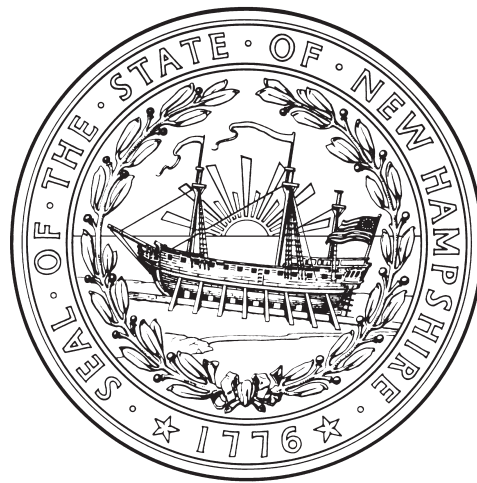


March 5, 2026
Nos. 4-5

STATE OF NEW HAMPSHIRE

Website Address: <https://gc.nh.gov>



**Second Year of the 169th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

ADJOURNMENT – FEBRUARY 19, 2026 SESSION

COMMENCEMENT – MARCH 5, 2026 SESSION

SENATE JOURNAL 4 *(continued)* February 19, 2026

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 266, (New Title) relative to structural changes to the department of energy and creating a limited exemption from parental consent required for certain recordings under the parental bill of rights and relative to the effect of murder on a decedent's estate.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1010, (New Title) relative to multi-family residential development on commercially zoned land.

HB 1033, establishing a commission to study the legislative bill enrollment process.

HB 1037, extending the commission to study OHRV use in New Hampshire and adding a member from the department of tourism.

HB 1088-FN-A, transferring funding for the water well board from the general fund to a special nonlapsing fund.

HB 1089, extending the authorization of the department of environmental services for the evaluation and mitigation of new community water system contamination risks.

HB 1090-FN, (New Title) relative to meals and rooms taxes.

HB 1102-FN, increasing the research and development tax credit cap.

HB 1126, repealing the certification requirement to perform residential mold assessments.

HB 1148, adding cyanobacteria and algae blooms to the study of the exotic aquatic weeds and species committee.

HB 1153-FN-LOCAL, (New Title) establishing a committee to study New Hampshire statutes relative to cats and dogs.

HB 1157-FN, relative to licensure as a pet vendor.

HB 1161, removing the requirement for municipalities to have an advisory board for development districts.

HB 1199, (New Title) enabling the fish and game department to create a permit and fee for the use of fish and game staff by other state agencies and departments.

HB 1274-FN-LOCAL, relative to dog licenses.

HB 1287, (New Title) relative to special number plates for veterans and eligibility therefore.

HB 1328-FN, (New Title) relative to alcohol and other drug use professionals and relative to the qualifications to obtain certain occupational licenses.

HB 1415-FN, (New Title) establishing a special veterans license plate and creating a fund and administrative programs from the proceeds of the sale of such plates and establishing the New Hampshire first for veterans program and authority.

HB 1435-FN, relative to changes to the Winnepesaukee river basin control replacement fund.

HB 1444-FN, relative to the purchase or acquisition of certain unmanned aircraft systems.

HB 1467-FN, (New Title) relative to the New Hampshire seal of civic excellence and engagement program.

HB 1499-FN, relative to additional grounds for eviction under the landlord and tenant statute.

HB 1511, relative to the membership of the agriculture in the classroom committee.

HB 1523-FN, relative to disclosure requirements for condominium associations.

HB 1539-FN, authorizing electric utilities to issue AAA-rated bonds for the purpose of storm cost recovery and infrastructure resilience.

HB 1549, establishing that titles, bills of sale, and identification documents are required only at initial registration or transfer of ownership.

HB 1574-FN, (New Title) relative to the extension of free and reduced price breakfast and lunch for students under the age of 22 and making an appropriation therefor.

HB 1598-FN, (New Title) relative to notice and proceedings for tenants and landlords engaged in eviction processes.

HB 1603-FN, (New Title) requiring the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensuring landowner permission is granted for the gathering of such record.

HB 1624-FN, relative to the elimination of certain special funds.

HB 1698, relative to electronic credentials.

HB 1711-FN, relative to governmental land uses.

