the purpose of administering the partners in housing program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2025-2956h

AMENDED ANALYSIS

This bill appropriates moneys for the New Hampshire housing champion designation and grant program, and designates a portion of the funds to the partners in housing program. The bill also makes an appropriation to the department of business and economic affairs to administer the partners in housing program.

Amendment to HB 590

(2025-2934h)

Proposed by the Committee on Election Law–c

Amend the bill by replacing all after the enacting clause with the following:

1 Composition of Cooperative School Boards. RSA 195:19-a is repealed and reenacted to read as follows:
195:19-a Composition of Cooperative School Boards.

The method of selection and terms of members of cooperative school boards shall be as provided in the bylaws or articles of agreement of the cooperative school district, as the case may be; provided, however, that such bylaws and articles of agreement shall be limited to the following requirements:

I. The members of the cooperative school board shall be elected by the voters of their pre-existing district and shall be residents of such pre-existing district. Each pre-existing district shall be entitled to elect at least one board member. Apportionment shall provide flexibility to the cooperative school district in meeting requirements of the one-man one-vote doctrine for a pre-existing district or pre-existing districts to support as nearly as possible the pre-existing board representation based upon population and pursuant to RSA 195.

II. The state board of education may approve other methods of selection of cooperative school board members, so long as such other method is compatible with proportional representation according to the one-man one-vote principle.

III. The terms of the members of the cooperative school board shall be as provided in the bylaws or articles of agreement provided that in no case shall such terms exceed 3 years.

IV. Whenever the bylaws or articles of agreement provide for the election of cooperative school board members pursuant to this chapter, said election shall be with the use of the non-partisan ballot system under RSA 669.

V. The number of members and composition of cooperative school boards shall be in accordance with this section by July 1, 2026. Members whose terms expire prior to this date shall be elected pursuant to this section.

2 Reapportionment; Cooperative School District. Amend RSA 195:19-b to read as follows:

195:19-b Reapportionment. Any cooperative school district organized under any of the provisions of RSA 195 or pursuant to any special act may at any regular or special meeting vote to change the number, composition, method of selection, and terms of office of members on the board of the district, provided that in no event shall the board exceed 15 members nor terms exceed 3 years[; and may change the apportionment of the board in relation to the pre-existing school districts]. ***Apportionment of members of the cooperative school board shall be reviewed and reapportioned, if necessary, based upon the latest federal decennial census and pursuant to RSA 195:19-a.***

3 Effective Date. This act shall take effect 60 days after passage.

2025-2934h

AMENDED ANALYSIS

This bill requires cooperative school boards to elect representatives from pre-existing districts only from voters within the district.

Amendment to HB 610-FN (2025-3076h)

Proposed by the Committee on Executive Departments and Administration—c

Amend the title of the bill by replacing it with the following:

AN ACT relative to the office of the consumer advocate.

Amend the bill by replacing all after the enacting clause with the following:

1 Public Utilities; Support Personnel to Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(a) to read as follows:

(a) A consumer advocate, appointed by the governor and council, who shall be a qualified attorney admitted to practice in this state, ***a professional engineer, or an economist***. The consumer advocate shall serve a 4-year term and until a successor is appointed and qualified.

2 Public Utilities; Support Personnel to Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(d) to read as follows:

(d) Three additional staff people appointed by the consumer advocate. When filling these positions, the consumer advocate should consider appointing ~~[rate analysts]~~ ***at least one attorney and consider appointing additional attorneys, rate analysts, or economists.***

3 New Paragraph; Public Utilities; Support Personnel to Commission; Office of the Consumer Advocate. Amend RSA 363:28 by inserting after paragraph I the following new paragraph:

I-a. In discharging the powers and duties enumerated in this section, the consumer advocate shall focus exclusively on assuring that residential utility customers receive safe and reliable service at the lowest possible cost while maximizing customer freedom and autonomy.

4 Public Utilities; Support Personnel to Commission; Office of the Consumer Advocate. Amend RSA 363:28, IV to read as follows:

IV. The consumer advocate shall have authority to promote and further consumer knowledge and education. The consumer advocate shall advocate against proposed regional or federal rules or policies that are inconsistent with ***paragraph I-a and*** the policies, rules, or laws of New Hampshire. In its participation in regional activities, the consumer advocate shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact ~~[the consumer advocate determines to be unjust or unreasonable]~~.

5 Public Utilities; Support Personnel to Commission; Residential Ratepayers Advisory Board. RSA 363:28-a is repealed and reenacted to read as follows:

363:28-a Residential Ratepayers Advisory Board.

I. There is established the residential ratepayers advisory board which shall provide oversight of the office of the consumer advocate as established by RSA 363:28 and ensure that the consumer advocate shall focus exclusively on assuring that residential utility customers receive safe and reliable service at the lowest possible cost while maximizing customer freedom and autonomy. The advisory board shall consist of the following public members:

(a) Three members appointed by the speaker of the house. One shall represent the interests of residential ratepayers; one shall represent the interests of the elderly; and one shall be a member of the public.

(b) Three members appointed by the senate president. One shall represent the interests of residential ratepayers; one shall represent the interests of the disabled; and one shall represent environmental concerns.

(c) Three members appointed by the governor and council. One shall represent the interests of persons of low income; one shall represent the interests of small business owners; and one shall represent the interests of residents of low-income housing.

II. Members shall serve 3-year terms. In the event of death or resignation of any member of the advisory board, the person or entity that made the original appointment shall appoint a successor, and the successor appointed to the vacancy shall serve for the remainder of the unexpired term. The members of the board shall receive no compensation but shall be entitled to reimbursement for mileage at the same rate provided for state employees.

III. The board shall elect annually a chairperson from among its membership.

IV. The board shall receive administrative support from the office of the consumer advocate.

V.(a) The board shall meet at least quarterly and at the call of the chairperson or 3 board members. The consumer advocate shall be present for all board meetings to inform the board of the actions of the office of the consumer advocate and to respond to the board's inquiries.

(b) Except as pertains to any end user of an excepted local exchange carrier or services provided to such end user, the board shall advise the consumer advocate on matters concerning residential ratepayers.

(c) Prior to the expiration of the consumer advocate's term, the board shall recommend to the governor and council whether to reappoint the consumer advocate. If the board does not recommend reappointment or the governor and council do not accept the board's recommendation to reappoint, the board shall then recommend 3 persons to the governor and council to fill the position.

(d) After providing notice and opportunity for a hearing to the consumer advocate, the oversight board may by two-thirds vote recommend that the governor seek the removal of the consumer advocate for failure to discharge the powers, duties, and limitations set forth in RSA 363:28. A failure to discharge the powers, duties, and limitations set forth in RSA 363:28 shall be deemed adequate grounds for removal of the consumer advocate pursuant to RSA 4:1, and a removal recommendation from the oversight board shall be deemed a petition to the governor and council within the meaning of RSA 4:1, II.

6 Effective Date. This act shall take effect 90 days after its passage.

2025-3076h

AMENDED ANALYSIS

This bill makes changes to the composition and objectives of the office of the consumer advocate.

Amendment to HB 629-FN

(2025-2953h)

Proposed by the Committee on Resources, Recreation and Development—c

Amend the title of the bill by replacing it with the following:

AN ACT raising the cost of a boat decal fee and allocating the funds collected by such fees to the dam maintenance fund.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Navigation; Harbors; Coast Survey; Vessel Registration and Numbering; Boat Fee Decal Required. Amend RSA 270-E:5-a, II by inserting after subparagraph (e) the following new subparagraph:

(f) \$5 for each decal specified in paragraph I. The fees collected under this subparagraph shall be paid into the dam maintenance fund established under RSA 482:55.

2 Effective Date. This act shall take effect January 1, 2027.

2025-2953h

AMENDED ANALYSIS

This bill raises the cost of a boat decal fee and allocates the funds collected by such fees to the dam maintenance fund.

