State of
New Hampshire

HOUSE RECORD

First Year of the 169th General Court

Calendar and Journal of the 2025 Session

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Contains: Amendments; Bills Laid on the Table; Committee Reports; House Bills Amended by the Senate; House Deadlines; Meetings and Notices; Revised Fiscal Notes.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet at 10:00 a.m. on Thursday, June 5th, which is our deadline to act on all remaining Senate Bills. The House will also meet on June 12th and June 26th. The House will not meet on Thursday, June 19th.

Prior to the June 5th session, a photographer will be taking a “class photo” of all currently serving House Members on the State House steps. We are asking Members to gather on the State House Plaza at 8:30 a.m. Your photo will be taken promptly at 8:45 a.m. We will not be able to accommodate late arrivals so please be prompt. I sincerely hope you will all be available to join your colleagues for this memorable and historical group photo. Copies of the photos will be available for purchase at a later date. Please watch your email from for further details on this event from New Hampshire House Communications.

Please note that a Staff photo will be taken on the State House steps immediately following your class photo on June 5th.

As the Summer break nears, in keeping with past practice to minimize travel costs, there will be no legislative activity or mileage reimbursement between July and August, unless special circumstances arise and pre-authorization is granted. Be sure to contact the Speaker’s office for pre-authorization.

During your Summer travel, and throughout your service in the House, please remember that your state-issued EZ-Pass devices will not work outside of New Hampshire.

Among the principles of public service outlined in the introduction to the General Court Ethics Booklet is the “Principle of Conduct”, that states, “Legislators shall treat each other, legislative employees, and the public with dignity and respect.” Generations of legislators before us were able to act in a dignified and professional manner even in times of great controversy. We, as they did, have the great honor and opportunity to use our platform and lead by example. Please do everything you can to help maintain professional decorum, in all of your interactions, at all times.

Sherman A. Packard, Speaker of the House

NOTICE

Meetings of the chairs and vice chairs are scheduled for every Tuesday from 9:00 a.m.–9:45 a.m. in Rooms 306-308 of the Legislative Office Building.

Sherman A. Packard, Speaker of the House

NOTICE

There will be a Democratic Caucus on **Thursday, June 5th at 9:00 a.m.** in the State House Cafeteria.

Rep. Alexis Simpson, Democratic Leader

NOTICE

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:	**AVAILABLE ON:**
Wednesday, June 4, 2025	Friday, June 6, 2025
Wednesday, June 11, 2025	Friday, June 13, 2025
Wednesday, June 18, 2025	Friday, June 20, 2025

Paul C. Smith, Clerk of the House

2025 HOUSE DEADLINES

First Year Session Deadlines

Thursday, June 5, 2025	Last day to act on SBs
Thursday, June 12, 2025	Last day to form Committees of Conference
Thursday, June 19, 2025	Last day to sign Committee of Conference reports (4 p.m.)
Thursday, June 26, 2025	Last day to act on Committee of Conference reports
Monday, September 15, 2025	First Day to file LSRs for 2026 Session
Friday, September 19, 2025	Last Day to file LSRs for 2026 Session (4 p.m.)
Friday, November 21, 2025	Last Day to sign off LSRs for 2026 Session (4 p.m.)
	Last Day to report all retained bills
Thursday, January 8, 2026	Last day to introduce House Bills

BILLS LAID ON THE TABLE

HB 96, requiring New Hampshire builders to use the 2021 Energy Building codes or a similar code that achieves equivalent or greater energy savings. Pending question: Inexpedient to Legislate.

HB 145-FN, relative to background checks for licensed dieticians and adopting the dietician licensure compact. Pending question: Ought to Pass with Amendment.

HB 147, relative to clarifying tax exemptions for properties used by religious, educational, and charitable organizations. Pending question: Ought to Pass.

HB 157, establishing a study committee to examine ways to improve the usefulness of fiscal notes. Pending question: Inexpedient to Legislate.

HB 159-FN, authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental heath-related firearms disabilities. Pending question: Ought to Pass with Amended.

HB 199, extending the statute of limitations on civil actions relative to damage caused by per-and polyfluoroalkyl substances (PFAS). Pending question: Ought to Pass.

HB 251-FN, allowing the ownership of certain squirrels and raccoons. Pending question: Inexpedient to Legislate.

HB 254, relative to options for end of life care. Pending question: Ought to Pass.

HB 264-FN, relative to delegates to an Article V convention. Pending question: Ought to Pass.

HB 306, establishing a commission to study the short and long-term impacts of pending national and regional carbon pricing mechanisms on New Hampshire's citizens, businesses, institutions, and environment. Pending question: Inexpedient to Legislate.

HB 347, relative to protection of employment for members of the general court. Pending question: Inexpedient to Legislate.

HB 351, requiring landlords to give tenants of at-will tenancies at least 60-days notice to evict. Pending question: Inexpedient to Legislate.

HB 372-L, relative to lease agreements of equipment for building or facility improvements. Pending question: Ought to Pass.

HB 386-FN, prohibiting nursing agencies from including non-compete clauses in contracts with health care entities. Pending question: Inexpedient to Legislate.

HB 402, relative to liability as taxable income of education freedom account payments. Pending question: Inexpedient to Legislate.

HB 408, moving the date of the state primary to the fourth Tuesday in August. Pending question: Inexpedient to Legislate.

HB 425, allowing tax-exempt entities to keep their tax-exempt status while renting facilities or property to entities that share their mission. Pending question: Ought to Pass.

HB 432, relative to recovery houses. Pending question: Inexpedient to Legislate.

HB 442, relative to prohibiting payment of subminimum wages, Pending question: Inexpedient to Legislate.

HB 460-FN, relative to utility investments in distributed energy resources. Pending question: Inexpedient to Legislate.

HB 483-FN, relative to the definition of a scholarship organization for purposes of the education tax credit. Pending question: Inexpedient to Legislate.

HB 526-FN, establishing a climate change and damage division in the department of environmental services. Pending question: Inexpedient to Legislate.

HB 530-FN, increasing the amount of revenue transferred from the real estate transfer tax to the affordable housing fund. Pending question: Inexpedient to Legislate.

HB 535-FN, relative to defining the role of the public utilities commission. Pending question: Inexpedient to Legislate.

HB 536-FN, relative to a cost of living adjustment in the state retirement system. Pending question: Ought to Pass.
HB 537, relative to electric rates approved by the public utilities commission for residential condominium property. Pending question: Inexpedient to Legislate.
HB 542-FN, relative to weekly benefit amounts for unemployment compensation. Pending question: Inexpedient to Legislate.
HB 553-FN, relative to the definition of abuse and neglect and conditions triggering a rebuttable presumption of harm in abuse and neglect cases. Pending question: Ought to Pass with Amendment.
HB 568, allowing subdivision regulations concerning water supply. Pending question. Inexpedient to Legislate.
HB 581-FN, establishing a state retirement plan group for new state employee members of the retirement system. Pending question: No pending question.
HB 583-FN-L, relative to state participation in the Medicaid direct certification program for free and reduced price school meals. Pending question: Inexpedient to Legislate.
HB 586-FN, establishing an employee assistance program for small town first responders and making an appropriation therefor. Pending question: Inexpedient to Legislate.
HB 587-FN, allowing admission of one-party audio and video recordings in certain circumstances. Pending question: Inexpedient to Legislate.
HB 599, establishing a committee to examine weatherization initiatives for homes in New Hampshire. Pending question: Inexpedient to Legislate.
HB 614-FN, relative to litigation alleging constitutional rights violations. Pending question: Inexpedient to Legislate.
HB 615-FN, relative to drug forfeiture proceedings. Pending question: Inexpedient to Legislate.
HB 620-FN, relative to the exercise of the freedom of religion. Pending question: Ought to Pass.
HB 637-FN, relative to the reduction in the calculation of state retirement annuities at age 65 for certain group I retirement system members. Pending question: Inexpedient to Legislate.
HB 645-FN, relative to data collection and reporting requirements of the prescription drug affordability board. Pending question: Ought to Pass with Amended.
HB 654-FN, relative to allowing small customer-generators the ability to participate in group-net metering. Pending question: Inexpedient to Legislate.
HB 674-FN, relative to non-wire alternatives, time-of-use tariffs, and multi-year rate settings. Pending question: Inexpedient to Legislate.
HB 692, relative to utility companies adopting advanced meters. Pending question: Inexpedient to Legislate.
HB 714-FN, creating a single primary ballot. Pending question: Inexpedient to Legislate.
HB 726-FN, relative to the state minimum hourly wage. Pending question: Inexpedient to Legislate.
HB 744-FN, relative to workers' compensation indemnity benefits percentage. Pending question: Inexpedient to Legislate.
HB 755-FN, relative to the state's electric utility market. Pending question: Inexpedient to Legislate.
HB 757, relative to tip pooling and sharing and automatic service charges. Pending question: Inexpedient to Legislate.
HB 759-FN, relative to community energy generators. Pending question: Inexpedient to Legislate.
HB 760-FN, relative to utility default service. Pending question: Inexpedient to Legislate.
HB 761-FN, relative to customer energy storage. Pending question: Inexpedient to Legislate.
HB 762-FN-A, appropriating $30,000 to the judicial branch for the purpose of hiring a contractor to conduct a manual review of domestic violence and stalking cases and related criminal cases. Pending question: Inexpedient to Legislate.
HB 764-FN, prohibiting the intentional release of polluting emissions, including cloud seeding, weather modification, excessive electromagnetic radio frequency, and microwave radiation and making penalties for violation of such prohibition. Pending question: Inexpedient to Legislate.
HB 775-FN, directing the department of health and human services to issue a request for proposals for supervised visitation centers. Pending question: Ought to Pass.
HCR 3, applying for a convention of the states under Article V of the Constitution of the United States. Pending question: Ought to Pass.
HCR 5, rescinding House Concurrent Resolution No. 40 passed by the 2012 New Hampshire General Court asking that Congress call a convention under Article V of the United States Constitution. Pending question: Inexpedient to Legislate.
HCR 7, recognizing abortion as a critical component of comprehensive reproductive health care. Pending question: Inexpedient to Legislate.
HJR 1, affirming the natural right of persons and affirming that the state and federal government are established for the purpose of upholding, protecting, and securing these rights. Pending question: Ought to Pass.
HR 17, affirming revenue estimates for fiscal years 2025, 2026, and 2027. Pending question: No Pending question.

SB 67-FN, relative to workers' compensation and resolution of payment disputes. Pending question: Inexpedient to Legislate.
SB 169, requiring employers to provide certain information regarding cost sharing to employees receiving workers' compensation benefits. Pending question: Inexpedient to Legislate.
SB 170, relative to development and related requirements in cities, towns, and municipalities. Pending question: Committee amendment.
SB 171, relative to required pay for remote work. Pending question: Ought to Pass with Amendment.
SB 174, prohibiting planning boards from considering the number of bedrooms a given unit or development has during the hearing and approval process. Pending question: Inexpedient to Legislate.
SB 243-FN, relative to the child care scholarship program. Pending question: Inexpedient to Legislate.
SB 294-FN, relative to lab fees for career and technical education courses. Pending question: Inexpedient to Legislate.

2025 HOUSE BILLS AMENDED BY THE SENATE

HB 57, (New Title) relative to the standards applicable to bail in criminal matters. (SJ 5/22/2025)
HB 64, relative to extending hiring preferences for military members and their spouses to the state and private businesses, and establishing purchase preferences for disabled veterans and military spouses regarding state supply purchases. (House Concurs 5/8/2025)
HB 67-FN-A, relative to agreements with the secretary of state for the use of accessible voting systems. (SJ 5/15/2025)
HB 82, relative to the regulation of various occupations. (SJ 5/15/2025)
HB 85-FN, relative to temporary licensure for student respiratory therapists. (SJ 5/15/2025)
HB 87-FN, prohibiting the posting of land not owned by the poster. (House Concurs 5/8/2025)
HB 92, (New Title) requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances. (House Concurs 5/8/2025)
HB 110, authorizing counties to establish revolving fund accounts. (House Concurs 5/8/2025)
HB 118, (Second New Title) repealing certain committees and commissions and relative to the membership of the New Hampshire rare disease advisory council. (SJ 5/15/2025)
HB 123, (Second New Title) defining pre-sequestration timber tax revenue, establishing a moratorium on carbon sequestration and establishing a commission to study the effects of carbon sequestration in New Hampshire forests upon state and local tax revenue, effective forest management, and the health of New Hampshire's logging industry. (SJ 5/22/2025)
HB 124, (New Title) enabling a municipal forest committee or conservation commission to offer surplus money to the municipality for deposit in the municipal unreserved fund balance. (SJ 5/1/2025)
HB 127, extending the closing date of the OHRV trails on the Connecticut River Headwaters property from September 30 to Columbus Day. (House Concurs 5/8/2025)
HB 132-FN, (Second New Title) eliminating liability for support and recovery over certain indigent relations. (SJ 5/15/2025)
HB 134, relative to the state building code. (House Concurs 5/8/2025)
HB 142, (New Title) relative to Gold Star Mother's Day. (SJ 5/15/2025)
HB 144-FN, relative to the practice of dental hygiene. (SJ 4/17/2025)
HB 151, relative to the term for supervisors of the checklist. (SJ 5/22/2025)
HB 154, enabling voters to request to have their ballots hand-counted. (SJ 5/8/2025)
HB 156, (New Title) relative to the duties of the advisory committee on state procurement. (SJ 5/15/2025)
HB 163, relative to state funds. (5/1/2025)
HB 177, relative to children in placement pursuant to an episode of treatment for which the department of health and human services has a financial responsibility. (SJ 5/8/2025)
HB 179-FN, relative to hazardous waste accident fees. (House Concurs 5/8/2025)
HB 189, (New Title) relative to the department of energy's 10-year state energy strategy and removing references to the energy efficiency and sustainable energy board. (SJ 5/15/2025)
HB 200, relative to the procedure for overriding a local tax cap. (SJ 5/8/2025)
HB 213, relative to wage garnishment for child support. (House Concurs 5/8/2025)
HB 214-FN, (New Title) relative to the regulation of recreational therapists and respiratory care practitioners and relative to delaying the effective dates of various new procedures for criminal history records checks. (House Concurs 5/8/2025)
HB 218-FN, relative to providing victims of crime with a free police report of the investigation. (SJ 5/1/2025)
HB 225-FN, relative to the employment of military spouses in the event of involuntary deployment of service member. (SJ 5/15/2025)
HB 228-LOCAL, relative to petitioned articles at annual or special town meetings. (SJ 5/22/2025)
HB 248, (New Title) relative to notice requirements regarding state employee investigations and relative to legislative ethics requirements. (SJ 5/1/2025)

HB 250, (New Title) enabling local governing bodies to regulate the muzzling of dogs and increasing the fee to license certain dogs. (SJ 5/1/2025)
HB 265, (New Title) requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the recording secretary. (House Concurs 5/8/2025)
HB 270, (New Title) requiring the preservation of electronic ballot counting device external storage devices. (SJ 5/8/2025)
HB 273, relative to a parent's access to their minor child's library records. (SJ 5/15/2025)
HB 296, relative to issuing building permits along private roads. (SJ 5/22/2025)
HB 309-FN, relative to making electronic rent payments optional. (SJ 5/8/2025)
HB 328-FN, establishing a charitable gaming oversight commission. (SJ 5/22/2025)
HB 342, (New Title) relative to the approval process for new construction and to the adoption of energy efficient and clean energy districts by municipalities. (SJ 5/22/2025)
HB 358, relative to exemption from immunization requirements on the basis of religious belief. (SJ 5/8/2025)
HB 369-FN, (New Title) relative to misdemeanor sexual assault prosecutions and relative to the duty to report for sexual offenders and offenders against children. (SJ 5/22/2025)
HB 374, (New Title) relative to local tax cap and budget laws. (SJ 5/8/2025)
HB 382, (Second New Title) repealing the requirement that vehicle funding loan contracts have successive periodic payments that are substantially equal in amount. (SJ 5/8/2025)
HB 399, (New Title) establishing a commission to study the New Hampshire zoning enabling act and relative to the effective date of the C-PACER program. (House Concurs 3/6/2025)
HB 416-FN, prohibiting the intentional disposal of yard waste into the surface waters of the state. (SJ 5/15/2025)
HB 421-FN, relative to notice of tax exempt-status filing procedures by town officials or offices. (SJ 5/15/2025)
HB 428-LOCAL, (New Title) relative to the state building code. (SJ 5/15/2025)
HB 457, (Second New Title) relative to zoning restrictions on dwelling units. (SJ 5/22/2025)
HB 464, (New Title) prohibiting certain candidates for political office from participating in counting ballots. (SJ 5/22/2025)
HB 469, relative to membership of the public deposit investment pool advisory committee. (House Concurs 5/8/2025)
HB 485, authorizing persons who win the state lottery to remain anonymous. (SJ 5/22/2025)
HB 504, relative to the state energy policy. (SJ 5/8/2025)
HB 532, relative to alternative dispute resolution and individualized education plan team meeting facilitation. (SJ 5/22/2025)
HB 551-FN, (New Title) repealing the license to sell pistols and revolvers and limiting liability for certain design features of firearms. (House Concurs 5/22/2025)
HB 554, (Second New Title) clarifying the placement of advertising signs on state-owned property. (SJ 5/1/2025)
HB 557, relative to the information that appears on the school budget ballot. (SJ 5/15/2025)
HB 566-FN, requiring permit applications for new landfills to contain a detailed plan for leachate management. (SJ 5/22/2025)
HB 591-FN, expanding hours for keno gaming on weekends. (SJ 5/1/2025)
HB 606, (New Title) relative to a patient's right to appropriate reproductive care for medical conditions. (SJ 5/15/2025)
HB 617, relative to the homestead right. (SJ 5/1/2025)
HB 626, directing the secretary of state to implement a vulnerability disclosure program for certain election systems. (SJ 5/1/2025)
HB 634, (Second New Title) relative to the New Hampshire council on autism spectrum disorders. (SJ 5/15/2025)
HB 650-FN, removing references to repealed funds and relative to state park and robotics education funds. (SJ 5/22/2025)
HB 655-FN, (New Title) relative to fish and game violations, permits, and licenses. (SJ 4/17/2025)
HB 658-FN, raising the cap on certain reimbursements from the oil discharge and disposal cleanup fund. (SJ 5/15/2025)
HB 667-FN, (Second New Title) relative to health education and requiring the viewing of certain videos demonstrating gestational development. (SJ 5/22/2025)
HB 670-FN, (New Title) adjusting the minimum fine for attacks by nuisance dogs. (SJ 5/1/2025)
HB 672-FN, to allow for off-grid electricity providers in New Hampshire. (SJ 5/8/2025)
HB 677-FN, (Second New Title) relative to the possession and use of epinephrine at recreation camps, schools, and institutions of higher education. (SJ 5/22/2025)
HB 682, relative to the office of offshore wind industry, the offshore and port development commission, and the office of energy innovation. (SJ 5/8/2025)

HB 685, permitting in all residentially zoned areas by right the construction of manufactured housing. (SJ 5/8/2025)
HB 690-FN, directing the department of energy to investigate the state's withdrawal from ISO-New England and other strategy decisions that impact ratepayers in relation to New England's environmental policy. (SJ 5/22/2025)
HB 696-FN, (New Title) relative to the application of utility property taxes and statewide education property taxes to electric generating facilities. (SJ 5/22/2025)
HB 710-FN, (New Title) enabling electric utilities to own, operate, and offer advanced nuclear resources, and relative to purchased power agreements for electric distribution utilities and limitations on community customer generators. (SJ 5/22/2025)
HB 737-LOCAL, creating local options for games of chance. (SJ 5/1/2025)
HB 752, relative to procedures for the closing of a charter school. (SJ 5/15/2025)
HB 763-FN, relative to school emergency plans for sports related injuries. (SJ 5/15/2025)
HB 768, (New Title) allowing public schools to contract with any approved nonpublic school. (SJ 5/15/2025)
HB 771-FN, relative to funding for open enrollment schools. (SJ 5/15/2025)
HB 778-FN, (New Title) authorizing the director of the police standards and training council to detail law enforcement training specialists employed by the council for law enforcement and crowd control services and relative to disability retirement benefits. (SJ 4/17/2025)

THURSDAY, JUNE 5

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

SB 24, allowing students under age 21 to taste wine in educational settings. **OUGHT TO PASS.**
Rep. John Potucek for Commerce and Consumer Affairs. This bill Amends RSA 179 and allows "qualified students" enrolled in "qualified academic institutions" to "taste," but not swallow, an alcoholic beverage. "Qualified students" shall not be subject to prosecution under RSA 179:10 as long as all eight qualifications are met. Unlawful possession and intoxication statutes are still in force but amended by this bill. The Committee agreed with the sponsor that the tasting of alcoholic products in an educational setting is an important step in a student's formal alcohol education. **Vote 15-0.**

SB 25, allowing credit union members to pay members of the board of directors for their services as a board member. **OUGHT TO PASS.**
Rep. Chris McAleer for Commerce and Consumer Affairs. This bill repeals and replaces RSA 383-E:6-607(a). It enables but does not compel a credit union to now compensate its board of directors members with a stipend agreed upon by its members. **Vote 16-0.**

SB 26, (New Title) relative to the definition of deposits as they pertain to land sales and escrow of deposits. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill allows the department of justice to authorize the pre-closing use of a portion of a deposit held in escrow for the payment of certain construction customizations, upgrades, or change orders if the construction/sale falls through. The amendment removes several sections that appeared to be contradictory to the intent of the legislation. **Vote 16-0.**

SB 47, requiring certain health insurance policies of a birth mother to provide coverage for a newly born child from the moment of birth. **OUGHT TO PASS.**
Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill ensures immediate health insurance coverage for newborns under the birth mother's policy. The bill requires that a birth mother's health insurance policy provide coverage for her newborn child from the moment of birth, making it the primary policy unless the mother lacks insurance or employer-sponsored coverage. If the mother does not have insurance or employer-sponsored coverage, the other parent's policy may provide coverage. **Vote 16-0.**

SB 52, relative to default provisions in New Hampshire trusts. **OUGHT TO PASS.**
Rep. Chris McAleer for Commerce and Consumer Affairs. This bill collectively refers to a trustee, trust advisor, or trust protector as a "fiduciary," whether or not exercising fiduciary responsibilities. It further states that a beneficiary of a trust may not replace a fiduciary with a relative or subordinate of the beneficiary within the meaning of section 672(a) of the Internal Revenue Code. Furthermore, a fiduciary may not use their discretionary power to satisfy any legal obligations of a beneficiary. **Vote 16-0.**

SB 79-FN, enabling the use of self-pour automated systems by liquor commission licensees. **OUGHT TO PASS.**
Rep. John Potucek for Commerce and Consumer Affairs. This bill defines and enables the use of self-pour automated systems by holders of on-premises licenses. The bill amends RSA 178 by adding the new section titled "Self-Automated Pour Systems." It allows licensees to utilize an automated dispensing system when a patron activates

the automated dispensing system via an RFID token item. This will allow licensees to control intake of alcohol by patrons without having to employ unneeded excess employees to do so, reducing employer expenses, especially when employees are getting harder to find. Monitoring customer alcohol intake is made much easier by monitoring their token and limiting the customer to additional drinks. It also allows customers to purchase larger quantities of product for family and friends, while still monitoring overall quantities per person. Via this methodology, additional revenues can easily be realized by both the providing location and the Liquor Commission. **Vote 16-0.**

SB 80-FN, consolidating licensing, auditing, and enforcement responsibilities for wholesale and retail e-cigarettes sales under the liquor commission. **OUGHT TO PASS.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill consolidates licensing, auditing, and enforcement responsibilities for wholesale and retail e-cigarette sales under the liquor commission. The bill also provides for tobacco tax certificates to be issued by the department of revenue administration and licenses issued by the liquor commission. **Vote 16-0.**

SB 85, relative to chartered bank lending limits. **OUGHT TO PASS.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill makes two key changes. First, it raises the legal lending limit for New Hampshire-chartered banks from 15% to 20% of capital, with an option to increase it to 25% if the additional 5% is fully secured. Currently, these banks may lend only up to 15% of their capital to any single customer. This change brings New Hampshire's standard more in line with other jurisdictions, enhancing competitiveness while maintaining prudential safeguards. The second change aligns New Hampshire's de novo period with the FDIC standard. The de novo period is the initial phase for newly chartered banks, during which they undergo heightened regulatory oversight. Currently, New Hampshire's period is five years; the FDIC's is three. This bill reduces New Hampshire's period to three years to ensure consistency and remove unnecessary regulatory burden. **Vote 16-0.**

SB 89, enabling non-citizens who are legally authorized to work in the United States to deliver alcohol. **OUGHT TO PASS.**
Rep. Jared Sullivan for Commerce and Consumer Affairs. This bill proposes to amend New Hampshire law to allow non-citizens who are legally authorized to work in the United States to deliver alcoholic beverages. This change would expand employment opportunities in the alcohol delivery sector to include individuals with valid work authorization, such as those holding work visas or permanent resident status. **Vote 16-0.**

SB 121-FN, requiring notice to the insurance department of the discontinuance of certain types of insurance, including Medicare Advantage Plans. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Anita Burroughs for Commerce and Consumer Affairs. As amended, this bill aims to enhance transparency for the public and the insurance sector by mandating that insurance companies provide advance notice to the state's insurance department before discontinuing or significantly modifying specific types of insurance. **Vote 16-0.**

SB 124-FN, relative to continuing care retirement communities. **OUGHT TO PASS.**
Rep. Julie Miles for Commerce and Consumer Affairs. This bill repeals and reenacts RSA 420-D, providing the first major update in over 30 years to the state's regulatory framework for Continuing Care Retirement Communities (CCRCs). CCRCs provide long-term housing and health care services for older adults under a single continuing care contract. Residents pay a substantial entrance fee — often between $50,000 and $750,000 — along with ongoing monthly fees, in exchange for a promise of care for life. This bill addresses the serious financial risks faced by residents when a facility becomes insolvent. It strengthens oversight by requiring expanded certificate of authority applications, quarterly and annual financial reporting, escrow protections for entrance fees, and early warning systems for financial distress. It also mandates notice prior to ownership changes or contract cancellations, and includes a Resident Bill of Rights, providing seniors with transparency, complaint procedures, and representation. The bill was requested by the New Hampshire Insurance Department (the Department), which cited several recent CCRC financial failures — one requiring state receivership — as justification for action. These reforms allow the Department to intervene earlier, rather than waiting until a facility is in crisis. The Department emphasized that the changes are designed to protect residents without overburdening stable providers. This bill is supported by the Office of the Long-Term Care Ombudsman, the New Hampshire State Commission on Aging, and nonprofit providers including Riverwoods and the Taylor Community. LeadingAge Maine & New Hampshire, representing all 14 licensed CCRCs in the state, remained neutral but was involved in shaping the bill. No one testified in opposition. This legislation represents a thoughtful balance between resident protection and operational flexibility. It strengthens consumer safeguards while recognizing the diverse structures of CCRCs. The committee recommends Ought to Pass to ensure the stability of this essential model of senior care. **Vote 16-0.**

SB 164-FN, relative to homeowners and prohibiting certain types of service agreements. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Carry Spier for Commerce and Consumer Affairs. In recent years, certain individuals and businesses have created "service agreements" offered to property owners in need of cash along with a few thousand dollars in exchange for the right to act as the real estate listing agent when the property is sold. The agreement

includes fine print that places a lien on the property, which means that when the owner or inheritor tries to sell the property, the title company discovers the lien that can only be cleared up by paying a fee based on a percentage of the property's value to the offeror of the "service agreement." In states without laws against such agreements, lawsuits could only be filed based on the practices used during the sale of these agreements, specifically hiding the fact that the agreement places a lien on the property. This bill prevents New Hampshire from being affected by these practices by stating that no listing agreement shall place a lien on a property; if such an agreement is inadvertently entered into, it is considered unenforceable and allows the property owner to recover all damages. **Vote 16-0.**

SB 245-FN, prohibiting surprise ambulance billing and regulating ground ambulance reimbursement. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Julie Miles for Commerce and Consumer Affairs. This bill, as amended, closes a longstanding gap in consumer protection by addressing surprise billing for ground ambulance transport and unsustainably low insurance reimbursements that threaten emergency medical services (EMS) operations. The bill prohibits balance billing by out-of-network ambulance providers and establishes a fair, predictable reimbursement framework. The committee recommends Ought to Pass as Amended due to the clear consumer protections, alignment with national recommendations, and the bill's stabilizing effect on New Hampshire's local EMS systems. Following the 2020 federal "No Surprises Act," which excluded ambulance services due to system complexity, this legislation fills that gap. It ensures that patients using out-of-network ambulance services are only responsible for their usual copay, coinsurance, or deductible — nothing more. Health carriers must reimburse providers at locally approved rates or, if none exist, at no less than 325% of the Medicare rate, consistent with states like Colorado and Texas. No prior authorization may be required for emergency or unscheduled transport, and services dispatched under EMS protocols are presumed medically necessary. These provisions follow recommendations from the federal Ground Ambulance and Patient Billing Advisory Committee and aim to protect patients while stabilizing EMS. Testimony from fire chiefs and local officials underscored the urgency of ensuring fair reimbursement, noting that some towns risk losing ambulance coverage due to rising costs and insufficient insurance payments. The New Hampshire Insurance Department projects a modest premium impact of about $0.36 per member, per month. By contrast, Maine adopted a 200% Medicare rate and later had to supplement funding with General Fund dollars. A key amendment strengthens the bill further by establishing a two-year independent cost study to evaluate actual EMS costs. Conducted by a neutral third party, the study will guide future reimbursement policy. The amendment also adds an "any willing provider" clause, encouraging more ambulance companies to contract with insurers, fostering competition and expanding patient access to in-network care. This bill promotes fairness, removes patients from billing disputes, and supports EMS availability statewide — especially in rural areas. The amendment also improves clarity around prompt payment rules, oversight, and network participation. **Vote 16-0.**

SB 280-FN, requiring a food delivery service to enter into an agreement with a food service establishment or food retail store before offering delivery service from that restaurant. **OUGHT TO PASS.**
Rep. John Potucek for Commerce and Consumer Affairs. This bill repeals and reenacts RSA 359-S. An on-line food delivery service who acts as a go-between between a food provider and a final customer MUST have a formal agreement/contract in-place with the food provider to provide food service to the end customer. The delivery service – ala "Door-Dash" – shall have a formal contractual agreement with the food provider – ala "Copper Door" – to provide delivery of their product to all or any customers. **Vote 16-0.**

SB 297-FN, relative to pooled risk management programs. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Julie Miles for Commerce and Consumer Affairs. This bill, as amended, strengthens financial oversight and long-term stability of pooled risk management programs under RSA 5-B. These risk pools — authorized by the legislature in 1987 —allow political subdivisions to self-insure critical lines of coverage for public employees and municipal property, including health insurance, workers' compensation, and property and casualty lines. These programs are not insurance companies but public cooperative entities that manage taxpayer and employee funds for collective benefit. The Secretary of State currently holds regulatory authority over RSA 5-B pooled risk entities. This bill is a timely response to serious concerns about solvency and fiduciary mismanagement. As Secretary David Scanlan testified, two risk pools are experiencing rapid financial decline due to failures to follow actuarial advice and guarantee rates below actual claims costs. The committee thanks Secretary Scanlan for bringing these matters to the attention of the legislature. These failures threaten taxpayers, municipal employers, and active and retired public employees across the state. This bill addresses these risks through five core reforms: 1. Solvency Enforcement: The bill gives the Secretary of State clear statutory authority to intervene when a pool's contingency reserves fall below safe thresholds. This includes ordering corrective action and, if ignored, seeking receivership through the courts. 2. Reserve Standards: The bill establishes reserve minimums and maximums tailored to line of coverage (12–16% for health, 30–40% for property/casualty). If reserves drop below minimums, the pool must notify members and develop a remediation plan. If deficiencies persist, members may be assessed based on their contributions. 3. Governance and Fiduciary Duty: The bill imposes fiduciary obligations on board members, requiring them to act solely in the

interest of participating political subdivisions and to use care, prudence, and loyalty in managing these public funds. 4. Member Stabilization Funds: Participating members must begin building their own stabilization reserves — up to 4% of annual contributions — to protect local budgets from future emergency assessments. 5. Transparency and Member Disclosures: The bill mandates all member agreements, bylaws, and contribution quotes clearly state these programs are not insurance companies and assessments may occur in the event of insolvency or reserve deficiency. Under the amended bill, risk pools may not arbitrarily select their regulator; rather, their regulatory framework is determined by their organizational structure. If a pool is organized under RSA 5-B, it remains under the oversight of the Secretary of State and is subject to the new solvency protections in the bill. These 5-B entities must be member-owned and assessable (i.e., can require members to cover shortfalls) and are required to return surplus funds as dividends under specific conditions. Alternatively, if a pool is organized under RSA 420-R, it is regulated by the Department of Insurance and operates more like a traditional insurance company. These entities are: Not required to be member-owned; not required to issue assessable policies; and fully responsible for all risks transferred into the pool, without member assessments. This structural separation creates a transparent regulatory framework where pooled risk entities are governed based on their business model. The amendment ensures proper accountability, prevents regulatory arbitrage, and allows New Hampshire's municipalities to select the governance model that best fits their needs — while preserving taxpayer protections and promoting long-term sustainability. This legislation also introduces statutory definitions for key terms such as "administration," "reserves," and "assessments," and aligns RSA 5-B governance with financial accountability standards common to other public-sector pooled programs. Importantly, this bill distinguishes 5-B pooled programs from entities organized under RSA 420-R. RSA 5-B entities are member-owned, assessable, and return surplus funds. In contrast, 420-R entities operate as self-insured insurance-like models where risk is fully transferred, and members do not retain ownership. This reform ensures that programs operating under RSA 5-B are held to standards appropriate for their public fiduciary nature. This bill is a responsible, proactive step to protect taxpayers and the public workforce from preventable financial collapse. It secures transparency, enforces solvency, and restores trust in these essential public risk-sharing mechanisms. **Vote 16-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 143, (New Title) relative to the impaired driver care management program and recovery residences. **OUGHT TO PASS.**
Rep. Terry Roy for Criminal Justice and Public Safety. This bill makes administrative changes to impaired driver programs, when they must be taken, for how long they are valid, and relating to programs taken in other states being accepted in New Hampshire. **Vote 16-0.**

SB 151-FN, relative to accessible parking permit verification and fraud prevention. **OUGHT TO PASS.**
Rep. Kathleen Paquette for Criminal Justice and Public Safety. The committee unanimously recommends this bill, which strengthens the enforcement and clarity of parking regulations for individuals with walking disabilities, ought to pass. The bill amends RSA 265:69, RSA 265:69-a, and RSA 265:74 to increase fines for unauthorized use of disability designated parking spaces and access aisles, while also making key improvements to the rules for proper placard display. While the bill doubles minimum fines for violations to increase deterrence, a particularly important provision is the clarification and reasonable treatment of failure to display a valid placard. This bill establishes that a person with a valid walking disability placard who fails to properly display it , for example, by forgetting to hang it from the rear view mirror, is not subject to the full $500 penalty. Instead, this oversight is treated distinctly and carries a nominal $5 fine. This distinction ensures that the law penalizes misuse and abuse, not honest mistakes by those who are lawfully entitled to accessible parking. This approach strikes the right balance: it enforces the importance of visible placards for proper enforcement, while recognizing the need for fairness toward those with legitimate disabilities. This provision received strong support in testimony and reflects a thoughtful, measured update to current law. By making clear that the full fine applies only when a placard is not present or used fraudulently, not simply forgotten, the bill improves fairness and clarity in enforcement. With a unanimous vote of 15–0, the committee supports this bill as a meaningful step forward. **Vote 15-0.**

SB 266-FN, relative to safety and accountability of drivers under 18 years of age. **OUGHT TO PASS.**
Rep. Mark Proulx for Criminal Justice and Public Safety. This bill increases the accountability of drivers under the age of 18. This bill does this by increasing the minimum time of suspension of a license. More importantly the bill adds an in-person education piece. Hopefully this will help them understand what can happen if they continue with this behavior. **Vote 16-0.**