HB 1730-FN, (New Title) enhancing the level of offense for certain sexual offenses.

HB 1758, relative to school bus drivers' certificates.

HB 1759, relative to the disqualification of a member of a local land use board.

HB 1768-FN, (NEW TITLE) exempting honorably discharged New Hampshire veterans from metered parking fees at state parks upon presenting acceptable proof of status and raising the value of individual gifts and donations that may be received by the division of parks and recreation without the approval of the governor or the executive council.

HB 1792-FN, prohibiting school districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 266, relative to structural changes to the department of energy and creating a limited exemption from parental consent required for certain recordings under the parental bill of rights and relative to the effect of murder on a decedent's estate.

Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

INTRODUCTION OF LEGISLATION

Senator Birdsell offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted in recess.

First and Second Reading and Referral

HB 1010, relative to multi-family residential development on commercially zoned land. (Commerce)

HB 1033, establishing a commission to study the legislative bill enrollment process. (Executive Departments and Administration)

HB 1037, extending the commission to study OHRV use in New Hampshire and adding a member from the department of tourism. (Executive Departments and Administration)

HB 1088-FN-A, transferring funding for the water well board from the general fund to a special nonlapsing fund. (Finance)

HB 1089, extending the authorization of the department of environmental services for the evaluation and mitigation of new community water system contamination risks. (Energy and Natural Resources)

HB 1090-FN, relative to meals and rooms taxes. (Ways and Means)

HB 1102-FN, increasing the research and development tax credit cap. (Ways and Means)

HB 1126, repealing the certification requirement to perform residential mold assessments. (Executive Departments and Administration)

HB 1148, adding cyanobacteria and algae blooms to the study of the exotic aquatic weeds and species committee. (Energy and Natural Resources)

HB 1153-FN-LOCAL, establishing a committee to study New Hampshire statutes relative to cats and dogs. (Energy and Natural Resources)

HB 1157-FN, relative to licensure as a pet vendor. (Executive Departments and Administration)

HB 1161, removing the requirement for municipalities to have an advisory board for development districts. (Election Law and Municipal Affairs)

HB 1199, enabling the fish and game department to create a permit and fee for the use of fish and game staff by other state agencies and departments. (Energy and Natural Resources)

HB 1274-FN-LOCAL, relative to dog licenses. (Election Law and Municipal Affairs)

HB 1287, relative to special number plates for veterans and eligibility therefore. (Executive Departments and Administration)

HB 1328-FN, relative to alcohol and other drug use professionals and relative to the qualifications to obtain certain occupational licenses. (Executive Departments and Administration)

HB 1415-FN, establishing a special veterans license plate and creating a fund and administrative programs from the proceeds of the sale of such plates and establishing the New Hampshire first for veterans program and authority. (Executive Departments and Administration)

HB 1435-FN, relative to changes to the Winnepesaukee river basin control replacement fund. (Finance)

HB 1444-FN, relative to the purchase or acquisition of certain unmanned aircraft systems. (Judiciary)

HB 1467-FN, relative to the New Hampshire seal of civic excellence and engagement program. (Education)

HB 1499-FN, relative to additional grounds for eviction under the landlord and tenant statute. (Judiciary)

HB 1511, relative to the membership of the agriculture in the classroom committee. (Executive Departments and Administration)

HB 1523-FN, relative to disclosure requirements for condominium associations. (Commerce)

HB 1539-FN, authorizing electric utilities to issue AAA-rated bonds for the purpose of storm cost recovery and infrastructure resilience. (Energy and Natural Resources)

HB 1549, establishing that titles, bills of sale, and identification documents are required only at initial registration or transfer of ownership. (Transportation)

HB 1574-FN, relative to the extension of free and reduced price breakfast and lunch for students under the age of 22 and making an appropriation therefor. (Education)

HB 1598-FN, relative to notice and proceedings for tenants and landlords engaged in eviction processes. (Judiciary)

HB 1603-FN, requiring the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensuring landowner permission is granted for the gathering of such record. (Energy and Natural Resources)

HB 1624-FN, relative to the elimination of certain special funds. (Finance)

HB 1698, relative to electronic credentials. (Transportation)

HB 1711-FN, relative to governmental land uses. (Election Law and Municipal Affairs)