**Amendment to HB 648-FN
(2025-3059h)**

Proposed by the Minority of the Committee on Commerce and Consumer Affairs--r

Amend RSA 415:6-e, III(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 415:18-f, III(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 420-A:17-a, III(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 420-B:8-k, III(a) as inserted by section 4 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

**Floor Amendment to HB 648-FN
(2025-3107h)**

Proposed by Rep. Chourasia

Amend RSA 415:6-e, III(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 415:18-f, III(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 420-A:17-a, III(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend RSA 420-B:8-k, III(a) as inserted by section 4 of the bill by replacing it with the following:

(a) Coverage under this paragraph shall be provided without regard to the form of treatment. Insulin utilization, frequency of administration of insulin, or frequency of blood glucose testing shall not be a requirement for coverage of blood glucose monitoring or CGMS. Preferred providers or formularies shall include at least 2 of each kind of device. An endocrinology referral or prescription shall be required. Prior authorization shall be required.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2027.

**Amendment to HB 656
(2025-2933h)**

Proposed by the Majority of the Committee on Education Funding—r

Amend the bill by replacing all after the enacting clause with the following:

1 Estimates. Amend RSA 198:4 to read as follows:

198:4 Estimates. The school board of each district in its annual report shall state in detail the additional sums of money, if any, which will be required during the ensuing fiscal year for the support of the public schools, for the purchase of textbooks, scholars' supplies, flags and appurtenances, for the payment of the tuition of the pupils in the district in high schools, academies, and any private school approved as a school tuition program by the school board in accordance with law, and for the payment of all other statutory obligations of the district. ***The annual report shall also contain a summary of estimated funds anticipated from state and federal governmental units during the ensuing fiscal year. For each fund, the annual report shall contain the title or other identifier of the fund as well as a summary of any obligations incurred by accepting the anticipated funds, or state that there are no obligations.***

2 Appropriation for Unanticipated Funds Made Available During the Year. Amend RSA 198:20-b, II-III to read as follows:

II. Such money shall be used only for legal purposes for which a school district may appropriate money. No funds disbursed from the education trust fund pursuant to RSA 198:42 shall, under any circumstances, emergency or otherwise, be deemed to be unanticipated money under the provisions of this section. ***All funds made available during the year and not disclosed in the annual report pursuant to RSA 198:4 shall be deemed to be unanticipated money under the provisions of this section.***

III.(a) For unanticipated funds in the amount of \$20,000 or more, the school board shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the meeting is held. ***Such notice shall contain the title or other identifier of the fund, as well as a summary of any obligations incurred by accepting the unanticipated funds, or state that there are no obligations incurred.***

(b) A school board may establish the amount of unanticipated funds required for notice under this subparagraph, provided such amount is less than \$20,000. For unanticipated funds in an amount less than \$20,000, the school board shall post notice of the funds in the agenda and shall include notice in the minutes of the school board meeting in which such funds are discussed. ***The minutes of the school board meeting shall contain the title or other identifier of the fund, a summary of any obligations incurred by accepting the unanticipated funds, or state that there are no obligations incurred.*** The acceptance of unanticipated funds under this subparagraph shall be made in public session of any regular school board meeting.

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

2025-2933h

AMENDED ANALYSIS

This bill requires that all funds disbursed from a state or federal government unit to a school district be disclosed either in the required annual report by the school board or in the notice of a hearing at a school board meeting to take action on unanticipated funds, as well as in the minutes of such meeting.

**Amendment to HB 660-FN-LOCAL
(2025-2977h)**

Proposed by the Minority of the Committee on Ways and Means—r

Amend the title of the bill by replacing it with the following:

AN ACT requiring historic horse racing facilities and video lottery terminal licensees to compensate their host communities with a percentage of the revenue generated.

Amend the bill by replacing all after the enacting clause with the following:

1 Video Lottery Terminals; Revenue Share. Amend RSA 287-J:6, III(a) to read as follows:

(a) Each licensee shall distribute 35 percent of the amount collected under paragraph III ***as follows:***
(1) 50 percent to charitable organizations with whom the licensee contracts on each licensed game date. Each VLT licensee must contract with 2 licensed charitable organizations for each game date.

(2) 30 percent to the municipality in which the licensee operates.

(3) 10 percent to the county in which the licensee operates.

(4) 10 percent equally divided between any city or town that abuts the municipality in which the licensee operates.

2 Pari-Mutuel Pools; Tax. Amend RSA 284:23, I(d) to read as follows:

(d)(1) Each person, association, or corporation licensed to conduct historic horse race wagering shall collect a sum equal to 25 percent of revenues generated from historic horse race pari-mutuel pools after breakage and payment of winnings to patrons. Each licensee that conducts wagering on historic horse races shall distribute 35 percent of the amount collected under this paragraph **as follows:**

(A) 50 percent to charitable organizations with whom the licensee contracts on each licensed game date. Charitable organizations from within the executive council district where the licensee is located shall be given preference, and no charitable organization shall be eligible for more than 10 dates of revenue under this section, within a 12 month period. Each licensee operating historic horse racing machines must contract with 2 licensed charitable organizations for each game **date**.

(B) 30 percent to the municipality in which the licensee operates.

(C) 10 percent to the county in which the licensee operates.

(D) 10 percent equally divided between any city or town that abuts the municipality in which the licensee operates.

(2) The remainder of the total amount collected by the licensee under this paragraph shall be paid to the lottery commission for use according to the special fund established under RSA 284:21-j.

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

2025-2977h

AMENDED ANALYSIS

This bill requires historic horse racing facilities and video lottery terminal licensees to transfer a percentage of the revenue generated, after breakage and payment of winnings, to host municipalities.

Amendment to HB 661-FN

(2025-3055h)

Proposed by the Minority of the Committee on Finance-r

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Dependent Children; Federal Benefits. Amend RSA 126-A by inserting after section 6 the following new section:

126-A:6-a Dependent Children; Eligibility For and Appointment of Representative Payee to Manage Federal Benefits.

I. For all children in the care of the department, the department shall determine whether each child is receiving benefits administered by the Social Security Administration or the Veterans Administration within 60 days after the child enters the department's care. If the department determines that a child is not receiving benefits but may be eligible for federal benefits, the department shall apply for the benefits on behalf of the child.

II. If a child is already receiving benefits before entering the department's care with an appointed representative payee in place, the department shall not seek to change the payee appointment unless the current payee has been deemed unsuitable or other circumstances warranting a payee change are met in accordance with the federal regulations for naming a successor payee. If there is no payee or if the department applies for benefits on behalf of the child, the department shall identify, in consultation with the child and the child's representative, a representative payee in accordance with 20 C.F.R. sections 404.2021 and 416.621 and encourage the identified individual to apply to the Social Security Administration to be appointed as the child's representative payee. The department shall apply to become the representative payee only if no other suitable candidate is available.

2 New Paragraph; Use and Management of Federal Benefits. Amend RSA 126-A:6-a by inserting after paragraph II the following new paragraph:

III. If the department is determined by the court to serve as the representative payee, the department:

(a) Shall not use the child's federal benefits, other benefits, savings, or assets to pay for or to reimburse the department or this state for any of the costs of the child's care.

(b) May use the child's federal benefits for the child's unmet needs beyond what the department is obligated or required to pay.

(c) Shall establish an appropriate account to use and conserve the child's benefits in the child's best interest for current unmet needs and future needs in a manner consistent with federal and state asset and resource limits. The account may include any of the following:

(1) A special needs trust.

(2) A pooled special needs trust.

(3) An Achieving a Better Life Experience (ABLE) account, also known as a STABLE NH account, established pursuant to RSA 195-K and section 529A of the Internal Revenue Code.

(4) Any other trust account determined not to interfere with social security or asset limitations for any other benefit program.

(d) Shall provide an annual accounting as to the use, application, or conservation of the child's federal benefits to the child, the child's representative, and the child's parents or guardians.

IV. The department shall notify the child, the child's parents, unless parental rights have been terminated, the child's guardian, the child's current placement, the child's court appointed special advocate or guardian ad litem, and the child's attorney of any application or decision related to a child's federal benefits. In providing notice of any denial of benefits, the department shall explain that there is a right to appeal, the process for filing an appeal, and the names and contact information of organizations that might be available to provide pro bono or reduced fee legal assistance.