SB 300-FN, criminalizing the creation of child intimate visual representations. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Nancy Murphy for Criminal Justice and Public Safety. This bill sought to address a gap in state law that prevents certain child sexual abuse images from being prosecuted. NH's Internet Crime Against Children

Task Force receives thousands of case referrals each year. However, many of these cases involve inappropriate and exploitative images of children that don't qualify as sexual abuse images under current law. While this bill aimed to help protect children from being sexually exploited, concerns were raised by prosecutors and members of law enforcement during the public hearing that one section of the bill, I(b) as introduced could potentially have been interpreted to allow parents or guardians to give consent for what is now considered illegal material. Amendment 2025-1719h was offered to remove section I(b) to first, help clarify the intent of the bill while avoiding any situations where children may be victimized by the people charged with their safety; and second, prohibit the use of images for sexual gratification or arousal. As amended, this bill criminalizes the creation of child intimate visual representations for prurient purposes by making it a class B felony and a tier II registrable offense for a person to "knowingly create, produce, manufacture, or direct an intimate visual representation of a child for prurient purposes when that child is identifiable from the intimate visual representation itself or information displayed in connection with the intimate visual representation." It amends RSA 649-A by adding 649-A:3-c "Creation of Child Intimate Visual Representations" after section 3-b; and defines "intimate visual representation", "intimate parts" and "synthetic images." As a class B felony, it amends RSA 651-B:1, VII(b): Registration of Criminal Offenders; Definitions; Offense Against a Child to include 'creation of a child intimate visual representation' and amends RSA 651-B:1, IX(a), Registration of Criminal Offenders; Definitions; Tier II Offender to include RSA 649-A:3-c. **Vote 15-0.**

EDUCATION FUNDING

SB 209-FN, requiring schools to engage an owner's project manager for construction of school building aid projects at the time of application. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rick Ladd for Education Funding. As amended, a school district or charter public school that accepts school building aid for construction shall engage the services of an owner's project manager for construction or reconstruction/renovation projects $1,250,000 or more, unless the commissioner waives such requirement as unnecessary. The bill as amended changed the amount from $1,000,000 to $1,250,000 to better reflect increased construction costs due to inflation. The owner's project manager is much like a "clerk of the works" who is hired by the school district to ensure the owner's best interests are carried out by contractors during the building construction and renovation process. **Vote 18-0.**

ELECTION LAW

SB 43, removing articles of clothing from the definition of electioneering. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James Newsom for Election Law. With the committee amendment, 2025-2475h, this bill adds a reasonableness standard for removal of clothing that explicitly advocates for candidates or issues on the ballot. If the voter is unable to reasonably remove the article of clothing, then they remain able to vote and will need to move through the process expeditiously. The amendment also expands the types of meetings for which electronic poll books may be used, namely, town and school district deliberative and business sessions and special meetings. **Vote 18-0.**

SB 45, (New Title) clarifying the placement of advertising signs on state-owned property. **INEXPEDIENT TO LEGISLATE.**
Rep. Clayton Wood for Election Law. The Election Law Committee unanimously recommends that this bill be Inexpedient to Legislate. This bill proposes amendments to RSA 664:17 to clarify the rules regarding the placement of political advertising on municipal property, aiming for consistency and clear guidelines across different jurisdictions within New Hampshire. While this bill makes clear and focused changes, the committee feels that it does not go far enough to address several broader issues with state-owned rights of way and ownership by adjacent private properties. Several issues arose during testimony on other political sign bills that should be addressed. The addition of "and Other Advertisement" was a departure from the original scope, and although welcomed, could have used more explanation. **Vote 17-0.**

SB 215, requiring an unorganized town or unincorporated place to elect town officers for the purpose of conducting elections. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ross Berry for Election Law. In New Hampshire, voters in small towns or unincorporated townships often cast ballots in a neighboring, larger town. While these smaller jurisdictions maintain their own ballots, they rely on the election infrastructure of the larger town to conduct elections. Under current law, there is no threshold that requires a town or unincorporated township to conduct its own election rather than rely on a neighboring town's resources. This bill establishes a 100-voter threshold: once a town or unincorporated township surpasses 100 registered voters, it must conduct its own elections and may no longer utilize a neighboring town's election process. The amendment, requested by the committee, codifies the process the Secretary of State's office must follow when conducting the organizational meeting for the smaller town, ensuring a clearly defined procedure is in place. **Vote 17-0.**

ENVIRONMENT AND AGRICULTURE

SB 302-FN, requiring background checks for solid waste facility owners. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. This bill as amended includes 3 parts and does a number of things. Primarily, the underlying bill codifies the exact language necessary for requests from the Department of Environmental Services (DES) to the FBI for federal background checks for landfill operators. This is necessary, as current language in NH statute is incorrect which prevents the DES from obtaining federal background checks. The language we originally received from the Senate was incomplete and had to further be amended in this bill, and this amendment includes those necessary corrections. Secondly, this amendment includes language that is in the HB 2 budget trailer bill, originally placed there by Governor Ayotte, and amended by our committee in collaboration with DES, having to do with the establishment of a landfill Siting Evaluation Committee (SEC). A separate hearing was held for this section of language, as this addition was a non-germane amendment (2025-2012h) to SB 302. It was felt that this language needed to be in a stand alone bill as it was not clear whether it would remain in the budget trailer bill, or not, through the budget adoption process, plus any subsequent changes to this language could more easily be made. This SEC will decide whether a landfill permit will be issued to an applicant, or not, based on many important criteria and applicant reporting requirements, including a harms and benefit analysis of the proposed landfill. There are fees and procedures established, as well as the direction of who would serve on said committee, and all of the rules regarding the operation of the committee. There is also included a three-year pause on landfill siting permits issued by DES for new landfills and a one-year pause for permitting existing landfill site expansions in order to allow time for new rules to be written and adopted. This amendment language also repeals the Waste Management Council. Finally, this bill includes the House Bill language (i.e. the House position) included in HB 616 which makes several changes and clarifications to existing statutes and ensures that due process is followed in animal welfare complaints and animal confiscation, and that both owners and their animals have additional protections regarding animal cruelty reports and confiscations. A veterinarian, either from the State Veterinarian's office, or a designee, or the owner's veterinarian, would assist law enforcement in making an assessment of an animal cruelty report, and determine if charges of animal cruelty or neglect should be brought forward. Additionally, no animal that is confiscated may be altered (neutered, spayed, dehorned, declawed, etc.) by whomever is providing care for the confiscated animal(s) unless they have permission from the owner, and no animal may be euthanized unless a treating veterinarian determines that an animal is in extreme suffering. Additionally, no confiscated animal or animals shall be used in any manner to solicit donations or to raise funds by any individual or organization that has protective custody of the animal(s) prior to a conviction for abuse or neglect. Our committee felt strongly that no organization or individual should profit off of confiscation of animal(s) prior to a court conviction of abuse or neglect. This does not prevent any person or organization from fundraising in general. The bill also makes it clear that if lactating animals are confiscated that they must be placed in a facility that can care for/milk them, and that they may not be separated from non-weaned offspring. There is a provision in this bill that helps protect the integrity and confidentiality of complaint investigations as well. The bill also removes language from current statute that has to do with dog and horse racing which no longer occurs in New Hampshire. The bill also makes sure that no funds from the Cost of Care fund are released if due process is not followed when animals are seized. Lastly, the bill sets up a study committee to review all of the animal cruelty statutes (RSA 644:8, RSA 644:8-a through g) are examined with an eye to clarify, reorganize, and update the law. This part of the bill amendment was a collaboration of NH Farm Bureau, the NH Department of Agriculture, UNH Extension, and our committee. **Vote 12-0.**

FINANCE

SB 74-FN, relative to real property annual reporting requirements of state departments for permitting programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dan McGuire for Finance. This bill requires agencies that issue development permits (primarily DES and DOT) to report annually on how many permits are issued, how long it takes the agency to issue them, and what caused any problem or delay. Current statutes have discrete limits on timelines to issue permits, but we have no feedback (other than anecdotes) to tell us if these limits are appropriate. The committee amendment focuses the report on summary data, with explanations as needed, and slips the first report to 2027, allowing it to report on a full year's activity, and also integrate this data gathering into their current license tracking process. It thus allows the agencies to provide this report within their current budgets, rather than needing additional staff. **Vote 24-1.**

SB 145-FN, (New Title) establishing an evidence shipping pilot program and providing an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Popovici-Muller for Finance. SB145 passed the House on May 08 on a voice vote after being voted 16-0 in support by the policy committee. The bill ensures that evidence relative to a sexual assault case is delivered to the State Forensic Lab within seven business days and may be transported by common carrier if a law enforcement agency is unable to do so in person, as per rules to be promulgated by the Department of Safety. Since the bill is designed to reduce the financial burden on law enforcement agencies, amendment 2301h was unanimously adopted to remove the language about a reimbursement program and the associated appropriation. As amended, the bill does not appropriate any funds and can be added to the consent calendar. The Finance committee unanimously supported the OTP/A motion on this bill. **Vote 25-0.**

SB 241-FN-A, relative to construction of a public pier on Hampton Beach and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**
Rep. Joe Sweeney for Finance. The committee unanimously recommends SB 241 be found Inexpedient to Legislate. As presented, the bill would establish a fund for a public pier at Hampton Beach without appropriating state dollars, relying instead on potential private or other public funding. However, the committee found limited public support for the project and no clear plan or timeline for advancing it. Without a defined funding source or demonstrated demand, we believe such initiatives are better pursued through existing channels in the private marketplace, if pursued at all. **Vote 25-0.**

WAYS AND MEANS

SB 110-FN, relative to terrain permitting. **OUGHT TO PASS.**
Rep. James Tierney for Ways and Means. This bill establishes fees for applications for terrain alteration and requires the Department of Environmental Services to adopt rules to establish a permit by notification. The increases in fees for permitting are to cover the projected costs for the additional personnel that will be required to monitor the proposed work. Additionally, this bill was enthusiastically endorsed by the New Hampshire Home Builders Association. **Vote 15-1.**

SB 249-FN, relative to the uncompensated care and Medicaid fund. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jordan Ulery for Ways and Means. This bill attempted to create a Medicaid Enhancement Tax/Disproportionate Share Hospital payment reimbursement format. A long-running lawsuit on the issues surrounding this was recently settled. The language of the amendment creates a mechanism to incorporate into law, appropriately outside of the budget process, the complex and variegated agreement reached as a result of that legally binding action. Both the Hospital Association and the state negotiators agreed on the settlement agreement. Both entities spoke before the committee. **Vote 18-0.**

THURSDAY, JUNE 5
REGULAR CALENDAR

CHILDREN AND FAMILY LAW

SB 72-FN, establishing a parents' bill of rights in education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Debra DeSimone for the **Majority** of Children and Family Law. This bill as amended clarifies the intent of the original bill by defining the purpose and reasoning in a very concise manner of exactly what constitutes parental rights. The purpose of the bill as amended clearly affirms that parents have a fundamental liberty-interest to raise and care for their children. This bill further assists parents in raising their children by recording these rights in one single statute. Another purpose is to create and in some cases continue a congenial partnership with schools, doctors, therapists and any other adults who may have a productive role in the education and medical care of their children to become productive members of society. Finally, no children should ever be prescribed any medical procedures of medication without parental consent to protect all children from undue and unnecessary harm by parental knowledge and information provided concerning family history. This bill is necessary to continue to build a strong, healthy society. **Vote 9-7.** Rep. Heather Raymond for the **Minority** of Children and Family Law. This bill as amended claims to protect the rights of parents in NH. While this is a laudable goal, the language of this amendment creates a number of insurmountable obstacles. In school settings, this bill creates a new requirement that school staff respond to "any and all" parental inquiries, regardless of their appropriateness, surveilling students' romantic and personal relationships, and in effect undermining the Department of Education's One Trusted Adult Program. It imposes penalties for teachers who would rather simply stick to focusing on teaching. It creates penalties for medical providers and requires written permission before doctors can treat children: Currently parents can provide verbal consent for routine services like prescription refills and telehealth appointments, this bill will end that practice. Further, the amended bill would strip the rights of teenagers to access birth control or receive pre- and postnatal care without written parental permission. In states like TX which now require parental permission for birth control, teen pregnancy rates have increased along with the rates of maternal and infant death. The bill makes no allowances for circumstances where the Division of Children, Youth and Families (DCYF) is involved with a family and does not align with other existing federal and state laws governing medical care and medical records. It also creates a new burden of evidence before teachers and doctors can even call DCYF which is in conflict with other statutes and the laws in all other states. The public response to this bill was overwhelmingly negative; opposing testimony outnumbered support by a 10 to 1 margin. There are several unworkable constitutional issues where this bill is likely to be challenged and cost the state money defending lawsuits destined to be lost. The minority strongly opposes the current language and encourages Inexpedient to Legislate.

COMMERCE AND CONSUMER AFFAIRS

SB 87-FN, relative to one day liquor license requirements and making salons and barber shops eligible for on-premise licenses. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jared Sullivan for Commerce and Consumer Affairs. This bill aims to modernize New Hampshire's liquor licensing by allowing for-profit organizations to obtain up to six one-day liquor licenses annually for events hosting 500 or fewer attendees. This change streamlines the process for businesses to host special events involving alcohol, fostering community engagement and economic activity. Additionally, the bill as amended permits licensed barber shops, hair salons, spas, and any New Hampshire business registered with the Secretary of State and approved by the Liquor Commission to acquire a special license for $100. This new license enables a New Hampshire business to serve one alcoholic beverage to clients for free during scheduled services. The intent of the amendment is to legalize a practice that has been occurring in NH for years. By implementing this bill, New Hampshire can support small businesses, stimulate local economies, and adapt to evolving consumer preferences while maintaining appropriate regulatory oversight. **Vote 16-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 14-FN, relative to the penalty for certain fentanyl-related offenses. **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 combined SB 15 and a bill changing the simple possession of psilocybin from a felony to a misdemeanor. SB 14 and 15 deal with minimum mandatory punishment for possession of 20 grams of fentanyl and again at the 50 gram threshold. For context, 2mg is considered a lethal dose of fentanyl. The minority would have us believe that a person possessing such an amount, 20 grams or more, could be just for their personal use for them and a friend, and therefore not worthy of harsh punishment. 20 grams of fentanyl can kill ten thousand people. 50

grams can kill twenty-five thousand people. That's not just for you and a friend. The minority tells us that minimum mandatory sentences were tried in the 90s and failed. They claim they were targeted at meth and heroin. That is however incorrect. They were targeted at the plague called crack cocaine that was decimating our inner cities and suburbs alike. It was killing Americans by the tens of thousands. The majority asks you to consider this, do you hear or have you heard about crack cocaine being much of a problem anymore? Neither has the majority. The minority claims studies show they don't work. The majority believes what it sees vs biased studies that were created to come to a desired conclusion. Crack cocaine is basically non-existent and that is due to the strong minimum mandatory federal sentencing in the 90s. The dealers who were caught are either just now getting out or are still in. The majority does however believe, that minimum mandatory sentences without any relief mechanism are wrong for New Hampshire and will incarcerate people who may not deserve such a harsh sentence due to various circumstances. For that reason, the bill was rewritten to create a safety valve of judicial discretion. Under this bill, if a defendant is cooperative with law enforcement, not a leader in a drug dealing organization, does not have a recent conviction for the same thing, and the charges do not involve violence, a judge is free to use their discretion. A defendant is also exempt from the minimum mandatory sentences if he or she is under 18 or mentally impaired. It is estimated that over four thousand New Hampshire citizens have died from fentanyl overdose in the last ten years. But for the intervention of first responders and narcan, that number may be doubled. There is no sign of it slowing. Fentanyl, once only available by diversion of legitimate medication and then from Mexico, is now being mass produced in China and shipped in through Mexico and of late across our Northern borders as well. The minority says that we tried minimum mandatory sentences and it failed, but the majority says that is false and furthermore, we have tried the minority's preferred methods for 25 years and it has led to nothing but higher crime and death. During the bail law hearings we heard testimony from a former federal inmate who had been sentenced to 10-20 years for drug dealing. He is now a Manchester resident. He came as a public witness who wanted to address us. His testimony, New Hampshire drug laws are a joke. He urged us to bring back minimum mandatory sentences and tighten our bail laws. When he was a dealer in the 90s, he told us that he would refuse to bring drugs to New Hampshire because of the harsh sentences we were known for. He said he would make people drive down to Massachusetts or New York to get their drugs from him. This law is firm but fair. It says, the people of New Hampshire have had enough, If you bring enough poison to kill 10,000 of our citizens, you will do 3.5 years in our jail. If you bring enough to kill 25,000 of our citizens, you will spend the next 7 years in our jail. The law is not blind or the punishment automatic. It allows for a judge to look at a defendant and determine that this not the kind of person the legislature meant to incarcerate for this, and provides for a penalty as low as probation as an option. As stated above, the bill also takes a positive step towards the defelonization of simple possession of legitimately small amounts of a drug. These modifications to the Senate bill shows the position of the House can be tough on real criminals and still allow judicial discretion. The bill was vetted by judges and modified with their suggestions to ensure they would have real discretion where it counted. The majority of the Criminal Justice Committee urges you to focus on the 10 to 25 thousand people this amount of fentanyl could kill. The majority points to the significant and real modifications made to the bill that allow judicial discretion via the safety valve provisions. The majority reminds you we have been trying the velvet glove method for over a decade and it has cost us over 4,000 of our neighbors, many just children. It's time to try something new. It's time for New Hampshire to reclaim its place in New England as the state that dealers fear to tread. **Vote 9-7.** Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill and the majority's proposed amendment continue the failed practice of using mandatory minimums to fight the war on drugs. Fentanyl is dangerous and kills people, just as meth and heroin have been doing for decades. The state and federal use of mandatory minimums in the 1990's put in place to deal with the scourge of meth and heroin led to huge increases in incarceration rates for drug offenses. They failed to win the war on drugs, a war we continue to fight today. No evidence exists that New Hampshire judges, most of whom were appointed by Governor Sununu are failing to craft appropriate sentences for those selling drugs, including fentanyl. Yet, mandatory minimums for fentanyl continue to have a superficial political attraction as an easy solution. But, they always fail in practice. We do not need to spend even more money on prisons for a solution that doesn't work.

SB 54-FN, relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the Criminal Justice Committee after hearing testimony and reviewing various relevant materials, concluded that it ought to pass with amendment. The underlying bill, while very similar to a House bill recently before the House, has been made significantly different based on the input of the members. The House bill while seeking to increase driver participation in blood alcohol testing, was more punishment than enticement and the Senate version was much the same. The amended version flips that on its head. We have the lowest participation rate in the country. Why? Because the license suspension for refusal is the exact same as if you took the test and

were convicted. Why in the world would anyone take a test that could be used to convict them, when they could refuse and lose nothing more. To that end, the amended version increases the suspension, but not as much as the original bill, plus it adds incentives. If a driver takes the test and is convicted, they are eligible for a hardship “Cinderella “ license so that they can work. If they take the test and are convicted, and they complete the court ordered alcohol treatment, their suspension can be drastically reduced. This bill would accomplish what is or should be the main goal. Getting intoxicated drivers off of our roads while getting them the help necessary to beat the habit that is endangering their and the rest of our lives. This bill additionally has a non-germane amendment that the majority also believes ought to pass. This amendment would mandate firearms safety training in our public schools, using age appropriate and proven safety training that would teach younger children about basic safety such as not to touch, get an adult, and all firearms are loaded. As the students mature so would the training. It would include the laws related to firearms and the 2nd Amendment in general. It may include how firearms function and the various types that are legal to possess. The committee majority agreed that in a society such a New Hampshire, where we not only acknowledge the 2nd Amendment to the US Constitution, as well as our own Constitution, we embrace it, we are doing a grave disservice to our children by teaching them next to nothing about it. Someone arguing against the amendment said “the thought of “ legitimizing” guns to school children is abhorrent. The right to keep and bear arms was “legitimized” by our founders hundreds of years ago. Some may not like that and they have had several hundred years to convince enough of their neighbors to change it. Thus far they have failed. They have failed so badly that they have never even gotten an amendment to change the 2nd Amendment out of a committee in Congress. Guns are a real part of our society and the majority feels that our children should learn the basics about them from qualified experts instead of video games, rap stars, and TikTok influencers. **Vote 9-6.**
Rep. Alissandra Murray for the **Minority** of Criminal Justice and Public Safety. While the minority of the committee agreed that our state must take steps to lower the rates of impaired driving, this bill punishes a person’s refusal to surrender their right under the Fourth Amendment to resist an unwarranted search. This legislation does not criminalize drunk driving but rather criminalizes the assertion of a constitutional right, and that is something the government cannot do. Since these chemical tests constitute searches under the Fourth Amendment, declining to submit to a warrantless search falls squarely within the ambit of that constitutional provision. An individual has a constitutional right to refuse to consent to such a search and insist that the police obtain a warrant. While drunk driving is undoubtedly a severe problem that requires regulation, the goal should be to preserve fundamental liberty interests with viable legal and policy alternatives that can effectively curb drunk driving rates. Additionally, the committee’s amendment to mandate firearms safety training in schools makes this bill even more untenable. This is a significant change to propose at this stage in the legislative process. Furthermore, there is no data that indicates such trainings do anything to prevent gun violence. On the contrary, two separate studies found that programs like the NRA’s Eddie Eagle are ineffective at teaching children how to safely respond to an unsupervised firearm in real-life situations. American children are nine times more likely to die from a gun accident than children in other developed countries. If we are serious about protecting our children, we should be pursuing legislation like safe storage laws. The onus is not on students to protect themselves from gun violence, that’s our responsibility.

SB 263-FN, criminalizing and creating a private right of action for the facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Matt Sabourin dit Choinière for the **Majority** of Criminal Justice and Public Safety. This vital piece of legislation deserves swift passage to protect children from the escalating dangers posed by unregulated artificial intelligence (AI) communication platforms. By criminalizing and establishing a private right of action against owners and operators of AI chat programs and related technologies that facilitate or encourage harmful behaviors, such as sexual exploitation, substance abuse, self-harm, or violence, this act closes a dangerous loophole in child protection laws. As AI tools increasingly interact with minors online, it is imperative that legal accountability be enforced to deter reckless deployment and ensure that platforms are not used to manipulate or endanger vulnerable youth. With mandatory minimum damages and recovery of legal fees for victims, this law empowers families to seek justice and compels tech companies to prioritize child safety in the digital age. **Vote 12-4.** Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. While the minority agrees that AI chatbots deployed without proper guardrails can be harmful to children as well as to more vulnerable adults, this bill will do little or nothing to solve the problem. As written, the bill seeks to ban AI driven chatbots from using “responsive open-end regenerative communication” that can endanger the welfare of children. However, the final bill never actually defines what constitutes “responsive open-ended regenerative communication.” The final bill also removes a penalty provision from the original bill, but unfortunately not from the bill’s title, that would have created a private right of action allowing victims and parents to sue online services and computer application that utilize AI for damages resulting from chatbots that suggest children engage in harmful, violent, or suicidal conduct or that encourage them to engage sexual activity. The minority strongly believes that victims and parents in this situation should be empowered and

not disempowered. As for the penalties that remain, there is little in them to encourage an offending service or application provider, many of which have market capitalizations in the tens or even hundreds of billions of dollars, from complying. As written, the Attorney General is first required to file for injunctive relief and then wait for 90 days for offending service or application provider to “cure” the problem. If the chatbot provider fails to adequately respond, a $1,000 per violation penalty may be imposed. While this sort of penalty would put a serious dent in the wallet of the average person, it is nothing more than the illusion of a penalty for companies of this size. Also worth noting is there is a bill now working its way through the US Congress that would make AI regulation the sole purview of Congress and would ban states from enforcing any law or regulation on AI models and systems, or automated decision-making systems for the next ten years. The only exceptions would be state laws that “remove legal impediments to, or facilitate the deployment or operation of” AI systems. Given the lack of clarity in the bill, a diminished and insufficient penalty, and the potential for Congress to pull the rug out from underneath this legislation, we urged the committee to amend the bill or retain it for additional work over the summer. But since that attempt was rejected, we urge you to oppose the Ought to Pass motion.

EDUCATION FUNDING

SB 99-FN, relative to regional career and technical education agreements. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education Funding. This bill extends access to Career and Technical Education (CTE) and requires regional CTE agreements to include an access program for full- and part-time sending school students. The bill also requires sending and receiving school districts to develop agreements that allow students from the sending school to take academic courses outside the technical education program at the receiving comprehensive high school. Currently, some sending school students are not attending CTE programs due to required course attendance at the sending school which conflict with desired course offerings at the CTE center. As amended, the sending district shall pay to the receiving CTE school district an amount equal to not less than 80% of the sending district’s average cost per pupil for the number of non-CTE credits taken by the sending student. The Department of Education is responsible for determining the average per pupil tuition cost using the most recent available data as reported by the district. This legislation is very similar to that developed for Vermont CTE centers; five centers of which NH students attend. The intent of this bill is to reduce academic course scheduling conflicts between sending and receiving districts that limit students from accessing CTE programs that lead to career opportunities in the trades. **Vote 10-8.** Rep. David Luneau for the **Minority** of Education Funding. This bill as amended is well intended and seeks to improve access to non-Career and Technical Education (CTE) classes offered by comprehensive high schools for students enrolled in CTE programs. However, the bill implements an approach with flaws and unintended consequences that will likely reduce participation in CTE programs. The tuition costs that would be paid by the student’s district of residence are not based on the costs incurred by the comprehensive high school, which is unfair to the CTE school. And without any funding from the state, the bill imposes new costs on the student’s district of residence which will lead to an increase in local property taxes. Finally, due to the costs and property tax burden, this bill would likely lead to a reduction in CTE participation. A better approach would be to align class schedules and encourage districts to participate.

EDUCATION POLICY AND ADMINISTRATION

SB 57, establishing a study committee to analyze reducing the number of school administrative units. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education Policy and Administration. This bill was a study committee to investigate consolidation of the state’s 107 school administrative units (SAUs). The House had passed a bill for a commission to study this topic but it was re-referred in the Senate. Aspects of that bill are in the amendment to this bill. In addition to looking at consolidation of SAUs, possibly in relation to counties, it will study staffing of SAUs and local school districts, analyze the roles of SAUs and school districts, and analyze the roles of superintendents or provision of superintendent services in SAUs and school districts. It is time to look into consolidation to see if there are savings and efficiencies that can be realized. **Vote 15-2.**

SB 69-LOCAL, relative to acceptance of or rejection of charitable contributions, gifts, or donations by local school boards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill requires that local school boards vote in public session on the rejection of gifts or donations. This was in response to a Goffstown incident in which the school board rejected payment from a local church to pay student lunch debts. Instead, the business manager rejected the offer and sued the families. The amendment to the bill specifies that school boards vote in public on rejection or acceptance of gifts or donations. The amended bill also includes a modified version of HB 671, establishing a kindergarten literacy readiness program, that passed the House on the consent calendar but was retained in Finance. The version in SB 69 is a slightly revised program for pre-school children to prepare them for kindergarten and eliminates any state appropriation. It will rely on donations and grants instead. Similar programs over several years around the country have shown very positive results, as we see with a pilot of one such program here in NH using federal funds that have now expired. With our current proficiency rates, this program is needed in NH. **Vote 9-8.** Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill requires school boards to hold public discussions and votes before accepting or rejecting charitable donations. A non-germane amendment was added to include the creation of a virtual early childhood readiness family engagement program. The minority supports this legislation, similar to HB 671, which passed on the consent calendar in February but was Retained in the House Finance Committee. The minority also supports the primary goal of SB 69: to increase transparency in the handling of charitable donations. However, we are concerned that the bill's current language would require school boards to publicly discuss and vote on every donation, regardless of amount. This could create an additional administrative burden and unintended program delays, particularly in larger districts, where small dollar donations and in-kind contributions to extracurricular groups, sports teams, and classrooms are common and beneficial. The minority recommends adding a provision to exempt donations under a reasonable monetary threshold from the public meeting requirement. Many districts already follow such policies, which could serve as models for a statewide standard.

SB 96, relative to mandatory disclosure by school district employees to parents. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This parent's rights bill simply requires educators to honestly and truthfully respond to written questions asked by parents. They are given five days for that response. The district may adopt procedures to allow the educator to withhold information if a reasonably prudent person would believe that a truthful answer might result in abuse at home as already is statute in RSA 186:11,IX-e. Education violations of this section shall be considered a violation of the Educator Code of Conduct. There needs to be honesty and trust between parents and the children but also between educators and parents. **Vote 9-8.** Rep. Lee Ann Kluger for the **Minority** of Education Policy and Administration. This bill as amended attempts to create a communication protocol that would include parents, teachers, and students. The minority maintains that while communication between all mentioned parties is indeed critical in a school setting, the bill is overreaching and could invoke negative consequences. Students should be able to speak to an adult as the NH program "One Trusted Adult" implements in schools within the state. Teachers are trained and equipped with the necessary knowledge in order promote communication with students. It involves trust building and the setting of boundaries. A teacher is placed in a very complex and potentially harmful situation if asked to betray a student's confidence. It is imperative to realize that at times students may prefer to speak to someone other than a parent. They may be struggling with gender identity, friendships, or social dynamics. It becomes a serious dilemma to expect an educator to make the decision whether or not to document and decline sharing information. It is much too subjective to expect teachers to know whether or not the disclosure will result in abuse. This places an unfair burden on the educator. Students have rights and those rights need to be protected. This bill fails to respect those rights.

SB 100-FN, relative to violations of the prohibition on teaching discrimination. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill as amended enhances our anti-discrimination statutes. The state is defending these laws in federal court and these enhancements are intended to address a lower court's criticism. These statutes include provisions such as prohibiting instruction that one's age, sex, race, physical disability, etc. is inherently superior to people of another age, sex, race, physical disability. The bill from the Senate addressed one specific section of the statutes and specified that any violation of the section by an educator must be "intentional or knowing." The amendment adds slightly modified language of HB 50 which passed the House in March. This language reinforces that nothing in the law prohibits discussion by educators of historical existence of ideas and subjects as part of a larger course of academic instruction. It also states specifically that intent of the section is to equally protect all New Hampshire citizens from discrimination, regardless of race. This bill addresses all the major court concerns so should send a message to the federal court and educators in NH. **Vote 9-8.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee finds this bill with its non-germane amendment Inexpedient to Legislate and a near carbon copy of the non-germane amendment that was attached to the originally-filed, HB 50 that was an attempt to repeal the law around divisive concepts that has been deemed unconstitutional. Yet, again, this legislative attempt to stifle free speech, as easily demonstrated, will undoubtedly send a chilling effect into classrooms where teachers fear their credentials are at risk by there being a mechanism for mere speculative reports of a "violation" in teaching the honest history of painfully complex topics like racism. The lasting effects of racism on and in communities have taken hold for generations and exist still today. This bill takes things another step further by refusing to acknowledge

that certain groups have historically had disproportionate access to funding, resources, access to the ballot box, and other rights delayed or still not afforded to them. By failing to acknowledge this, we do an injustice to the work and progress many communities have made in seeking equality under the law.

SB 206-FN, requiring public schools to adopt policies to limit the use of cell phones by students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Melissa Litchfield for the **Majority** of Education Policy and Administration. As amended, this bill requires school districts and chartered public schools to adopt policies establishing a cell phone-free education. Such policy shall prohibit personal communication device use by students from when the first bell rings to start instructional time until the dismissal bell rings at the end of the academic school day, with approved exceptions with respect to student medical, disability, or language proficiency need. So far, 26 states have passed laws, with eight other states and the District of Columbia implementing rules or making recommendations to local districts. Ten states and the District of Columbia have enacted school day bans, most for students in grades K-12. Educators who work in schools that allow personal devices find it disruptive. 90% of NEA members support a policy prohibiting cell phone use during instructional time and 83% support prohibiting cell phone use during the entire school day. Top contributing factors to incidents and concerns related to student mental health include social media and personal device use. After a distraction, it takes 23 minutes to regain focus. We have been asked repeatedly to deal with this ongoing issue at the state level. During the initial hearing, the committee received positive testimony from administrators, educators, parents, and students regarding the positive impact no-cell phone use had within their schools. **Vote 9-8.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. The minority supports legislation that requires public schools to adopt policies that restrict the use of cell phones and other personal electronic devices by students in our schools. We agree that cell phones can be a distraction and can negatively impact students' emotional and mental health as well as their ability to focus. The majority amendment strengthens the bill with "bell-to-bell" requirements. The minority supports "bell-to-bell" legislation, but we believe that this amendment is too restrictive, as it prohibits the use of a cell phone or other personal electronic communication device as a technology teaching tool in any approved teacher-directed lesson in any public or public charter school, which could diminish learning opportunities for 21st-century learning.

SB 210, establishing a study committee to study the issue of school bullying. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill was a study committee to investigate bullying. Bullying is an increasing problem in our schools. We do not need to study it; we need to take action. This bill as amended addresses information in the student handbook, communication with parents, and shortened time frames for that communication. Current law is that bullying policies be integrated into curriculum and this bill calls for integration with discipline policies and a report on that implementation. It also states that it will be a violation of the Educator Code of Conduct for intentionally violating reporting requirements, failure to adhere to timelines, and acts of retaliation. This bill also eliminates language about bullying motivation by behaviors or beliefs which has been used to deny actions as bullying. Also included in the amendment is the language from HB 108 related to defining cyberbullying procedures. It has been said that school children's safety is the highest priority and we need to make it ours also with the passage of this bill. **Vote 9-8.** Rep. Loren Selig for the **Minority** of Education Policy and Administration. The Minority of the Committee passionately agrees that bullying and cyberbullying create significant problems among all people, especially children, in New Hampshire. We also believe that it needs to be addressed and fully support the underlying bill which creates a study committee to involve stakeholders in all areas of education to identify proven strategies to enact legislation related to bullying. The majority amendment changes the bill in ways that appear to penalize public school teachers and students while making no provision for teaching students better strategies for addressing bullying behavior or for making remedial steps to stop being a bully. Additionally, it does not include all students and teachers across the state by excluding private school students unless they have committed cyberbullying and should be reported to the Attorney General's Office. The Minority of the Committee believes that all students in New Hampshire, regardless of where they attend school should be given the tools to express their feelings appropriately, to be free from bullying behaviors from anyone, and to know how to advocate for themselves. We further believe that further study is needed in order to collect accurate data about where bullying behaviors are occurring and how they are being addressed now.

ELECTION LAW

SB 213-FN, relative to absentee voting. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Ross Berry for the **Majority** of Election Law. As amended, this bill adopts the House's position on electioneering by public employees, expanding the definition of prohibited activities that public employees may not engage in while performing their official duties. Specifically, it prohibits actions such as conducting

candidate surveys or distributing campaign-related materials. Additionally, this bill establishes a safe harbor for certain activities that, while related to political campaigning, are not inherently designed to influence a voter's decision. For example, it permits—but does not require—candidates to participate in parades or host booths at fairs without violating electioneering restrictions. **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. This bill expands the scope of the prohibition on electioneering by public employees by expanding the legal definition of electioneering from "acts specifically designed to influence the vote" (RSA659:44) to also include any act "having the effect of influencing the vote," regardless of its design or intention. This broad language threatens to encompass a range of actions that are protected by the right to free speech. Also, the scope of such an overly broad statute may invite politically-motivated prosecutions. While the minority affirms the spirit of this bill, we cannot support it because of its overly-broad language.