V. The department shall annually review cases of children in the department's care to determine whether a child may have become eligible for benefits after the department's initial assessment.

VI. Notwithstanding any other law, on termination of the department's responsibility for the child, the department shall release any monies remaining to the child's credit pursuant to the requirements of the funding source or, in the absence of any requirements, shall release the remaining monies to:

(a) The child, if the child is at least 18 years of age or is emancipated.

(b) The person who is responsible for the child if the child is a minor and not emancipated.

VII. For purposes of this section, a "child in the care of the department" means the department has custody or guardianship over the child or the child in a court-ordered placement or other out-of-home placement under the supervision of the department.

3 ABLE Accounts. The department of health and human services shall develop and complete the processes and procedures for establishing ABLE accounts for children in its custody for whom it serves as representative payee no later than June 30, 2027. The department may utilize federal Title IV-E funds it secures pursuant to the 2025, 141:310 for this purpose.

4 Policies and Procedures Regarding Federal Benefits for Dependent Children. The department of health and human services shall develop the necessary policies and procedures, establish process workflows, and conduct necessary staff training to facilitate implementation of this act on or before June 30, 2028. To assist in completing the tasks required to begin implementation of these requirements, the department may hire a consultant with knowledge of other states' efforts to develop necessary policies and procedures to manage federal benefits for children in state custody.

5 Effective Date.

I. Section 1 of this act shall take effect July 1, 2027.

II. Section 2 of this act shall take effect July 1, 2028.

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

2025-3055h

AMENDED ANALYSIS

This bill establishes requirements for the management of federal benefits received by dependent children in the custody of the department of health and human services. The bill provides for appointment of a representative payee, which may be the department if no other suitable candidate is available. The bill also directs the department to adopt procedures regarding establishment of ABLE accounts for dependent children for whom the department is representative payee.

Amendment to HB 675-FN-A-LOCAL (2025-3013h)

Proposed by the Majority of the Committee on Finance-r

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Commissioner's Warrant. Amend RSA 76:8 by inserting after paragraph III the following new paragraphs:

IV.(a) Until June 30, 2028, school district appropriation amounts, less facilities acquisition and construction, authorized in paragraph III and reported pursuant to RSA 198:4-a, shall not be more than the previous year's appropriation, less facilities acquisition and construction, adjusted for the average change in the Consumer Price Index, as provided in paragraph VI .

(b) Beginning July 1, 2028, the school district appropriation amounts, less facilities acquisition and construction, authorized in paragraph III and reported pursuant to RSA 198:4-a, shall not be more than previous year's appropriation, adjusted first based on the percent change of the district's ADMR used for calculating base adequate education grants pursuant to RSA 198:40-a, II(a), and then adjusted for the average change in the Consumer Price Index, as provided in paragraph VI.

(c) School districts seeking appropriations, less facilities acquisition and construction, to assess local property taxes in excess of subparagraphs (a) and (b), as applicable, shall do so by a 2/3 majority vote of their legislative body on each vote or warrant article in excess of the appropriation determined in paragraph V. The vote to exceed the excess shall not be a voice vote.

(d) Districts seeking emergency appropriations shall follow the provisions of RSA 197:3.

V. Within 45 days after the reported appropriation amounts are submitted pursuant to RSA 198:4-a, the commissioner of the department of revenue administration shall notify the school board of any excess appropriations not made in accordance with RSA 76:8, IV and delete those appropriations when computing district taxation pursuant to RSA 198:4-a, IV.

VI. In this section, "Consumer Price Index" shall be determined by using the All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the calendar year ending 12 months before the start of the fiscal year.

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

2025-3013h
AMENDED ANALYSIS

This bill establishes a tax cap for local school districts based on the previous year's appropriation, less facilities acquisition and construction, adjusted for the average change in the CPI and, beginning in fiscal year 2028, also adjusted based on the percentage change of the district's ADMR for calculating base adequate education grants.

**Amendment to HB 686-FN
(2025-2935h)**

Proposed by the Majority of the Committee on Election Law-r

Amend the title of the bill by replacing it with the following:

AN ACT relative to electioneering by certain public employees.

Amend the bill by replacing all after the enacting clause with the following:

1 Electioneering by Public Employees. RSA 659:44-a is repealed and reenacted to read as follows:
659:44-a Electioneering by Public Employees.

I. No public employee shall electioneer while in the performance of his or her official duties. For purposes of this section, "public employee" shall have the same meaning as in RSA 273-A:1, IX; except that, notwithstanding RSA 273-A:1, IX(b), a person appointed to office by the chief executive or legislative body of the public employer shall be included in the definition of public employee.

II. No public employee shall use any government property or equipment, including, but not limited to, telephones, facsimile machines, vehicles, and computers, for electioneering.

III. For the purposes of this section, "electioneer" is defined according to RSA 652:16-h.

IV. Any person who violates this section shall be guilty of a misdemeanor if a natural person, or shall be subject to a civil penalty not to exceed \$1,000, if any other person.

2 New Paragraph; Electioneering. Amend RSA 652:16-h by inserting after paragraph II the following new paragraph:

III. Public employees, as defined under RSA 273-A:1, IX(b), (c), or (d), organizing or conducting surveys that are expressly or primarily political, meaning that such surveys have a format, questions, or other characteristics that clearly indicate a preference for one or more candidates or political parties in an election or one or more policies that are reasonably anticipated to be on the ballot or otherwise at issue in an election.

3 Effective Date. This act shall take effect upon its passage.

2025-2935h
AMENDED ANALYSIS

This bill defines electioneering in relation to certain public employees.

**Amendment to HB 704-FN-A
(2025-2963h)**

Proposed by the Committee on Finance-r

Amend the title of the bill by replacing it with the following:

AN ACT making an appropriation to the retired senior volunteer program.

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriation; Retired Senior Volunteer Program. For the purpose of funding the retired senior volunteer program (RSVP), the sum of \$180,000 for the fiscal year ending June 30, 2027, is appropriated to the department of health and human services. The department shall allocate the appropriation among the existing RSVP programs. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Contingency. Section 1 of this act shall be contingent upon certification by the state comptroller to the director of the office of legislative services and the secretary of state that both unrestricted general fund revenues and the ending general fund balance for the fiscal year ending June 30, 2026 were greater than budget forecasts.

3 Effective Date.

- I. Section 1 of this act shall take effect as provided in section 2 of this act.
- II. The remainder of this act shall take effect upon its passage.

2025-2963h

AMENDED ANALYSIS

This bill makes a contingent appropriation to the department of health and human services for the purpose of funding the retired senior volunteer program.

**Amendment to HB 709-FN
(2025-3073h)**

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend the bill by replacing all after the enacting clause with the following:

1 Education; Pupils; School Attendance; Legal Residence Required; Definition of Residency. Amend RSA 193:12, II(a) to read as follows:

(a) In the case of a minor, legal residence is where his or her parents reside ***or pay property or school district taxes, provided his or her parents reside in New Hampshire***, except that:

(1) If the parents live apart and are not divorced, legal residence is the residence of the parent with whom the child resides, ***or where such parent pays property or school district taxes, provided his or her parents reside in New Hampshire***.

(2)(A) In a divorce decree where parents are awarded joint decision making responsibility or joint legal custody, the legal residence of a minor child is the residence of the parent with whom the child resides ***or where such parent pays property or school district taxes, provided such parent resides in New Hampshire***. In a divorce decree, or parenting plan developed pursuant to RSA 461-A, a child's legal residence [for school attendance purposes] may be the school district in which either parent resides ***or pays property or school district taxes, provided such parent resides in New Hampshire***, and provided the parents agree in writing to the district the child will attend and each parent furnishes a copy of the agreement to the school district [in which the parent resides]. The parents shall update their parenting plan to reflect this agreement. If a parent is awarded sole or primary residential responsibility or physical custody by a court of competent jurisdiction in this or any other state, legal residence of a minor child is the residence of the parent who has sole or primary residential responsibility or physical custody, ***or where such parent pays property or school district taxes, provided such parent resides in New Hampshire***. If the parent with sole or primary physical custody lives outside the state of New Hampshire, the pupil does not have residence in New Hampshire. If the court order is for equal or approximately equal periods of residential responsibility, the child's legal residence for school attendance purposes shall be as stated in the order. If a child is in a court-ordered residential placement, foster home, or group home pursuant to RSA 169-B, RSA 169-C, RSA 169-D, RSA 170-C, or RSA 463, residence shall be determined in accordance with RSA 193:28.

(B) Nothing in this subparagraph shall require a school district to provide transportation for a child to another school in the school district in which the child resides, or beyond the designated attendance area for the school to which the child is assigned, or beyond the geographical limits of the school district in which the child resides.

(3) If the minor is in the custody of a legal guardian appointed by a New Hampshire court of competent jurisdiction or a court of competent jurisdiction in another state, territory, or country, legal residence is where the guardian resides ***or pays property or school district taxes, provided his or her parents reside in New Hampshire***. If the department of health and human services has been appointed legal guardian, the residence of the minor is where the child is placed by the department or the court. Legal guardianship shall not be appointed solely for the purpose of allowing a pupil to attend school in a district other than the district of residence of the minor's parent or parents. Whenever a petition for guardianship or legal custody is filed in a court of competent jurisdiction on behalf of a relative of a child, other than a parent, the child shall be permitted to attend school in the district in which the relative of the child resides, ***or pays property or school district taxes, provided his or her parents reside in New Hampshire***, pending a court determination relative to custody or guardianship.

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

**Amendment to HB 748-FN
(2025-3078h)**

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the establishment of a local education freedom account program.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the establishment of a local education freedom account program.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the following:

I. The feasibility of locally funded education freedom accounts and management the program including student eligibility.

II. Funding of the program and amounts of the program grants.

III. Provision of services to program children with special needs.

IV. Allowable expenses to be paid from local education freedom accounts.

V. Eligibility on local account students for other similar programs including state funded education freedom accounts and tax credit scholarships.

VI. Program accountability and transparency.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, and the governor on or before November 1, 2026.

6 Effective Date. This act shall take effect upon its passage.

2025-3078h

AMENDED ANALYSIS

This bill establishes a committee to study the establishment of a local education freedom account program.

Amendment to HB 751-FN (2025-2964h)

Proposed by the Majority of the Committee on Finance-r

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study licensure of outpatient substance use disorder treatment facilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study licensure of outpatient substance use disorder treatment facilities.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the health, human services and elderly affairs committee and one of whom shall be a member of the executive departments and administration committee.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study licensure of outpatient substance use disorder treatment facilities by the department of health and human services. The study shall include consideration of any appropriate exemption for nonclinical recovery support services, such as group recovery coaching and 12-step programs, and whether additional staff and funding is required for the department to administer and monitor the licensed facilities. The committee may solicit information and testimony from any individual, entity, or agency with experience or expertise relevant to the study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2026.

6 Effective Date. This act shall take effect upon its passage.

2025-2964h
AMENDED ANALYSIS

This bill establishes a committee to study licensure of outpatient substance use disorder treatment facilities.

**Amendment to HB 751-FN
(2025-2957h)**

Proposed by the Minority of the Committee on Finance—r

Amend the title of the bill by replacing it with the following:

AN ACT requiring licensure of outpatient substance use disorder treatment facilities, establishing a compliance officer position in the department of health and human services, and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Residential Care and Health Facility Licensing; Outpatient Substance Use Disorder Treatment Facilities; License Required. Amend RSA 151:2, I by inserting after subparagraph (f) the following new subparagraph:

(g) Outpatient substance use disorder treatment facilities, including long-term remission monitoring, medically managed outpatient, intensive outpatient, high-intensity outpatient, partial hospitalization, and medically managed intensive outpatient programs. Impaired driver care management programs under RSA 265-A and nonclinical recovery support services, including but not limited to individual and group recovery coaching and 12-step programs, shall be exempt from licensure.

2 New Hampshire Department of Health and Human Services; Position Established; Appropriation. For the fiscal year ending June 30, 2027, the sum of \$105,000 is hereby appropriated to the department of health and human services for the purpose of establishing one compliance officer I position to fulfill the requirements of this act. The department of health and human services shall work with the department of administrative services, division of personnel, to determine the appropriate classification in accordance with the personnel classification system and applicable broad group specifications. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

3 Effective Date.

I. Section 2 shall take effect July 1, 2026.

II. The remainder of this act shall take effect 60 days after its passage.

2025-2957h
AMENDED ANALYSIS

This bill requires outpatient substance use disorder treatment programs, with certain exceptions, to be licensed by the department of health and human services. The bill also makes an appropriation to the department of health and human services to establish a compliance officer position to implement the requirements of the act.

**Amendment to HB 767-FN
(2025-3037h)**

Proposed by the Committee on Criminal Justice and Public Safety—c

Amend RSA 169-C:38, I(a) and (b) as inserted by section 1 of the bill by replacing them with the following:

I.(a) In addition to the duties of the department of health and human services as outlined in RSA 169-C:34, the department shall [immediately], by telephone or in person, *immediately* [refer] *verbally report to an on duty officer of the local law enforcement agency in the community in which the acts of abuse are believed to have occurred* all cases in which there is reason to believe that any person under the age of 18 years has been:

[(a)](1) [sexually molested] *Subjected to sexual contact or sexual penetration which can be reasonably construed as being for the purpose of sexual arousal or gratification or the humiliation of the person being touched, or serious personal injury, as defined in RSA 632-A:1, III.*

[(b)] (2) [-sexually] *Sexually* exploited;

[(c)] (3) [intentionally] *Intentionally* physically injured so as to cause serious bodily injury;

[(d)] (4) [physically] *Physically* injured by other than accidental means so as to cause serious bodily injury; [or]

(5) *Physically injured by a parent or legal guardian by other than accidental means such that there are visible contusions inconsistent with reasonable physical discipline; or*

[(e)] (6) [a] A victim of a crime[, to the local law enforcement agency in the community in which the acts of abuse are believed to have occurred].

(b) The department shall also make a written report to the law enforcement agency within 48 hours, Saturdays, Sundays and holidays excluded. A copy of this report shall be sent to the office of the county attorney.

2025-3037h
AMENDED ANALYSIS

This bill requires the department of health and human services to immediately verbally report a complaint of crime, abuse, or neglect of a child directly to an on duty law enforcement officer. The bill also refines requirements for entry into public places by law enforcement and trained case workers.

**Amendment to SB 15-FN
(2025-3096h)**

Proposed by the Majority of the Committee on Criminal Justice and Public Safety—r

Amend the title of the bill by replacing it with the following:

AN ACT relative to incorporating hard labor as a sentencing option for capital murder and serious sexual assaults on children, defining hard labor, establishing medical exemptions and penalties for abuse thereof, providing alternative punitive measures for legitimate medical exemptions, and authorizing jury determination of hard labor in qualifying cases.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Hard Labor for Certain Offenses. Amend RSA 651:2 by inserting after paragraph II-h the following new paragraph:

II-i.(a) In any case in which the defendant is convicted of capital murder under RSA 630:1 or aggravated felonious sexual assault on a child under the age of 13 under RSA 632-A:2, I(a), I(b), or I(c), the court shall conduct a separate sentencing hearing before the same jury that determined guilt, unless the defendant waives a jury and elects sentencing by the court.

(b) At the sentencing hearing, the state and the defendant may present evidence and argument relevant to the imposition of hard labor. The jury shall be instructed that hard labor may be imposed only if it finds beyond a reasonable doubt that:

- (1) The defendant's conduct was especially heinous, atrocious, or cruel; or
- (2) The defendant acted with deliberate cruelty; or

(3) The offense involved the infliction of serious physical, emotional, or psychological injury on the victim; and

- (4) The aggravating factors substantially outweigh any mitigating factors presented.

(c) A verdict to impose hard labor requires the affirmative vote of at least 9 jurors in a 12-person jury. If fewer than 9 jurors vote to impose hard labor, the sentence shall be life imprisonment without parole.