SB 218, relative to absentee ballot outer envelopes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. As amended, this bill clarifies that voters in New Hampshire elections must be United States citizens and aligns the requirements for absentee voter registration with those for in-person registration. Specifically, the bill updates RSA 654:17, RSA 654:19, and RSA 654:17-a to require voters registering by absentee ballot to provide documentation demonstrating citizenship, age, domicile, and identity. This documentation must meet the standards outlined in RSA 654:12, ensuring a uniform application of voter eligibility rules. Current law does not explicitly require voters registering by absentee ballot to provide the same documentation as those registering in person, leading to inconsistent practices across the state. The bill eliminates what some have interpreted to be ambiguity by establishing that all voters—whether registering in person or by mail—must provide the same evidence of eligibility. This promotes fairness and ensures that all voters are held to the same standards. The bill also reinforces the principle that protecting election integrity requires clear and consistent rules. With increasing concerns about the security of elections and the accuracy of voter rolls, it is essential to have robust procedures in place to verify both citizenship and identity for all voters. The legislation achieves this by requiring documentation for absentee voter registration while maintaining flexibility for voters through existing options like remote and electronic notarization. By clarifying and standardizing the voter registration process, the bill helps preserve confidence in New Hampshire's elections and ensures that only those who are legally eligible to vote may participate in the democratic process. **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended by Amendment 2025-2407h, would compel registered New Hampshire voters who need to register before they can request an absentee ballot to prove they are US citizens in order to receive a ballot. The bill assumes that all voters have access to their citizenship documentation, can afford to obtain copies of such documentation, and have access to a copier and/or a computer. The bill's sponsors and advocates offered no evidence in the public hearing that the bill would make voting more "secure." For instance, no evidence was adduced to show that non-citizens are impersonating registered voters or are otherwise using absentee ballots. The minority is not surprised by the absence of any relevant evidence, as noncitizens face up to one year in federal prison for voting in federal elections – and also risk deportation. Given these penalties and the absence of any evidence for illegal voting by non-citizens, the minority believes that the bill will not realize any benefit to the public. Furthermore, the minority would prefer to wait until the resolution of the existing lawsuit challenging the constitutionality of last year's HB 1569 (2024), which imposed citizenship requirements for voter registration. For these reasons, the minority recommends Inexpedient to Legislate.

SB 221, relative to the verification of the checklist. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill addresses the verification and maintenance of the voter checklist. Under current New Hampshire law, voter roll removals occur once every 10 years, with a lookback period of four years. As amended, this bill adopts the previously passed House position of conducting the verification annually while extending the lookback period to five years. A voter must have missed between eight and 10 elections to be removed from the rolls for non-voting. Voters subject to removal are sent a card notifying them of the action and providing the opportunity to reregister. The majority of the committee supports this annual verification process, arguing that it will result in a more accurate and up-to-date checklist. Furthermore, the centralized voter database maintained by the Secretary of State's office eliminates the logistical barriers to producing the necessary lists. **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended by Amendment 2025-2463h, requires an annual purging of voter registration records using a five-year look-back period, replacing the current 10-year purge using a look-back period of four years. Put another way, if you have not voted in the past five years, you will be purged from the voting records. While the minority supports record verification more than once every 10 years, purging annually will be expensive for each municipality and will result in many voters being wrongly disenfranchised. A less expensive and more reliable alternative would be for New Hampshire to join the Electronic Registration Information Center (ERIC), which is a bipartisan group of state election officials that responsibly share their data for these purposes. ERIC has made its members' voting rolls more accurate, which helps states steer voters to the right precincts to minimize confusion and ensure access on election day. It has enabled states to catch rare instances of double-voting. And because its membership agreement requires states to reach out to the eligible but unregistered citizens it identifies, it has facilitated millions of new registrations, fostering a more engaged citizenry and a more representative government. ERIC will update our records continuously, not just annually, and will do it with better data than is available under this bill. For these reasons, the minority recommend Inexpedient to Legislate on this bill.

SB 222, relative to moving the state primary date. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Ross Berry for the **Majority** of Election Law. This bill proposes moving the state primary to the second Tuesday in June. Currently, New Hampshire holds one of the latest state primaries in the country—sometimes the very last. This late primary schedule forces candidates to focus primarily on appealing to their party's base rather than the broader electorate, which is typically five to 10 times larger. As a result, many voters are effectively shut out of the process, and the system disproportionately favors candidates who avoid a primary when their inevitable opponent must compete in one. It has been noted that fewer than 7% of New Hampshire House seats are contested in primaries, and an even smaller percentage challenge incumbents. Of those few, successful challenges are exceedingly rare. As such, this bill will have little effect on the House but make for more competitive Federal and Statewide races. The majority believes that moving the primary to June will encourage candidates to engage with all voters, not just their party's base, and create a more level playing field for both sides heading into the general election. **Vote 10-8.** Rep. Connie Lane for the **Minority** of Election Law. This bill alters the House position adopted in HB 481 on March 26, 2025, which has an effective date of January 1, 2027 for a June primary. The timeframe of the existing House position allows sufficient time for the implementation of this significant change by the parties, Secretary of State, local officials, and others. Making it effective on January 1, 2026 rushes the implementation, making it more likely that there will be unforeseen consequences and errors in the transition to a June primary. For this reason, the Minority supports adopting Amendment 2025-2406h, and then passing the amending the effective date of this bill to January 1, 2027.

SB 287, requiring applicants for absentee ballots to present a copy of their photo identification with their application. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Ross Berry for the **Majority** of Election Law. As amended, this bill aligns the process of requesting an absentee ballot more closely with the requirements for in-person voting. Under current law, voters requesting an absentee ballot are not required to provide proof of identification, whereas those voting in person must present acceptable photo identification. This bill would require voters submitting an absentee ballot application to either include a copy of acceptable photo identification or have the application notarized, which itself would require presenting identification. Importantly, New Hampshire law currently allows for electronic and remote notarization services, providing an additional, accessible option for voters to verify their identity remotely. Voters who request an absentee ballot in person may simply present their ID at the clerk's office. During committee discussions, it was noted that electronic transmission methods—such as emailing a scanned copy of an ID—would be acceptable, as New Hampshire law currently imposes no requirements for ID submission. Additionally, concerns about access to printers were deemed minimal, as voters needing to print an absentee ballot application would also have the capability to print a copy of their ID. **Vote 10-8.** Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended by Amendment 2025-2414h, requires that a voter present ID when obtaining an absentee ballot. The bill assumes that all voters have access to a copier or can get to the clerk's office to obtain a ballot in person. It ignores the fact that copiers are a luxury for most households and that many people are home bound and cannot easily get to the clerk's office. The bill's sponsors and advocates offered no evidence that the bill would make voting more "secure." No evidence of fraud under the current system was introduced. This bill, like many others passed over the past few years, is based purely on speculation and adds yet another barrier to exercising the right to vote – also known as voter suppression.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 178, relative to the department of health and human services laboratory services for testing of water supplies. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Erica Layon for Executive Departments and Administration. This bill moves the process of setting fees for water analysis from the statutes to administrative rules. The Department of Health and Human Services provides water testing services to private individuals and companies, state agencies, and entities utilizing state and federal grants. The fees collected are treated differently when the source of funding comes from state or a local government, namely by directing half of the government funded fees to a lab equipment and replacement fund. The amendment clarifies the language surrounding the application of fees from different entities. **Vote 16-0.**

SB 180-FN, designating Coos county as a distressed place-based economy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. Jeremy Slottje for the **Majority** of Executive Departments and Administration. The committee recommends that this bill be reported as ought to pass with amendment. This bill grants Coos county the distressed place based economy designation, which qualifies them for various federal programs. The proposed amendment address concerns about administrative burden, enforceability, and ambiguity while supporting Coos county's economic revitalization through special designation. The bill, as amended, will promote a period of economic revitalization and protect the county's economic welfare without imposing unnecessary burdens on state agencies or local governments. **Vote 15-1.** Rep. Peter Schmidt for the **Minority** of Executive Departments and Administration. This bill is offered in recognition of the dire economic circumstances currently existing in Coos county. The committee is in unanimous support of the first premise thereof, namely, a designation of Coos county as a distressed place-based economy. However, the majority rejects, as likely unenforceable, the second premise, which calls for a higher level of involvement of state agencies with Coos county commissioners to consult on proposed regulations whenever possible, so as to reduce or limit further harmful impact on the county's already struggling economy. While the minority recognizes the majority's concerns about enforceability, we believe that the current situation requires extraordinary measures to protect and improve the economic viability of a major area of our state, well worth the effort.

SB 198, declaring the third week in September to be New Hampshire service dog week. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Carol McGuire for the **Majority** of Executive Departments and Administration. The majority supports recognition of service dogs during the federal celebration of service dog month every September. However, since the governor can declare state recognition at any time upon request, the majority believes it is a disservice to supporters of service dog recognition to put this celebration in statute. Our experience has been that once the group has succeeded in getting statutory recognition of their cause, they stop working to educate others about their cause. Coming together to request recognition every year, and planning commemorations, keeps a cause alive and effective. **Vote 10-6.**
Rep. Patrick Long for the **Minority** of Executive Departments and Administration. The minority supports recognition of service dog week. Service dogs play a vital role in helping disabled people navigate numerous different types of challenges, allowing them to have more independence and more fulfilling lives. Most people are aware of the traditional role of seeing eye dogs, but are not familiar with the great variety of roles service dogs work in today. Annual recognition of service dogs and their trainers would help some disabled people learn about what help may be available to them, and connect with trainers or organizations which can help them get an appropriate service dog. Additionally, increased public knowledge of the high standards expected of service dogs' behavior may reduce the occurrence of service dog fraud, which tends to involve poorly trained animals not meeting the standards of real service dogs.

FINANCE

SB 118-FN, (New Title) relative to the personal needs allowance of residents of nursing homes; making an appropriation to the department of health and human services for Hampstead hospital and residential treatment facility staff; and establishing the Hampstead hospital and residential treatment facility capital investment fund. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Brian Seaworth for the **Majority** of Finance. This bill was previously passed by the House on the consent calendar and combines four different policies. It changes the adjustment cycle of the "personal needs allowance" for nursing home residents from every five years to annually. It appropriates funds to the DHHS for staff leave payments and retention bonuses accrued during the transfer of employer responsibilities at Hampstead Hospital. It also establishes a Hampstead Hospital and Residential Treatment Facility Capital Investment Fund, which will allow the state to fulfill contractual obligations without additional appropriations - instead using the money received from the Hampstead Hospital lease. Finally, the bill includes the text of HB 53, medical cannabis home grow, previously passed by the House. The Finance committee finds these elements will have minimal fiscal impact and therefore recommends that we uphold the recommendation of the policy committee. **Vote 18-7.** Rep. Gary Daniels for the **Minority** of Finance. SB 118 as introduced increases the Medicaid Personal Needs Allowance annually for Medicaid recipients in long-term care facilities. In NH, Medicaid recipients are required to have not more than $2500 worth of assets. Independent of this $2500, since 1988, Medicaid has allowed an individual in a long-term care facility to keep $30 of their income each month as a Personal Needs Allowance. Each state, however, can allow for a higher Personal Needs Allowance, up to a maximum of $200/month. Since 2020 NH has allowed a Personal Needs Allowance of $74. This Personal Needs Allowance is intended to cover the personal expenses of a nursing home resident that are not covered by Medicaid. This may include, but is not limited to haircuts, vitamins, clothing, magazines,

cell phone and vending machine snacks. Nothing prohibits family or friends from providing the resources for, or supplementing, these items. The current statute requires the Commissioner to make a cost-of-living adjustment every five years. As such, this allowance is currently scheduled to increase to about $90 per month effective this July. SB 118 changes the 5-year adjustment period to make an automatic cost-of-living adjustment every year. The compounding of this change results in an estimated cost of $50,000 to $100,000 in FY26 and $100,000 to $500,000 in subsequent years, paid for with 50% general funds and 50% matching federal funds. In addition, and particularly if you find the cost-of-living adjustment period change proposed by SB 118 acceptable, it should be concerning that the bill has been amended with the non-germane, pro-marijuana language of HB 53. While HB 53 passed this House, as did numerous other pro-marijuana bills, it has not gone unnoticed that every pro-marijuana bill passed by the House this session has been rejected by the Senate. It therefore would be perfectly logical to assume that if there is anything you like in SB 118, the risk of losing it all because of this latest amendment is extremely high. The minority proposes an amendment to simply remove the HB 53 language to allow a vote to be taken on the policy change proposed in SB 118 rather than having it tied to a non-germane amendment.

SB 295-FN, (New Title) relative to education freedom accounts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Keith Erf for the **Majority** of Finance. The bill as originally amended by the House increases the number of students eligible for Education Freedom Accounts (EFAs) by removing household income thresholds. For the 2025-2026 school year total enrollment for the EFA program is capped at 10,000. In any subsequent year when enrollment in the EFA program is greater than 90% of the prior year cap, the cap is increased by 25%. The Department of Education is tasked with publishing the current enrollment cap on its website as it is changed. If the cap is not exceeded for two consecutive years then the cap is eliminated. The amendment clarifies all of this. It adds that students currently enrolled in the program, siblings of an enrolled student, students with disabilities and students with family income less than 350% of the federal poverty guidelines as in current law are not subject to the enrollment cap and are always enrolled. Unnecessary restrictions related to fall and spring terms are removed and enrollment is on a simple rolling basis. **Vote 14-11.** Rep. Kate Murray for the **Minority** of Finance. The minority reiterates its opposition to expansion of the Education Freedom Accounts, otherwise known as the voucher program. We have heard consistently and continuously from constituents expressing their strong opposition to any expansion of this program, never mind opposition to the program itself. Further when we take into consideration the precarious financial situation facing New Hampshire, where nearly every other program and agency in the state is being dealt significant cuts, this is not the time to expand such an unpopular program. Moderate estimates indicate that the cost of expanding the program could easily run to $17 million. Other estimates put the cost at much higher. This particular bill is really not much more than a diversion seeking to focus attention away from the fact that the voucher program is being expanded by adding a so-called cap to the enrollment numbers for the program. However, this cap is not a cap because when a certain percentage of the cap is reached, the cap is increased by 25%. A cap is not a cap when it does not cap anything. In addition, generally, Finance has not passed bills that increase spending after crossover. This seems to break that precedent. Daily we still receive emails from all over the state opposing the voucher program. Nineteen communities, and still counting, have expressed disapproval of this program. We should listen to the majority of our constituents and oppose this bill which expands the program well beyond any sustainable level. We recommend ITL.

HOUSING

SB 163, (New Title) repealing the temporary moratoria and limitation on building permits and the approval of subdivisions and site plans. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joe Alexander for Housing. The Housing Committee believes this bill should be recommended Ought to Pass with Amendment number 2025-1950h. The bill as amended would limit the moratorium municipalities can place on building residential buildings with completed applications and adds language regarding HB 685 which is a previously established House position. **Vote 17-0.**

COMMITTEE MEETINGS

FRIDAY, MAY 30

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:5), Room 100, SH
10:00 a.m. or immediately following the JLFC. Regular meeting.

JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1), Room 100, SH
9:15 a.m. or immediately following the Senate meeting. Regular meeting.

MONDAY, JUNE 2

NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Department of Agriculture, Markets, and Food, Granite Place South, Concord

2:00 p.m. Regular meeting.

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Department of Environmental Services Rooms 111-113, 29 Hazen Drive, Concord

9:00 a.m. Regular meeting.

TUESDAY, JUNE 3

COUNTY-STATE FINANCE COMMISSION (RSA 28-B:1), Brown Building, 129 Pleasant St., Concord

12:30 p.m. Regular meeting.

FRIDAY, JUNE 6

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 100, SH

10:00 a.m. Regular meeting.

MONDAY, JUNE 9

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), Sugar River Valley CTE Center, 243 N. Main St., Newport

9:00 a.m. Regular meeting.

NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), REMOTE

2:00 p.m. Regular meeting. Join Teams: https://www.microsoft.com/en-in/microsoft-teams/
Meeting ID: 227 535 414 182 5 Passcode: hL6yN92K

WEDNESDAY, JUNE 11

FISH AND GAME AND MARINE RESOURCES, 453 Main St., Gorham

9:30 a.m. Tour of Jericho Park.

RESOURCES, RECREATION AND DEVELOPMENT, 453 Main St., Gorham

9:30 a.m. Tour of Jericho Park.

THURSDAY, JUNE 12

CHILD CARE ADVISORY COMMITTEE (RSA 126-A:17), 1 Delta Drive (Training Room), Concord

1:00 p.m. Regular meeting.

FRIDAY, JUNE 13

COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS (RSA 281-A:17-e), NH Fire Academy, 98 Smokey Bear Blvd, Concord Classroom 1

10:00 a.m. Regular meeting.

FRIDAY, JUNE 20

ADMINISTRATIVE RULES (RSA 541-A:2), Room 100, SH

9:00 a.m. Regular meeting.

FISCAL COMMITTEE (RSA 14:30-a), Room 210-211, LOB

11:00 a.m. Regular meeting.

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.

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10), Room 103, SH

9:00 a.m. Regular meeting.

MONDAY, JUNE 23

NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-DD:1), Executive Council Chamber, Rm 207

1:00 p.m. Regular meeting.

STATE COMMISSION ON AGING (RSA 19-P:1), NH Hospital Association, 125 Airport Road, Concord

10:00 a.m. Regular meeting. In addition to the physical location, access is also available need be remotely via Zoom:
https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVueDBYYW9SZThLUT09

MONDAY, JUNE 30

CAPITAL PROJECT OVERVIEW COMMITTEE (RSA 17-J:2), Room 100, SH

9:00 a.m. Regular meeting.

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 100, SH

9:30 a.m. Regular meeting.

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 66, HB 85, HB 86, HB 112, HB 211, HB 215, HB 240, HB 284, HB 309, HB 327, HB 369, HB 378, HB 494, HB 496, HB 498, HB 502, HB 505, HB 506, HB 508, HB 509, HB 511, HB 514, HB 517, HB 518, HB 521, HB 523,HB 524, HB 525, HB 526, HB 528, HB 534, HB 535, HB 536, HB 538, HB 542, HB 546, HB 547, HB 553, HB 566, HB 572, HB 574, HB 575, HB 581, HB 583, HB 586, HB 591, HB 607, HB 608, HB 609, HB 611, HB 615, HB 616, HB 619, HB 621, HB 622, HB 624, HB 630, HB 633, HB 635, HB 637, HB 639, HB 646, HB 648, HB 650, HB 651, HB 652, HB 653, HB 654, HB 655, HB 657, HB 658, HB 659, HB 662, HB 665, HB 669, HB 670, HB 671, HB 672, HB 674, HB 677, HB 680, HB 681, HB 683, HB 686, HB 687, HB 688, HB 690, HB 691, HB 696, HB 702, HB 708, HB 710, HB 711, HB 712, HB 716, HB 719, HB 720, HB 721, HB 725, HB 726, HB 727, HB 729, HB 730, HB 731, HB 733, HB 736, HB 738, HB 739, HB 741, HB 743, HB 750, HB 753, HB 755, HB 756, HB 759, HB 760, HB 761, HB 762, HB 763, HB 767, HB 769, HB 770, HB 771, HB 775, HB 782. SB 26, SB 36, SB 49, SB 58, SB 60, SB 71, SB 73, SB 79, SB 80, SB 87, SB 99, SB 103, SB 112, SB 134, SB 147, SB 148, SB 151, SB 153, SB 157, SB 160, SB 170, SB 188, SB 201, SB 204, SB 206, SB 222, SB 243, SB 247, SB 263, SB 280, SB 297.

OFFICIAL NOTICES

Rockingham County Executive Committee Public Hearing, **Wednesday, June 4, 2025, at 6:00 p.m.,** Hilton Auditorium, Rockingham County Rehabilitation and Nursing Center, Brentwood, NH. Executive Committee conducts Public Hearing on Proposed FY-2026 Budget and votes to consider any changes at conclusion of Public Hearing (RSA 24:13-c). 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, please follow the instructions below. 1. Dial 1-929-205-6099 or 1-312-626-6799 (click phone call option) 2. Meeting ID: 571-325-5541 3. No Participant ID - Press # to continue 4. Meeting Password: 312900

Rep. John Potucek, Clerk

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Rockingham Executive Committee Meeting, **Wednesday, June 18, 2025, at 5:30 p.m.,** Hilton Auditorium, Rockingham County Rehabilitation and Nursing Center, Brentwood, NH. The purpose of the meeting is to finalize any unfinished business prior to the County Convention Meeting at 6:00 p.m. 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, please follow the instructions below. 1. Dial 1-929-205-6099 or 1-312-626-6799 (click phone call option) 2. Meeting ID: 571-325-5541 3. No Participant ID - Press # to continue 4. Meeting Password: 312900

Rep. John Potucek, Clerk

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Rockingham County Convention Meeting, **Wednesday, June 18, 2025, at 6:00 p.m.,** Hilton Auditorium, Rockingham County Rehabilitation and Nursing Center, Brentwood, NH. The purpose of the meeting is to Adopt the FY-2026 County Budget. A quorum is required. Members must attend in person. Additional County Convention Meeting, if needed, Friday, June 20, 2025, at 9:30 a.m. You will be notified.
Zoom Access is available:
https://zoom.us/j/5713255541?pwd= TkV4NnM5OHp5SnZzVEcxaFlrL0VYZz09
To access the meeting by audio, please follow the instructions below. 1. Dial 1-929-205-6099 or 1-312-626-6799 (click phone call option) 2. Meeting ID: 571-325-5541 3. No Participant ID - Press # to continue 4. Meeting Password: 312900

Rep. John Potucek, Clerk

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Friday, June 13, 2025, at 9:00 a.m. The **Strafford** Delegation will meet to Address the New Nursing Home Question Committee, in the Café Conference Room, Lower Level of the William A. Grimes Justice and Administration Building, 259 County Farm Road, Dover, New Hampshire. This meeting will focus on the understanding of nursing home finances. The discussion will include how Medicaid funding finances Strafford County operations along with the roles and finances of private vs county care. All delegation members are invited to attend the committee meetings. If you have any questions, please do not hesitate to contact our office at 603-742-1458. If you are unable to attend, please notify Janet Hilber, Executive Assistant at 603-516-7100, or via email at
email at jhilber@co.strafford.nh.us. Public access via Zoom: Meeting ID: 886 9655 0988 Passcode: 608382
https://us06web.zoom.us/j/88696550988?pwd=szE0WQMlvw0tJJPp1aLv8cG065quYx.1
or By Phone: +1 646 931 3860 US

Rep. Cassandra Levesque, 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.

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All Representatives are invited to a Bible study and prayer during the lunch break on Session Days. We will meet in the Upham Walker House with Pastor Peter Chamberland for this time together. Come and be refreshed both physically and spiritually during our lunch hour. Looking forward to seeing you there!

Rep. Vanessa Sheehan

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Members who receive constituent inquiries into their client case with the Department of Health and Human Services are welcome to forward the inquiry to DHHS for follow-up. You will not receive any information back other than the case is being placed in a queue and being reviewed. Contact Ms. Kathie Capron, Executive Administrative Assistant, Office of the Commissioner, (603) 271-9445, Kathleen.A.Capron@dhhs.nh.gov

Reps. Lucy Weber and Jess Edwards

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The spate of measures in front of this body that have dire consequences for New Hampshire renters proves that the perspective of those who rent their homes is needed to ensure fairness for us as well as property owners. We representatives who rent must join together to make sure our voices are heard. If any of my colleagues are interested in forming a bipartisan renters' caucus, please see me in person or email me.

Rep. Lily Foss

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Pocket-Size Copies of the NH Constitution are available. The passage of HB 1323 (2024), RSA 5:5-b, allowed for copies of State Constitution to be furnished. These pocket-size copies of the NH Constitution are now available in the Secretary of State's office for $1 each.

Reps. Katy Peternel, Margaret Drye and Dan McGuire

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The first-ever NH Legislative Cigar Caucus event will take place on **Monday, June 2nd, from 4:00 p.m. to 6:00 p.m.** at the newly renovated lounge at Two Guys Smoke Shop in Nashua (15 Spit Brook Rd, Nashua, NH 03060). Learn about the robust cigar retail and manufacturing sectors in New Hampshire and their contributions to the state economy. There is limited space in the lounge reserved for the event. Please RSVP to Curtis Barry (curtis@barrygr.com) to help with planning, and feel free to arrive anytime between 4:00 PM and 6:00 PM.

Rep. Keith Ammon

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There will be a Quilt of Honor presentation for Rep. Mike Moffett at 11:30 a.m. on **Tuesday, June 3,** at the Navy Memorial in the rear of the State House. Rep. Moffett chairs the House Committee on State-Federal Relations and Veterans Affairs.

Rep. Tom Mannion

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Scouting America New Hampshire will host its annual Report to the State on **Wednesday, June 4th,** at the State House. Legislators are invited to visit the Mobile Base Camp on the lawn during lunch and meet with Scouting America representatives from across the Granite State.

Rep. Steven Smith

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The NH Retail Lumber Association invites legislators and staff to lunch on the plaza **Thursday, June 5.** Please join your local building materials suppliers at your noontime break for food truck fare and the opportunity to learn about the independent building material industry in New Hampshire.

Reps. Jason Osborne and Alexis Simpson

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NH Family Justice is sponsoring a rally celebrating families and advocating for reform, accountability and justice. All members, families and friends are invited to join the celebration on **Saturday, June 7 from 12:00 p.m. to 2:00 p.m.** on the State House plaza.

Rep. J D Bernardy

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On **June 9th at 10:00 a.m.** there will be a presentation on AI in education. There will be a representative from Khan Academy in attendance to provide a demonstration on the Khanmigo AI platform that is being piloted in some NH schools. She will also discuss recent popularity in AI and how AI can offer multi-lingual tutoring, custom professional learning for educators and safeguards for students. The presentation will be in LOB 205-207 and all legislators are welcome.

Rep. Glenn Cordelli

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The NH Oral Health Coalition invites you to our 2025 Legislative Luncheon "#Oral Health Matters: It's All Connected" hosted on **June 12th from 11:30 a.m. to 1:30 p.m.** in the NH State House cafeteria. This year's event includes oral health and dental providers and programs from your local communities that serve those needing affordable and accessible care. Additionally, we will celebrate the NH Smiles – Medicaid Adult Dental Benefit on its 3rd birthday. Please RSVP to Gail Brown gbrown@NHOralHealth.org or 603-415-5550. See you there. All Representatives and their staff members are welcome.

Rep. Tom Buco

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On **Sunday, June 22, 2025, at 3:00 p.m.** there will be an event commemorating the Bicentennial of Lafayette's visit to the NH State House. The American Friends of Lafayette will be joined by Ben Goldman of Washington, D.C. who has performed as the Marquis de Lafayette for almost two decades. He will arrive to the front of the State House in a horse-drawn carriage and will be welcomed to the State House by the Speaker Sherman Packard, Senate President Sharon Carson, and Governor Kelly Ayotte. Everyone is invited to gather in the House of Representatives for a reenactment of the 1825 special joint session to welcome the Marquis de Lafayette.

Please note: The special joint session is only a reenactment, and legislators are not required to attend. We do encourage those who would like to participate as audience members for the reenactment to feel free to do so. This is a voluntary event, there will be no assigned seating, and mileage will not be paid.

Speaker Packard

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 14-FN
(2025-2372h)

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 the penalty for certain fentanyl-related offenses; relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting; and relative to amending the penalties for the possession and use of a quantity of psilocybin for persons 18 years of age or older.

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

1 Controlled Drug Act; Penalties. Amend RSA 318-B:26, I(a) to read as follows:

(a) In the case of a violation involving any of the following, a person shall be sentenced to a maximum term of imprisonment of not more than 30 years, a fine of not more than $500,000, or both. If any person commits such a violation after one or more prior offenses as defined in RSA 318-B:27, such person may be sentenced to a maximum term of life imprisonment, a fine of not more than $500,000, or both:

(1) Five ounces or more of a mixture or substance containing any of the following, including any adulterants or dilutants:

(A) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; or

(B) Cocaine other than crack cocaine, its salts, optical and geometric isomers, and salts of isomers; or

(C) Ecgonine, its derivatives, their salts, isomers, and salts of isomers.

(2) Lysergic acid diethylamide, or its analog, in a quantity of 100 milligrams or more including any adulterants or dilutants, or phencyclidine (PCP), or its analog, in a quantity of 10 grams or more including any adulterants or dilutants.

(3) Heroin or its analog, crack cocaine, or a fentanyl class drug in a quantity of 5 grams or more, including any adulterants or dilutants. ***A fentanyl class drug in a quantity of 20 grams or more, including any adulterants or dilutants, shall carry a minimum term of imprisonment of not less than 3 years and 6 months incarceration. A fentanyl class drug in a quantity of 50 grams or more, including any adulterants or dilutants, shall carry a minimum term of imprisonment of not less than 7 years incarceration, subject to the exception delineated herein.***

(A) A person subject to a mandatory minimum sentence prescribed in subparagraph (3) may be eligible for a sentence below the mandatory minimum if the court finds, by clear and convincing evidence, that all of the following conditions are met:

(i) The defendant has no prior convictions for violent felonies, as defined in RSA 651:5, XI, or any drug-related offenses under RSA 318-B, or substantially similar convictions in any other territory, state, or federal jurisdiction, within the past 7 years.

(ii) The offense did not involve the use, attempted use, or credible threat of violence, firearms, or other dangerous weapons, as defined in RSA 625:11, V.

(iii) The defendant was not a leader, organizer, or supervisor in the drug operation, as determined by the court.

(iv) The defendant, to the extent that he or she is able as determined by the court considering the recommendation of the prosecutor, provides substantial assistance to law enforcement, including full and truthful disclosure of all known details of the offense and related nonviolent activities, resulting in actionable intelligence related to another offender, prior to sentencing. The court shall make the final decision related to the satisfaction of this condition.

(v) The defendant submits to a court-ordered substance use disorder evaluation and, if recommended, completes a state-approved treatment program within 9 months of sentencing, provided such treatment is available. In the event no treatment is available within the 9 month window, the court may at its discretion extend the time to complete such treatment. If no treatment is recommended, the defendant shall complete a 50-hour, court-approved drug education program, provided such a program is available. The court may at its discretion allow substitution programs of a similar nature if there are no 50-hour, approved programs available.

(vi) The defendant did not knowingly possess or distribute a fentanyl-class drug in a form intended to deceive, including but not limited to counterfeit prescription pills.

(B) Upon determining eligibility, the court may impose a sentence below the mandatory minimum, including probation, conditional discharge, or a reduced prison term, pursuant to RSA 651:2. The court shall consider:

(i) The defendant's specific role and culpability in the offense.

(ii) Mitigating factors, such as documented coercion or extreme economic hardship, provided they do not excuse the offense.

(iii) The defendant's risk of recidivism, based on criminal history and compliance with pre-sentencing conditions.

(C) If a sentence below the mandatory minimum is applied pursuant to subparagraph (B), the court shall impose a minimum of 3 years' probation with mandatory conditions, including:

(i) Biweekly drug testing, if applicable.

(ii) Completion of any court-ordered treatment or education program.

(iii) At least 250 hours of community service, unless waived due to documented medical inability.

(iv) A suspended sentence of at least 3 years and 6 months imprisonment, to be imposed if probation conditions are violated.

(4) Methamphetamine or its analog, in a quantity of 5 ounces or more, including adulterants or dilutants.

2 Controlled Drug Act; Penalties. Amend RSA 318-B:26, IX to read as follows:

IX. Any person who manufactures, sells, or dispenses methamphetamine, lysergic acid[~~,~~] diethylamide ***(LSD),*** phencyclidine (PCP) or any other controlled drug classified in schedules I or II, or any controlled drug analog thereof, in violation of RSA 318-B:2, I or I-a, ***excluding any fentanyl class drug, including any adulterants or dilutants,*** is strictly liable for a death which results from the injection, inhalation, or ingestion of that substance, and may be sentenced to imprisonment for life or for such term as the court may order. ***Any person who manufactures, sells, or dispenses a fentanyl class drug, including any adulterants or dilutants, in violation of RSA 318-B:2, I or I-a, is strictly liable for a death which results from the injection, inhalation, or ingestion of that substance, and may be sentenced to imprisonment for life or for such term as the court may order. Any such term shall not be less than 7 years of imprisonment, subject to the exception delineated in paragraph IX-b.*** For purposes of this section, the person's act of manufacturing, dispensing, or selling a substance is the cause of a death when:

(a) The injection, inhalation or ingestion of the substance is an antecedent but for which the death would not have occurred; and

(b) The death was not:

(1) Too remote in its occurrence as to have just bearing on the person's liability; or

(2) Too dependent upon conduct of another person which was unrelated to the injection, inhalation or ingestion of the substance or its effect, as to have a just bearing on the person's liability. It shall not be a defense to a prosecution under this section that the decedent contributed to his own death by his purposeful, knowing, reckless or negligent injection, inhalation or ingestion of the substance or by his consenting to the administration of the substance by another. Nothing in this section shall be construed to preclude or limit any prosecution for homicide. A conviction arising under this section shall not merge with a conviction of one as a drug enterprise leader or for any other offense defined in this chapter.

3 New Paragraph; Controlled Drug Act; Penalties. Amend RSA 318-B:26 by inserting after paragraph IX-a the following new paragraph:

IX-b.(a) A defendant subject to the mandatory minimum sentence in paragraph IX may be eligible for a sentence below the mandatory minimum if the court finds, by clear and convincing evidence, that all of the following conditions are met:

(1) The defendant has no prior convictions for violent felonies, as defined in RSA 651:5, XI, or any drug-related offenses under RSA 318-B within the past 10 years.

(2) The offense did not involve the use, attempted use, or credible threat of violence, firearms, or other dangerous weapons, as defined in RSA 625:11, V.

(3) The defendant was not a leader, organizer, or supervisor in the drug operation, as determined by the court.

(4) The defendant, to the extent that he or she is able as determined by the court considering the recommendation of the prosecutor, provides substantial assistance to law enforcement, including full and truthful disclosure of all known details of the offense and related nonviolent activities, resulting in actionable intelligence related to another offender, prior to sentencing. The court shall make the final decision related to the satisfaction of this condition.

(5) The defendant submits to a court-ordered substance use disorder evaluation and, if recommended, completes a state-approved treatment program within 9 months of sentencing providing such treatment is

available. In the event no treatment is available within the 9 month window, the court may at its discretion extend the time to complete such treatment. If no treatment is recommended, the defendant shall complete a 50-hour, court-approved drug education program provided such a program is available. The court may at its discretion allow substitution programs of a similar nature if there are no 50-hour, approved programs available.

(6) The defendant did not knowingly distribute a fentanyl-class drug in a form intended to deceive, including but not limited to counterfeit prescription pills.

(b) Upon determining eligibility, the court may impose a sentence below the mandatory minimum, including probation, conditional discharge, or a reduced prison term, pursuant to RSA 651:2. The court shall consider:

(1) The defendant's specific role and culpability in the offense.

(2) Mitigating factors, such as documented coercion or extreme economic hardship, provided they do not excuse the offense.

(3) The defendant's risk of recidivism, based on criminal history and compliance with pre-sentencing conditions.

(c) If a sentence below the mandatory minimum is applied pursuant to this paragraph, the court shall impose a minimum of 3 years' probation with mandatory conditions, including:

(1) Biweekly drug testing, if applicable.

(2) Completion of any court-ordered treatment or education program.

(3) At least 300 hours of community service, unless waived due to documented medical inability.

(4) A suspended sentence of at least 5 years' imprisonment, to be imposed if probation conditions are violated.

4 New Section; Personal Possession of Psilocybin. Amend RSA 318-B by inserting after section 2-e the following new section:

318-B:2-f Personal Possession of Psilocybin.

I. Notwithstanding RSA 318-B:2 and 318-B:26, a person 18 years of age or older who obtains, purchases, transports, possesses, or uses 3/4 of an ounce or less of psilocybin shall be subject to the following penalties:

(a) For a first offense, a misdemeanor.

(b) For a second or subsequent offense, the person shall be subject to the penalties in RSA 318-B:26.

II. Any person under 18 years of age who obtains, purchases, transports, possesses, or uses psilocybin shall be subject to the penalties in RSA 318-B:26.

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

2025-2372h

AMENDED ANALYSIS

This bill:

I. Adds mandatory minimum sentences for certain fentanyl-related offenses.

II. Sets a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting.

III. Modifies the penalties for a person 18 years of age or older to obtain, purchase, transport, possess, or use a certain quantity of psilocybin.

Amendment to SB 26
(2025-1976h)
Proposed by the Committee on Commerce and Consumer Affairs–c

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

AN ACT allowing the department of justice to authorize the preclosing use of a portion of a deposit held in escrow for the payment of certain construction customizations, upgrades, or change orders.