(d) If hard labor is imposed, the sentence shall be life imprisonment at hard labor without parole, to be served as defined in RSA 622:7. The defendant shall perform hard labor for the duration of their natural life, subject only to medical exemptions under RSA 622:7-a or suspension under RSA 622:7, III.

(e) The court shall enter the sentence in accordance with the jury's verdict. There shall be no judicial departure from a jury verdict imposing or rejecting hard labor.

2 Duties of the Commissioner. Amend RSA 622:7, IX to read as follows:

IX. To ~~[conduct and manage the industries at the prisons.]~~ ***establish and operate an industries program to aid in the rehabilitation of inmates of the state prisons, which shall include a hard labor component for sentences designated under RSA 651:2, II-i.***

(a) As used in this paragraph, "hard labor" means the mandatory performance of physically intensive manual labor tasks assigned by the commissioner of corrections, designed to serve as punishment, deterrence, and, where appropriate, rehabilitation for offenders sentenced under RSA 651:2, II-i. Such labor shall include, but not be limited to, activities such as agricultural fieldwork, construction or infrastructure maintenance, sanitation and waste management, manufacturing or assembly work requiring significant physical exertion, or other comparable tasks that demand prolonged physical effort under supervised conditions. No hard labor assignment shall pose an unreasonable risk of serious injury or be conducted without regard to the offender's health and safety.

(b) Hard labor assignments shall require no less than 8 hours per day, 5 days per week, unless adjusted for documented medical, age-related, or security reasons, and shall be performed in compliance with basic health and safety standards to prevent injury or undue hardship. The commissioner shall have the final authority to determine the specific tasks to be accomplished, the conditions under which they will be performed, and whether hard labor will occur on any given day based on the commissioner's determination that it is safe for the public, staff, and offenders. This determination may include considerations such as staffing levels, equipment availability, weather conditions, or any other factors affecting safety. If the commissioner determines that there

is insufficient staffing to safely supervise inmates in hard labor, the commissioner may suspend hard labor for any or all affected inmates, and alternative punitive measures shall be implemented in accordance with RSA 622:7-d. Compensation, if any, shall be at the prevailing prison wage rate but shall not exceed rates for non-hard labor assignments. The commissioner may incorporate rehabilitative components, such as vocational training, but the primary purpose for designated offenses shall be punitive retribution and societal deterrence. Refusal to participate without valid exemption may result in disciplinary measures, including loss of good time credits under RSA 651-A:22 or extended confinement.

(c) The commissioner shall ensure that all staff involved in assigning or supervising hard labor receive training on compliance with the Eighth Amendment to the United States Constitution and part I, article 18 of the New Hampshire constitution to prevent cruel and unusual punishment.

3 New Sections; Medical Exemption from Hard Labor and Prevention of Abuse. Amend RSA 622 by inserting after section 7-b the following new sections:

622:7-c Medical Exemptions from Hard Labor; Prevention of Abuse.

I. An offender may be exempted from hard labor only upon a determination of medical inability by a qualified physician employed by or contracted with the department of corrections. "Medical inability" means a documented physical or mental condition that substantially impairs the offender's capacity to perform the essential functions of assigned hard labor tasks, even with reasonable accommodations, as certified in writing with reference to specific diagnostic criteria, such as based on standards from the American Medical Association or equivalent.

II. The determination shall be based on an in-person evaluation, including review of medical records, and may incorporate standardized assessments for malingering, such as the Structured Inventory of Malingered Symptomatology (SIMS) or similar validated tools.

III. If the initial evaluation supports an exemption, a second opinion from an independent physician or medical review board appointed by the commissioner may be required at the discretion of the department or upon challenge by correctional staff.

IV. Exemptions shall be reviewed at least every 6 months, or sooner if the offender's condition improves or new evidence suggests abuse. Failure to cooperate with evaluations may result in revocation of the exemption and disciplinary action.

V. An offender who knowingly submits a false or exaggerated claim of medical inability, or who malingers to avoid hard labor, commits a disciplinary offense punishable by:

- (a) Loss of good time credits (up to 90 days per incident) under RSA 651-A:22;
- (b) Extension of the minimum sentence by up to 6 months for repeated offenses;
- (c) Confinement in restrictive housing; or
- (d) Other sanctions as determined by department policy, consistent with due process.

VI. The department shall maintain records of all exemption requests, determinations, and reviews, and submit an annual report to the legislature on exemption rates, patterns, and any detected instances of abuse, including recommendations for improvements.

622:7-d Alternative Punitive Measures for Medical Exemptions.

I. If an offender sentenced to hard labor under RSA 651:2, II(i) receives a legitimate medical exemption under RSA 622:7-a or if hard labor is suspended due to insufficient staffing under RSA 622:7, III, the commissioner shall impose alternative punitive measures to ensure the sentence maintains a retributive component, including but not limited to:

(a) Placement in a restrictive housing unit (RHU) or special housing unit (SHU), involving up to 23 hours per day of isolation with minimal privileges, subject to periodic reviews every 6 months;

(b) Suspension or denial of privileges, including but not limited to non-contact visits only, limited telephone access, no recreation time beyond basic exercise, no canteen purchases except essentials, and no entertainment electronics;

(c) Automatic loss of good conduct credits under RSA 651-A:22 or earned time credits under RSA 651-A:22-a, up to the maximum allowable, to extend the effective term of confinement;

(d) Higher security classification, such as C-4 or C-5, with enhanced supervision, reduced yard time, and limited property;

(e) Mandatory participation in non-physical burdensome requirements, such as victim-impact programs, administrative duties if feasible, or restitution deductions from inmate funds.

II. These measures shall be tailored to the severity of the offense and the offender's classification, ensuring compliance with constitutional standards, and shall prioritize retribution and deterrence in lieu of hard labor.

4 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

5 Effective Date. This act shall take effect 6 months after its passage.

2025-3096h
AMENDED ANALYSIS

This bill incorporates hard labor as a sentencing option for certain offenses; establishes medical exemptions and penalties for abuse thereof; provides alternative punitive measures for legitimate medical exemptions; and establishes a sentencing appeals panel for prosecution appeals related to hard labor sentences.

**Amendment to SB 33-FN
(2025-3079h)**

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend the bill by replacing all after the enacting clause with the following:

1 Short Title. This act shall be known as the “Right To Challenge Act.”

2 New Subdivision; Prohibition of Materials Harmful to Minors in Schools. Amend RSA 189 by inserting after section 74 the following new subdivision:

Prohibition of Materials Harmful to Minors in Schools

189:74-a Prohibition of Materials Harmful to Minors in Schools.

I. For purposes of this section:

(a) “Material” means any printed matter, visual presentation, web-based content, live performance, or sound recording, including but not limited to books, magazines, motion picture films or videos, pamphlets, phonographic records, pictures, drawings, photographs, figures, statues, plays, dances, or other representations that are provided by the school district or by school employees, volunteers, guests, or speakers.

(b) “Nudity” means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernibly turgid state. A mother’s breastfeeding of her baby shall not under any circumstance constitute nudity, irrespective of whether or not the nipple is covered during or incidental to feeding.

(c) “Sexual conduct” shall mean actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person’s clothed or unclothed genitals, pubic area, buttock, or, if such person is female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual assault or simulates that sexual assault is being or will be committed. A mother’s breastfeeding of her baby shall not under any circumstance constitute sexual conduct.

(d) “Sadomasochistic abuse” means flagellation or torture by or upon a person or animal, or the condition of being fettered, bound, or otherwise physically restrained, for the purpose of deriving sexual satisfaction, or satisfaction brought about as a result of sadistic violence, from inflicting harm on another or receiving such harm oneself.

(e) “Sexual excitement” means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

(f) Material is harmful to minors when:

(1) Taken as a whole, it predominantly appeals to the prurient, shameful, or morbid interest of minors;

(2) The material depicts or describes nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in a manner that is patently offensive to prevailing standards in the adult community with respect to what is suitable for minors;

(3) The material lacks serious literary, scientific, medical, artistic, or political value to minors; and

(4) The material is inappropriate to the age of the minors to whom it is being made available or presented.

II. No later than September 1, 2026, each local school board shall adopt a policy describing the materials that are not authorized to be used by, circulated to, and/or accessed by, students in the local school district. The policy shall be posted on the district website.

III. No later than September 1, 2026, each local school board shall adopt a procedure to be used to address complaints submitted by parents or guardians alleging that material that is harmful to minors, age-inappropriate, or otherwise offensive or inappropriate for use in the child’s school. The policy shall be posted on the district website. At a minimum, the complaint resolution process shall provide that:

(a) Complaints be submitted in writing to the principal of the school where the student is enrolled, contain a reasonably detailed description of the material that is alleged to be harmful to minors, and propose an action to be taken by the school district relative to the material.

(b) The school principal or designee take reasonable steps to investigate the allegations in the complaint, including, but not limited to, reviewing the material complained of, meeting with the parent or guardian who submitted the complaint in person, or communicating with the parent or guardian by email or telephone, within 10 school days of receipt of the complaint.

(c) The school principal or designee determine whether the material that is the subject of the complaint is harmful to minors, age-inappropriate, or otherwise offensive or inappropriate for use in the child's school or for use in the context in which the material is being used.

(d) The school principal or designee, within 15 school days of receipt of the complaint, determine whether student access to, or use of, the material that is the subject of the complaint will remain in place without change, be removed, be restricted, be modified, or have other action taken with respect to the material.

(e) The school principal or designee, within 5 calendar days of making the determination required in subparagraph (d), provide a written response to the complainant explaining his or her decision, which includes:

(1) Whether the material has been determined to be harmful to minors, age-inappropriate, or otherwise offensive or inappropriate for use in the child's school;

(2) A description of why the principal or designee reached his or her conclusions; and

(3) An explanation of the value the principal or designee finds the material provides.

(f) The complainant may appeal the determination of the principal or designee to the school board within 20 calendar days of receipt of the determination of the principal or designee, or at the next regularly scheduled meeting of the school board, whichever comes first.

(g) The local school board shall permit the parent or guardian to be heard as part of the agenda at a regularly scheduled board meeting.

(h) Within 15 calendar days of the meeting at which the appeal is heard, the local school board issue a written decision that:

(1) Is signed by all school board members voting in the majority to affirm, reverse or modify the decision of the principal;

(2) Contains a certification signed by each school board member affirming that before voting on the matter, the school board member has personally familiarized himself or herself with the with the material in question; and

(3) Describes the reason or reasons for the school board's decision with reference to:

(A) Whether the material has been determined to be harmful to minors, age-inappropriate, or otherwise offensive or inappropriate for use in the child's school;

(B) A description of why the school board reached its conclusions; and

(C) An explanation of the value the school board finds the material provides.

IV. All decisions of the principal or designee and the school board, and any communications relating thereto, shall be considered public records pursuant to RSA 91-A.

3 Justifiable and Non-Commercial Private Dissemination. Amend RSA 650:4, I to read as follows:

I. Institutions or persons having scientific, *higher* educational, governmental or other similar justification for possessing obscene material; or

4 Effective Date. This act shall take effect upon its passage.

Amendment to SB 34 (2025-3056h)

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend the bill by replacing section 1 with the following:

1 Medicaid to Schools Program; Parental Consent Required. Amend RSA 186-C:25, VII and VIII to read as follows:

VII. Beginning on September 1, 2018, the commissioner of the department of health and human services shall submit an annual report to the senate president, the speaker of the house of representatives, *the chairpersons of the house and senate policy committees with jurisdiction over education, the chairpersons of the house and senate policy committees with jurisdiction over health and human services*, and the chairpersons of the house and senate finance committees regarding the total cost of the Medicaid to schools program and the number of students who received services through the program during the prior school year.

VIII. *Written parental consent shall be obtained for each new service provided to a Medicaid enrolled child pursuant to RSA 200:27-a. For the purpose of this paragraph and RSA 200:27-a, each new service shall mean each new Medicaid International Classification of Diseases (ICD) diagnostic code.*

IX. The program shall terminate statewide if the federal government or state adopts any policy contrary to a policy requiring parental control of all medical services provided to children. If a local school district adopts such a contrary policy, the program shall terminate for that school only.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect upon its passage.

**Amendment to SB 36
(2025-3091h)**

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs–r

Amend the bill by replacing all after the enacting clause with the following:

1 Collection and Reporting of Abortion Statistics. Amend RSA 329:49-a, I(f) to read as follows:

(f) ~~[Estimated]~~ Gestational age when the abortion was performed.

2 Collection and Reporting of Abortion Statistics; Effective Date. Amend 2025, 287:15, III to read as follows:

III. Section 14 of this act shall take effect **July** ~~[January]~~ 1, 2027.

3 Effective Date.

I. Section 1 of this act shall take effect July 1, 2027 at 12:01 a.m.

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

2025-3091h
AMENDED ANALYSIS

This bill delays the effective date for the collection and reporting of abortion statistics, and changes the information required to be obtained from “estimated gestational age when the abortion was performed” to “gestational age when the abortion was performed.”

**Amendment to SB 49-FN
(2025-3024h)**

Proposed by the Committee on Criminal Justice and Public Safety–c

Amend the title of the bill by replacing it with the following:

AN ACT relative to the unlawful operation or use of unmanned aircraft systems.

Amend the bill by replacing all after the enacting clause with the following:

1 Unlawful Operation or Use of Small Unmanned Aircraft System. Amend RSA 644:23, II to read as follows:

II. A person is guilty of a violation for a first offense, and a misdemeanor for a second or subsequent offense, if such person operates a small unmanned aircraft system in violation of laws and regulations of the Federal Aviation Administration (FAA), ~~[including but not limited to]~~ **specifically** 14 C.F.R. part 107, **as of July 24, 2025**.

2 Unlawful Operation or Use of Small Unmanned Aircraft System. Amend RSA 644:23, III(a) to read as follows:

(a) Comply with FAA Small Unmanned Aircraft Systems Rule, 14 C.F.R. part 107, **as of July 24, 2025**;

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

2025-3024h
AMENDED ANALYSIS

This bill clarifies the version of the federal regulation with which operators of small unmanned aircraft systems must comply.

**Amendment to SB 83-FN
(2025-3010h)**

Proposed by the Committee on Ways and Means–c

Amend the title of the bill by replacing it with the following:

AN ACT relative to licenses for primary and secondary game operators.

Amend the bill by replacing all after the enacting clause with the following:

1 Gross Video Lottery Revenue; Definition. Amend RSA 287-J:1, III to read as follows:

III. “Gross video lottery revenue” means the total of all sums actually received by a VLT licensee from operation of video lottery terminals, minus the total of all sums actually paid out as winnings to patrons, less any free play paid to patrons. ~~[The maximum amount of free play that any one licensee can deduct from gross video lottery revenue shall be 12.5 percent in any calendar year.]~~

2 Pari-Mutuel Pools on Historic Horse Races. Amend RSA 287:22-b, V to read as follows:

V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of not greater than 12 percent. In addition to the above commission, 100 percent of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as breakage, shall be paid to ~~[the lottery commission and used as payment for problem gaming services]~~ **the governor’s commission on addiction, treatment, and prevention. Any funds accrued by the lottery commission under this section as payment for problem gaming services shall also be directed to the governor’s commission on addiction, treatment, and prevention.**

3 Game Operator Employer; Definition. Amend RSA 287-D:1, VIII - XI to read as follows:

VIII. “Game operator employer” means ~~[a business entity or individual who employs, supervises, and controls game operators and who is hired by a charitable organization to operate games of chance on its~~

behalf. The owner of 10 percent or more of the entity, partner, managing member, or chief executive of a business entity who serves as a game operator employer must be listed as a part of the game operator license application] ***a person or business entity holding a license to operate games of chance activities and, if eligible, may obtain a license to also offer video lottery terminals pursuant to RSA 287-J and historic horse racing pursuant to RSA 284:22.***