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

1 Trade and Commerce; Land Sales Full Disclosure Act; Escrow of Deposits. Amend RSA 356-A:9-a to read as follows:

356-A:9-a Escrow of Deposits. Any deposit made in regard to any disposition of a lot, parcel, unit or interest in subdivided lands shall be held in escrow until settlement or closing. Such escrow funds shall be deposited in a separate account designated for this purpose; provided, however, if such funds are being held by a real estate broker or attorney licensed under the laws of this state, they may be placed in that broker's or attorney's regular escrow account and need not be placed in a separate designated account. Such escrow funds shall not be subject to attachment by the creditors of either the purchaser or the subdivider. ***Notwithstanding the foregoing requirement that the deposit be held in escrow, the department of justice's consumer protection and antitrust bureau may authorize the preclosing use of a portion of a deposit designated pursuant to a purchase and sales agreement for the payment of any of the following, on such terms as the bureau might reasonably impose:***

(a) Customizations,

(b) Upgrades,
(c) Change orders,
(d) Similar items, and
(e) Any combination of subparagraphs (a) through (d).

2 Trade and Commerce; Condominium Act; Escrow of Deposits. Amend RSA 356-B:57 to read as follows:

356-B:57 Escrow of Deposits. Any deposit made in regard to any disposition of any interest in a unit shall either be held in escrow until settlement or closing or shall be delivered to the person providing construction financing, who shall either hold said deposit in escrow or shall apply said deposit to the construction of the condominium; provided, however, that any deposit made under a nonbinding reservation agreement shall be placed in escrow. Subject to the foregoing, such escrow funds shall be deposited in a separate account designated for this purpose; provided, however, if such funds are being held by a real estate broker or attorney licensed under the laws of this state, they may be placed in that broker's or attorney's regular escrow account and need not be placed in a separate designated account. Such escrow funds shall not be subject to attachment by the creditors of either the purchaser or the declarant. ***Notwithstanding the foregoing requirement that the deposit be held in escrow, the department of justice's consumer protection and antitrust bureau may authorize the preclosing use of a portion of a deposit designated pursuant to a purchase and sales agreement for the payment of any of the following, on such terms as the bureau might reasonably impose:***

(a) Customizations,
(b) Upgrades,
(c) Change orders,
(d) Similar items, and
(e) Any combination of subparagraphs (a) through (d).

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

2025-1976h
AMENDED ANALYSIS

This bill allows the department of justice to authorize the preclosing use of a portion of a deposit held in escrow for the payment of certain construction customizations, upgrades, or change orders.

Amendment to SB 43
(2025-2475h)
Proposed by the Committee on Election Law–c

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

AN ACT removing articles of clothing from the definition of electioneering and the use of electronic poll book devices.

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

1 Electioneering; Wearing of Clothing. Amend RSA 652:16-h, I to read as follows:

I. Wearing clothing or paraphernalia that displays a candidate's name, likeness, or logo, a ballot measure's number, title, subject, or logo, a political party's name or logo, or any communication that a reasonable person would believe explicitly advocates for or against any candidate, political party, or measure***.*** [~~, provided that~~] A person ***who is*** eligible to vote or register to vote in the voting district who is unable to ***reasonably*** remove or cover ***such*** clothing [~~that explicitly advocates for or against any candidate, political party, or measure,~~] may wear such clothing in the polling place while actively ***and expeditiously*** engaged in the process of registering to vote or while actively ***and expeditiously*** engaged in the process of voting

2 Electronic Poll Books. Amend RSA 652:27, I to read as follows:

I. Cities and towns are hereby authorized to use electronic poll book devices for voter registration and check-in for elections, ***town business and deliberative sessions and special meetings, and school district business and deliberative sessions and special meetings*** provided that any city or town using electronic poll book devices shall comply with all statutes directly or indirectly related to voter checklists and maintenance of the statewide centralized voter registration database including the processes related to voter registration, voter check-in and check-out, the processing of absentee ballots, the collection of all fields of data required for registration or check-in, and the delivery of that data to the secretary of state in a format compatible with the statewide centralized voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA 659:13, RSA 659:14, and RSA 659:23, as they relate to manual entries on a paper checklist, are hereby waived in order to accommodate an electronic poll book, provided the same information required of the voter is obtained and recorded by the electronic poll book, and can be retrieved and/or printed at any time including during an election. In addition, nonpublic data related to individual voter data shall remain confidential, and no voter data shall be released or retained by an electronic poll book vendor, including its agents, or any company or individual that provides software, hardware, or services to the vendor for any purpose. An electronic poll book vendor shall not have access to any voter data except as specifically necessary to setup, maintain, or train for an electronic poll book program authorized under RSA 652:27. Adequate back-up systems shall be in place as determined by the local election officials for local elections and the secretary of state for all other elections. A back-up system shall include a “real time” download or accurate account of voters who have checked in or registered on the day of the election. The electronic poll book shall have the ability to generate a paper voter checklist completely marked to reflect participation in the election up to the time of any system failure or malfunction, and sufficient number of high speed printers shall be available in the polling place to produce a back-up paper checklist for use in the event of a system failure, or a paper checklist shall be marked in parallel with the electronic poll book reflecting the real time check-in of voters with a lag time of no more than 30 minutes. A marked checklist shall be printed upon the completion of every election along with any reports required by statute and shall be retained by the clerk.

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

2025-2475h

AMENDED ANALYSIS

This bill allows certain articles of clothing supporting a candidate or measure to be worn by a voter in the process of casting his or her vote. This bill also allows the use of electronic poll book devices in town meetings, special meetings, and deliberative sessions.

Amendment to SB 54-FN
(2025-1756h)
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 refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated, and mandatory firearms safety training in public schools.

Amend the bill by replacing all after section 4 with the following:

5 New Chapter; Firearms Training in Public Schools. Amend RSA by inserting after chapter 193-K the following new chapter:

CHAPTER 193-L

FIREARMS TRAINING IN PUBLIC SCHOOLS

193-L:1 Short Title. This chapter shall be known as the “New Hampshire Firearms Safety Education Act.”

193-L:2 Purpose and Intent. The purpose of this chapter is to promote public safety and responsible citizenship by ensuring that all students in New Hampshire public schools receive age-appropriate education on firearms safety in order to foster an understanding of safe handling, storage, and the legal responsibilities associated with firearms ownership and use, consistent with the state’s commitment to individual rights and community well-being.

193-L:3 Definitions.

In this chapter:

I. “Firearms safety training” means an educational curriculum designed to teach students the principles of safe firearm handling, storage, and avoidance, including but not limited to the National Rifle Association’s Eddie Eagle Gunsafe Program or equivalent programs approved by the department of education.

II. “Public school” means all public and chartered public schools in the state.

193-L:4 Mandatory Firearms Safety Training.

I. The department of education, in consultation with the department of safety and qualified firearms instructors, shall develop or adopt standardized firearms safety training pursuant to RSA 193-L:5 for public school students in grades K-12 by January 1, 2026.

II. The department shall provide curricular material to each school district at no cost to the district. The department shall actively seek federal funds, state and federal grants, and other sources of funding to support the costs associated with firearms safety training. The department shall develop guidelines regarding individual donations to the department from individuals, groups, or organizations to support training efforts and costs.

193-L:5 Mandatory Firearms Safety Training; Requirements and Delivery.

I. Beginning with the 2026-2027 school year, firearms safety training shall be taught annually in all public schools as part of the health, physical education, or civics curriculum, with a minimum of one instructional hour per school year dedicated to this purpose. The training shall be mandatory for every public school student unless a student’s parent or legal guardian receives an exception pursuant to RSA 193-L:6 and 186:11, IX-c.

II. The training shall be age-appropriate for each grade level, with students in grades K-5 receiving instruction focused on avoidance and reporting and students in grades 6-12 receiving expanded instruction to include basic firearm mechanics, safe handling principles, secure storage practices, and an overview of state and federal firearms laws. Firearms safety training shall not include live firearms or ammunition in the classroom but may incorporate training aids such as dummy firearms or multimedia resources.

III. The training shall be administered by school staff or external instructors certified in firearms safety education by a recognized organization or as approved by the department of education.

193-L:6 Exception.

School districts shall adopt a policy in accordance with RSA 186:11, IX-c to allow an exception by a parent or legal guardian to all or part of the firearms safety training.

193-L:7 Compliance and Reporting.

I. Each school district shall submit an annual report to the department of education by the final day of the school year, confirming compliance with this chapter and detailing the number of students trained and excepted.

II. The department of education shall compile and submit a summary report detailing the number of students trained and excepted to the speaker of the house of representatives and the president of the senate by September 1 of each year, beginning in 2027.

193-L:8 Severability. If any provision of this chapter, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the 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.

6 New Paragraph; Duties of the State Board of Education; Firearms Safety Training. Amend RSA 186:11 by inserting after paragraph XXXVI the following new paragraph:

XXXVI-a. Firearms Safety Training. Develop or adopt, and distribute to school districts, an educational curriculum designed to teach students the principles of safe firearm handling, storage, and avoidance, as required under RSA 193-L.

7 Effective Date.

I. Sections 5 and 6 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2026.

2025-1756h
AMENDED ANALYSIS

This bill:

I. Modifies periods of suspension under different circumstances stemming from a refusal of consent to testing to determine alcohol concentration and modifies the penalties for aggravated driving while intoxicated.

II. Requires the department of education to create or adopt standardized firearms safety training for mandatory instruction in public schools.

Floor Amendment to SB 54-FN
(2025-2259h)
Proposed by Rep. Scherr

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

AN ACT relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated, and relative to mandatory firearms safety training and domestic violence prevention education in public schools.

Amend the bill by replacing all after section 6 with the following:

7 Education; Studies; Domestic Violence. Amend RSA 189:10, II to read as follows:

II. The school board shall ensure that health education, physical education to include the importance of exercise, and wellness are taught to pupils as part of the curriculum, specifically to include physiology, hygiene, health and interpersonal relationships, physical education, and wellness, as they relate to the effects of alcohol and other drugs, prevention of ***domestic and*** sexual violence, child abuse as established in the definition of “abused child” under RSA 169-C:3, II, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

8 Effective Date.

I. Sections 5-7 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2026.

2025-2259h
AMENDED ANALYSIS

This bill:

I. Modifies periods of suspension under different circumstances stemming from a refusal of consent to testing to determine alcohol concentration and modifies the penalties for aggravated driving while intoxicated.

II. Requires the department of education to create or adopt standardized firearms safety training for mandatory instruction in public schools.

III. Adds domestic violence prevention education to the health curriculum offered in public schools.

Amendment to SB 57
(2025-1900h)
Proposed by the Committee on Education Policy and Administration–r

Amend the bill by replacing sections 2 and 3 with the following:

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house of representatives.

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 the issues related to school administrative units and consolidation including but limited to the following:

I. Analyze and clarify the roles of school administrative districts (SAUs) and local school districts;

II. Analyze and clarify the roles of school superintendents and/or provision of superintendent services in SAUs and local school districts;

III. Examine existing research and findings related to consolidation of school districts including financial feasibility and efficiencies of scale that consolidation may or may not achieve;

IV. Examine the feasibility of consolidating school administrative units into one per county, except for counties with populations exceeding 100,000 residents, and maintaining individual school administrative units for the cities of Nashua and Manchester;

V. Examine issues related to staffing and oversight of SAUs and local school districts.

VI. Examine the processes for SAU merger under RSA 194-C:2 for efficiency and effectiveness.

Amendment to SB 69-LOCAL
(2025-2239h)
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 acceptance of or rejection of charitable contributions, gifts, or donations by local school boards, and establishing a virtual early childhood readiness family engagement program.

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

1 Local Planning and Approval. Amend RSA 194-E:2, VI to read as follows:

VI. Each public school and each local school board may seek and accept public and private gifts, grants, and donations to offset the costs of developing and implementing innovation plans and plans for creating innovation school zones***, provided that such gifts, grants, or donations shall be accepted or rejected by the school board after being discussed and voted on in a public session***. ***Gifts or donations may be made anonymously if the donor so chooses.***

2 Trust Funds Created for Specific Purposes; Expenditures; Administration. Amend RSA 198:20-c, VI to read as follows:

VI. The district may authorize the acceptance of privately-donated gifts, legacies and devises to be utilized for the same purpose as a trust fund created under this section; provided, however, that such gifts, legacies or devises shall be invested and accounted for separately from, and not commingled with, amounts appropriated under paragraph I, and shall be subject to the custody and investment provisions applicable to trust funds accepted under RSA 31:31. ***Gifts authorized pursuant to this paragraph shall be accepted or rejected by the school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.***

3 Supply of Epinephrine Auto-Injectors. Amend RSA 200:44-b, IV to read as follows:

IV. A school may enter into an agreement with a manufacturer of epinephrine auto-injectors, third-party suppliers of epinephrine auto-injectors, or health care offices to obtain epinephrine auto-injectors at no charge or at fair-market prices or at reduced prices. A school district may accept gifts, grants or donations from foundations, organizations, or private parties to purchase epinephrine auto-injectors. ***Gifts authorized pursuant to this paragraph shall be accepted or rejected by the school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.***

4 Supply of Bronchodilators, Spacers, or Nebulizers. Amend RSA 200:54, IV to read as follows:

IV. A school may enter into an agreement with a manufacturer of bronchodilators, spacers, or nebulizers, third-party suppliers of bronchodilators, spacers, or nebulizers, or health care offices to obtain bronchodilators, spacers, or nebulizers at no charge or at fair-market prices or at reduced prices. A school district may accept gifts, grants or donations from foundations, organizations, or private parties to purchase bronchodilators, spacers, or nebulizers. ***Gifts authorized pursuant to this paragraph shall be accepted or rejected by the school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.***

5 Trust Funds for Districts. Amend RSA 31:31 to read as follows:

31:31 Trust Funds for Districts. Except where otherwise specifically provided in the charter of a city or by special act of the legislature whenever a gift, legacy or devise shall be made in trust to a school district, village district or any subdivision of a town and accepted by it, the same shall be held in custody and administered by the trustees of trust funds of such town or in case of districts embracing 2 or more towns by the trustees of trust funds of that town which the voters of said district may elect. The governing body of any such district or subdivision shall expend such district or subdivision trust funds, or the income thereof to be expended, consistently with the terms of the trust. The provisions of RSA 31:32 shall not apply to expenditures of district or subdivision trust funds. ***Gifts made pursuant to this section shall be accepted or rejected by a school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.***

6 Public recreation and Parks; Establishment and Management. Amend RSA 35-B:1 to read as follows:

35-B:1 Establishment and Management. Any town, city, county, village district or school district acting through its governing body, may either independently or in conjunction with the United States, the state of New Hampshire, or any other political subdivision acquire land within or without its jurisdiction by gift, purchase or lease, for a public recreation and park area and may prepare, equip, and maintain said land for said purpose. Said town, city, county or district may establish a system of reasonable fees and charges thereon; may conduct and promote leisure-time activities thereon. In connection therewith, any such town, city, county, or district may construct, reconstruct, equip, operate, and maintain any recreation building or recreation support facility; and may employ an administrative officer and such other persons as it deems necessary to carry out the provisions of this chapter. Any town, city, county or district shall have the power to jointly enter into any contract with any organization or organizations for the purpose of conducting leisure-time programs, acquiring recreational lands or facilities, or exercising any other power granted by this chapter. ***Gifts made pursuant to this section shall be accepted or rejected by a school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.***

7 New Paragraph; Donations to Regional Career and Technical Education Center Programs. Amend RSA 188-E:9-a by inserting after paragraph II the following new paragraph:

II-a. Donations made pursuant to paragraph II shall be accepted or rejected by a school board after being discussed and voted on in a public session. Gifts or donations may be made anonymously if the donor so chooses.

8 New Section; Virtual Early Childhood Readiness Family Engagement Program. Amend RSA 186 by inserting after section 70 the following new section:

186:71 Virtual Early Childhood Readiness Family Engagement Program.

I. In this section:

(a) “Department” means the department of education.

(b) “Preschool child” means a 4- or 5-year-old child who is not enrolled in kindergarten.

(c) “Virtual early childhood readiness family engagement program” means a statewide nonprofit digital initiative aimed at developing school readiness skills for preschool children and fostering family engagement.

II. There is established a virtual early childhood readiness family engagement program to provide early childhood literacy and improve kindergarten readiness among children in New Hampshire. The program shall offer an online, evidence-based early literacy initiative for children 4 and 5 years old who are not yet enrolled in kindergarten. The early childhood readiness program shall operate as a statewide initiative, utilizing educational technology and family engagement to develop school readiness skills for preschool children. The program shall deliver age-appropriate literacy preparation in reading, math, and science.

III. The department of education shall, subject to the availability of appropriated funds, provide the kindergarten readiness literacy program to preschool children statewide.

IV. Notwithstanding any other provision of law, the department of education may accept and expend unanticipated funds, grants, or donations from state, federal, or other government entities, as well as private and nonprofit sources, for the kindergarten readiness program, as such funds become available.

V. Each year, the virtual early childhood readiness family engagement program shall submit an annual report to the governor, speaker of the house, and president of the senate, which shall include, but not be limited to:

(a) Number of children participating in the program;

(b) Number of families participating in the program; and

(c) Number of private and public preschool providers engaged in the program.

9 Effective Date. This act shall take effect July 1, 2025.

2025-2239h

AMENDED ANALYSIS

This bill requires local school boards to publicly discuss and vote before accepting or rejecting any charitable gifts, grants, or donations, and establishes a statewide virtual early childhood readiness family engagement program.

Amendment to SB 72-FN
(2025-1832h)
Proposed by the Majority of the Committee on Children and Family Law–r

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

AN ACT establishing a parental bill of rights.

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

1 Declaration of Purpose.

I. The general court finds and affirms that parents have a fundamental liberty interest to raise and care for their minor children, as well as make decisions concerning their care and custody, and this fundamental liberty interest is protected under both the federal and New Hampshire constitutions.

II. The general court further finds that it is a child's parents who have the responsibility, means, and resources to ensure that a child receives appropriate health care, social support, religious guidance, and moral inculcation to develop into happy and productive members of society.

III. Accordingly, the general court further finds that parents have the right to access, be notified of, and be provided with all information relating to these rights, and that it is necessary to establish a consistent mechanism for parents to be notified of information relating to the health, well-being, and educational progress of their minor children while those children are in the custody and control of a school or any other government entity.

2 New Chapter; Parental Bill of Rights. Amend RSA by inserting after 169-H the following new chapter.

CHAPTER 169-I
PARENTAL BILL OF RIGHTS

169-I:1 Short Title. This chapter may be cited as the Parental Bill of Rights.

169-I:2 Definitions. In this chapter:

I. "Parent" means a person who is the legal natural or adoptive parent of a minor child. A legal guardian appointed pursuant to RSA 463:2, IV shall be deemed to be a parent for as long as guardianship is in force. The term "parent" shall not apply to a person whose rights to a child have been either voluntarily surrendered or involuntarily terminated pursuant to law.

II. "Parental rights and responsibilities" shall have the same meaning as care, custody, and control, and shall include parenting time, decision making, and residential responsibility pursuant to RSA 461-A:1, et seq. Parents for whom such rights to care, custody, or control of a child have been abridged, halted, modified, or suspended, shall have their rights restored upon a showing by a preponderance of the evidence that it is in the child's best interest, and the child is returned to parental care.

III. "Minor" means an unemancipated person under the age of 18 years.

IV. "Compelling state interest" means the governmental interest in the welfare of a child which includes, but is not limited to, parental rights and responsibilities pursuant to RSA 461-A:1 or abuse or neglect pursuant to RSA 169-C:3.

V. "School" shall include, without limitation, any public school board, public school district, public school administrative unit, or public charter school.

VI. "School personnel" shall include any teacher, administrator, employee, or other individual acting in furtherance of or on behalf of any public school.

VII. "Infringement" for the purposes of this chapter includes, but is not limited to, knowingly concealing or withholding information required to be disclosed to a minor child's parent pursuant to this chapter or providing intentionally misleading or intentionally inaccurate responses.

169-I:3 Infringement of Parental Rights Prohibited. The state; any of its political subdivisions, including, without limitation, any school; any other governmental entity; or any other institution may not infringe on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of his or her minor child without demonstrating that such action is necessary to achieve a compelling state interest, that such action is narrowly tailored, and that such interest is not otherwise served by less restrictive means.

169-I:4 Parental Rights.

I. All parental rights are reserved to the parent(s) of a minor child in this state without obstruction or interference from the state, any of its political subdivisions, including, without limitation, any school, any other governmental entity, or any other institution. These rights include, but are not limited to, the right:

(a) To direct the upbringing and the moral or religious training.

(b) To direct the education, including the right to choose to enroll the minor child in an assigned resident public school, a public charter school, a non-public school, including a religious school, a home education program, or any other state-based education program, as authorized by law, as an alternative to public education, as set forth in RSA 193:1 and RSA 194-F:1, et seq.

(c) To request that a minor child be enrolled in a public school other than the public school assigned to them by their residence to avoid a manifest educational hardship, as set forth in RSA 193:3.

(d) To enroll his or her minor child in gifted or special education programs if the child qualifies for such programs.

(e) To inquire of the school or school personnel and promptly receive accurate, truthful, and complete disclosure regarding any and all matters related to their minor child, unless an immediate answer cannot be provided when the initial request is made, in which case, the answer shall be provided no later than 10 business days after the request.

(f) To be informed of the school's policy regarding discipline policies and procedures, as set forth in RSA 193:13.

(g) To obtain access for a minor child to public curricular courses and co-curricular programs offered by the local school district where the student resides while choosing to enroll their child in a non-public, public chartered, home education, or any other state-based education program, as set forth in RSA 193:1-c and RSA 194-F:2, II(d).

(h) To inspect any instructional material used as part of the educational curriculum within a reasonable period following a request, as set forth in 20 U.S.C. section 1232h(c)(1)(C).

(i) To opt out of health or sex education and any other objectionable material, as set forth in RSA 186:11, IX-b and IX-c.

(j) To be advised of and have the right to opt the minor child out of any nonacademic survey or questionnaire.

(k) To opt out of any district-level data collection relating to his or her minor child not required by federal or state law.

(l) To exempt their public-school minor child from participating in required statewide assessments in English, language arts, mathematics, and/or science, as set forth in RSA 193-C:6.

(m) To receive information regarding the level of achievement and academic growth of their minor child in the state academic assessments in English, language arts, mathematics, and/or science, as set forth in the Every Student Succeeds Act, 20 U.S.C. section 1112 (e)(1)(B)(i).

(n) To receive a school report card and be informed of his or her minor child's attendance requirements and compliance with such requirements.

(o) To access and review all education records relating to their minor child within 10 business days after the day the school receives a request for access, as set forth in RSA 189:66, IV and 34 C.F.R. 99.5.

(p) To consent in writing before the state or any of its political subdivisions, including, without limitation, any school; pursuant also to the provisions of RSA 3 189:68, III-V makes a video or voice recording, unless such recording is made during or as part of a court proceeding or part of a forensic interview in a criminal or other investigation by the bureau of child protective services or it is to be used solely for the purpose of a safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles.

(q) To be notified whenever seclusion or restraint has been used on their minor child as set forth in RSA 126-U:7.

(r) To be notified promptly if an employee of the state, any of its political subdivisions, any other governmental entity, or any other institution suspects that a criminal offense has been committed against his or her minor child, unless the incident has first been reported to law enforcement or the bureau of child protective services, and notifying the parent would impede the investigation.

(s) To be informed of, and provide consent to, any medical procedure or treatment to be performed on their minor child, except pursuant to RSA 132:34, RSA 141C:18, or for the provision of emergency medical treatment, including mental health treatment.

(t) To access and review all medical records of their minor child maintained by a school or school personnel, unless otherwise prohibited by law.

(u) To make health care decisions unless otherwise prohibited by law.

(v) To be physically present at any health care facility providing care pursuant to RSA 151:2.

(w) To consent in writing before a biometric scan is made, shared, or stored pursuant to RSA 189:65 and RSA 189:68.

(x) To consent in writing before any blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by law or pursuant to a court order.

(y) To exempt their minor child from immunizations if, in the opinion of a physician, the immunization is detrimental to the child's health or because of religious beliefs, as set forth in RSA 141-C:20-a and RSA 141-C:20-c.

II. Federal law provides for additional parent and family involvement for schools that are receiving Title I, Part A; Title I, Part C (migrant); Title III, Part A (EL) funds, including:

(a) The right to receive information, including student reports, in an understandable and uniform format and to the extent practicable, in a language that parents can understand, as set forth in 20 U.S.C. sections 1112(e)(4); 1114(b)(4); 1116(e)(5); and 1116(f).

(b) Upon request of the parent, the right to receive information regarding state qualifications of the student's classroom teachers and paraprofessionals providing services to their minor child, as set forth in 20 U.S.C. section 1112(e)(1)(A)(i-ii).

(c) The right to receive an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency, as set forth in 20 U.S.C. section 1111(h)(2)(A-B)(i-iii).

169-I:5 School Board Notifications on Parental Rights.

I. Each school shall, in consultation with parents and school personnel, develop, adopt, and promulgate publicly a policy to promote parental involvement in the school. Such policy must include:

(a) A plan for parental participation in schools to improve parent and teacher cooperation in such areas as homework, school attendance, and discipline.

(b) A procedure for a parent to learn about his or her minor child's course of study, including the source of any supplemental education materials.

(c) Procedures for a parent to object to instructional materials and other materials used in the classroom. Such objections may be based on beliefs regarding morality, sex, and religion or the belief that such materials are harmful. For purposes of this section, the term "instructional materials" shall include, without limitation, all materials used in the classroom, including workbooks and worksheets, handouts, software, applications, and any digital media made available to students.

(d) Procedures for a parent to withdraw his or her child from any portion of the school district's health education program that relates to sex education or instruction in acquired immune deficiency syndrome education or any instruction regarding sexuality if the parent provides a written objection to his or her minor child's participation. Such procedures must provide for a parent to be notified in advance of such course content so that he or she may withdraw his or her child from those portions of the course.

(e) Procedures for a parent to learn about the nature and purpose of clubs and activities offered at his or her minor child's school, including those that are extracurricular or part of the school curriculum.

(f) Procedures for a parent to learn about parental rights and responsibilities under law.

II. Each school board shall publish the Parental Bill of Rights as set forth in RSA 169-I:4, in their annual reports. Each school board shall also publish the Parental Bill of Rights on their website and in their school handbook or similarly intended publication.

III. A parent may request, in writing, from the district school superintendent, the information required under this section pursuant to RSA 91-A.

169-I:6 Parental Consent for Health Care Services.

I. Except as otherwise provided by law or a court order, a health care practitioner or an individual employed by such health care practitioner may not provide or solicit or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent.

II. Except as otherwise provided by law or a court order, a health care provider shall not allow a medical procedure to be performed on a minor child in its facility without first obtaining written parental consent.

III. Any person who violates any section of this chapter may be subject to disciplinary action and any and all penalties as prescribed by law.

169-I:7 Exceptions.

I. Nothing in this chapter shall:

(a) Authorize a parent of a minor child in this state to engage in conduct that is unlawful or to abuse or neglect his or her minor child in violation of law.

(b) Prohibit a court of competent jurisdiction, law enforcement officer, or employees of a government agency that is responsible for child welfare from acting in their official capacity.

(c) Require disclosure of information provided to any counselor, school psychologist, school nurse, or other certified health care provider where the information provided was reasonably expected to be privileged.

169-I:8 Violations.

I. No school or school personnel shall infringe upon any of the parental rights set forth in RSA 169-I:4, unless the infringement is supported by clear and convincing evidence and is narrowly tailored to address the compelling state interest.

II. Any violation of the provisions of this chapter are subject to liability for damages caused by said violation and courts may fashion such remedies as justice requires.

169-I:9 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

169-I:10 Applicability. No provision of this chapter is meant to restrain or interfere with any state or local law enforcement agency investigations of criminal violations of New Hampshire law by a minor.

3 Effective Date. This act shall take effect July 1, 2025.

Floor Amendment to SB 72-FN
(2025-2284h)
Proposed by Reps. DeRoy, Burnham, Mazur, Drew, Drago, Love, Terry, Potenza, Korzen and Notter

Amend RSA 169-I:2, IV as inserted by section 2 of the bill by replacing it with the following:

IV. "Compelling state interest" means a circumstance wherein the physical safety of the child has been harmed or is threatened with harm of such a grave nature by the actions or inactions of the child's parent or parents that the state or its agencies or instrumentalities are justified in acting to protect the child without the knowledge or consent of a parent or in withholding information about the child from the parent or parents. Potential or actual psychological or emotional injury to a child from a parent's actual, threatened, or anticipated reaction to learning information about his or her child, including emotions such as anger, disappointment, sadness, disapproval or other behaviors does not constitute a compelling state interest for withholding information about the child from a parent, but such injury, if sufficiently serious, may constitute grounds for taking action against the parent for abuse or neglect under RSA chapter 169-C. Although there are many circumstances in which a state actor, such as a teacher or a school, may act in loco parentis, the mere fact that such a state actor is acting in this capacity is not sufficient to establish a compelling state interest. To establish a compelling state interest a state actor must be able to demonstrate the existence of actual or threatened physical harm to the child by clear and convincing evidence based on specific, detailed, and reliable information. Even when a compelling state interest exists, a state actor must use the means for satisfying the interest that is the least infringing to the parental rights described in this chapter and must do so only for the minimum time necessary to accomplish its objective.

Amend RSA 169-I:4, I as inserted by section 2 of the bill by inserting after subparagraph (y) the following new subparagraphs:

(z) The right to inquire of the school or school personnel and to be truthfully and completely informed if their child is being identified by any name other than the name under which the child was enrolled in the school or any nickname that a reasonable person would understand to be commonly derived from such name, including under circumstances which a reasonable person would understand to be for the purpose of facilitating a change of gender or gender transition.

(aa) The right to inquire of the school or school personnel and to be truthfully and completely informed if the child is being identified or referred to by school district staff as being of a gender other than that of which the child was identified or referred when enrolled.

(bb) The right to inquire of the school or school personnel and to be truthfully and completely informed if any school personnel are proceeding with any intervention to affirm or to provide an accommodation of a child's asserted gender identity when the student's gender identity is other than that of which the child was identified or referred when enrolled.

Amend RSA 169-I:8 as inserted by section 2 of the bill by replacing it with the following:

169-I:8 Violations.

I. No school or school personnel shall infringe upon any of the parental rights set forth in RSA 169-I:5, unless the infringement is supported by clear and convincing evidence and is narrowly tailored to address the compelling state interest.

II. Any parent claiming violation of any provisions of this chapter may bring an action for injunctive and declaratory relief and damages in the superior court against the state or any of its political subdivisions, including, without limitation, any school board, school district, or school administrative unit; any other governmental entity; or any physician, clinician, therapist, or counselor or other person alleged to be responsible for or to have caused the violation. Should the parent prevail in such action, in addition to ordering other remedies, the court shall award to the parent his or her reasonable attorney's fees and court costs, including such attorney's fees and court costs incurred in connection with an appeal to the supreme court.

III. Any teacher or administrator with certification to teach found through investigation by the department of education to have violated any section of this law shall be deemed to have violated the educator code of conduct and shall be subject to disciplinary action by the department. Any certified educator found by the department to have willfully violated any section of this law shall have his or her teaching credentials suspended for a minimum of one year for a first offense or certification terminated for multiple offenses. Department investigation and enforcement for any educator code of conduct violation under this section shall be subject to statute of limitations of 5 years from when the alleged offense occurred. A school employee that is not a teacher and who willfully violates any provision of this section shall be placed on unpaid leave for the remainder of the school year for a first offense and shall have employment terminated for multiple offenses. Department investigation and enforcement of this section under the educator code shall not require a prior adjudication by any other investigative or law enforcement body.

IV. Any third party contracted by the district who willfully violates any provision of this section shall be guilty of a violation under 651:2, III-a and, notwithstanding 651:2, IV(a), shall be fined not less than $2,500, shall be restricted from any access to all schools in the district for one year for a first offense, and shall be fined $5,000 with permanent restriction from employment or contracted business with any schools in the district for any subsequent offenses.

V. Any medical or mental health professional found to have violated any portion of this law by the agency by which such person is licensed following such agency's usual disciplinary procedures shall be subject to disciplinary action. Any medical or mental health professional found willfully violating any portion of this law shall have their license suspended for a minimum of one year for a first offense and permanently revoked for multiple offenses. Agency investigation and enforcement pursuant to any violation under this section shall be subject to a statute of limitations of 5 years from when the alleged offense occurred. Investigation and enforcement of this section by the agency shall not require a prior adjudication by any other investigative or law enforcement body.

Floor Amendment to SB 72-FN
(2025-2347h)
Proposed by Reps. Kuttab, Perez and Rhodes

Amend RSA 169-I:7 as inserted by section 2 of the bill by inserting after subparagraph (c) the following new subparagraph:

(d) Require a health care provider to obtain parental consent, have a parent physically present at the health care facility, or inform a parent when providing health care services, including medical testing, procedures, treatment, or prescribing medicinal drugs, to a minor seeking such services, if the provider reasonably believes a crime has been committed against a minor child, or has reason to suspect that the minor child has been abused or neglected pursuant to RSA 169-C.

Floor Amendment to SB 72-FN
(2025-2348h)
Proposed by Rep. Raymond

Amend RSA 189-B:2, III as inserted by section 2 of the bill by replacing it with the following:

III. "Compelling state interest" sufficient to justify any action or inaction that infringes upon any of the rights identified in RSA 189-B:3 shall exist only when the school or school personnel have an actual and objectively reasonable belief, supported by evidence, that the infringement upon parental rights is necessary to prevent the child from being abused as defined in RSA 169-C:3.

Amend RSA 189-B:4, I as inserted by section 2 of the bill by replacing it with the following:

I. No school or school personnel, shall infringe upon any of the parental rights set forth in RSA 189-B:3, unless the infringement is supported by evidence and is narrowly tailored to address the compelling state interest.

Floor Amendment to SB 72-FN
(2025-2492h)
Proposed by Rep. Kofalt and Packard

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

AN ACT establishing a parental bill of rights.

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

1 Declaration of Purpose.

I. The general court finds and affirms that parents have a fundamental liberty interest to raise and care for their minor children, as well as make decisions concerning their care and custody, and this fundamental liberty interest is protected under both the federal and New Hampshire constitutions.

II. The general court further finds that it is a child's parents who have the responsibility, means, and resources to ensure that a child receives appropriate health care, social support, religious guidance, and moral inculcation to develop into happy and productive members of society.

III. Accordingly, the general court further finds that parents have the right to access, be notified of, and be provided with all information relating to these rights, and that it is necessary to establish a consistent mechanism for parents to be notified of information relating to the health, well-being, and educational progress of their minor children while those children are in the custody and control of a school.

2 New Chapter; Parental Bill of Rights. Amend RSA by inserting after chapter 189-A the following new chapter:

CHAPTER 189-B
PARENTAL BILL OF RIGHTS

189-B:1 Short Title. This chapter may be cited as the Parental Bill of Rights.

189-B:2 Definitions. In this chapter:

I. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent or a legal guardian, but such term shall not include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.

II. "Minor" or "minor child" means an unemancipated person under the age of 18 years.

III. "Compelling state interest" sufficient to justify any action or inaction that infringes upon any of the rights identified in RSA 189-B:4 shall exist only when the school or school personnel have an actual and objectively reasonable belief, supported by clear and convincing evidence, that the infringement upon parental rights is necessary to prevent the child from being abused as defined in RSA 169-C:3.

IV. "School" shall include, without limitation, any public school board, public school district, public school administrative unit, or public charter school.

V. "School personnel" shall include any teacher, administrator, employee, or other individual acting in furtherance of or on behalf of any public school.

VI. "Infringement" for the purposes of this chapter includes, but is not limited to, knowingly concealing or withholding information required to be disclosed to a minor child's parent pursuant to this chapter or providing intentionally misleading or intentionally inaccurate responses.