IX. "Gaming equipment" means a collective reference to table game devices and their associated equipment.

X. "Primary game operator" means [~~any person other than a bona fide member of the charitable organization, involved in conducting, managing, supervising, directing, or running games of chance; including, but not limited to, gambling operation managers and assistant managers, managers and supervisors of security employees, pit bosses, shift bosses, credit executive, and cashier operations supervisors~~] ***an individual licensed by the commission and eligible for employment by a game operator employer to act in a supervisory capacity, access restricted areas, or make discretionary decisions relative to the operation of games of chance, video lottery terminals or historic horse racing devices.***

XI. "Secondary game operator" means [~~any person other than a bona fide member of the charitable organization, involved in dealing, running a roulette wheel, handling chips, or providing accounting services or security functions; including any person with job functions or responsibilities that require the person to watch over, protect, handle, use, maintain, or otherwise hold responsibility over gaming cash, revenue, supplies or devices. This includes individuals in the back office and anyone that has access to gaming systems, chips, tokens, or playing cards, or who has the ability to access or make changes to the gaming operations accounting system, player tracking system, gaming system records, or cash and accounting records~~] ***an individual licensed by the commission and eligible for employment by a game operator to participate in the operations of game of chance, video lottery terminals or historic racing devices in a non-supervisory capacity.***

4 Primary Game Operator License Applications. Amend the introductory paragraph of RSA 287-D:9, I to read as follows:

I. Other than members of a charitable organization, any person ***who will act in a supervisory capacity and be empowered by a game operator employer to make discretionary decisions on gambling operation*** [~~who is involved in conducting, managing, supervising, directing, or running games of chance~~] shall be licensed under this section[; ~~including but not limited to gambling operation managers and assistant managers, managers or supervisors of security employees, pit bosses, shift bosses, credit executives, and cashier operations supervisors~~]. In addition to the general requirements under RSA 287-D:5, a primary game operator license application shall include, at a minimum, the following information provided that the lottery commission may, by rule, establish additional items to be submitted on the application form or attached to it:

5 Secondary Game Operator License Applications. Amend RSA 287-D:10, I to read as follows:

I. Other than members of a charitable organization, any person who is employed by a game operator employer ***to operate games in a non-supervisory capacity*** shall be licensed under this section.

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

2025-3010h

AMENDED ANALYSIS

This bill:

- I. Removes the maximum amount of free play that may be deduced from gross video lottery revenue.
- II. Directs certain funds to the governor's commission on addiction, treatment, and prevention.
- III. Clarifies the definitions of primary and secondary game operators.

Amendment to SB 94 (2025-2972h)

Proposed by the Committee on Executive Departments and Administration—c

Amend the title of the bill by replacing it with the following:

AN ACT repealing municipal amendments to technical requirements of the state building code in certain circumstances.

Amend the bill by replacing all after the enacting clause with the following:

1 Public Safety and Welfare; New Hampshire Building Code; Enforcement Mechanism. Amend RSA 155-A:3, II to read as follows:

II. Amendments to the state building code implementing the issuance of permits and the collection of fees pursuant to RSA 155-A:2, III, and the issuance of permits and certificates of occupancy pursuant to RSA 155-A:2, IV, or other administrative functions shall be reserved for the municipalities, provided they are not less stringent than the state building code and confirmed pursuant to RSA 155-A:3, IV. No amendments to the technical requirements of the state building code are permitted. [~~Municipal amendments to technical re-~~

~~quirements of the state building code are permitted if the state building code is more than 2 editions behind the published model codes included in the state building code, provided they are not more or less stringent than the state building code and confirmed pursuant to RSA 155-A:3, IV.]~~

2 Effective Date. This act shall take effect July 1, 2026, at 12:01 AM.

2025-2972h
AMENDED ANALYSIS

This bill repeals municipal amendments to technical requirements of the state building code in certain circumstances.

**Amendment to SB 103-FN-LOCAL
(2025-2938h)
Proposed by the Committee on Election Law-r**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the number of polling stations that are available for certain towns and cities during a general election which includes the election for the office of President of the United States.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Presidential Elections; Polling Places. Amend RSA 658 by inserting after section 11 the following new section:

658:11-a Minimum Number of Polling Places; Presidential Elections.

I. In any general election for the office of President of the United States, each town or city shall provide no fewer than one polling location for every 15,000 registered voters as reflected on the checklist as of January 1 of the election year.

II. A town or city seeking to operate a single polling location serving more than 15,000 registered voters shall submit a plan to the secretary of state and the attorney general for joint approval. The plan shall address, at a minimum, the following considerations:

- (a) Anticipated traffic flow to and from the polling site.
- (b) Availability of law enforcement officers or contracted personnel for traffic management.
- (c) Number of parking spaces reasonably accessible to voters.
- (d) Number of poll books and assigned election workers to assist with voter check-in.
- (e) Availability and use of electronic poll books.
- (f) Number of ballot-counting devices in operation.
- (g) Number of registration stations and election officials available for same-day registrants.
- (h) Any other factors identified by the secretary of state and the attorney general as necessary to ensure efficient voting and minimize delays.

III. The secretary of state and the attorney general may request supplemental information as part of the review process and may condition approval on specific measures to be in place on election day.

2 Effective Date. This act shall take effect 180 days after its passage.

2025-2938h
AMENDED ANALYSIS

This bill requires towns and cities to provide at least one polling location for every 15,000 registered voters in that town or city for general elections that include an election for President of the United States.

**Amendment to SB 134-FN
(2025-3093h)**

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs-r

Amend the bill by replacing all after the enacting clause with the following:

1 New Sections; New Hampshire Granite Advantage Health Care Program; Work Requirements. Amend RSA 126-AA by inserting after section 5 the following new sections:

126-AA:6 Work Requirements.

I. In this section:

(a) "Applicable individual" means an individual described in 42 U.S.C. section 1396a(xx)(9)(A) who is eligible for the granite advantage health care program, and who is subject to work requirements.

(b) "Work requirements" mean the Medicaid community engagement and work requirements established under Section 71119 of Public Law No. 119-21.

II. No applicable individual shall be enrolled in Medicaid unless, at the time of application, the individual demonstrates compliance with the work requirements for the one month immediately preceding the month during which the individual applies. The department of health and human services shall require documentary evidence and shall not accept self-attestation at the time of application.

III. The department of health and human services shall verify an applicable individual's compliance with documentary evidence. Verification shall occur on an ongoing basis, at least quarterly between redetermination periods. Self-attestation shall not be accepted.

IV. The department of health and human services may rely on ex parte records and or documentary evidence provided by the applicable individual to verify exemption from work requirements. The department of health and human services shall verify all exemptions and shall not accept self-attestation from individuals seeking exemptions.

V. The department of health and human services shall not seek or implement any additional optional exemptions under 42 U.S.C. section 1396a(xx)(3)(B) or other program waivers without obtaining express approval of the oversight committee on health and human services established in RSA 126-A:13.

VI. The department of health and human services shall only approve an exemption for an individual based on the status of medically frailty or otherwise an individual with special needs if the individual has been medically certified per a statement from a physician, physician associate, nurse, nurse practitioner, designated representative of the physician's office, a licensed or certified psychologist, or a social worker, as having disabling mental disorders, having a physical, intellectual, or developmental disability that significantly impairs their ability to perform activities of daily living, including eating, dressing, bathing, grooming, getting in and out of bed and chairs, walking, going outdoors, using the toilet, or is in treatment for a chronic substance use disorder. In no case may the department of health and human services expand the definition of an individual who is medically frail or otherwise an individual with special needs beyond the scope of the definition established under 42 C.F.R. section 440.315 unless as otherwise modified in Public Law 119-21, Section 71119 (2025).

VII. Any applicable individual who fails to comply with the work requirements shall be provided notice and an additional 30 days to supply verification of compliance or exemption. After the 30-day notice period, the department of health and human services shall disenroll any applicable individual who does not demonstrate compliance with the work requirements or qualify for an exemption.

VIII. In the event of a conflict between this section and the requirements of Public Law 119-21, Section 71119 (2025), the requirements of the federal statute or regulation shall control.

126-AA:7 Severability. If any portion of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

2 New Hampshire Granite Advantage Health Care Program; Community Engagement and Work Requirements. Amend 2025, 141:412 to read as follows:

141:412 New Hampshire Granite Advantage Health Care Program, ~~[1115 Demonstration; Renewed Application to CMS]~~ **Community Engagement and Work Requirements.**

I. On or before ~~[January]~~ **December 1, 2026, or on an earlier date within 30 calendar days after publication of the federal application template**, the department of health and human services shall ~~[resubmit]~~ **submit** to the Center for Medicare and Medicaid Services (CMS) ~~[a Section 1115 demonstration waiver to the state Medicaid plan relative to enforcing]~~ **required documentation relative to implementing community engagement and work requirements as a condition of Granite Advantage eligibility in accordance with the One Big Beautiful Bill Act of 2025, Public Law 119-21, Section 71119 (2025).** Prior to submitting the ~~[Section 1115 waiver]~~ **required documentation** to CMS, the department shall submit the proposed ~~[waiver]~~ **plan to implement community engagement and work requirements** to the fiscal committee of the general court for ~~[approval]~~ **review.**

II. Beginning November 1, 2025 and ~~[annually]~~ **quarterly** thereafter **through December 31, 2026, and then annually thereafter**, the department shall provide a report regarding the status of the ~~[waiver application]~~ **plan under review by CMS** and implementation of the community engagement **and work requirements** ~~[in RSA 126-AA:2, IH]~~ **eligibility in accordance with Public Law 119-21, Section 71119 (2025)**, to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor.

3 New Hampshire Granite Advantage Health Care Program Established; Community Engagement and Work Requirements; Suspended. The provisions of RSA 126-AA:2, directly related to the community engagement and work requirements, shall be suspended for the duration of the federal community engagement and work requirements under Public Law 119-21, Section 71119 (2025), as amended. If the federal community engagement and work requirements are subsequently eliminated, the commissioner of the department of health and human services shall immediately certify in writing the removal of the suspension to the director of the office of legislative services, the secretary of state, the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor.

4 New Hampshire Granite Advantage Health Care Program Established. Amend RSA 126-AA:2, I(a) to read as follows:

I.(a) The commissioner shall apply for any necessary waivers and state plan amendments to implement ~~[a 5-year demonstration program beginning on January 1, 2019 to create]~~ **and administer** the New Hampshire granite advantage health care program which shall be funded exclusively from non-general fund sources, including federal funds. The commissioner shall include in an application for the necessary waivers

submitted to the Centers for Medicare and Medicaid Services (CMS) a waiver of the requirement to provide 90-day retroactive coverage and a state plan amendment allowing state and county correctional facilities to conduct presumptive eligibility determinations for incarcerated inmates to the extent provided under federal law. To receive coverage under the program, those individuals in the new adult group who are eligible for benefits shall choose coverage offered by one of the managed care organizations (MCOs) awarded contracts as vendors under Medicaid managed care, pursuant to RSA 126-A:5, XIX(a). The program shall make coverage available in a cost-effective manner and shall provide cost transparency measures, and ensure that patients are utilizing the most appropriate level of care. Cost effectiveness shall be achieved by offering cash incentives and other forms of incentives to the insured by choosing preferred lower cost medical providers. Loss of incentives shall also be employed. MCOs shall employ reference-based pricing, cost transparency, and the use of incentives and loss of incentives to the Medicaid and newly eligible population. For the purposes of this subparagraph, “reference-based pricing” means setting a maximum amount payable for certain medical procedures.

5 Effective Date. This act shall take effect upon its passage.

2025-3093h

AMENDED ANALYSIS

This bill establishes community engagement and work requirements under the New Hampshire granite advantage health care program, or the state’s expanded Medicaid program, pursuant to authorization for such requirements established in Section 71119, Public Law 119-21. This bill also directs the department of health and human services to file documentation with the Center for Medicare and Medicaid Services relative to implementing community engagement and work requirements as a condition of granite advantage eligibility.

Amendment to SB 182 (2025-2328h)

Proposed by the Committee on Executive Departments and Administration—c

Amend the title of the bill by replacing it with the following:

AN ACT relative to the maternal mortality review committee.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Maternal Mortality Review Panel. Amend RSA 132:30, I by inserting after subparagraph (i) the following new subparagraph:

(j) A representative of the department of corrections, appointed by the commissioner of the department of corrections.

2 Maternal Mortality Review Panel. Amend RSA 132:30, IV to read as follows:

IV. The commissioner may delegate to ~~[the Northern New England Perinatal Quality Improvement Network (NNEPQIN)]~~ ***New Hampshire perinatal quality collaborative (NHPQC) affiliated with Dartmouth Health*** the functions of collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the panel, and other substantive and administrative tasks as may be incident to these activities. The activities of ~~[NNEPQIN]~~ ***NHPQC*** and its employees or agents shall be subject to the same confidentiality provisions as those that apply to the panel.

3 Public Health; Maternal Mortality Review Panel Established. Amend RSA 132:30, VI(b) to read as follows:

(b) Each ~~[member of the panel shall be responsible for the dissemination of panel recommendations to his or her respective institutions and professional organizations]~~ ***panel meeting shall conclude with the development of panel recommendations with members responsible for the dissemination of recommendations to his or her respective institutions or professional organizations.*** All such information shall be disseminated through each participant’s quality assurance program in order to protect the confidentiality of all participants and patients involved in any incident.

4 Public Health; Maternal Mortality Review Panel Established. Amend RSA 132:30, VII to read as follows:

VII. The commissioner of the department of health and human services, with the advice and recommendation of a majority of members of the panel, shall adopt rules, pursuant to RSA 541-A, relative to the following:

(a) The system for identifying and reporting maternal ~~[deaths]~~ ***mortalities*** to the commissioner, or designee.

(b) The form and manner through which the program may acquire information under RSA 132:31.

(c) The protocol to be used in carefully and sensitively contacting [a] family ~~[member]~~ ***members and close contacts*** of the deceased woman for a discussion of the events surrounding the death, allowing grieving family members to refuse such an interview.

(d) Assuring de-identification of all individuals and facilities involved in the panel review of cases.

5 Effective Date. This act shall take effect upon its passage.

2025-2328h
AMENDED ANALYSIS

This bill revises membership and responsibilities of the maternal mortality review panel.

**Amendment to SB 186
(2025-2993h)**

Proposed by the Committee on Legislative Administration—c

Amend the title of the bill by replacing it with the following:

AN ACT preventing portraits depicting persons from being hung in certain places in the statehouse, unless the subject of the portrait has been dead for at least 10 years and provided exemplary and noteworthy services to the citizens of this state.

Amend the bill by replacing all after the enacting clause with the following:

1 The State and Its Government; Legislative Officers and Proceedings; Office Space and Parking Facilities.
Amend RSA 14:14-b to read as follows:

4:9 Portraits or Other Memorials. No portraits, busts, statues, or other memorial objects shall be placed in or on the state house with the exception of those areas under the use and control of the general court as defined by RSA 14:14-b, III, state house annex, state library, Hannah Dustin monument, Franklin Pierce homestead, Daniel Webster birthplace, or grounds connected with each without the consent of the governor and council. Any portraits, flags, busts, statues, or other memorial objects to be placed in or on legislative facilities as defined by RSA 14:14-b shall be at the direction of the joint legislative historical committee in consultation with the director of the division of historical resources, department of natural and cultural resources. ***Portraits depicting persons shall not be placed in the statehouse in any area listed under RSA 14:14-b, unless the subject of the portrait has been dead for at least 10 years and provided exemplary and noteworthy services to the citizens of this state.*** The director, division of historical resources, shall be responsible for the care of such memorial objects at any of these sites.

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

2025-2993h
AMENDED ANALYSIS

This bill prevents portraits depicting persons from being hung in certain places in the statehouse, unless the subject of the portrait has been dead for at least 10 years and provided exemplary and noteworthy services to the citizens of this state.