189-B:3 Infringement of Parental Rights Prohibited. No school may infringe on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of his or her minor child without demonstrating that such action is necessary to achieve a compelling state interest, that such action is narrowly tailored, and that such interest is not otherwise served by less restrictive means.

189-B:4 Parental Rights.

I. All parental rights are reserved to the parents of a minor child in this state without obstruction or interference from any school. These rights include, but are not limited to, the right:

(a) To direct the upbringing and the moral or religious training.

(b) To direct the education, including the right to choose to enroll the minor child in an assigned resident public school, a public charter school, a non-public school, including a religious school, a home education program, or any other state-based education program, as authorized by law, as an alternative to public education, as set forth in RSA 193:1 and RSA 194-F:1, et seq.

(c) To request that a minor child be enrolled in a public school other than the public school assigned to them by their residence to avoid a manifest educational hardship, as set forth in RSA 193:3.

(d) To enroll his or her minor child in gifted or special education programs if the child qualifies for such programs.

(e) To inquire of the school or school personnel and promptly receive accurate, truthful, and complete disclosure regarding any and all matters related to their minor child, unless an immediate answer cannot be provided when the initial request is made, in which case, the answer shall be provided no later than 10 business days after the request.

(f) To be informed of the school's policy regarding discipline policies and procedures, as set forth in RSA 193:13.

(g) To obtain access for a minor child to public curricular courses and co-curricular programs offered by the local school district where the student resides while choosing to enroll their child in a non-public, public chartered, home education, or any other state-based education program, as set forth in RSA 193:1-c and RSA 194-F:2, II(d).

(h) To inspect any instructional material used as part of the educational curriculum within a reasonable period following a request, as set forth in 20 U.S.C. section 1232h(c)(1)(C).

(i) To opt out of health or sex education and any other objectionable material, as set forth in RSA 186:11, IX-b and IX-c.

(j) To be advised of and have the right to opt the minor child out of any nonacademic survey or questionnaire.

(k) To opt out of any district-level data collection relating to his or her minor child not required by federal or state law.

(l) To exempt their public-school minor child from participating in required statewide assessments in English, language arts, mathematics, and/or science, as set forth in RSA 193-C:6.

(m) To receive information regarding the level of achievement and academic growth of their minor child in the state academic assessments in English, language arts, mathematics, and/or science, as set forth in the Every Student Succeeds Act, 20 U.S.C. section 1112 (e)(1)(B)(i).

(n) To receive a school report card and be informed of his or her minor child's attendance requirements and compliance with such requirements.

(o) To access and review all education records relating to their minor child within 10 business days after the day the school receives a request for access, as set forth in RSA 189:66, IV and 34 C.F.R. 99.5.

(p) To consent in writing before the state or any of its political subdivisions, including, without limitation, any school pursuant also to the provisions of RSA 189:68, III-V, makes a video or voice recording, unless such recording is made during or as part of a court proceeding or part of a forensic interview in a criminal or other investigation by the bureau of child protective services or it is to be used solely for the purpose of a safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles.

(q) To be notified whenever seclusion or restraint has been used on their minor child as set forth in RSA 126-U:7.

(r) To access and review all medical records of their minor child maintained by a school or school personnel, unless otherwise prohibited by law.

(s) To exempt their minor child from immunizations if, in the opinion of a physician, the immunization is detrimental to the child's health or because of religious beliefs, as set forth in RSA 141-C:20-a and RSA 141-C:20-c.

II. Federal law provides for additional parent and family involvement for schools that are receiving Title I, Part A; Title I, Part C (migrant); Title III, Part A (EL) funds, including:

(a) The right to receive information, including student reports, in an understandable and uniform format and to the extent practicable, in a language that parents can understand, as set forth in 20 U.S.C. sections 1112(e)(4); 1114(b)(4); 1116(e)(5); and 1116(f).

(b) Upon request of the parent, the right to receive information regarding state qualifications of the student's classroom teachers and paraprofessionals providing services to their minor child, as set forth in 20 U.S.C. section 1112(e)(1)(A)(i-ii).

(c) The right to receive an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency, as set forth in 20 U.S.C. section 1111(h)(2)(A-B)(i-iii).

189-B:5 School Board Notifications on Parental Rights.

I. Each school shall, in consultation with parents and school personnel, develop, adopt, and promulgate publicly a policy to promote parental involvement in the school. Such policy shall include:

(a) A plan for parental participation in schools to improve parent and teacher cooperation in such areas as homework, school attendance, and discipline.

(b) A procedure for a parent to learn about his or her minor child's course of study, including the source of any supplemental education materials.

(c) Procedures for a parent to object to instructional materials and other materials used in the classroom. Such objections may be based on beliefs regarding morality, sex, and religion or the belief that such materials are harmful. For purposes of this section, the term "instructional materials" shall include, without limitation, all materials used in the classroom, including workbooks and worksheets, handouts, software, applications, and any digital media made available to students.

(d) Procedures for a parent to withdraw his or her child from any portion of the school district's health education program that relates to sex education or instruction in acquired immune deficiency syndrome education or any instruction regarding sexuality if the parent provides a written objection to his or her minor child's participation. Such procedures must provide for a parent to be notified in advance of such course content so that he or she may withdraw his or her child from those portions of the course.

(e) Procedures for a parent to learn about the nature and purpose of clubs and activities offered at his or her minor child's school, including those that are extracurricular or part of the school curriculum.

(f) Procedures for a parent to learn about parental rights and responsibilities under law.

II. Each school board shall publish the parental bill of rights as set forth in RSA 189-B:4, in their annual reports. Each school board shall also publish the parental bill of rights on their website and in their school handbook or similarly intended publication.

III. A parent may request, in writing, from the district school superintendent, the information required under this section pursuant to RSA 91-A.

189-B:6 Exceptions.

Nothing in this chapter shall:

I. Authorize a parent of a minor child in this state to engage in conduct that is unlawful or to abuse or neglect his or her minor child in violation of law.

II. Prohibit a court of competent jurisdiction, law enforcement officer, or employees of a government agency that is responsible for child welfare from acting in their official capacity.

III. Require disclosure of information provided to any counselor, school psychologist, school nurse, or other certified health care provider where the information provided was reasonably expected to be privileged.

189-B:7 Violations.

I. No school or school personnel shall infringe upon any of the parental rights set forth in RSA 189-B:4, unless the infringement is supported by clear and convincing evidence and is narrowly tailored to address the compelling state interest.

II. Any parent claiming violation of any provision of this chapter may bring an action for declaratory or injunctive relief, or both, and monetary damages against the school. If a parent prevails in any such court action, the court shall award to the parent his or her reasonable attorneys' fees and court costs, including any such attorneys' fees and court costs incurred in an appeal to the supreme court.

189-B:8 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

189-B:9 Applicability. No provision of this chapter is meant to restrain or interfere with any state or local law enforcement agency investigations of criminal violations of New Hampshire law by a minor.

3 Effective Date. This act shall take effect July 1, 2025.

2025-2492h

AMENDED ANALYSIS

This bill establishes a parents' bill of rights regarding their child's education, prohibits a school from infringing on such rights unless the action is narrowly tailored to address a compelling state interest, requires school boards to develop a policy to promote parental involvement and to provide notice of their parental rights, and provides a private right of action for enforcement.

Amendment to SB 74-FN
(2025-2282h)
Proposed by the Committee on Finance–c

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

1 New Section; Reporting Requirements. Amend RSA 20 by inserting after section 6 the following new section:

20:6-a Reporting Requirements. All state departments administering permitting programs that regulate the use of real property or the construction or operation of stationary structures, infrastructure, or facilities on real property shall, beginning on April 30, 2027, and on each April 30 thereafter, report in writing to the senate president, the speaker of the house of representatives, the chair of the senate executive departments and administration committee, and the chair of the house executive departments and administration committee on the previous calendar year's permitting activity. Such reports shall identify each permitting program administered by the department, enumerate the categories of permits the department has the authority to issue within each program, and for each such category of permit state:

I. The statutory timeframes associated with that application type, if applicable.

II. The number of applications received during the calendar year for such permit types and the number of permits the department granted or denied, the number of applications withdrawn by the applicant, the number of applications voided, and the number of applications pending a decision at the end of the calendar year.

III. The number of applications that were pending at any time without a decision for more than 60, 120, and 180 calendar days after an administratively complete application was submitted to the department. For each group, summarize the primary reasons applications are delayed by giving the number waiting for technical evaluation, waiting for a field inspection, waiting for another agency, delayed due to an application backlog, or other reasons as appropriate for the permit.

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

Amendment to SB 87-FN
(2025-2293h)
Proposed by the Committee on Commerce and Consumer Affairs–r

Amend the bill by replacing all after section 2 with the following:

3 On-Premises Licenses. Amend RSA 178:21, I(a) to read as follows:

I.(a) The commission may issue a license to any of the types of businesses specified in [~~paragraph II~~] ***paragraphs II through IV*** of this section in any town which has voted to accept the provisions of RSA 663:5, I(b), (c), and (d). The license shall entitle the licensee to serve beverages or specialty beverages containing at least 1/2 percent and not more than 8 percent alcohol by volume at 60 degrees Fahrenheit by the glass or other suitable container and by the bottle with the cork or cap removed; liquor containing more than 6 percent alcohol by volume at 60 degrees Fahrenheit, by the glass or other suitable container; and wines, by the glass, by the bottle with the cork or cap removed; or other suitable container, under rules adopted by the commission.

4 New Paragraphs; On-Premises Licenses. Amend RSA 178:21 by inserting after paragraph II the following new paragraphs:

III. The commission may issue a license to a business currently licensed through the office of professional licensure and certification, pursuant to RSA 313-A:19 as a salon or barbershop, as defined under RSA 313-A:1, to serve one alcoholic beverage to customers who are receiving services from said establishment.

(a) Notwithstanding the provisions of RSA 179:44, a licensee under this paragraph may serve alcoholic beverages and liquor for free which shall be limited to one drink per customer in the amount, not to exceed one 16 ounce glass of beverage, 6 ounce glass of wine, or 1 ½ ounce of liquor per person. The licensee shall keep records of the patron served. Such records shall be retained by the licensed facility and shall be made available to the commission upon request.

(b) The fee for the license under this paragraph shall be $100.

(c) Nothing in this section shall allow the commission to issue a license to a salon or barbershop located within a private residence.

IV. The commission may issue a limited special license to any business registered with the secretary of state as approved by the commission. Commission approval shall be subject to a specific location and business plan and shall not be broadly applied.

(a) Notwithstanding the provisions of RSA 179:44, a licensee under this paragraph may serve alcoholic beverages and liquor for free which shall be limited to one drink per customer in the amount, not to exceed one 16 ounce glass of beverage, 6 ounce glass of wine, or 1 ½ ounce of liquor per person. The licensee shall keep records of the patron served. Such records shall be retained by the licensed facility and shall be made available to the commission upon request.

(b) The fee for the special license under this paragraph shall be $100.

5 Effective Date.

I. RSA 178:21, IV as inserted by section 4 of this act shall take effect 365 days after its passage.

II. The remainder of this act shall take effect 60 days after its passage.

Amendment to SB 96
(2025-2199h)
Proposed by the Majority of the Committee on Education Policy and Administration–r

Amend RSA 189:13-d as inserted by section 2 of the bill by replacing it with the following:

189:13-d Communications Between Teachers and Parents.

I. Educators credentialed by the New Hampshire department of education shall have a duty to respond to written inquiries by parents regarding material information relating to their child enrolled in that educator's school. Such response to a written request shall be sent within 5 school days of its receipt and be answered completely and honestly to the extent permitted by state or federal law.

II. A school district may adopt procedures that permit school personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect pursuant to RSA 169-C:3. Any such withholding of information from a parent shall be documented in writing and placed in the student's record.

III. Violation of this section shall be considered a violation of the code of conduct for New Hampshire educators and subject to investigation, in accordance with administrative rules, against that credential holder.

2025-2199h
AMENDED ANALYSIS

This bill requires school employees to respond honestly and completely to written requests by parents regarding information relating to their children and provides that the district may adopt procedures to withhold such information if a reasonably prudent person would believe that such disclosure would result in abuse, abandonment or neglect.

Amendment to SB 99-FN
(2025-1920h)
Proposed by the Majority of the Committee on Education Funding–r

Amend RSA 188-E:1-a, VI(e)(1) and (2) as inserted by section 2 of the bill by replacing it with the following:

(1) For part-time program students, sending districts shall pay to receiving districts an amount equal to not less than 80 percent of the sending district's average cost per pupil as determined by the department of education using the most recent available data as reported by the district to the department, divided by 5 times the number of credits that the part-time program student is enrolled in.

(2) For full-time program students, sending districts shall pay to receiving districts an amount equal to not less than 80 percent of the sending district's average cost per pupil as determined by the department of education using the most recent available data as reported by the district to the department.

Amendment to SB 100-FN
(2025-2332h)
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 the prohibition on teaching discrimination.

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

2 Discrimination in Public Schools; Prohibition on Teaching Discrimination. RSA 193:40, II-V is repealed and reenacted to read as follows:

II. Nothing in this section shall be construed to prohibit discussion by educators or others, as part of a larger course of academic instruction, of the historical existence of ideas and subjects identified in this section, or construed to mean that educators have any positive interest in teaching, instructing, or inculcating discrimination against any group of people.

III. Prohibitions in this section shall apply only to teaching, instruction, and inculcation targeting members of any racial group, including but not limited to, white people or people of European descent, black people or people of Sub-Saharan African descent, or Hispanic or Latino people.

IV. A report of intentional or knowing violation of this section by an educator shall be considered a possible violation of the educator code of conduct which shall justify investigation and potentially disciplinary sanction by the state board of education.

V. Any person claiming to be aggrieved by an intentional or knowing violation of this section, including the attorney general, may initiate a civil action against a school or school district in superior court for legal or equitable relief, or with the commission for human rights as provided RSA 354-A:34.

VI. Discrimination shall not be justified by special considerations for any racial group. The intent of this section is to equally protect all New Hampshire citizens from discrimination regardless of race.

VII. For the purposes of this section, "educator" means a professional employee of any school district whose position requires certification by the state board pursuant to RSA 189:39. Administrators, specialists, and teachers are included within the definition of this term.

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

2025-2332h

AMENDED ANALYSIS

This bill revises the construction of and the mental state applicable to the prohibition on teaching discrimination in public schools.

Amendment to SB 118-FN
(2025-2345h)
Proposed by the Minority of the Committee on Finance–r

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

AN ACT relative to the personal needs allowance of residents of nursing homes; making an appropriation to the department of health and human services for Hampstead hospital and residential treatment facility staff; and establishing the Hampstead hospital and residential treatment facility capital investment fund.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Department of Health and Human Services; Hampstead Hospital and Residential Treatment Facility; Establishing Fund. Amend RSA 126-A:5, by inserting after paragraph XXXVI the following new paragraph:

XXXVII. There is hereby established the Hampstead hospital and residential treatment facility capital investment fund. The department shall deposit revenue received through leasing Hampstead hospital and residential treatment facility or any other administrative activities into the fund. For the biennium ending June 30, 2027, the department shall deposit all revenue into the fund. In the event that such revenue exceeds $3,000,000, the department shall provide a report to the fiscal committee of the general court identifying the total amount. The fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of supporting contractually required capital investments at Hampstead hospital and residential treatment facility and may not be transferred or used for any other purpose.

4 New Subparagraph; Application of Receipts; Hampstead Hospital and Residential Treatment Facility Capital Investment Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the Hampstead hospital and residential treatment facility capital investment fund as established in RSA 126-A:5, XXXVII.

5 Effective Date.

I. Section 1 of this act shall take effect January 1, 2026.

II. The remainder of this act shall take effect July 1, 2025.

2025-2345h

AMENDED ANALYSIS

This bill:

I. Adjusts the personal needs allowance for nursing home residents to reflect social security increases on an annual basis rather than the current 5-year adjustment.

II. Makes an appropriation to the department of health and human services to fund certain leave accrual and retention payments for temporary classified staff positions at the Hampstead hospital and residential treatment facility.

III. Establishes the Hampstead hospital and residential treatment facility capital investment fund.

Amendment to SB 121-FN
(2025-1945h)
Proposed by the Committee on Commerce and Consumer Affairs–c

Amend RSA 402:84, II and III as inserted by section 1 of the bill by replacing it with the following:

II. Unless otherwise required, any licensed insurance company authorized to transact business in this state shall provide 90 days' written notice to the insurance department of the insurance company's decision to cease writing an entire line of business.

III. Any licensed insurance company offering Medicare Advantage Plans under Medicare Part C in this state shall provide 90 days' written notice to the insurance department of the insurance company's decision to modify or terminate its contract with the Centers for Medicare and Medicaid Services, to cease offering Medicare Advantage Plans in a particular county, or to significantly modify the offerings of its Medicare Advantage Plans. The insurance company shall notify the insurance department in writing, using the format prescribed by the commissioner.

Amendment to SB 145-FN
(2025-2301h)
Proposed by the Committee on Finance–c

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

AN ACT establishing an evidence shipping pilot program.

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

2 New Subdivision; Evidence Shipping Pilot Program. Amend RSA 21-P by inserting after section 70 the following new subdivision:

Evidence Shipping Pilot Program

21-P:71 Evidence Shipping Pilot Program.

I. The department of safety may develop an evidence shipping pilot program to alleviate long waiting periods for evidence to be safely delivered to the state forensic laboratory, where it can be properly stored pending analysis. A special emphasis shall be placed on supporting law enforcement in rural communities where resources are limited.

II. In this pilot program, all evidence collected by medical personnel in a sexual assault case occurring in the state of New Hampshire shall be transferred to the state forensic laboratory within 7 business days of collection. If a law enforcement agency cannot deliver the evidence in person to the state forensic laboratory, which shall be the preferred method of delivery, the agency may use a common carrier that provides readily accessible package tracking to send the evidence to the state forensic laboratory for delivery within 7 business days of collection. Law enforcement must have a good faith basis to believe that the common carrier will accomplish delivery in 7 business days prior to choosing the common carrier. When utilizing delivery by a common carrier, law enforcement shall deliver the packaged evidence in-hand to an agent of the carrier, and not by drop box or other drop off, and keep track of the package's routing and delivery by tracking number assigned by the carrier.

III. The department of safety shall adopt rules under RSA 541-A for the design, administration, and reporting requirements of the program.

3 Effective Date. This act shall take effect July 1, 2025.

2025-2301h
AMENDED ANALYSIS

This bill enables the department of safety to develop an evidence shipping pilot program.

Amendment to SB 163
(2025-1950h)
Proposed by the Committee on Housing–r

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

AN ACT repealing the temporary moratoria and limitation on residential building permits and the approval of subdivisions and site plans and permitting in all residentially zoned areas by right the construction of manufactured housing.

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

1 Temporary Moratoria and Limitations on Building Permits and the Approval of Subdivisions and Site Plans. Amend RSA 674:23, I to read as follows:

I. Upon recommendation of the planning board, the local legislative body may adopt or amend an ordinance establishing a moratorium or limitation on the issuance of building permits or the granting of subdivision or site plan approval for ***non-housing developments for*** a definite term. ***No moratorium or limitation shall apply to residential housing projects.***

2 Temporary Moratoria and Limitations on Building Permits and the Approval of Subdivisions and Site Plans. Amend RSA 674:23, III(d) to read as follows:

(d) A list of the types or categories of ***non-housing*** development to which the ordinance applies.

3 Manufactured Housing Definition. RSA 674:31 is repealed and reenacted to read as follows:

674:31 Definition. As used in this subdivision, "manufactured housing" means any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating, and electrical heating systems contained therein. Manufactured housing as defined in this section shall not include campers or recreation vehicles as defined in RSA 216-I:1 or RSA 259:84-a; pre-site built housing as defined in RSA 674:31-a; or modular buildings as defined in RSA 205-C:1, XI.

4 New Section; Allowing Manufactured Housing in Residential Zones. Amend RSA 674 by inserting after section 31-a the following new section:

674:31-b Permitting Manufactured Housing in Residential Zones.

I. Notwithstanding any other provision of law to the contrary, manufactured housing shall be permitted as a matter of right in all land areas and lots in districts zoned to permit residential uses within every municipality in the state.

II. Municipal zoning ordinances shall be amended to comply with this statute, ensuring that manufactured housing is treated as a permitted use in all residential zones.

III. If a zoning ordinance contains no provisions pertaining to manufactured housing, it shall be deemed permitted as a matter of right, and no municipal permits or conditions shall be required other than a building permit, if necessary.

IV. No municipality shall adopt or enforce any zoning ordinance, regulation, or policy that discriminates against manufactured housing by prohibiting or unreasonably restricting its placement in residential zones.

V. All municipalities shall amend their zoning ordinances to comply with this statute within one year of its effective date.

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

2025-1950h

AMENDED ANALYSIS

This bill repeals the authority for a local legislative body to adopt an ordinance establishing a temporary moratoria and limitations on residential building permits and the approval of subdivisions and site plans.

This bill also updates the definition of manufactured housing, and establishes the requirement that manufactured housing must be permitted in all residential zoned areas within every municipality in the state, overriding any local zoning ordinances that prohibit or unreasonably restrict its placement.

Amendment to SB 164-FN
(2025-2222h)
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 homeowners and prohibiting certain types of listing agreements.

Amend the bill by replacing section 1 with the following:

1 New Sections; Service Agreements in Residential Real Estate Transactions. Amend RSA 356-A by inserting after section 16 the following new sections:

356-A:16-a Unfair Agreements to List Residential Real Estate.

I. Definitions. In this section:

(a) "Prohibited listing agreement" means a contract or agreement between a provider and an owner under which the owner agrees to list the owner's residential real estate for sale and that contains any of the terms or requirements set forth in paragraph II.

(b) "Owner" means an owner of an interest in residential real estate.

(c) "Provider" means a person or entity providing or offering to provide real estate brokerage services.

(d) "Recording" means presenting a document to a register of deeds for official placement in the records of the registry of deeds.

(e) "Residential real estate" means real estate consisting of not less than one nor more than 4 residential dwelling units.

II. A provider shall not enter into, or offer to enter into, a prohibited listing agreement that purports to:

(a) Bind any future owner not a party to the agreement;

(b) Allow for the assignment by the provider of a real estate brokerage service to a third party without notice to or consent of the owner;

(c) Create a lien, encumbrance or other real property security interest; or

(d) Obligate the owner to pay a fee or commission to the provider upon a sale or transfer of the residential real estate when the sale or transfer is not the result of a real estate brokerage service provided by the provider.

III. A violation of this section constitutes an unfair or deceptive act or practice under RSA 358-A.

IV. A prohibited listing agreement in violation of this section is unenforceable. A person may not record or cause to be recorded a prohibited listing agreement in violation of this section. A prohibited listing agreement recorded in this state in violation of this section does not provide actual or constructive notice against an otherwise bona fide purchaser or creditor. If a prohibited listing agreement is recorded in violation of this section, a party with an interest in the residential real estate that is the subject of that prohibited listing agreement may apply to the superior court in the county where the recording occurred for an order declaring the prohibited listing agreement void and of no effect.

V. Nothing in this section affects a lien on residential real estate established under RSA 447:2.

356-A:16-b Rights of Recovery. If a prohibited listing agreement is recorded in violation of RSA 356-A:16-a, a party with an interest in the residential real estate that is the subject of the prohibited listing agreement may recover actual damages, costs, and attorney's fees as may be proven against the party who recorded the prohibited listing agreement.

2025-2222h

AMENDED ANALYSIS

This bill prohibits certain contracts or agreements between a provider and an owner under which the owner agrees to list the owner's residential real estate for sale with the provider which requires a lien.

Amendment to SB 178
(2025-1743h)
Proposed by the Committee on Executive Departments and Administration–r

Amend RSA 131:4, III as inserted by section 1 of the bill by replacing it with the following:

III. Fees collected shall be deposited in the general fund, subject to the exemptions listed in paragraph V.

IV. A special nonlapsing lab equipment and replacement fund established in the state treasury and kept separate and distinct from all other funds shall be continually appropriated to the commissioner of the department of health and human services for the purchase or replacement of laboratory equipment designed to improve service. The commissioner may, with prior approval of the governor and council, use funds in the lab equipment and replacement fund for unanticipated personnel or supply expenditures made necessary by unexpected changes in or additions to federal or state required laboratory analyses or unusual volume of samples.

V. Except for fees collected from other state agencies, or from state or federal grants, 50 percent of fees collected shall be deposited in the lab equipment and replacement fund.

Floor Amendment to SB 178
(2025-2376h)
Proposed by Rep. Layon

Amend the bill by replacing section 1 with the following:

1 Department of Health and Human Services; Laboratory Services; Reimbursements; Rulemaking. RSA 131:4 is repealed and reenacted to read as follows:

131:4 Laboratory Services, Fees, and Rulemaking; Lab Equipment and Replacement Fund Established.

I. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A relative to a list of laboratory services to be provided under this chapter and a schedule of fees for such services. The fees may be waived by the commissioner when the commissioner determines it is in the best interests of the health of the public to do so.

II. Fees for analyses required by the federal Safe Drinking Water Act or offered as a service shall be set by following the cost allocation method established for reimbursements to the state from grants funded by the United States Environmental Protection Agency (EPA).

III. Fees collected from state agencies shall be credited against the operating costs of the laboratory.

IV. Fees collected from all others shall be deposited 50 percent in the general fund and 50 percent in a special nonlapsing lab equipment and replacement fund established in the state treasury and kept separate and distinct from all other funds. The fund shall be continually appropriated to the commissioner of the department of health and human services for the purchase or replacement of laboratory equipment designed to improve service. The commissioner may, with prior approval of the governor and council, use funds in the lab equipment and replacement fund for unanticipated personnel or supply expenditures made necessary by unexpected changes in or additions to federal or state required laboratory analyses or unusual volume of samples.

Amendment to SB 180-FN
(2025-1748h)
Proposed by the Majority of the Committee on Executive Departments and Administration–r

Amend RSA 162-U as inserted by section 1 of the bill by deleting RSA 162-U:3.

Amend the bill by replacing all after section 2 with the following:

3 Repeal. RSA 162-U, relative to the designation of Coos County as a distressed place-based economy, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect July 1, 2045.

II. The remainder of this act shall take effect 60 days after its passage.

2025-1748h

AMENDED ANALYSIS

This bill designates Coos County as a distressed place-based economy and encourages state agencies to consider input from Coos County government for decisions affecting its place-based economy. The designation is prospectively repealed in 2045.

Floor Amendment to SB 180-FN
(2025-2474h)
Proposed by Rep. Aron

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

AN ACT designating Coos county as a distressed place-based economy and requiring the department of environmental services to revise the rules for proposed new landfills.

Amend the bill by replacing all after section 3 with the following:

4 Statement of Purpose. The general court finds that protecting the health and safety of New Hampshire citizens, drinking water sources, and our environment, including drinking water wells, perennial rivers, lakes, and coastal waters, from contamination is of utmost public interest. Therefore, based on legislative intent informed by public and expert testimony from New Hampshire citizens and key stakeholders, the department of environmental services' 800 rules for proposed new landfills are found to be insufficiently protective in certain sections. The following provisions provide the department with direction, policy changes, and purpose in rulemaking.

5 New Subparagraph; Waste Management Rules. Amend RSA 149-M:7 by inserting after paragraph XV the following new paragraph:

XV-a. Relative to the safe management of solid waste. Such rules shall promote the hierarchy established under RSA 149-M:3, and shall develop and enforce siting, design, operation, and closure requirements.

6 New Paragraphs; Groundwater Protection. Amend RSA 149-M:9 by inserting after paragraph XV the following new paragraphs:

XVI. No permit shall be issued by any division of the department for the siting of a new landfill if any part of the actual solid waste disposal area is proposed to be located sufficiently close to any existing drinking water well, perennial river, lake, or coastal water of New Hampshire, as defined in RSA 483-B:4, XVI, such that groundwater on the landfill site would be able to reach the water body within 5 years of migrating off-site due to any leak, spill, or other failure.

XVII.(a) The department shall establish a site-specific setback distance for any proposed new landfill from any drinking water wells, perennial river, lake, or coastal water of New Hampshire, as defined in RSA 483-B:4, XVI. The setback distance shall be sufficient to prevent any contaminated groundwater at any part of the landfill footprint or leachate storage or piping infrastructure from reaching any existing drinking water wells, perennial river, lake, or coastal water of New Hampshire within 5 years. The setback distance shall be calculated as follows:

(1) The applicant shall hire a hydrogeologist who has never worked with or been contracted through a third party with any applicant's current or previous projects, at the applicant's expense, to estimate based upon adequate and representative on-site field testing of both the landfill footprint and leachate storage or piping infrastructure, the estimated velocity of groundwater in both surficial geological deposits and bedrock. The velocity shall be estimated by calculating the 95th percentile upper confidence limit of the mean measured rate, using the formula recommended by the United States Environmental Protection Agency at EPA 600-R-97/006.

(2) The 5-year distance-of-travel estimate shall be calculated by multiplying the velocity, in units of feet per year, by 5.

(3) The setback from any existing drinking water well, perennial river, lake, or coastal water of New Hampshire shall be the greater of the 5-year distance-of-travel estimate calculated in subparagraph (2) or 1,500 feet.

(b) No permit shall be issued by any division of the department for the siting of a new landfill that fails to conform to the setback distance as calculated using the method set forth in subparagraph (a).

(c) In this section, "new landfill" excludes any expansion or modification of any landfill facilities on any site where, as of January 1, 2025, a RCRA Subtitle D landfill exists that has received all permits necessary to operate at present and is currently operating under such permits at the time it files an application to expand.

(d) In this section, “site” means a single parcel or adjacent parcels, owned in its entirety by a landfill operator or its affiliates as of January 1, 2025, including a site where one or more public utility easements traverse the site.

XVIII. The department shall not issue a permit for a new landfill or landfill expansion unless the applicant conducts subsurface investigations in sufficient numbers and locations to properly describe the surficial stratigraphy and the bedrock beneath and adjacent to the proposed solid waste boundary, at least to the depth of any aquifers currently used to provide drinking water to residents. Pump tests shall be conducted at selected locations as needed to evaluate aquifer yield and connectivity of bedrock fractures using the department’s database of the location and depth of private drinking water wells.

XIX. All landfill facilities shall have at least one employee or contracted personnel at the site 24 hours a day, 365 days per year, beginning from the date the landfill begins accepting waste and continuing until final closure.

XX. No permit shall be granted for a landfill unless undisturbed in-situ soils for 20 feet immediately beneath the footprint and underneath all leachate storage and transfer infrastructure have a maximum saturated hydraulic conductivity of 1 x 10^-4 centimeters per second(cm/sec) or less. If the above in-situ soils do not meet the maximum hydraulic conductivity criterion of 1 x 10^-4 cm/sec, no amount of imported soil can overcome such deficiency, and the tract shall be deemed impermissible for use as a landfill.

XXI. No permit shall be granted for a landfill unless the subgrade below the liner consists of soil with a saturated hydraulic conductivity of 1 x 10^-4 cm/sec or less.

XXII. All references to number-year storm events regarding solid waste landfill permitting requirements in relation to design, maintenance, leachate management, etc., shall have the value of a 100-year storm with a 50 percent margin of safety.

XXIII. The department shall incorporate the “Ford Act” found at 40 C.F.R. 258 into landfill permitting requirements, specifically the provision limiting the construction or establishment of municipal solid waste landfills within 6 miles of certain smaller public airports.

7 Permit Denial. Amend the introductory paragraph of RSA 149-M:9, IX to read as follows:

IX. The department [~~may~~] ***shall*** deny a permit application under this section to a person if any of the following applies:

8 Rulemaking. The introductory paragraph of RSA 149-M:7 is repealed and reenacted to read as follows:

The commissioner shall have the responsibility and authority to adopt rules, under RSA 541-A, that are necessary to protect the public health and the environment with an ample margin of safety relative to this chapter, including rules relative to:

9 Effective Date.

I. Sections 1 -2 of this act shall take effect 60 days after its passage.

II. Section 3 of this act shall take effect July 1, 2045.

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

2025-2474h

AMENDED ANALYSIS

This bill designates Coos County as a distressed place-based economy and requires commissioners of state agencies to consult with county commissioners before making regulatory decisions that would affect Coos County.

The bill also requires the department to modify rules to avoid significant harms to human health and the environment, and changes the enabling statute of the department of environmental services solid waste division to require the department to consider health and the environment when making future rules.

Amendment to SB 206-FN
(2025-2249h)

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 requiring school districts and chartered public schools to adopt policies establishing a cell phone-free education.

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

1 New Paragraph; Cell Phone Use Policy. Amend RSA 189:1-a by inserting after paragraph IV the following new paragraph:

V. School boards and the board of trustees of chartered public schools shall develop and adopt a policy governing the use of student cell phones and other personal electronic communication devices in schools. Such policy shall prohibit all personal communication device use by students from when the first bell rings to start instructional time until the dismissal bell rings to end the academic school day, with approved exceptions determined by the superintendent or their designee with respect to student medical, disability, or language proficiency need. Such policy shall be developed in collaboration with school parents and teachers and shall be reviewed annually. School district and chartered public school policies shall not prohibit students with medical needs, such as insulin pumps and glucose sensors, or disabilities from using a device to support their learning as identified by their individualized education program (IEP), plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, or when required to support emergent multilingual students with appropriate language access programs and services pursuant to Title VI of the Civil Rights Act of 1964.

2 Effective Date. This act shall take effect July 1, 2025.

2025-2249h
AMENDED ANALYSIS

This bill requiring school districts and chartered public schools to adopt policies establishing a cell phone-free education.

Floor Amendment to SB 206-FN
(2025-2471h)
Proposed by Reps. Hall, Cornell, and Balboni

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

AN ACT requiring school districts and chartered public schools to adopt policies establishing a cell phone-free education.

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

1 New Paragraph; Cell Phone Use Policy. Amend RSA 189:1-a by inserting after paragraph IV the following new paragraph:

V. School boards and the board of trustees of chartered public schools shall develop and adopt a policy governing the use of student cell phones and other personal electronic communication devices in schools. Such policy shall prohibit all personal communication device use by students from when the first bell rings to start instructional time until the dismissal bell rings to end the academic school day, with approved exceptions determined by the superintendent or their designee with respect to student medical, disability, or language proficiency need or specific educational purpose. Such policy shall be developed in collaboration with school parents and teachers and shall be reviewed annually. School district and chartered public school policies shall not prohibit students with medical needs, such as insulin pumps and glucose sensors, or disabilities from using a device to support their learning as identified by their individualized education program (IEP), plan developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, or when required to support emergent multilingual students with appropriate language access programs and services pursuant to Title VI of the Civil Rights Act of 1964.

2 Effective Date. This act shall take effect July 1, 2025.

2025-2471h
AMENDED ANALYSIS

This bill requiring school districts and chartered public schools to adopt policies establishing a cell phone-free education.

Amendment to SB 209-FN
(2025-2275h)
Proposed by the Committee on Education Funding–c

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

AN ACT relative to owner's project managers for projects funded by school building aid.

Amend the bill by replacing section 1 with the following:

1 School Building Aid; Approval of Plans; Specifications, and Costs of Construction or Purchase. Amend RSA 198:15-c, III to read as follows:

III. A school district or chartered public school that accepts school building aid for construction shall engage the services of an owner's project manager for construction or reconstruction***/renovation*** projects of [~~$1,000,000~~] ***$1,250,000*** or more, unless the commissioner waives such requirement as unnecessary. The owner's project manager shall have his or her own comprehensive liability and auto insurance, worker's compensation coverage, and professional liability coverage. The state board of education shall adopt rules pursuant to RSA 541-A relative to the required services, responsibilities, and qualifications for the owner's project manager ***to ensure the project owner's best interests are carried out***.

2025-2275h
AMENDED ANALYSIS

This bill modifies the requirements for the use of owner's project managers for projects funded by school building aid.

Floor Amendment to SB 209
(2025-2540h)
Proposed by Rep. Cole–c

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

AN ACT relative to owner's project managers for projects funded by school building aid and relative to reporting requirements for persons or entities financing lawsuits.

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

2 Purpose and Findings. The purpose of sections 2 and 3 of this act is to require certain disclosures concerning commercial litigation financing agreements and lawyer financing agreements and set forth certain prohibitions regarding commercial litigation financiers.

3 New Chapter; New Hampshire Third-Party Litigation Funding Transparency Act. Amend RSA by inserting after chapter 294-E the following new chapter:

CHAPTER 294-F

NEW HAMPSHIRE THIRD-PARTY LITIGATION FUNDING TRANSPARENCY ACT

294-F:1 Short Title. This chapter shall be known, and may be cited as, the "Third-Party Litigation Funding Transparency Act."

294-F:2 Definitions. In this chapter:

I. "Commercial litigation financier" means a person in the business of entering into commercial litigation financing agreements or lawyer financing agreements. The term commercial litigation financier does not include a nonprofit organization exempt from federal income tax under 501(c)(3) of the United States Internal Revenue Code or its funders if the nonprofit organization represents the claimant on a pro bono basis, which may include an award of costs or attorney fees to the nonprofit organization or a related attorney.

II. "Commercial litigation financing agreement" means, with respect to any civil action or group of civil actions, a written agreement:

(a) Whereby a third party agrees to provide funds to one of the named parties, and

(b) Which creates a direct or collateralized interest in the proceeds of a civil action or group of civil actions, by settlement, verdict, judgment, or otherwise, where such interest is based in whole or part on a funding obligation to the funded party in the action or group of actions.

(c) "Commercial litigation financing agreement" includes any contract, including any option, forward contract, futures contract, short position, swap, or similar contract, or other agreement that is substantially similar to a litigation financing agreement.

(d) "Commercial litigation financing agreement" does not include:

(1) A consumer legal funding agreement;

(2) An agreement by an attorney or law firm to provide legal services on a contingency fee basis to the claimant or to advance the claimant's legal costs in accordance with the New Hampshire Rules of Professional Conduct;

(3) A health insurer, medical provider, or assignee that has paid, is obligated to pay, or is owed any sums for a person's health care under the terms of a health insurance plan or agreement;

(4) A financial institution providing loans to the claimant or the claimant's attorney or law firm when repayment is not contingent upon the outcome of the legal claim or on the outcome of any matter within a portfolio that includes the legal claim and involves the same attorney or law firm or affiliated attorney or law firm;

(5) A lawyer financing agreement; or

(6) A person with a preexisting contractual obligation to indemnify or defend a party to a legal claim.

III. "Consumer" means a natural person or estate for a decedent with a legal claim.

IV. "Consumer legal funding agreement" means an agreement memorializing a nonrecourse transaction in which a consumer legal funding company purchases, and a consumer assigns to the company, a contingent right to receive an amount of the potential proceeds of a settlement, judgment, award, or verdict obtained in the consumer's legal claim.

V. "Foreign country of concern" means a foreign government or person listed as a "foreign adversary" in 15 C.F.R. 791.4.

VI. "Foreign entity of concern" or "foreign person of concern" means an entity or person that:

(a) Is organized or incorporated in a foreign country of concern;

(b) Is owned or controlled by the government, a political subdivision, or a political party of a foreign country of concern;

(c) Has its principal place of business in a foreign country of concern; or

(d) Is owned, organized, or controlled by, affiliated with, or acting on behalf of an individual or entity that is or has been:

(1) On a sanctions list maintained by the Office of Foreign Assets Control, including the following:

(A) Specially Designated Nationals and Blocked Persons List ("SDN List");
(B) Foreign Sanctions Evaders List;
(C) Non-SDN Iran Sanctions Act List;
(D) Sectoral Sanctions Identifications List; or
(E) List of Foreign Financial Institutions Subject to Correspondent Account and Payable-Through Account Sanctions; or
(2) Designated by the United States Secretary of State as a foreign terrorist organization.

VII. "Lawyer financing agreement" means, with respect to any civil action or group of civil actions, a written agreement:
(a) Whereby a third party agrees to provide funding to any counsel or law firm affiliated with the civil action or group of actions; and
(b) Which creates a direct or collateralized interest in the fees, expenses, or other proceeds of a civil action or group of civil actions, by settlement, verdict, judgment or otherwise.

VIII. "Legal claim" means a civil claim or cause of action.

294-F:3 Prohibitions Related to Commercial Litigation Funding.

I. A commercial litigation financier shall not enter into a commercial litigation financing agreement with a foreign entity of concern or a foreign country or person of concern, or any entity controlled by any of the foregoing persons or entities.

II. An agreement shall not grant a commercial litigation financier control or approval rights with respect to litigation or settlement decisions.

III. A commercial litigation financier shall not have the right to receive materials designated as confidential pursuant to a protective or confidentiality agreement or order in an action, unless explicitly authorized by the terms of such protective or confidentiality agreement or order.

294-F:4 Commercial Litigation Financing Agreement Disclosure and Discovery.

I. Except as otherwise stipulated or ordered by the court, a claimant shall, without awaiting a discovery request, provide to the court, for in camera review, any commercial litigation financing agreement within 30 days after commencement of a legal action or 30 days after execution of a commercial litigation financing agreement, whichever is later.

II. Except as otherwise stipulated by the parties or ordered by the court, counsel shall provide to the court, for in camera review, within 30 days after commencement of a legal action or 30 days after execution of a lawyer financing agreement, whichever is later, a sworn statement that such lawyer financing agreement complies with the prohibitions set forth in RSA 294-F:3 and with the New Hampshire Rules of Professional Conduct. The court shall review, in camera, the lawyer financing agreement to ensure compliance with RSA 294-F:3 and the New Hampshire Rules of Professional Conduct.

III. Except as otherwise stipulated by the parties or ordered by the court, a claimant shall deliver to all other parties, within 30 days after commencement of a legal action or 30 days after execution of a commercial litigation financing agreement, whichever is later, a sworn statement disclosing:
(a) The identity of all contracting parties to the commercial litigation financing agreement, including the name, address and, if a party is a legal entity, the place of formation of such entity;
(b) Whether the agreement complies with RSA 294-F:3;
(c) The existence of any known conflict of interest between a commercial litigation financier, counsel, and the court;
(d) A brief description of the nature of the financial interest; and
(e) Whether any foreign entity of concern or a foreign country or person of concern is providing funding, directly or indirectly, for the commercial litigation financing agreement and, if so, the name, address, and country of incorporation of such foreign entity of concern or a foreign country or person of concern.

IV. Except as otherwise stipulated by the parties or ordered by the court, counsel shall deliver to all other parties, within 30 days after commencement of a legal action or 30 days after execution of a lawyer financing agreement, whichever is later, a sworn statement:
(a) Disclosing the identity of all contracting parties to the lawyer financing agreement, including the name, address and, if a party is a legal entity, the place of formation of such entity;
(b) Disclosing whether the legal claim at issue is a single claim or a part of a portfolio of funded legal claims, without, in the case of a portfolio, identifying any specific legal claims in the portfolio;
(c) Providing a brief description of the nature of the financial interest, including but not limited to the repayment structure and increments, whether the financing is recourse or nonrecourse, and if the time to resolution of the legal claim will affect the contingent interest of the financier;
(d) Affirming that the claimant is fully aware of the lawyer financing agreement and its terms and has been given the opportunity to obtain independent counsel to advise on the use of a lawyer financing agreement in their legal claim; and
(e) Affirming that such lawyer financing agreement complies with the prohibitions set forth in RSA 294-F:3 and with the New Hampshire Rules of Professional Conduct.

V. Information concerning the commercial litigation financing agreement and lawyer financing agreement are not by reason of disclosure admissible in evidence at trial.

294-F:5 Applicability.

I. This chapter shall apply to any commercial litigation financing agreement or lawyer financing agreement that is effectuated on or after the effective date of this chapter.

II. If any provision of this chapter is, for any reason, declared unconstitutional or invalid, in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and shall not affect the validity of the remaining portions of this chapter, which shall remain in full force and effect.

4 Effective Date.

I. Sections 2 and 3 of this act shall take effect January 1, 2026.

II. The remainder of this act shall take effect 60 days after its passage.

2025-2540h

AMENDED ANALYSIS

This bill:

I. Modifies the requirements for the use of owner's project managers for projects funded by school building aid.

II. Regulates commercial litigation finance agreements.

Amendment to SB 210
(2025-2318h)

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, I-IV 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 shall include, but are not limited to, handbooks, websites, newsletters, and workshops.

(f) A procedure for reporting bullying or cyberbullying that identifies all persons to whom a pupil or another person may report bullying or cyberbullying. 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 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. School officials will provide an alleged victim with a written copy of their rights, protections, and support services available.

(i) 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.

(j) 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 are encouraged to 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 cyberbullying 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.

(k) A requirement that the principal or designee develop a response to remediate any substantiated incident of bullying or cyberbullying, 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.

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

(m) 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.

(n) 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, 2026, 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.

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 or cyberbullying 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, 2026.

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

2025-2318h

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 SB 213-FN
(2025-2461h)
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 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" means to act in any way designed or having the effect of influencing the vote of a voter on any question or office, including but not limited to:

(a) Distributing or displaying campaign materials for a campaign during an officially declared election period in an unbiased manner.

(b) Making public statements in favor of or against any candidate, political party, or measure.

(c) Organizing or conducting surveys, forums, or events that are expressly or primarily political.

(d) Using official authority or influence to interfere with or affect the vote of a voter.

IV. Nothing in this section shall prohibit:

(a) Lawful participation by candidates, political parties, or private groups in public parades, fairs, festivals, or similar events, including the display of campaign materials or the solicitation of voter support, provided such participation is conducted in accordance with applicable laws and regulations and does not intentionally favor one candidate, party, or measure over another.

(b) The use of public spaces or facilities by private individuals, groups, or organizations for lawful political activities, provided such use is not facilitated or promoted by public employees beyond standard administrative support necessary for access and use of the space and follows any relevant ordinance or law where applicable.

(c) Public employees engaging in strictly neutral voter registration drives or activities limited to general election awareness, such as announcing election dates or polling locations, without any reference to or discussion of candidates, parties, or measures, and provided such activities are authorized by law.

(d) Public employees providing factual information derived directly from official filing forms or other legally required public documents regarding candidates who have officially filed for office, provided such information is presented in an impartial and neutral manner without additional commentary, analysis, or inference.

(e) Public universities, colleges, or institutions of higher education conducting public opinion polls or surveys.

V. Any person who violates this section shall be guilty of a misdemeanor.

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

2025-2461h
AMENDED ANALYSIS

This bill defines electioneering in relation to public employees.

Amendment to SB 215
(2025-2326h)
Proposed by the Committee on Election Law–c

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

AN ACT establishing voting procedures for electing town officers in unorganized towns or places.

Amend the bill by replacing section 1 with the following:

1 Elections; Unincorporated Places; Establishing Procedures for Voting. RSA 668:6 is repealed and reenacted to read as follows:

668:6 Establishing Procedures for Voting.

I. The secretary of state or designee shall issue a warrant, post the warrant in the manner required for towns by RSA 39:5, give other public notice, appoint a pro tem moderator and clerk from among the registered voters, and oversee the first election of officers for an unorganized town or unincorporated place for the purpose of conducting local, county, state, and federal elections, pursuant to RSA 53:1. This initial election shall be conducted using the unofficial ballot process as set forth in RSA 669:54 through RSA 669:60. The secretary of state shall exercise this authority whenever the number of voters domiciled in an unorganized town or unincorporated place which has not organized for voting pursuant to RSA 53:1, as recorded in the statewide voter registration system, reaches 100 or more voters.

II. The following question shall be included in the warrant for the first meeting and shall be voted on at that meeting:

"Shall (insert name of the unorganized town or unincorporated place), when electing the officers who will conduct future elections, use an official ballot voting process in the same manner as a town as specified in RSA 669:19 through RSA 669:29? A "no" vote is a vote to use the unofficial ballot process in the same manner as a town as specified in RSA 669:54 through RSA 669:60 (nominations from the floor and voting at a meeting)."

III. Notwithstanding RSA 53:1, III, if the secretary of state is unable to appoint pro tem election officers and oversee a local election held at least 90 days prior to a state election due to a lack of suitable qualified volunteers, the secretary may designate a town as the polling place for the upcoming state elections in accordance with RSA 668:2.

IV. The secretary of state may exercise the authority authorized by this section if notified that vacancies in local offices for an unorganized town or unincorporated place result in the town or place being unable to organize and conduct their next election without state assistance.

2025-2326h
AMENDED ANALYSIS

This bill establishes voting procedures for electing town officers in unorganized towns or places.

Amendment to SB 218
(2025-2407h)
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 absentee ballots.

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

1 Absentee Registration Affidavit. Amend RSA 654:17 to read as follows:

654:17 Absentee Registration Affidavit.

I. The absentee registration affidavit shall be prepared by the secretary of state and shall be in substantially the following form:

Affidavit (Absence from town)

I, __________________ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That ***I am a citizen of the United States,*** my legal domicile is in the town of _______________, New Hampshire, I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on _______________, _________ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I am temporarily residing in __________ (city and state or city, province, and country);
4) That I hereby enclose [~~one of the following as proof of identity and domicile:~~

~~(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or~~

~~(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;~~] ***copies of the documentation required by RSA 654:12 to establish my citizenship, age, domicile, and identity as qualifications to vote;***
5) That I acknowledge that if I do not provide a copy of [~~proof of identity and domicile~~] ***the documentation*** as required by section 4) above, this application [~~may~~] ***shall*** not be approved; and
6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

_
Signature of Applicant
Date
In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.
Affidavit (Physical Disability)
I, ______________________ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:
1) That ***I am a citizen of the United States,*** my legal domicile is in the town of ________________, New Hampshire, I will be of the age of 18 years or over on election day, and am entitled to vote in the election to be held in said town on ________________, ___ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;
2) That I am unable by reason of physical disability personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;
3) That I hereby enclose [~~one of the following as proof of identity and domicile:~~

~~(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or~~

~~(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;~~] ***copies of the documentation required by RSA 654:12 to establish my citizenship, age, domicile, and identity as qualifications of vote.***
4) That I acknowledge that if I do not provide a copy of [~~proof of identity and domicile~~] ***the documentation*** as required by section 3) above, this application [~~may~~] ***shall*** not be approved; and
5) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

_
Signature of Applicant

_
Date
In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

II. There shall be printed below each of the foregoing affidavits the following affirmation:
Affirmation
I, __________, the undersigned witness, do hereby swear or affirm, under the penalties for voting fraud set forth below, that on the __________ day of __________, ___ (date), the above named, __________, having satisfied me as to his or her identity, signed the foregoing affidavit in my presence, and did before me swear to (or affirm) the truth of the statements therein contained ***and the authenticity and accuracy of the documentation submitted therewith***.

_
Signature of Witness

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

2 Submission; Effect. Amend RSA 654:19 to read as follows:

654:19 Submission; Effect. The applicant shall forward the absentee registration affidavit ***with supporting documentation*** and the applicant's voter registration form to the clerk of the town or city named for submission to the supervisors of the checklist. If the supervisors find that the affidavit ***with supporting documentation*** and the voter registration form are properly executed, they shall follow the procedure for applications made in person as provided in RSA 654:11, 654:13, and 654:15, except that in the case of an absentee voter they shall accept an absentee registration affidavit ***with supporting documentation*** and a registration form.

3 Verification of In-Person Absentee Voter. Amend RSA 657:17-a to read as follows:

657:17-a Verification of In-Person Absentee Voter.

I. An absentee voter who returns his or her completed absentee ballot to the clerk's office in person shall be treated as a verified voter provided[~~:~~]

[~~(a) The~~] ***that the*** voter voluntarily shows the clerk a photo identification that meets the requirements of RSA 659:13[~~; or~~

~~(b) The voter voluntarily completes a challenged voter affidavit in the same manner as is required for an election day voter who does not present a qualified voter identification~~].

II. The clerk shall mark the absentee ballot affidavit enveloped "voter verified" and note on the clerk's list of absentee voters that the voter has been verified. The verified voter's signatures on the application for an absentee ballot shall not be compared to the voter's signature on the absentee ballot affidavit on election day.

III. A voter who does not present a qualified photo identification [~~and who does not complete a challenged voter affidavit~~] shall not be treated as a verified voter, and his or her signatures on the application for an absentee ballot shall be compared to his or her signature on the absentee ballot affidavit on election day in the same manner as other absentee voters.

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

2025-2407h

AMENDED ANALYSIS

This bill requires absentee ballot voters to submit information demonstrating citizenship, age, domicile, and identity in order to qualify to vote.

Amendment to SB 221
(2025-2463h)
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 the verification of voter rolls annually.

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

1 Elections; Checklist; Annual Verification. Amend RSA 654:39 to read as follows:

654:39 ***Annual*** Verification [~~Every 10 Years~~].

I. In addition to any verification carried out under the provisions of RSA 654:38, the supervisors shall verify the checklist in [~~1981~~] ***2026*** and [~~once every 10 years~~] ***annually*** thereafter.

II. Between April 1 and August 1 of [~~1981~~] ***2026*** and ***annually*** thereafter [~~in each year ending with a one~~], the supervisors shall post notice of their sessions in 2 appropriate places one of which shall be the town or city's Internet website, if such exists, and published at least twice in a newspaper of general circulation and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his or her party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

III. Beginning June 1 of such year, the supervisors shall review the checklist and shall strike therefrom the names of all persons who have not registered or reregistered under paragraphs I and IV; provided, that there shall not be stricken from said checklist the name of any person duly qualified to vote unless such person, not less than 30 days prior to such action, shall have been sent notice by the supervisors at his last known address of his failure to reregister stating the procedure to be followed in order to reregister and have his name retained on said checklist nor unless such person shall have been given a reasonable opportunity to follow said procedure.

IV. For the purpose of this section, a person shall be deemed reregistered and need not appear before the supervisors if:

(a) The person voted in any election within the [~~4~~] ***5*** years immediately preceding [~~a 10-year~~] ***an annual*** verification; or

(b) The person has been added to the checklist since the last state general election.

V. Upon completion of verification of the checklist, but in no event later than September 1, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist (or registrars of voters) of the town (or ward __________) of __________ , do hereby certify that we have verified the checklist of registered voters in the town (or ward __________ of the city) of __________ , pursuant to the provisions of RSA 654:39.

VI. In verifying the checklist in accordance with this section, the provisions of RSA 654:38, IV and V shall apply.

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

2025-2463h

AMENDED ANALYSIS

This bill provides for the annual verification of voter rolls.

Amendment to SB 222
(2025-2406h)
Proposed by the Minority of the Committee on Election Law–r

Amend the bill by replacing section 12 with the following:

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

Amendment to SB 245-FN
(2025-2458h)
Proposed by the Committee on Commerce and Consumer Affairs–c

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

1 New Subdivision; Managed Care Law; Reimbursement for Ground Ambulance Services. Amend RSA 420-J by inserting after section 19 the following new subdivision:

Reimbursement for Ground Ambulance Services

420-J:20 Definitions. In this subdivision:

I. “Enrolling ground ambulance provider” means a ground ambulance provider who is pursuing in good faith the contracting process for becoming a participating ground ambulance provider with specified health carriers during the period between January 1, 2026, and December 30, 2027, and who has filed with the commissioner a written declaration to that effect on a form provided by the commissioner.

II. “Ground ambulance provider” means a public or private organization licensed by the department of safety under RSA 153-A:10 to provide ground ambulance emergency medical services or the transportation of patients upon any public way of the state.

III. “Ground ambulance services” means:

(a) The rendering of medical treatment and care at the scene of a medical emergency or while transporting a patient from the scene to an appropriate health care facility or behavioral health emergency services provider when the services are provided by one or more ground ambulance vehicles designed for this purpose and licensed by the department of safety under RSA 153-A:10; and

(b) Ground ambulance transport between hospitals or behavioral health emergency services providers, hospitals, or behavioral health emergency services providers and other health care facilities or locations, and between health care facilities when the services are medically necessary and are provided by one or more ground ambulance vehicles designed for this purpose and licensed by the department of safety under RSA 153-A:10.

IV. “Nonparticipating ground ambulance provider” means a ground ambulance provider that is acting within the scope of practice for ground ambulance providers as set out in RSA 153-A, that does not have a contractual relationship directly or indirectly with a health carrier, and that is not an enrolling ground ambulance provider.

V. “Participating ground ambulance provider” means a ground ambulance provider that is a “participating provider” as defined in RSA 420-J:3.

420-J:21 Rate Schedule Established for Certain Ground Ambulance Providers.

I. There is hereby established a rate schedule applicable to all health carriers doing business in the state to reimburse participating and enrolling ground ambulance providers.

(a) Beginning January 1, 2026, through December 31, 2027, participating and enrolling ground ambulance providers shall be reimbursed for ambulance services at a temporary rate schedule of 3.25 times the Medicare rate that is current as of the date of service.

(b) Beginning January 1, 2028, participating ground ambulance providers shall be reimbursed for ambulance services at a rate established by the commissioner. The commissioner shall adopt rules under RSA 541-A with an effective date of January 1, 2028, that establish a statewide, cost-based rate schedule for health carriers to use in reimbursing participating ground ambulance providers that implements the rate schedule recommended by the independent accounting and actuarial expert retained pursuant to RSA 420-J:26.

(c) Beginning January 1, 2029, and annually thereafter, the commissioner shall adjust the participating ground ambulance provider rate for inflation using the general consumer price index as reported by the United States Bureau of Labor Statistics. The commissioner shall publish the updated rate by bulletin before January 1 each year.

II. Nothing shall prevent health carriers and ground ambulance providers from voluntarily negotiating an alternative agreed upon rate schedule.

III. Health carriers may apply cost sharing for ambulance services.

IV. For the purpose of determining cost sharing amounts, the rates established in this section shall be considered the allowed amount.

V. Ambulance providers shall be responsible for collecting any cost sharing associated with the ground ambulance services.

420-J:22 Rate Schedule Established for Nonparticipating Ground Ambulance Providers. Beginning on January 1, 2026, nonparticipating ground ambulance providers shall be reimbursed by health carriers at the carrier's nonparticipating rate or at the Medicare rate that is current as of the date of service, whichever is higher.

420-J:23 Standardized Ground Ambulance Provider Contract.

I. The commissioner shall issue a bulletin no later than December 31, 2025, establishing a standardized ground ambulance provider contract template that includes a standardized format and language for contracts between health carriers and ground ambulance providers.

II. Once published by bulletin, all health carriers shall offer ground ambulance providers a standardized ground ambulance contract that incorporates the template established by the commissioner. The health carrier's standardized contract shall be offered to any ground ambulance provider that is qualified and willing to meet the terms and conditions of the standardized ground ambulance provider contract.

III. Nothing shall prevent health carriers and ground ambulance providers from voluntarily negotiating a contract that varies in any respect from the standardized contract.

420-J:24 Contract Negations between Ambulance Providers and Health Carriers.

I. Beginning January 1, 2026, and continuing through December 31, 2027, enrolling ground ambulance providers shall be entitled to the provider rate specified in RSA 420-J:21, I(a) as long as they continue to work in good faith towards executing a contract.

II. If a ground ambulance provider fails to actively engage in the contracting process for a period of 60 days, the ambulance provider shall no longer be considered an enrolling ground ambulance provider. Failure to actively engage in the contracting process shall include, but is not limited to, failure to respond to requests by the health carrier for information and failure to sign necessary documents.

III. Health carriers shall act upon and finalize the contracting process within 45 calendar days of receipt of all necessary documents and information required to execute the contract.

420-J:25 Temporary Maintenance of a Registry of Providers Who Qualify as an Enrolling Ground Ambulance Provider.

I. No later than December 31, 2025, the commissioner shall publish through bulletin a written contract negotiation initiation form that shall be used by ground ambulance providers to initiate contract negotiations with specified health carriers and to initially qualify as an enrolling ground ambulance provider with respect to the specified health carriers.

II. A ground ambulance provider must submit the form to the department and to the specified health carriers in order to be eligible for the status of an enrolling ground ambulance provider with respect to those carriers.

III. During the period between January 1, 2026, and December 31, 2027, the insurance department shall maintain a list on its website of ambulance providers who qualify as an enrolling ground ambulance provider with respect to a particular carrier.

IV. If the commissioner finds that a ground ambulance provider has failed to engage in the contracting process with respect to a health carrier, the commissioner shall update the list to reflect that the ambulance provider no longer qualifies as an enrolling ground ambulance provider with respect to that carrier.

420-J:26 Requiring an Independent Study by an Accounting and Actuarial Expert of Ground Ambulance Costs in the State and the Establishment of a Cost-Based Reimbursement Schedule for Participating Ground Ambulance Service Providers.

I. Beginning on the effective date of this section, the commissioner shall oversee the process provided for in this section of contracting with an independent accounting and actuarial expert to conduct a study of the costs incurred by ground ambulance providers related to the provision of ground ambulance services in the state. Costs shall include the cost of pre-hospital care and the cost of sustaining a reasonable operating margin in support of the expectation that ground ambulance providers in the state maintain readiness to meet demand for services. Cost estimates shall be based on the assumption that services shall be provided in a reasonably cost-effective manner.

II. The commissioner of the department of safety shall collaborate with the commissioner in collecting cost surveys from ground ambulance providers in the state. These surveys may either be designed by the accounting and actuarial expert or may be adopted by the expert from the medicare ground ambulance data collection system cost reports. The commissioner of the department of safety shall have authority to enforce this reporting requirement upon ground ambulance providers under the general supervision and specific enforcement authority conferred by RSA 153-A and shall work with the commissioner to set a deadline for ground ambulance providers to submit their cost reports that is sufficient to facilitate the completion of the study and report provided for in this section in a timely manner.

III. The independent accounting and actuarial expert shall submit all cost data submitted by ground ambulance providers to rigorous data validation and auditing procedures and shall verify that the ground ambulance provider has used proper cost allocation methods, including when fire and ambulance services are provided by the same entity. The commissioner of the department of safety shall have authority under the general supervision and specific enforcement authority conferred by RSA 153-A to enforce compliance by ground ambulance providers with data validation and auditing of cost reports. The commissioner of the department of safety shall work with the commissioner to set a deadline for ground ambulance providers to comply with data validation and auditing requirements that is sufficient to facilitate the completion of the study and report provided for in this section in a timely manner.

IV. If a ground ambulance provider fails to cooperate with cost data submission requirements or with requirements to facilitate data validation or cost report auditing requirements, then that provider shall lose access to the temporary rate schedule established for enrolling and participating ground ambulance providers in RSA 420-J:21, and health carriers shall be required to reimburse such providers at their nonparticipating rate or at the Medicare rate that is current as of the date of service, whichever is higher. During the period of the cost study, the commissioner shall maintain a list that shall be made available to health carriers doing business in the state that includes all ground ambulance providers who have been determined by the commissioner to have failed to cooperate with cost data submission requirements or with requirements to facilitate data validation or cost report auditing requirements.

V. If an analytical sample of audited cost reports is utilized by the independent expert that is obtained from a subset of ground ambulance providers in the state, then the most appropriate statistical methods shall be used to ensure that the analytical sample is appropriately normalized and adequately representative of the general population of ground ambulance providers doing business in the state.

VI. Based on the information provided through the cost reports, the independent accounting and actuarial expert shall be directed to summarize the cost information collected and to derive a statewide cost-based rate schedule appropriate for health carriers to use in reimbursing participating ground ambulance providers. The schedule may vary based on geographic region. Reimbursement under the schedule shall be designed to cover the costs attributable to the provision of covered services assuming that all public and commercial ground ambulance payers in the state are paying at the same rate. The independent accounting and actuarial expert shall produce a final report by June 30, 2027, which shall include the expert's recommended cost-based reimbursement schedule for participating ground ambulance providers and which shall detail the methodology used to calculate ground ambulance costs in the state and such other supplemental information as shall be directed by the commissioner. The commissioner shall assist the independent expert as necessary to complete the study, the rate schedule, and the report in a timely manner.

VII. Prior to the completion of its work on June 30, 2027, the independent accounting and actuarial expert shall also advise the commission on improving the ground ambulance services financing and delivery system established in RSA 153-A:38 on the feasibility and advisability of applying for a waiver under Section 1115A of the Social Security Act to enter into an all-payer model agreement for ground ambulance services in the state to implement a uniform, cost-based reimbursement schedule for ground ambulance services that includes Medicare, Medicaid, and all commercial payers and that builds upon the mandatory participating rate schedule and the cost study conducted under this section.

VIII. The cost study required under this section shall be funded in an amount up to $400,000 out of funds as provided in RSA 400-A:15, IV.

2 Repeal. The following are repealed:

I. RSA 420-J:20, I, relative to the definition of enrolling ground ambulance provider.

II. RSA 420-J:21 I(a), relative to the temporary reimbursement rate for ambulance services in 2026 and 2027.

III. RSA 420-J:24, relative to contract negotiations between ambulance providers and health carriers.

IV. RSA 420-J:25, relative to temporary maintenance of a registry of providers who qualify as an enrolling ground ambulance provider.

3 New Paragraphs; Prohibition on Balance Billing Covered Persons for Health Care Services; Definition of Ground Ambulance Provider and Ground Ambulance Services Added. Amend RSA 358-T:1 by inserting after paragraph V the following new paragraphs:

V-a. "Ground ambulance provider" means a public or private organization licensed by the department of safety under RSA 153-A:10 to provide ground ambulance emergency medical services or the transportation of patients upon any public way of the state.

V-b. "Ground ambulance services" means:

(a) The rendering of medical treatment and care at the scene of a medical emergency or while transporting a patient from the scene to an appropriate health care facility or behavioral health emergency services provider when the services are provided by one or more ground ambulance vehicles designed for this purpose and licensed by the department of safety under RSA 153-A:10; and

(b) Ground ambulance transport between hospitals or behavioral health emergency services providers, hospitals or behavioral health emergency services providers and other health care facilities or locations, and between health care facilities when the services are medically necessary and are provided by one or more ground ambulance vehicles designed for this purpose and licensed by the department of safety under RSA 153-A:10.

4 New Paragraph; Definition of Nonparticipating Ground Ambulance Provider Added. Amend RSA 358-T:1 by inserting after paragraph IX the following new paragraph:

IX-a. "Nonparticipating ground ambulance provider" means a ground ambulance provider that is acting within the scope of practice for ground ambulance providers as set out in RSA 153-A and that does not have a contractual relationship directly or indirectly with a health carrier.

5 New Section; Prohibition on Balance Billing Covered Persons for Health Care Services; Balance Billing for Ground Ambulance Services Prohibited. Amend RSA 358-T by inserting after section 4 the following new section:

358-T:5 Balance Billing for Ground Ambulance Services Prohibited.

I. If a covered person with covered benefits that include ground ambulance services under a health benefit plan is furnished ground ambulance services, then, whether the ground ambulance provider is a participating provider or a nonparticipating provider, the ground ambulance provider shall not bill, and shall not hold liable, the covered person for a payment amount for such services that is more than the cost-sharing requirement for such services under the covered person's health benefit plan.

II. Paragraph I shall not apply with respect to ground ambulance services that consist of scheduled inter-facility transfers of the covered person furnished by a nonparticipating ground ambulance provider if the provider satisfies the notice and consent criteria under 42 U.S.C. section 300gg-132(c) and (d).

6 New Section; Commission on Improving the Ground Ambulance Services Financing and Delivery System. Amend RSA 153-A by inserting after section 37 the following new section:

153-A:38 Commission on Improving the Ground Ambulance Services Financing and Delivery System. There is established a commission on improving the ground ambulance financing and delivery system.

I. The members of the commission shall be as follows:

(a) Six members of the house of representatives, appointed by the speaker of the house of representatives, 3 of whom shall be nominated by the leader of the minority party. Two members shall be from the commerce committee, 2 members from the health and human services committee, 1 member from the municipal and county government committee, and 1 member from the criminal justice and public safety committee.

(b) Two members of the senate, appointed by the president of the senate, 1 of whom shall be nominated by the leader of the minority party. One member shall be from the health and human services committee, and 1 member shall be from the commerce committee.

(c) The commissioner of the department of safety, or designee.

(d) The commissioner of the department of insurance, or designee.

(e) The commissioner of the department of health and human services, or designee.

(f) A representative from the New Hampshire Ambulance Association, nominated by the association and appointed by the governor.

(g) A representative from the New Hampshire Association of Fire Chiefs, nominated by the association and appointed by the governor.

(h) A representative from the New Hampshire Hospital Association, nominated by the association and appointed by the governor.

(i) A representative from America's Health Insurance Plans (AHIP), nominated by the association and appointed by the governor.

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

III. The commission shall:

(a) Review the history and operation of ground ambulance services delivery in New Hampshire and the current financing and delivery models adopted by municipal, hospital-based, and commercial ground ambulance providers in the state.

(b) Identify areas in which the ground ambulance financing and delivery system in the state is not meeting the needs of citizens of this state or is in jeopardy of failing to meet the needs of citizens of this state and requires reform.

(c) Make recommendations for systemic reforms to support a viable ground ambulance financing and delivery system that will improve sustainability, efficiency, and quality of care while controlling costs.

IV. The commission shall determine the feasibility and advisability of applying for a waiver under Section 1115A of the Social Security Act to enter into an all-payer model agreement for ground ambulance services in the state to implement a uniform, cost-based reimbursement schedule for ground ambulance services that includes Medicare, Medicaid, and all commercial payers and that builds upon the mandatory in-network rate schedule and the cost study conducted under RSA 420-J:26. To determine the feasibility and advisability of applying for the federal waiver, the commission shall determine the most appropriate design of an all-payer model program that could form the basis of an application for a federal waiver.

V. The proposed all-payer program design shall include measures to align payment policies across public and commercial payers to promote ground ambulance financing and delivery system reforms to improve sustainability, efficiency, and quality of care while controlling costs. The commission shall study the feasibility and advisability of at least the following public policy options for improving the ground ambulance financing and delivery system and such other options as would help meet the requirements for federal approval of the Section 1115A waiver application:

(a) Expanding mobile integrated health services in the state as appropriate to improve health system efficiency and quality of care and promote efficiently delivered "treatment in place" where appropriate.

(b) Further strengthening regional services coordination systems or regional EMS networks for the rural areas of the state to share the cost of readiness and disperse workloads.

(c) Implementing an improved system for delivering and compensating facility-to-facility or scheduled transfers of patients with consideration of supply shortages that have occurred and of the differing nature of emergency and scheduled transports.

(d) Implementing a system for compensating care provided in the treat-no-transport context.

(e) Developing an improved education program for ambulance providers relating to billing and reimbursement of ambulance services by third party payers.

(f) Evaluating options for improving recruitment and retention of emergency medical services staff.

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

VII. The commission shall produce a report on November 1 of each year that the commission is in operation detailing the progress made to date carrying out its mandates and including such recommendations for legislative or administrative reforms or initiatives as are timely and appropriate. The commission shall submit its assessment of the feasibility and advisability of applying for a waiver under Section 1115A of the Social Security Act to enter into an all-payer model agreement for ground ambulance services in the state to create a uniform, cost-based reimbursement schedule for ground ambulance services that includes Medicare, Medicaid and all commercial payers no later than its November 1, 2027 report. If this report finds the waiver application not feasible or advisable, then the commission shall continue to report on the feasibility and advisability of at least the public policy options for improving the ground ambulance financing and delivery system listed in RSA 153-A:38, III and V and any other policy options the commission deems would serve the needs of New Hampshire citizens. The commission shall issue its report and any recommendations for proposed legislation or administrative actions to the president of the senate, the speaker of the house of representatives, the chairs of commerce, municipal and county government, health and human services, and criminal justice and public safety in the house of representatives, the chairs of commerce and health and human services in the senate, the president of the senate, the speaker of the house of representatives, the house clerk, the senate clerk, the governor, and the state library.

7 Repeal. RSA 153-A:38 and the section heading preceding RSA 153-A:38, relative to the commission on improving the ground ambulance services financing and delivery system, are repealed.

8 New Paragraph; Insurance Department; Statutes, Rules, and Regulations; Violation. Amend RSA 400-A:15 by inserting after paragraph III the following new paragraph:

IV. For state fiscal years ending June 30, 2026 and June 30, 2027, fines collected against an insurer or any other regulated entity or person for violation of any of the provisions of Title XXXVII or rules adopted thereunder or for any violation of a duly authorized order of the commissioner over this period shall be deposited by the commissioner in the insurance department administration fund established under RSA 400-A:39 in an amount not to exceed $400,000 and shall be utilized for the purpose of contracting for the independent accounting and actuarial study required under RSA 420-J:26. Any fines collected during this period in excess of this $400,000 amount shall be deposited by the commissioner in the general fund. If there is any portion of the $400,000 amount that remains unused after the purposes of RSA 420-J:26 are accomplished, then the commissioner shall notify the state treasurer that such amount is to be transferred to the general fund under this paragraph.

9 Repeal. RSA 400-A:15, IV, relative to the deposit of fines in the insurance department administration fund for the purpose of an independent accounting and actuarial study of ground ambulance services financing and delivery system, is repealed.

10 Effective Date.

I. Section 2 of this act shall take effect January 1, 2028.

II. Section 3, 4, and 5 of this act shall take effect January 1, 2026.

III. Section 7 of this act shall take effect June 30, 2030.

IV. Section 9 of this act shall take effect July 1, 2027.

V. The remainder of this act shall take effect upon passage.

2025-2458h

AMENDED ANALYSIS

This bill:

I. Regulates reimbursement for ground ambulance services under the managed care law and prohibits balance billing for ground ambulance services.

II. Establishes a commission on improving the ground ambulance services financing and delivery system and provides for use of funds from the insurance department administration fund to be used for an accounting and actuarial study of ground ambulance costs in the state of New Hampshire.

Amendment to SB 249-FN
(2025-2465h)
Proposed by the Committee on Ways and Means–c

Amend RSA 167:64, II as inserted by section 2 of the bill by replacing it with the following:

II. Beginning in state fiscal year 2026 and continuing every state fiscal year thereafter, the commissioner of the department of health and human services shall provide Medicaid payments, subject to the payment conditions set forth in this section, to the hospitals in a total state and federal fund equivalent amount determined by the commissioner, subject to any agreements between the state and the hospitals then in effect, of the money collected pursuant to RSA 84-A in the prior state fiscal year. Payments to the hospitals shall be made in accordance with this section.

Amend the bill by replacing all after section 4 with the following:

5 Effective Date. This act shall take effect July 1, 2025.

2025-2465h

AMENDED ANALYSIS

This bill revises the funding mechanism for uncompensated care costs under the state Medicaid program, including the distribution of disproportionate share hospital payments. The bill also establishes a committee to study the Medicaid enhancement tax and disproportionate share hospital payments.

Amendment to SB 287
(2025-2414h)
Proposed by the Majority of the Committee on Election Law–r

Amend RSA 657:17-c as inserted by section 1 of the bill by replacing it with the following:

657:17-c Verification of Absentee Ballot Applicant.

I. Every applicant for an absentee ballot shall provide verification before being issued an absentee ballot. Verification shall be satisfied by one of the following methods:

(a) Including a copy of the voter's photo identification with the absentee ballot application. The identification shall meet the requirements of RSA 659:13, II(a);

(b) Including a notarized signature on the absentee ballot application form; or

(c) Personally presenting a qualifying photo identification, as defined in RSA 659:13, II(a), to the city or town clerk or their designee prior to the issuance of the absentee ballot.

II. No absentee ballot shall be issued unless one of the verification methods under paragraph I has been satisfied.

2025-2414h

AMENDED ANALYSIS

This bill requires applicants for absentee ballots to present a copy of their photo identification with their application or present a notarized application before receiving an absentee ballot.

Amendment to SB 295-FN
(2025-2271h)
Proposed by the Majority of the Committee on Finance–r

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

1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

VI. "Eligible student" means a resident of this state who is eligible to enroll in a public elementary or secondary school[~~ and whose annual household income at the time the student applies for the program is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal Register~~

~~by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the student otherwise qualifies~~]. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:1 by inserting after paragraph XII the following new paragraphs:

XIII. "Priority Guidelines" means the ordered list:

(a) A student currently enrolled in the EFA program;

(b) A sibling of a student currently enrolled in the EFA program;

(c) A child with disabilities as defined by RSA 186-C:2;

(d) A student whose family income is less than or equal to 350 percent of the federal poverty guidelines as updated annually by the United States Department of Health and Human Services under 42 U.S.C. section 9902 (2).

XIV. "Enrollment Cap" means the total number of students that may be enrolled in the EFA program in a given school year before further enrollment is closed to all but students meeting priority guidelines, for whom enrollment is always open.

3 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications [~~for the fall and spring semesters~~] ***for enrollment on a rolling basis*** each year and shall establish procedures for approving applications ***for enrollment*** in an expeditious manner. ***Priority guideline students shall not be subject to the enrollment cap and shall be enrolled on a rolling basis.***

4 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications for enrollment on a rolling basis each year and shall establish procedures for approving applications for enrollment in an expeditious manner. [~~Priority guideline students shall not be subject to the enrollment cap and shall be enrolled on a rolling basis.~~]

5 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new paragraphs:

I-a. For the 2025-2026 school year, the enrollment cap shall be 10,000. For each subsequent year, if the total enrollment of the prior year is greater than 90 percent of the prior year's enrollment cap, then the enrollment cap shall be increased once by 25 percent when enrollment begins for the year. The department of education shall publish on its website information identifying the enrollment cap when it is increased pursuant to this paragraph.

I-b. The scholarship organization shall prioritize current EFA students for renewal in the subsequent year by reserving space for them under that subsequent year's enrollment cap before enrolling new EFA students in that subsequent year.

6 Repeal. The following are repealed:

I. RSA 194-F:I, XIII and XIV, relative to definitions related to education freedom accounts.

II. RSA 194-F:3, I-a and I-b, relative to education freedom account eligibility.

7 Contingency. Sections 4 and 6 of this act shall take effect on the date the department of education certifies to the secretary of state and the director of the office of legislative services that student applications for the education freedom account program have not exceeded the enrollment cap for 2 consecutive school years.

8 Effective Dates.

I. Sections 4 and 6 of this act shall take effect as provided in section 7 of this act.

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

Amendment to SB 297-FN
(2025-2473h)
Proposed by the Committee on Commerce and Consumer Affairs–c

Amend the bill by replacing section 1 with the following:

1 New Paragraphs; Pooled Risk Management; Definitions. Amend RSA 5-B:2 by inserting the following new paragraphs after paragraph IV:

V. "Administration", as used in RSA 5-B:5, I(c), means reasonable expenses for risk management, including processing, evaluation, and settlement services incurred in the payment of claims and other related losses, wellness programs, and for auditor, actuarial, and accounting services for administration of the pooled risk program. The reasonability of an expense for administration under this chapter may be determined in an examination or administrative hearing commenced by the secretary of state pursuant to RSA 5-B:4-a.

VI. "Reserves" means claims reserves (case reserves and incurred but not reported (IBNR reserves), contribution deficiency reserves, and contingency reserves. "Contingency reserves" means the amount of surplus to be retained by the pooled risk management program for the upcoming plan year as may be reasonably established and subsequently required to cover expected and unforeseen or extraordinary claim and administrative losses and liabilities.

VII. "Excess insurance" means reinsurance.

VIII. "Assessments" means a provision that, if the assets of the pooled risk management program are at any time actuarially determined to be insufficient to discharge its claim and administrative losses and liabilities and other legal obligations of the plan, the program shall, within 30 days of such a determination, draw from the restricted fund balance accounts under RSA 5-B:5, I(g) or, as necessary under RSA 5-B:4-b, II, collect additional contributions from its participating members for the amount needed to make up the deficiency.

IX. "Restricted fund balance" means an amount, as specified in RSA 5-B:5, I(g), that may be held by a pooled risk management program for health coverage, permitted that the amount is held in a restricted account and that the amount shall be used only for the specific purpose of funding assessments under RSA 5-B:4-b, II.

Amend RSA 5-B:5, I(g) as inserted by section 3 of the bill by replacing it with the following:

(g) A pooled risk management program for health coverage may designate a maximum of 4 percent of the previous fiscal year's contributions that, if designated, shall be sourced from that pooled risk management program's annual earnings and surplus as defined in RSA 5-B:5, I(c) and shall be kept in a restricted fund balance for the specific purpose of funding assessments under RSA 5-B:4-b, II. This restricted fund balance shall not exceed 4 percent of a pooled risk management program's previous fiscal year's contributions, shall not be considered in the calculation of a contingency reserve, and shall be used prior to any member assessments under RSA 5-B:4-b, II.

Amend the bill by replacing all after section 4 with the following:

5 Pooled Risk; Title Change. The chapter heading of RSA 5-B is repealed and reenacted to read as follows:

ASSESSMENT POOLED RISK MANAGEMENT PROGRAMS

6 New Subparagraph; Insurance; Third Party Administrators; Definitions. Amend RSA 402-H:1, I by inserting after subparagraph (m) the following new subparagraph:

(n) A pooled risk management program licensed pursuant to RSA 420-R:4.

7 Insurance; Licensure of Medical Utilization Review Entities; Licensure or Registration Required. Amend RSA 420-E:2, I to read as follows:

I. Any person, partnership or corporation, other than an insurer, nonprofit service organization, health maintenance organization, ***pooled risk management program,*** or an employee of those exempt organizations, that performs medical utilization review services on behalf of commercial insurers, nonprofit service organizations, health maintenance organizations, ***pooled risk management programs,*** third-party administrators or employers, shall apply for a license to be issued by the department and shall pay an application fee and an annual license fee. No person, partnership or corporation, other than an insurer, nonprofit service organization, health maintenance organization, or the employees of exempt organizations shall perform utilization review services or medical utilization review services unless the person, partnership, or corporation has received a license in accordance with this chapter.

8 Insurance; Portability, Availability, and Renewability of Health Coverage; Disclosure. Amend RSA 420-G:11, IV to read as follows:

IV. The data submission requirements of paragraphs II and II-a shall apply with respect to claims data for all lives covered by a fully-insured health plan in any market in the state, by any self-funded plan for state or municipal employees, including any plan maintained under RSA 5-B ***or RSA 420-R***, to any self-funded plan maintained by the university system of the state with respect to its employees or its students, and to any self-funded student health benefit plan maintained by an institution of higher education which provides 4-year bachelor's degree programs and graduate or professional degree programs.

9 New Chapter; Advanced Premium Pooled Risk Management Program. Amend RSA by inserting after chapter 420-Q the following new chapter:

CHAPTER 420-R

ADVANCE PREMIUM POOLED RISK MANAGEMENT PROGRAMS

420-R:1 Purpose. The purpose of this chapter is to provide for the establishment of pooled risk management programs and to affirm the status of such programs established for the benefit of political subdivisions of the state. The legislature finds and determines that insurance and risk management is essential to the proper functioning of political subdivisions; that risk management can be achieved through the purchase of traditional insurance or by participation in pooled risk management programs established for the benefit of political subdivisions; that pooled risk management is an essential governmental function by providing focused public sector loss prevention programs, accrual of interest and dividend earnings which may be returned to the public benefit and establishment of costs predicated solely on the actual experience of political subdivisions within the state; that the resources of political subdivisions are presently burdened by the securing of insurance protection through standard carriers; and that pooled risk management programs which meet the standards established by this chapter should not be subject to taxation by the state and, except as specifically set forth in this chapter, should not be subject to insurance regulation.

420-R:2 Definitions; Scope of Chapter.

I. In this chapter:

(a) “Commissioner” means the insurance commissioner.

(b) “Department” means the insurance department.

(c) “Employee representative” means an employee of a member, who shall not be in a position to make participation decisions for a member.

(d) “Excess insurance” means stop loss insurance.

(e) “Member” means any political subdivision that participates or may participate in a pooled risk management program under this chapter.

(f) “Member representative” means a representative of a member who is in a position to make participation decisions for a member and serving in either an elected or appointed position.

(g) “Political subdivision” means any city, town, county, school district, chartered public school, village district, school administrative unit, or any district or entity created for a special purpose administered or funded by any of the above-named governmental units.

(h) “Pooled risk management program” or “program” means an association formed under the laws of this state that operates a program in which two or more political subdivisions of the state enter into agreements to:

(1) Obtain or implement insurance by self-insurance, or to obtain insurance from any insurer authorized to transact business in this state as an admitted or surplus lines carrier, or to obtain insurance secured in accordance with any method provided by law, or to obtain insurance by any combination of these methods;

(2) Provide for pooling of self-insurance reserves, risks, claims and losses, and of administrative services and expenses associated with them among political subdivisions; or

(3) Develop and administer a risk management program having as its purposes reducing the risk of its members; safety engineering; distributing, sharing, and pooling risks; acquiring insurance, excess loss insurance, or reinsurance; and processing, paying and defending claims against the members of such entity or association.

(i) “Program covered person” means a person who is covered under pooled risk management program coverage.

(j) “Public representative” means a representative of the general public who shall not be:

(1) An employee of a member;

(2) In a position to make participation decisions for a member; or

(3) Connected with the management or be the holder of a material number of shares of any insurer, insurance holding company, insurance agency or broker. Family members of employees, persons in a position to make membership decisions and family members of persons connected with management or holders of a material number of shares of any insurer, insurance holding company, insurance agency or broker may not serve as public members.

(k) “Risk management” means the defense of claims and indemnification for losses arising out of the ownership, maintenance, and operation of real or personal property and the acts or omissions of officials, employees, and agents; the provision of loss prevention services including, but not limited to, inspections of property and the training of personnel; and the investigation, evaluation, and settlement of claims by and against political subdivisions.

420-R:3 Pooled Risk Management Programs Authorized; Permissible Coverages.

I. To accomplish the purposes of this chapter, any two or more political subdivisions of this state may, by resolution of its governing body, form an association under the laws of this state and establish and enter into agreements constituting a pooled risk management program.

II. RSA 53-A shall not apply to an association formed or affirmed under this chapter, nor to the participation in such an association by a political subdivision.

III. Pooled risk management programs established for the benefit of political subdivisions may provide any or all of the following coverages:

(a) Casualty, including general and professional liability; errors and omissions; workers’ compensation and employer’s liability; medical payments; or unemployment compensation as authorized under federal law.

(b) Property, including marine and inland navigation; transportation; boiler and machinery; fire; theft; or natural hazards.

(c) Vehicle, including any liability or loss arising from the ownership or operation of vehicles.

(d) Surety and fidelity.

(e) Environmental impairment.

(f) Hospital, medical, surgical or dental benefits for employees and retirees, and their dependents.

(g) Life, income maintenance, accidental death and dismemberment, vision loss or impairment, or legal benefits for employees and their dependents.

(h) Unanticipated special education cost recovery.

420-R:4 Licensure Required.

I. Any person or legal entity that functions as a pooled risk management program shall apply to the department for a license and shall pay an application fee and annual license fee of $150. No person, entity or association shall, after July 1, 2025, operate a pooled risk management program unless such program has been reviewed for licensure by the department and been determined to be in compliance with the provisions of this chapter, including organizational, operational, financial, and reporting requirements. License renewal applications shall be filed annually on or before September 1.

II. Pooled risk management programs that have been established and affirmed prior to July 1, 2025, in accordance with RSA 5-B, shall survive and be in full force and effect, except as modified by this chapter. The programs existing prior to July 1, 2025, shall file a license application containing the information as set forth in RSA 420-R:4, III, on or before September 1, 2025.

III. Prior to providing coverage, a license application shall be filed with the commissioner for approval of the pooled risk management program in a form and manner as established by the commissioner. The application materials shall include at least the following:

(a) A copy of the constitution or bylaws of association, trust instrument, or articles of incorporation.

(b) The names and addresses of the trustees, directors, or incorporators.

(c) A copy of the bylaws or trust agreement which governs the operation of the pooled risk management program.

(d) A copy of the policy, contract, certificate, summary plan description, or other evidence of the benefits and coverages provided.

(e) A copy of the fidelity bond in an amount equal to not less than 10 percent of the funds handled annually and issued in the name of the pooled risk management program covering its trustees, directors, employees, administrator, or other individuals managing or handling the funds or assets of the pooled risk management program. In no case may such bond be less than $1,000 or more than $500,000, except that the commissioner, after due notice to all interested parties and opportunity for hearing, and after consideration of the record, may prescribe an amount in excess of $500,000 subject to the 10 percent limitation.

(f) A copy of the pooled risk management program's excess insurance agreement, if any.

(g) A business plan setting out the lines of coverage the program intends to write, the projected membership amount, a plan of capitalization, and such other plan information as the commissioner may require.

(h) Evidence satisfactory to the commissioner showing that the arrangement will be operated in accordance with sound actuarial principles. The commissioner shall not approve the arrangement unless the commissioner determines that the plan is designed to provide sufficient revenues, reserves, and surplus to pay current and future liabilities, as determined in accordance with sound actuarial principles and risk based capital standards as set out in RSA 404-F.

(i) Such additional information as the commissioner may require.

IV. A license renewal applications with such form and content as shall be established by the commissioner and the license renewal fee shall be filed with the commissioner by September 1 of each year.

V. A person, other than a pooled risk management program, shall not sell, solicit, or negotiate pooled risk management program coverage in this state for any line of coverage permitted under this chapter unless the person is licensed for that line of coverage in accordance with this RSA 402-J.

420-R:5 Applicable Regulatory Standards.

I. Any pooled risk management program meeting the standards required under this chapter is not an insurance company, reciprocal insurer, or insurer under the laws of this state, and administration of any activities of the plan shall not constitute doing an insurance business for purposes of regulation or taxation. Pooled risk management programs shall not be subject to the premium tax under RSA 400-A:32 and shall not be subject to assessment with respect to the administration fund under RSA 400-A:39.

II. Pooled risk management programs shall be governed by this chapter and shall be exempt from this title, except for the provisions of: RSA 400-A:16, relative to investigations; RSA 400-A:17 through 24, relative to hearings and appeals; RSA 400-A:37, relative to examinations; RSA 401-B, relative to insurance holding companies; RSA 402:28, relative to the regulation of investments of insurance companies other than life insurance companies; RSA 402-C, relative to receivership; RSA 402-J, relative to producer licensing, RSA 402-M, relative to administrative supervision; RSA 404-F, relative to RBC; RSA 420-G:11, II, II-a, and IV, relative to the submission of claims data to the department; RSA 401-B:3, 4, and 5 relative to insurance holding companies; and RSA 411-A, relative to the regulation of investments of life insurance companies.

420-R:6 Governance.

I. To meet requirements for licensure and to maintain a pooled risk management program, a program shall be:

(a) A nonprofit;

(b) Established as a legal entity organized under New Hampshire law; and

(c) Governed by written bylaws which shall detail the terms of eligibility for participation by political subdivisions, the governance of the program and other matters necessary to the program's operation.

II. The board of directors who shall manage the business and affairs of the program, shall be comprised of:

(a) For programs offering employee health and welfare benefits under RSA 420-R:4, III (f) and (g), 6 member representatives, 6 employee representatives and 3 public representatives; and

(b) For all other programs, 12 member representative and 3 public representatives.

III. Any bylaw developed by the board of directors shall require approval of 2/3 of the directors.

IV. Directors shall not receive compensation but may be reimbursed for mileage and other reasonable expenses. Directors shall comply with the provisions of RSA 15-A. Directors shall have a fiduciary responsibility to act in the best interest of the pooled risk management program.

420-R:7 Approval of Rates. Each pooled risk management program shall file with the insurance commissioner a full schedule of the rates to be paid by participating members and shall obtain the commissioner's approval prior to implementing any rate changes. The commissioner may refuse such approval if he or she finds the rates are excessive, inadequate, or unfairly discriminatory.

420-R:8 Financial Reporting.

I. Each pooled risk management program shall file with the commissioner on March 1 a report verified by an appropriate official of the program which shall include:

(a) The program's financial statements, including its balance sheet and statement of income and expenditures for the preceding year, certified by an independent certified public accountant;

(b) Such other financial information relating to the program's performance as the commissioner may require.

II. The commissioner may prescribe a uniform reporting format for the preparation of the audited financial statements and may also prescribe a uniform accounting system to be used by pooled risk management programs.

III. Each pooled risk management program shall, in accordance with RSA 404-F, file with the commissioner on March 1st, a report verified by an appropriate official of the program, showing its RBC levels as of the end of the calendar year just ended, in a form and containing such information as is required by the RBC instructions. The commissioner shall provide written guidance on how to apply the RBC instructions to pooled risk management programs.

420-R:9 Minimum Capital.

I. Each pooled risk management program shall seek to maintain capital above the RBC levels required for insurers under RSA 404-F.

II. To protect the interest of participating members, creditors and the public in the event that a pooled risk management program is financially impaired, the commissioner shall apply the corrective measures and take such other actions as deemed appropriate under RSA 402-C, RSA 402-M, and RSA 404-F in the same manner as may be taken against insurers under those provisions.

420-R:10 Guaranty Funds Authorized. With prior approval from the commissioner, a program may voluntarily implement the following guaranty measures to protect from financial impairment. In addition, the commissioner may require any of the following guaranty measures if a program's RBC is above company action level but less than the product of its authorized control level RBC and 3.0 with a negative trend.

I. Any pooled risk management program may establish a guaranty fund out of surplus in any amount not to exceed 1/2 its net surplus by appropriation from its net assets. Such guaranty fund shall be considered as paid up capital and be available to meet the obligations of the program, but not to pay dividends or to be otherwise distributed except to meet the obligations of the program when all other assets of the program shall become exhausted.

II. Any pooled risk management program may create not more than one guaranty fund by borrowing a sum of money not exceeding $1,000,000 by the issue of certificates of indebtedness upon such terms as the members shall determine, provided that such certificates shall not be divided into classes in any way and that the holders of such certificates shall not be entitled to vote in the direction of the affairs of the program and shall not receive a greater return on their investment than 10 percent per annum. The commissioner, upon notice to the program and after hearing its objections, if any, may require any guaranty fund established under this section to be retired when he or she shall find it is no longer needed for protection of covered persons, creditors, or the general public.

III. Any pooled risk management program that has created a guaranty fund under either of the 2 preceding sections may, with the approval of the insurance commissioner, reduce or retire such fund in whole or in part, but it may not be otherwise distributed except to pay the obligations of the program.

420-R:11 Excess Insurance. Each pooled risk management program shall seek to maintain aggregate excess insurance or a deposit with the commissioner of unimpaired surplus which excess insurance or deposit shall be used in the event that the program's resources are exhausted in a given fiscal period. The excess insurance or deposit, or combination of excess insurance and deposit shall be, at a minimum, in the amount of $5,000,000 unless the commissioner determines a lesser amount would be adequate.

420-R:12 Return of Capital.

I. If, on the last day of the calendar year, a program's RBC, as measured under the provisions of RSA 404-F, is more than the product of its authorized control level and 6.0, then the board of directors shall vote, by April 1 of the succeeding year, on the question whether to make a return of excess surplus to members through the declaration of a dividend, return of capital, or return of premium.

II. Regardless of its RBC level, any dividend, return of capital, or return of premium proposed by the board of a program shall be reviewed and approved prior to distribution by the commissioner under such terms of RSA 401-B:5, II, as are applicable to pooled risk management programs as determined by the commissioner.

420-R:13 Examination.

I. The commissioner shall make an examination of each pooled risk management program under the terms of RSA 400-A:37 as often as he or she deems necessary, but not less frequently than once in every 5 years. All examinations shall be conducted at the expense of the program.

II. Each program shall submit its books and records relating to its operations to such examinations and in every way facilitate them. For the purpose of examinations, the commissioner may issue subpoenas, administer oaths to, and examine the officers and agents of the program.

420-R:14 Investments. The assets of any pooled risk management program shall be invested is those securities and investments permitted for insurers in this state under RSA 402:28 and RSA 411-A as applicable.

420-R:15 Acquisition of Control or Merger.

I. A pooled risk management program may acquire control of or merge with any other pooled risk management program licensed in this state by complying with the provisions of this section and with such terms of RSA 401-B:3 as are applicable to pooled risk management programs as determined by the commissioner. It shall file with the commissioner:

(a) A certified copy of the written contract containing in full the terms and conditions of the consolidation or merger;

(b) A sworn statement by the president and secretary or corresponding officers of each program showing the financial condition thereof on a date fixed by the commissioner but not earlier than December 31, next preceding the date of the contract;

(c) A certificate of such officers, duly verified by their respective oaths, that the consolidation or merger has been approved by a 2/3 vote of the board of each program, such vote being conducted at a regular or special meeting of each board, or, if the program's laws so permit, by mail;

(d) Evidence that at least 60 days prior to the action of the board of each program, the text of the contract has been furnished to all members of each program either by mail or by publication in full in an official publication of each program; and

(e) Any information that a domestic insurer is required to file with the commissioner under RSA 401-B:3, I through V, that the commissioner deems to be applicable to pooled risk management programs.

II. If the commissioner finds that the contract is in conformity with the provisions of this section, that the financial statements are correct, that the standards set out in RSA 401-B:3, VI(a) are met, and that the acquisition or merger is just and equitable to the members of each program, the commissioner shall approve the contract and issue a certificate to such effect. Upon such approval, the contract shall be in full force and effect. In case such contract is not approved it shall be inoperative, and the fact of submission and its contents shall not be disclosed by the commissioner.

III. Upon a merger becoming effective as provided under this section, all the rights, franchises and interests of the merged programs in and to every species of property, real, personal or mixed, and things in action thereunto belonging shall be vested in the program resulting from or remaining after the merger without any other instrument, except that conveyances of real property may be evidenced by proper deeds, and the title to any real estate or interest therein, vested under the laws of this state in any of the programs merged, shall not revert or be in any way impaired by reason of the merger, but shall vest absolutely in the program resulting from or remaining after such merger.

420-R:16 Standards and Management of a Program Within a Holding Company System.

I. A pooled risk management program may be part of a holding company system only if all affiliates in the system are pooled risk management programs licensed under this chapter.

II. Any pooled risk management program that is a part of a pooled risk management program holding company system shall register with the commissioner under such terms of RSA 401-B:4 as are applicable to pooled risk management programs as determined by the commissioner.

III. All transactions within a pooled risk management program holding company system shall be approved by the commissioner under such terms of RSA 401-B:5, I, as are applicable to pooled risk management programs as determined by the commissioner.

420-R:17 Commissioner's Additional Enforcement Authority.

I. In addition to the solvency enforcement measures authorized in 420-R:9, II, when the commissioner, upon investigation, finds that: a pooled risk management program has failed to comply with any provision of this chapter; or is not fulfilling its contracts in good faith; or is conducting business fraudulently or in a manner hazardous to its covered persons, members, creditors, the public, or the business; or is acting outside its authority; or is operating as a pooled risk management program without a license, then the commissioner shall notify the program of such deficiency or deficiencies and state in writing the reasons for his or her dissatisfaction and requiring that the deficiency or deficiencies which exist be corrected.

II. After such notice, the program shall have a 30-day period in which to comply with the commissioner's request for correction or the submission of a corrective action plan. If the program fails to comply, the commissioner shall notify the program of such findings of noncompliance and require the program to show cause, on a date named, why: its license should not be suspended, revoked, or limited to servicing existing business only; or it should not be subject to a cease and desist order; or it should not be fined in an amount up to $2,500 per violation; or it should not be ordered to make restitution or refund to an aggrieved person.

III. Upon hearing, the commissioner shall issue such prohibitionary and mandatory orders as are reasonably necessary to secure compliance with the terms of this chapter and are within his or her enforcement powers as specified in RSA 420-R:17, II.

420-R:18 Appeals. All orders and decisions of the commissioner concerning matters within his or her jurisdiction under this chapter shall be subject to hearing and appeal as provided in RSA 400-A:17 through 24 and RSA 541. RSA 541:18 shall apply to orders and decisions of the commissioner affecting the rates of the program.

420-R:19 Rulemaking Authority. The commissioner may adopt rules in accordance with RSA 541-A, which are reasonable and necessary to administer and enforce the provisions of this chapter.

420-R:20 Powers; Liability.

I. Any program operating under this chapter, whether or not body corporate, may sue or be sued; make contracts; hold and dispose of real property; and borrow money, contract debts, and pledge assets in its name.

II. Participation by a political subdivision in a pooled risk management program formed and affirmed under this chapter shall not subject any such political subdivision to any liability to any third party for the acts or omissions of the pooled risk management program or any other political subdivision participating in the program.

420-R:21 Confidentiality.

I. Notwithstanding any provision of the law to the contrary, any information of any pooled risk management program formed or affirmed under this chapter pertaining to claims analysis or claims management shall be privileged and confidential and not subject to disclosure to any third party.

II. All reports and schedule of rates, to the extent the information therein is not otherwise required to be publicly available, which are filed with the commissioner constitute information that might be damaging to the risk pool management program if made available to competitors, and therefore shall be kept confidential by the commissioner. This information shall not be made public or be subject to subpoena, other than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner pursuant to this chapter or the applicable provisions of Title XXXVII as provided in RSA 420-R:5, II.

420-R:22 Severability. If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this chapter which can be given effect without the invalid provision or application, and to that end the provisions of this chapter are severable.

10 Repeal. RSA 402-H:11-b, relative to certain exemptions for third party administrators of pooled risk management programs, is repealed.

11 Effective Date.

I. RSA 5-B:5, I(i) as amended by section 3 of this act shall take effect July 1, 2026.

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

2025-2473h

AMENDED ANALYSIS

This bill:

I. Transfers authority over pooled risk management programs from the secretary of state to the insurance department.

II. Requires pooled risk management programs to be licensed by the insurance department.

III. Allows pooled risk management programs to establish a guaranty fund to protect from financial impairment.

IV. Requires pooled risk management programs to seek to maintain certain amounts in excess or stop loss coverage, unless the insurance commissioner determines that a lesser amount is appropriate.

V. Allows pooled risk management programs to issue assessable policies.

VI. Allows the insurance commissioner to examine the financials of pooled risk management programs under certain conditions.

Amendment to SB 300-FN
(2025-1719h)
Proposed by the Committee on Criminal Justice and Public Safety–c

Amend the bill by replacing section 1 with the following:

1 New Section; Child Sexual Abuse Images; Creation of Child Intimate Visual Representations. Amend RSA 649-A by inserting after section 3-b the following new section:

649-A:3-c Creation of Child Intimate Visual Representations.

I. No person shall knowingly create, produce, manufacture, or direct an intimate visual representation of a child for prurient purposes when that child is identifiable from the intimate visual representation itself or information displayed in connection with the intimate visual representation.

II. For purposes of this section, “intimate visual representation” means any visual depiction, including any photograph, film, video, digital image, synthetic image, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, in which a child’s intimate parts are depicted.

III. For purposes of this section, “intimate parts” means the fully unclothed, partially unclothed, or transparently clothed genitals, pubic area, or anus, or, if the person is female, a partially or fully exposed nipple, including exposure through transparent clothing.

IV. For purposes of this section, “synthetic image” means an image that has been altered or created depicting an individual’s image in a realistic but false representation of the individual.

V. For the purposes of this section, “prurient purposes” means for the purpose of sexual gratification or sexual arousal from viewing the intimate visual representation prohibited by this section.

VI. An offense under this section shall be a class B felony.

2025-1719h
AMENDED ANALYSIS

This bill makes it a class B felony and a tier II registrable offense for a person to knowingly create, produce, manufacture, or direct an intimate visual representation of a child for prurient purposes.

Amendment to SB 302-FN
(2025-2219h)
Proposed by the Committee on Environment and Agriculture–c

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

AN ACT requiring background checks for solid waste and hazardous waste facility owners, establishing a solid waste site evaluation committee and temporarily suspends the issuance of solid waste permits by the department of environmental services, relative to the confiscation of animals from persons suspected of or charged with abuse of animals, and establishing a committee to study the animal cruelty statutes.

Amend RSA 147-A:4, II-c(b)(4) as inserted by section 1 of the bill by replacing it with the following:

(4) All persons set forth in subparagraph (b)(3) shall submit to the department a New Hampshire department of safety, division of state police, criminal history records release authorization form, as provided by the division of state police, which authorizes the division of state police to conduct a criminal history records check through its state records and through the Federal Bureau of Investigation and to release to the department, for the purposes of this section, a report of the criminal history and record information, including confidential criminal history record information, of the applicant and all persons set forth in subparagraph (b)(3). The release form shall name the assistant director of the department of environmental services waste management division and the administrator of the department of environmental services, hazardous waste management bureau as authorized recipients and shall specify any payment required by the division of state police.

Amend RSA 147-A:4, II-c(b)(6) as inserted by section 1 of the bill by replacing it with the following:

(6) The department shall submit the criminal records release authorization forms and fingerprint forms to the department of safety, division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the assistant director of the department of environmental services waste management division and the administrator of the department of environmental services, hazardous waste management bureau. The department shall maintain the confidentiality of all criminal history records information received pursuant to this section.

Amend RSA 147-A:4,II-d(a)-(b) as inserted by section 1 of the bill by replacing it with the following:

(a) The person fails to demonstrate sufficient reliability, expertise, integrity and competence to operate a hazardous waste facility.

(b) The person or any person set forth in RSA 147-A:4, II-c(b)(3) has been convicted of, or pled guilty or no contest to, a felony in any state or federal court during the 5 years before the date of the permit application.

Amend RSA 147-A:4, IV-a as inserted by section 2 of the bill by replacing it with the following:

IV-a. No permit issued by the department under this section shall be transferred by the permittee to any person without the prior written approval of the department. Applications for the transfer of permits shall be upon such forms and shall include such information as the department requires by rules adopted under RSA 147-A:3, IX. ***The applicant and all related persons as set forth RSA 147-A:4, II-c(b) shall comply with the performance history review and criminal record provisions of RSA 147-A:4, II-c in all respects.*** [~~The application information shall include, but not be limited to, a performance history of the applicant and of its officers and directors relative to the operation, financial security, and ownership of all facilities owned or operated by the applicant. Whenever requested by the department, the attorney general shall conduct a background investigation of the performance history and criminal record of the applicant and of its officers and directors, partners, and individuals or entities having managerial, supervisory, or substantial decision-making authority and responsibility for the management of operations or activities for which a permit is being sought, if any, and make a report to the department. The criminal background check shall consist of and follow the same procedures set forth in paragraph II-c. The applicant shall also submit a statement that the proposed facility is consistent with the provisions of a district plan. The cost of any investigation under this paragraph shall be borne by the applicant.~~] The department shall hold a public hearing no later than 30 days prior to making any final decision on an application to transfer a permit issued under this section. Notice of such public hearing shall be published in a newspaper of local circulation within the region of the public or private hazardous waste facility at least 2 weeks prior to such public hearing. The applicant shall notify abutters of the request for transfer of a permit under this section.

Amend RSA 149-M:9, III(a) as inserted by section 4 of the bill by replacing it with the following:

III.(a) Applications for permits shall be upon such forms and shall include such information as the department requires by rules adopted under RSA 149-M:7. The application information shall include, but not be limited to, a performance history of the applicant and of its owners, officers, directors, partners, members, or managers relative to the operation, financial security, and ownership of all facilities owned or operated by such persons. The applicant shall also demonstrate that the proposed facility provides a substantial public benefit pursuant to RSA 149-M:11.

Amend RSA 149-M:9, III(b)(4) as inserted by section 4 of the bill by replacing it with the following:

(4) All persons set forth in subparagraph (b)(3) shall submit to the department a New Hampshire department of safety, division of state police, criminal history records release authorization form, as provided by the division of state police, which authorizes the division of state police to conduct a criminal history records check through its state records and through the Federal Bureau of Investigation and to release to the department, for the purposes of this section, a report of the criminal history and record information, including confidential criminal history record information, of the applicant and all persons set forth in subparagraph (b)(3). The release form shall name the assistant director of the department of environmental services waste management division and the administrator of the department of environmental services, solid waste management bureau as authorized recipients and shall specify any payment required by the division of state police.

Amend RSA 149-M:9, III(b)(6) as inserted by section 4 of the bill by replacing it with the following:

(6) The department shall submit the criminal records release authorization forms and fingerprint forms to the department of safety, division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the assistant director of the department of environmental services waste management division and the administrator of the department of environmental services, solid waste management bureau. The department shall maintain the confidentiality of all criminal history records information received pursuant to this section.

Amend the bill by replacing all after section 7 with the following:

8 New Subdivision; Solid Waste Facility Site Evaluation Committee. Amend RSA 149-M by inserting after section 64 the following new subdivision:

Solid Waste Facility Site Evaluation Committee

149-M:65 Declaration of Purpose.

The legislature and the executive branch recognize that the selection of sites for major solid waste disposal facilities may have significant statewide, regional and local impacts that are not fully evaluated through existing regulatory review. Accordingly, the legislature and the executive branch find that it is in the public interest to establish a procedure to evaluate the local, regional and statewide benefits and burdens of a new major solid waste facility that are not captured by existing regulatory reviews, including noise, odor, aesthetics, local and regional economic impacts, property value impacts, nature and source of waste, need, impacts on tourism, recreation and traffic, and other similar impacts.

149-M:66 Definitions. In this subdivision:

I. "Acceptance" means a determination by the committee that it finds that the application is complete and ready for consideration.

II. "Administrator" means the administrator of the site evaluation committee established pursuant to RSA 162-H:3-a.

III. "Affected municipality" means any municipality or unincorporated place in which any part of a major solid waste disposal facility is proposed to be located and any municipality or unincorporated place from which any part of the proposed major solid waste disposal facility will be visible or audible, including off-site traffic impacts.

IV. "Certificate" means the document issued by the committee, containing such terms and conditions as the committee deems appropriate, that authorizes the applicant to proceed with the proposed site and facility.

V. "Commence construction" means any clearing of the land, excavation or other substantial action that would result in long-term impacts to the site of the proposed facility, but does not include land surveying, optioning or acquiring land or rights in land, changes desirable for temporary use of the land for public recreational uses, necessary subsurface explorations to determine hydrogeologic and soil conditions, work required as part of an application to any federal, state, or local authority, or other preconstruction monitoring or testing to establish background information related to the suitability of the site for the proposed use.

VI. "Committee" means the solid waste evaluation committee established by this chapter.

VII. "Department" means the department of environmental services.

VIII. "Major solid waste disposal facility" means a location, system, or physical structure for the collection, separation, storage, transfer, processing, treatment, or disposal of solid waste with a proposed waste acceptance rate greater than 100,000 tons per year. Major solid waste disposal facility does not include any facility proposed to be constructed by a New Hampshire municipal government.

IX. "Filing" means the date on which the application is first submitted to the committee.

X. "Person" means any individual, group, firm, partnership, corporation, cooperative, municipality, political subdivision, government agency, or other organization.

149-M:67 Solid Waste Evaluation Committee Established.

I. There is hereby established a committee to be known as the New Hampshire solid waste evaluation committee consisting of 5 members, as follows:

(a) The chairperson of the waste management council established under RSA 21-O:9, who shall serve as chairperson of the committee. If there is an appeal pending before the waste management council related to the major solid waste disposal facility, then the chairperson of the wetlands council, water council or air resources council established under RSA 21-O, selected by the commissioner of the department, shall serve as chairperson of the committee.

(b) The commissioner of the department of environmental services, or designee.

(c) Two members and, when required by RSA 149-M:68, an alternate member, appointed by the governor with the consent of the executive council, including a member who serves on a local conservation commission and a member who has expertise in the private waste management industry.

(d) One public member and, when required by RSA 149-M:68, an alternate public member, appointed by the governor with the consent of the executive council as described in RSA 149-M:68, with expertise or experience in one or more of the following areas: business management; environmental protection; natural resource protection; solid waste disposal facility design, construction, operation, or management; community and regional planning or economic development; municipal or county government; or the governing of unincorporated places.

II. All members, including those who sit for a member recused under RSA 149-M:68, shall refrain from ex parte communications regarding any matter pending before the committee. A majority of the members of the committee shall constitute a quorum for the purpose of conducting the committee's business.

III. The committee shall be administratively attached to the department of environmental services.

IV. The chairperson shall serve as the chief executive of the committee and may:

(a) Serve as presiding officer.

(b) Delegate to other members the duties of the presiding officer, as appropriate.

(c) Establish, with the consent of the committee, the budgetary requirements of the committee.

(d) Engage personnel in accordance with this chapter.

V. The presiding officer may appoint a hearing officer to perform the functions described in RSA 149-M:70, V.

149-M:68 Members Appointed By The Governor With The Consent Of Council.

I. Members and alternate members appointed under RSA 149-M:67, I(c) and (d) shall serve 4-year terms and until their successors are appointed and qualified. Any member chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the member who is succeeded.

II. If at any time the member appointed by the governor with the consent of the executive council must recuse himself or herself from a matter before the committee or is not otherwise available for good reason, the alternate member shall replace such member.

III. No member nor any member of his or her family shall receive income from entities that own or operate, or have applied to own or operate, major solid waste disposal facilities in New Hampshire. The members appointed by the governor with the consent of the executive council and their alternates shall comply with RSA 15-A and RSA 15-B.

IV. Any member appointed by the governor with the consent of the executive council may be removed from office in accordance with RSA 4:1.

149-M:69 Administrator and Other Committee Support.

The administrator shall provide support to the committee. If the administrator is not available or the position is vacant, the committee may hire an independent contractor at the expense of the applicant. The administrator shall be under the supervision of the chairperson when performing duties for the committee. The administrator shall be compensated for work performed for the committee as set forth in RSA 149-M:85. The administrator, or chairperson in the absence of an administrator, with committee approval, may engage additional technical, legal, or administrative support to fulfill the functions of the committee as necessary.

149-M:70 Powers and Duties of the Committee; Rules.

I. The committee shall:

(a) Evaluate and issue any certificate under this chapter for a major solid waste disposal facility.

(b) Determine the terms and conditions of any certificate issued under this chapter.

(c) Adjudicate enforcement matters.

(d) Assist the public in understanding the requirements of this chapter.

(e) Deny applications for a certificate based on such findings and rulings as may be necessary to support its decision to deny.

II. The committee shall hold hearings as required by this chapter and such additional hearings as it deems necessary and appropriate and, in addition to the requirements under RSA 91-A, ensure adequate and timely public notice of no less than 7 calendar days.

III. The committee may delegate to the administrator or such state agency or official as it deems appropriate the authority to specify the use of any technique, methodology, practice, or procedure approved by the committee within a certificate issued under this chapter, or the authority to specify minor changes in the major solid waste disposal facility configuration to the extent that such changes are authorized by the certificate for those portions of a proposed major solid waste disposal facility project.

IV. The committee shall not delegate its authority or duties except as provided under this chapter.

V. In any matter before the committee, the presiding officer, or a hearing officer designated by the presiding officer, may hear and decide procedural matters that are before the committee, including procedural schedules, consolidation of parties with substantially similar interests, discovery schedules and motions, and identification of significant disputed issues for hearing and decision by the committee. Undisputed petitions for intervention may be decided by the hearing officer and disputed petitions shall be decided by the presiding officer. Any party aggrieved by a decision on a petition to intervene may within 10 calendar days request that the committee review such decision. Other procedural decisions may be reviewed by the committee at its discretion.

VI. The committee shall issue such rules to administer this chapter, pursuant to RSA 541-A, after public notice and hearing, as may from time to time be required.

149-M:71 Prohibitions and Restrictions.

I. No person shall commence construction of any major solid waste disposal facility within the state unless it has obtained a certificate pursuant to this chapter. Such facilities shall be constructed, operated, and maintained in accordance with the terms of the certificate and any other federal, state, or local permits or approvals. Such certificates are not required for changes or additions to existing facilities unless they propose an increase in existing permitted annual throughput of greater than or equal to 50,000 tons per year. Such a certificate shall not be transferred or assigned without approval of the committee. Unless otherwise specified in this chapter, any approved major solid waste facility shall not be constructed, operated, or closed in a manner materially different than the manner in which it was presented in the application for a certificate as modified and conditioned by such certificate.

II. Notwithstanding RSA 541-A:29 or any other law to the contrary, an application for a certificate from the committee shall be approved or denied by the committee prior to final decisions on all other state agency permit applications. Applications for certificates may be filed and evaluated by the committee concurrently with other state approvals and public hearings may be scheduled concurrently with hearings held by other state agencies as part of their permitting process for the same facility.

III. Notwithstanding paragraph II, for facilities under review by the department for a permit on or prior to July 1, 2025, an application for a certificate from the committee shall be approved or denied after other state agency approvals have been obtained. The committee shall not consider technical questions already considered by other state or federal agencies, nor include terms or conditions in a certificate that have already been reviewed and decided upon by other state or federal agency regulatory reviews.

149-M:72 Application for Certificate.

I. All applications for a certificate for a major solid waste disposal facility shall be filed with the administrator or the chair of the committee.

II. Upon filing of an application, the chairperson or designated presiding officer shall expeditiously conduct a preliminary review to ascertain if the application contains sufficient information to carry out the purposes of this chapter. If the application does not contain such sufficient information, the chairperson or designated presiding officer shall, in writing, expeditiously notify the applicant of that fact and specify what information the applicant must supply.

III. To carry out the committee's duties in RSA 149-M:70, each application shall:

(a) Describe in reasonable detail the types and quantities of waste and their characteristics proposed to be accepted and size of each major part of the proposed facility.

(b) Describe in reasonable detail the source of waste to be accepted.

(c) Describe how the proposed facility satisfies the criteria listed under RSA 149-M:11,III.

(d) Identify both the applicant's preferred choice and other alternatives it considers available for the site and configuration of each major part of the proposed facility and the reasons for the applicant's preferred choice.

(e) Describe in reasonable detail the impact of each major part of the proposed facility on existing local, regional, and state land uses.

(f) Document that written notification of the proposed project, including appropriate copies of the application, has been given to the appropriate governing body of each affected municipality, as defined in RSA 149-M:66, III. The application shall include a list of the affected municipalities.

(g) Provide analysis on the local, regional and statewide visual impact of the proposed facility during construction, operation, and post-closure and the visual impacts as evaluated through a visual impact assessment prepared in accordance with professional standards by an expert in the field.

(h) Provide information in reasonable detail about the impacts on local, regional and state property values, human health, tourism, outdoor recreation, wildlife, traffic, noise, and odor by the proposed facility. These analyses shall be conducted in accordance with professional standards by an expert in these fields.

(i) Provide a reasonable amount of information relative to how new contaminants of concern not regulated by a permit issued by the department, will be monitored, evaluated and managed over the proposed life of the facility.

(j) Provide a reasonable amount of information relative to the economic impacts of the proposed facility on affected municipalities, the region, and the state.

(k) An assessment of greenhouse gas and other emissions emanating from the facility and from transport of solid waste-related material and by-products to and from the proposed facility.

(l) Potential economic benefits to the local area and potential infrastructure improvements associated with the proposed project.

(m) Provide such additional information as the committee may require or request to carry out the purpose of this chapter.

IV. To the extent any information provided in the application was submitted and considered by a state agency as part of its permitting evaluation and decision under RSA 149-M:71, III, the applicant shall specify what information was so considered and the statutory and regulatory authority for that agency's consideration of the information.

V. For all information submitted with the application that was prepared by an outside consultant or expert, the applicant shall submit the qualifications of such consultants or experts to prepare such information.

VI. The committee shall require the applicant to hire an independent third party at the expense of the applicant and agreed upon by the committee in consultation with the municipality where the facility is proposed to be located, to peer review any assessments provided under this section.

VII. The chairperson or designated presiding officer shall decide whether to accept the application as administratively complete within 60 days of filing. If the chairperson or designated presiding officer rejects an application because it determines it to be administratively incomplete, the applicant may choose to file a new and more complete application or cure the defects in the rejected application within 10 days of receipt of notification of rejection.

VIII. Public information sessions shall be held in accordance with RSA 149-M:76.

IX. Within 180 days of the acceptance of an application, the committee shall issue or deny a certificate for the proposed major solid waste disposal facility.

X. The applicant shall immediately inform the committee of any substantive modification to its application.

XI. The committee may require state agencies with relevant technical expertise to participate in committee proceedings.

XII. The department shall conduct a review of the application information submitted pursuant to RSA 149-M:72, III(c) to determine whether the facility has demonstrated that it satisfies the criteria in RSA 149-M:11, III. Such review shall be conducted in accordance with RSA 149-M:11. The department shall report its findings to the committee in order to inform the committee's decision on the application.

XIII. The committee may deny a permit application based upon the criteria in RSA 149-M:9, IX.

XIV. A state agency may intervene as a party in any committee proceeding in the same manner as other persons under RSA 541-A.

149-M:73 Disclosure of Ownership.

Any application for a certificate, or for change in ownership and transfer of certificate, shall be signed and sworn to by the person or executive officer of the association or corporation making such application and shall contain the following information:

I. Full name and address of the person, association, or corporation.

II. If an association or limited liability company, the name of the state under which it was formed, the names and residences of the members of the association or limited liability company.

III. If a corporation, the name of the state under which it is incorporated with its principal place of business and the names and addresses of its directors, officers and stockholders.

IV. If doing business in a form other than as an association, limited liability company or corporation, the form of the business, the name of the state under which it was formed, and the names and residences of anyone with a financial, ownership or control interest in the organization.

V. The location or locations where an applicant is to conduct its business.

VI. A statement of assets and liabilities of the applicant and other relevant financial information of such applicant.

VII. The committee shall administratively approve changes of ownership and transfers of certificates within 90 days of a petition if it determines the new certificate holder has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate and any federal, state and local permits.

149-M:74 Application and Filing Fees.

I. A person filing with the committee an application for a certificate for a major solid waste disposal facility, shall pay to the committee at the time of filing a fee determined in accordance with the fee schedule described in paragraph II. If an application for a certificate for a major solid waste disposal facility is deemed incomplete pursuant to RSA 149-M:72, VII, and a new application is submitted thereunder, the unused portion of the initial application fee shall be refunded to the applicant or credited to the filing of the new application. The committee may in its discretion provide for a credit or refund in other circumstances that are unforeseen by the applicant.

II. The fees under paragraph I shall be determined in accordance with a fee schedule posted by the committee on its website, which shall include the following amounts:

(a) Application fee for a major solid waste disposal facility: $20,000 base charge and $1,000 per additional 10,000 tons/year throughput in excess of 100,000 tons per year.

(b) Filing fees for administrative proceedings:

(1) Petition for committee jurisdiction: $500.

(2) Certificate transfer of ownership: $1,000.

(3) Request to modify a certificate: $1,000.

III. All fee charges shall be deposited in the solid waste evaluation committee fund established in RSA 149-M:84 and shall be nonlapsing and accounted for as a separate line item.

IV. The committee shall review and evaluate the application fees and filing fees in the fee schedule in subparagraphs II(a) and (b) at least once each year. The committee may increase any amount in the fee schedule by no more than the increase in the consumer price index from the prior year, provided that any such increase shall occur not more frequently than once during any 12-month period. Modifications to the fee schedule shall be posted on the committee website, with a link prominently displayed on the home page.

149-M:75 Counsel for the Public.

I. The chair or the administrator shall notify the attorney general of all administrative proceedings. The attorney general may appoint an assistant attorney general as counsel for the public in administrative proceedings. Upon notification that an application for a certificate has been filed with the committee in accordance with RSA 149-M:72, the attorney general shall appoint an assistant attorney general as a counsel for the public. The counsel shall represent the public in all aspects of the committee's authority. The counsel shall be accorded all the rights and privileges, and responsibilities of an attorney representing a party in formal action and shall serve until the decision to issue or deny a certificate is final.

II. This section shall not be construed to prevent any person from being heard or represented by counsel; provided, however, the committee may compel consolidation of representation for such persons as have, in the committee's reasonable judgment, substantially identical interests.

149-M:76 Public Hearing; Studies.

I. At least 30 days prior to filing an application for a certificate, an applicant shall hold at least one public information session in the affected municipality where the proposed facility is to be located. This session may be held concurrent with a public session held as a requirement of any other state permit or approval.

II. The committee may order the applicant to provide such additional public information sessions in affected municipalities as are reasonable to inform the public of the proposed project.

III. Within 90 days after acceptance of an application for a certificate, the committee shall hold at least one public information session in each the municipality where the proposed facility is proposed to be located.

IV. Subsequent public hearings shall be in the nature of adjudicative proceedings under RSA 541-A and shall be held in the municipality in which the proposed facility is to be located or in Concord, New Hampshire, as determined by the committee. The committee shall give adequate public notice of the time and place of each subsequent hearing.

V. The committee shall adopt rules regarding the timing and method of notices for public information sessions and public hearings and the any other requirements regarding such sessions and hearings.

VI. The committee shall consider and weigh all evidence presented at public hearings and shall consider and weigh written information and reports submitted to it by members of the public prior to the closing of the record of the proceeding. The committee shall provide an opportunity at one or more public hearings for comments from the governing body of each affected municipality and residents of each affected municipality. The committee shall consider, as appropriate, prior committee findings and rulings on the same or similar subject matters, but shall not be bound thereby.

VII. The solid waste evaluation committee shall require from the applicant whatever information it deems necessary to assist in the conduct of the hearings, and any investigation or studies it may undertake, and in the determination of the terms and conditions of any certificate under consideration.

VIII. The committee and counsel for the public shall conduct such reasonable studies and investigations as they deem necessary or appropriate to carry out the purposes of this chapter and may employ a consultant or consultants, legal counsel and other staff in furtherance of the duties imposed by this chapter, the cost of which shall be borne by the applicant or certificate holder in such amount as may be approved by the committee. The committee and counsel for the public are further authorized to assess the applicant or certificate holder for all travel and related expenses associated with the processing of an application or other proceedings under this chapter.

IX. Times for conducting public hearings and rendering a decision on the application may be extended for good cause upon written request of the applicant.

149-M:77 Judicial Review.

Decisions made pursuant to this chapter shall be appealed in accordance with RSA 541.

149-M:78 Monitoring and Enforcement.

I. The department shall monitor the construction and operation of any major solid waste disposal facility granted a certificate under this chapter, after all other subsequent approvals are obtained, to ensure compliance with such certificate and enforce the terms and conditions of any such certificate. With the exception of the authority retained by the state agencies in accordance with paragraph V, the department may delegate the authority to monitor the construction or operation of any major solid waste disposal facility granted a certificate under this chapter to such state agency or official as it deems appropriate but shall ensure that the terms and conditions of the certificate are met. Any authorized representative or delegate of the department shall have a right of entry onto the premises of any part of the solid waste generation facility to ascertain if the facility is being constructed or operated in continuing compliance with the terms and conditions of the certificate. During normal hours of business administration and on the premises of the facility, such a representative or delegate shall also have a right to inspect such records of the certificate-holder as are relevant to the terms or conditions of the certificate.

II. Whenever the department administratively determines, on its own or in response to a complaint, that any term or condition of any certificate issued under this chapter or prior law is being violated, it shall, in writing, notify the certificate holder of the specific violation and order the person to immediately terminate the violation. If, 15 days after receipt of the order, the person has failed or neglected to terminate the violation, the department shall notify the committee, which may suspend the person's certificate. In addition to suspension, if, after 15 days of receipt of the order, the person has failed or neglected to terminate the violation, the committee may impose a fine not to exceed $5,000 per day until the violation is corrected. Except for emergencies, prior to any suspension or imposition of a fine, the committee shall give written notice of its consideration of suspension or imposition of a fine and of its reasons therefor and shall provide opportunity for a prompt hearing.

III. In addition to other remedies provided in this chapter, upon petition of the department, the committee may suspend a certificate if the committee determines that a person has made a material misrepresentation in the application, or in the supplemental or additional statements of fact, or studies required of the applicant, or if the committee determines that the person has violated the provisions of this chapter, or any rule adopted under this chapter. Except for emergencies, prior to any suspension, the committee shall give written notice of its consideration of suspension and of its reasons therefor and shall provide an opportunity for a prompt hearing.

IV. Upon petition of the department, the committee may revoke any certificate that is suspended after the person holding the suspended certificate has been given at least 90 days' written notice of the committee's consideration of revocation and of its reasons therefor and has been provided an opportunity for a full hearing.

V. Notwithstanding any other provision of this chapter, each state agency having permitting or other regulatory authority shall retain all of its powers and duties of enforcement.

VI. The full amount of costs and expenses incurred by the department and committee in connection with any enforcement action against a person holding a certificate, in which the person is determined to have violated any provision of this chapter, any rule adopted by the department or committee, or any of the terms and conditions of the issued certificate, shall be assessed to the person and shall be paid by the person to the committee. Any amounts paid by a person to the committee pursuant to this paragraph shall be deposited in the solid waste evaluation committee fund established in RSA 149-M:84.

VII. The department may adopt rules in furtherance of its monitoring and enforcement responsibilities under this chapter.

149-M:79 Records.

Complete verbatim records shall be kept by the committee of all hearings, and records of all other actions, proceedings, and correspondence of the committee, including submittals of information and reports by members of the public, shall be maintained, all of which records shall be open to the public inspection and copying as provided for under RSA 91-A. Committee records regarding pending applications for a certificate shall also be made available on a website.

149-M:80 Temporary Suspension of Deliberations.

If the committee, at any time while an application for a certificate is before it, deems it to be in the public interest, it may temporarily suspend its deliberations and time frames established under this chapter.

149-M:81 Findings and Certificate Issuance.

I. Any certificate issued by the committee shall be based on the record. The decision to issue a certificate in its final form or to deny an application once it has been accepted shall be made by a majority of the committee.

II. The committee may consult with interested regional agencies and agencies of border states in the consideration of certificates.

III. After due consideration of all relevant information regarding the potential siting, including potential significant impacts and benefits, the committee shall determine if issuance of a certificate will serve the objectives of this chapter. In order to issue a certificate, the committee shall find that:

(a) The applicant has adequate financial, technical, and managerial capability to assure construction, operation, and closure of the facility in continuing compliance with the terms and conditions of the certificate.

(b) The facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.

(c) The facility satisfies the criteria in RSA 149-M:11, III.

(d) The net public benefit of the facility to the region shall outweigh any adverse impact of the facility on human health, aesthetics, historic preservation, economic impacts to the region, tourism, outdoor recreation, regional and statewide business development, wildlife, noise, odor, traffic impacts, existing land uses, including property values, characteristics and source of waste, and any other impacts assessed as part of the application pursuant to RSA 149-M:72, III.

(e) Issuance of a certificate will serve the public interest of the citizens of New Hampshire.

IV. The committee shall issue an order granting or denying a certificate. Such order shall summarize and address issues of concern expressed during public information sessions and hearings to ensure that the public's voice has been heard and recorded.

V. A certificate of site and facility may contain such reasonable terms and conditions, including, but not limited to the authority to require bonding, as the committee deems necessary. Such certificates, when issued, shall be final and subject only to judicial review.

VI. The committee shall condition the certificate upon the results of applicable federal and state approvals or appeal processes and required federal and state agency studies whose study period exceeds the application period.

149-M:82 Penalties.

I. Any construction or operation of major solid waste disposal facilities without first obtaining a certificate from the committee, or any material violation of the terms and conditions of a certificate issued by the committee, shall be subject to a civil penalty not to exceed $10,000 for each violation or for each day of a continuing violation. Such violation may also be enjoined by the superior court upon application of the attorney general.

II. Whoever purposely or knowingly commits any violation of any provision of this section shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

149-M:83 Severability.

If any provision of this chapter, or application thereof to any person or circumstance 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.

149-M:84 Fund Established; Funding Plan.

There is hereby established in the office of the state treasurer a nonlapsing, special fund to be known as the solid waste evaluation committee fund. All application and other filing fees received by the committee under this chapter shall be deposited in the fund. All moneys in the fund shall by continually appropriated to the committee and shall be used to pay for operating costs of the committee and the partial salary of the administrator. If the administrator position is vacant, the fund may be used to pay an independent contractor to perform those duties. Notwithstanding any other provision of law, the committee may engage the department for additional technical, legal, or administrative support to fulfill the requirements of this chapter, the cost of which shall be charged directly to the applicant or major solid waste disposal facility owner.

149-M:85 Compensation and Reimbursement.

I. The public members of the committee shall be compensated for all time spent on committee business, including compensation and reimbursement for major solid waste disposal facility proceeding time and expenses. Compensation shall be provided on a pro rata basis, based upon the daily salary rate of an unclassified position at the initial step in grade FF under RSA 94:1-a, I(a).

II. State agencies represented on the committee shall be reimbursed for major solid waste disposal facility proceeding time and expenses incurred by their respective members or designees, except that time spent for the first 5 full days of their participation with respect to any application or other proceeding concerning a major solid waste disposal facility shall not be subject to reimbursement. The rate of reimbursement to each respective agency shall be based on a pro rata share of the employee's salary, benefits, and related costs.

III. The department of justice shall be reimbursed in the same manner as described in paragraph II for major solid waste disposal facility proceeding time and expenses that are incurred by the counsel for the public.

IV. All persons or agencies seeking compensation or reimbursement under this section shall keep detailed time and expense records which shall be submitted to the chairperson or administrator and used to determine the amount of compensation or reimbursement. The chairperson or administrator shall develop a recordkeeping system and accounting and payment procedures.

V. Compensation shall not be provided to members of the committee for initial meetings conducted prior to acceptance of application fees. The department shall provide support for the adoption of rules established by the committee.

149-M:86 Solid Waste Permit Applications Suspended.

I. The department shall not issue any permit approvals that authorize new capacity for major solid waste disposal facilities until rules are adopted by the committee or until July 1, 2026, whichever is later. Nothing in this paragraph shall be construed to prohibit the approval of the design, construction, or operation of new waste disposal cells at existing facilities for which the waste disposal capacity has been approved prior to the effective date of this section.

II. Notwithstanding RSA 149-M:9, the department shall not issue any permit to construct or operate a new landfill facility in New Hampshire under RSA 149-M:9 until July 1, 2028. The department may accept applications, evaluate them for completeness, and request more information to make an application complete, but shall not proceed to further evaluation or process any applications, notwithstanding RSA 541-A:29, in order that any evaluation of need, benefit, harm, or appropriateness of the site proposed will await the development of new regulations, data, technologies, and policies.

III. Nothing in paragraph II shall be construed to prohibit the expansion or modification of any landfill facilities on any site on which, as of December 1, 2022, a Resource Conservation and Recovery Act (RCRA) Subtitle D landfill exists that has been permitted in accordance with RSA 149-M:9.

IV. In this section, the term "site" means a single parcel or adjacent parcels, owned in their entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one or more public utility easements traverse the site.

9 New Subparagraph; Solid Waste Evaluation Committee Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the solid waste evaluation committee fund as established in RSA 149-M:84.

10 Repeal. The following are repealed:

I. RSA 21-O:9, relative to the waste management council.

II. RSA 146-A:16, III, relative to appeals regarding oil discharge or spillage in surface water or groundwater.

III. RSA 146-C:9-a, III, relative to appeals regarding underground storage facilities.

IV. RSA 147:15, relative to appeals regarding hazardous waste management.

V. RSA 147-C:7, relative to appeals regarding hazardous waste facility reviews.

VI. RSA 149-M:8, relative to appeals regarding solid waste management.

11 Cruelty to Animals; Livestock. Amend RSA 644:8, IV(a) to read as follows:

IV.(a)(1) Any person charged with animal cruelty under paragraphs III or III-a may have his or her animals confiscated by the arresting officer. ***The investigating officer for a case involving livestock as defined in RSA 427:38, III shall be accompanied by the state veterinarian or their designee who shall set probable cause criteria for the taking of the animal or animals. No animal shall be confiscated unless a person is charged under this section, except when the officer believes that the animal's life is in imminent danger.***

(2) A person charged under this section may petition the court to seek an examination of the animals by a veterinarian licensed under RSA 332-B of his or her choice at the expense of the person charged. ***The person charged shall be made aware of such right in writing by the arresting officer.***

(3) If a person is charged under this section and is presented with any document to sign, the arresting officer shall explain the document to the person and the person shall affirm that they understand the document they are signing.

[~~(3)~~] ***(4)*** Courts shall give cases in which animals have been confiscated by an arresting officer priority on the court calendar. In cases in which animals have been confiscated by an arresting officer or his or her agency, a status hearing shall be held by the court within 14 days of the confiscation of the animals.

[~~(4)~~] ***(5)*** Any person with proof of sole ownership or co-ownership of an animal confiscated by an arresting officer in an animal cruelty case and who is not a defendant or party of interest in the criminal case may petition the court for temporary custody of the animal. The court shall give such person priority for temporary custody of the animal if the court determines it is in the best interest of the animal's health, safety, and wellbeing.

[~~(5)~~] ***(6)*** No custodian of an animal confiscated under this section shall spay or neuter or otherwise permanently alter the confiscated animal in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the animal ***or the owner of the animal agrees in writing to the procedure or treatment***. ***If the treating veterinarian determines the animal is in a state of extreme suffering, the animal may be euthanized.***

[~~(6)~~] ***(7)*** Upon a person's conviction of cruelty to animals, the court shall dispose of the confiscated animal in any manner it decides except in a case in which the confiscated animal is owned or co-owned by persons other than the defendant. If the defendant does not have an ownership interest in the confiscated animal, the court shall give priority to restoring full ownership rights to any person with proof of ownership if the court determines that such is in the best interest of the animal's health, safety, and wellbeing. If the confiscated animal is co-owned by the defendant, the court shall give priority to transferring the defendant's interest in the property to the remaining owner or co-owners equitably if the court determines that such is in the best interest of the animal's health, safety, and wellbeing.

[~~(7)~~] ***(8)*** The costs to provide the confiscated animals with humane care and adequate and necessary veterinary services, if any, incurred in boarding and treating the animal, pending disposition of the case, and in disposing of the animal upon a conviction of said person for cruelty to animals, shall be borne by the person so convicted in accordance with rules adopted by the department of agriculture, markets, and food.

(9) No confiscated animal or animals shall be used in any manner to solicit donations or to raise funds by any individual or organization that has protective custody of the animal or animals prior to a conviction for abuse or neglect under this section.

12 Confiscation of Animal. RSA 644:8, IV-a is repealed and reenacted to read as follows:

IV-a.(a) Except as provided in subparagraph (b) any appropriate law enforcement officer or municipal animal control officer may take into temporary protective custody any animal when the owner or caretaker is not present and there is probable cause to believe that it has been or is being abused or neglected in violation of paragraphs III or III-a when there is a clear and imminent danger to the animal's health or life and there is not sufficient time to obtain a court order. Such officer shall leave a written notice indicating the type and number of animals taken into protective custody, the name of the officer, the time and date taken, the reason it was taken, the procedure to have the animal returned and any other relevant information. Such notice shall be left at the location where the animal was taken into custody. The officer shall provide for proper care and housing of any animal taken into protective custody under this paragraph. Unless charges have been filed or a warrant establishing probable cause has been issued, the animal or animals shall be returned to the owner or their designee or caretaker upon request. If, after 7 days, the animal has not been returned or claimed, the officer shall petition the municipal or district court seeking either permanent custody or a one-week extension of custody or shall file charges under this section. If a week's extension is granted by the court and after a period of 14 days the animal remains unclaimed, the title and custody of the animal shall rest with the officer on behalf of the officer's department. The department may dispose of the animal in any lawful and humane manner as if it were the rightful owner. If after 14 days the officer or the officer's department determines that charges should be filed under this section, the officer shall petition the court. An owner of an animal taken into protective custody shall have the right as referenced in subparagraph IV(a)(2).

(b) For purposes of subparagraph (a) the investigating officer for livestock, as defined in RSA 427:38, III, shall be accompanied by a veterinarian licensed under RSA 332-B or the state veterinarian who shall set the probable cause criteria for taking the animal or animals.

(c) In cases where one or more lactating animals are confiscated, proof shall be provided by the confiscating party to the attending veterinarian and the owner or caretaker that proper care and facilities shall be provided for adults and offspring. No lactating animal shall be separated from its non-weaned offspring and vice versa.

(d) No person who has initiated an animal welfare complaint may take part in or be present during any investigation into such complaint, unless the complainant is an employee of a governmental agency. No person who may be called upon to take possession of any animal seized as a result of a complaint under this section may have taken part in the decision to seize any animal.

(e) In order to protect the integrity of complaint investigations an appropriate law enforcement officer shall require any person or their designated agent called upon to take possession of any animal seized or to assist during any complaint investigation, to sign a binding nondisclosure agreement intended to protect any shared or confidential information against unauthorized use pending final adjudication or dismissal of such complaint; provided that information may be disclosed only to officials with a need to know who are subject to confidentiality obligations.

(f) The confiscation of any animal or animals without the charging of the owner or caretaker, or without a warrant specifying probably cause, under paragraph IV shall be theft by unauthorized taking under RSA 637:3.

(g) No custodian of an animal in temporary protective custody under this section shall spay or neuter or otherwise permanently alter the confiscated animal in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the animal or the owner of the animal agrees in writing to the procedure or treatment. If the treating veterinarian determines the animal is in a state of extreme suffering, the animal may be euthanized.

13 Veterinarian Assistant. Amend RSA 644:8, V to read as follows:

V. A veterinarian licensed to practice in the state ***and any individual requested to provide assistance by law enforcement or the state veterinarian*** shall be held harmless from either criminal or civil liability for any decisions made for services rendered under the provisions of this section or RSA 435:11-16. Such a veterinarian ***or assisting individual*** is, therefore, under this paragraph, protected from a lawsuit for his part in an investigation of cruelty to animals.

14 State Veterinarian; Powers. Amend RSA 436:8 to read as follows:

436:8 Powers. The state veterinarian, under the direction of the commissioner, shall have all of the powers of the commissioner and shall have general charge of the enforcement of this chapter. Complaints under RSA 644:8, 644:8-a, 644:8-aa and any other law pertaining to the abuse of domestic animals, as defined under RSA 436:1, shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept. At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints. [~~In the event the commissioner becomes incapacitated or a vacancy occurs in the office, the state veterinarian shall perform all the duties of that office during any such incapacity or until any such vacancy is filled. The commissioner may direct the state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.~~]

15 New Paragraph; Assessing Applications Under the Cost of Care Fund; Use for Livestock. Amend RSA 437-B:1 by inserting after paragraph III the following new paragraph:

III-a. Applications for reimbursement for the care of livestock shall demonstrate to the commissioner that the livestock were seized properly according to statute with assurance that individuals with experience and professional knowledge in the care of the type of livestock seized were consulted and that proper due process was afforded to the animal owner.

16 Committee Established. There is established a committee to study review RSA 644:8 and RSA 644:8-a through 644:8-g to identify elements to clarify, reorganize, and update these sections.

17 Membership and Compensation.

I. 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) One member 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.

18 Duties. The committee shall:

I. Review RSA 644:8 and RSA 644:8-a through 644:8-g and address the following:

(a) Are these statutes consistent with current regulatory needs and practices?

(b) Are there overlapping, redundant, outdated, or conflicting statutes in RSA 644:8 and RSA 644:8-a through 644:8-g?

(c) Do any statutes need to be transferred from one chapter to another for clarity and consistency?

II. Work with agencies involved in the enforcement of RSA 644:8 and RSA 644:8-a through 644:8-g.

III. Identify any other issues that may be needed to fulfill the mission of this committee.

19 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.

20 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, 2025.

21 Effective Date.

I. Sections 1-7 of this act shall take effect 60 days after its passage.

II. Sections 8-9 of this act shall take effect July 1, 2025.

III. Sections 11-16 of this act shall take effect January 1, 2026

IV. The remainder of this act shall take effect up on its passage.

2025-2219h

AMENDED ANALYSIS

This bill:

I. Requires background checks for solid waste and hazardous waste facility owners including partners and managers.

II. Establishes the solid waste facility site evaluation committee, requires major solid waste disposal facilities to be certified by the solid waste facility site evaluation committee, and temporarily suspends the issuance of solid waste permits by the department of environmental services.

III. Prohibits the confiscation of animals from persons suspected of abuse of animals unless such person is charged with cruelty to animals or the animals require temporary protective custody.

IV. Requires the state veterinarian or their designee to accompany an investigating officer when livestock are the subject of a cruelty case in order to set probable cause criteria for the taking of the animal.

V. Establishes a committee to study certain animal cruelty statutes.