HB 1730-FN, enhancing the level of offense for certain sexual offenses. (Judiciary)

HB 1758, relative to school bus drivers' certificates. (Transportation)

HB 1759, relative to the disqualification of a member of a local land use board. (Election Law and Municipal Affairs)

HB 1768-FN, exempting honorably discharged New Hampshire veterans from metered parking fees at state parks upon presenting acceptable proof of status and raising the value of individual gifts and donations that may be received by the division of parks and recreation without the approval of the governor or the executive council. (Executive Departments and Administration)

HB 1792-FN, prohibiting school districts and personnel from the instruction of critical race theory and LGBTQ+ ideologies in schools as well as establishing a private right of action for violations. (Education)

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Birdsell moved that the Senate adjourn from the Late Session.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 5

March 5, 2026

The Senate reconvened at 10:00 a.m., a quorum being present.

The Reverend Mark Warren, Chaplain to the Senate, offered the following prayer:

Good morning, Madam President. Good morning, Senators, guests, and staff. If your faith allows, would you pray with me?

Our Lord, we are mindful that many of our sons and daughters of the state, fathers and mothers of the state, have been requested to go into areas of conflict. This morning, we pray for their safety, for their protection.

This morning, Lord, we thank you for our senators. In many ways, the hours are long, the debates are hard; and yet, they serve the people of this state with great passion and fervor. Today, Lord, I ask that you would bless them, that you would strengthen them, that you would give them energy, clarity of mind. Lord, as bills continue to be debated, as the work of the state needs to continue on, I pray that common

ground would be found, that unity for the common good would be explored, and Lord, that our state, our great state, New Hampshire, the Granite State, would prosper in everything it does. We're grateful for the work that's being done here today. I pray a blessing over it. In your name we pray. Amen.

MOMENT OF SILENCE

PRESIDENT CARSON: Before we go on to the Pledge of Allegiance, I would also ask the Senators for a moment for prayer for our fellow New Hampshire citizens that have been activated, and are currently in a war zone, fighting for our country, and to please say a prayer for their family and their loved ones who are here, at home, supporting them.

Senator Gannon led the Pledge of Allegiance.

MOMENT OF SILENCE

PRESIDENT CARSON: We are asking for a moment of silence for the victims of the opioid overdose deaths. The number of our friends, our family members, our fellow citizens, who died to this awful, awful situation. We are celebrating today, not even celebrating, but recognizing it with black balloons, and you will see them out in the hallway. So if you could please say a prayer for those folks.

ANNOUNCEMENTS

PRESIDENT CARSON: Many of us know Marissa Chase. We've worked with her in a variety of different capacities over the years and I wanted to announce that Marissa and her husband Willie Craig are now the proud parents of twins. They have two little girls, Eloise Elizabeth and Cecilia Jean. All are happy and healthy and mom and dad are doing great, and they're gonna send us lots of pictures when they're ready. So again, I'd like to send the Senate's congratulations and our best wishes for these new parents and their beautiful little girls, who are strawberry blonde by the way.

So that is just, it truly is a blessing when we have children born, so thank you.

INTRODUCTION OF PAGES

(The Chair recognized Senator McGough.)

SENATOR MCGOUGH: Thank you, Madam President. It's my privilege to introduce to you, two Juniors from Milford High School, who've been here before actually visiting us as we celebrated their constitutional competition victory. They're here as part of their studies to learn even more about how government works. They are both part of the National Honor Society. They would both like to be one of the future business leaders of America and they're active in that group. Both actually hope to study to be lawyers, one specifically a constitutional lawyer, it should be no surprise. So I give you Marek Luba and Isis Gaitán from Milford High School. Thank you. Welcome. I hope you enjoyed your day here today.

PRESIDENT CARSON: Welcome. I hope you enjoyed your day here today.

Senator Rosenwald requested that the referral of SB 548-FN to the Committee on Finance be Waived.

Without objection, Senator Gray waived referral to the Committee on Finance on SB 548-FN, relative to health carrier provider contract standards. Adopted.

AMENDED FN Report for March 5, 2026

W/F	Bill	Title	R/C	Committee	Full Name
Waive	SB 444	prohibiting the use of animal testing when other comparable methods are available.	Consent	COM	Commerce
Waive	SB 482	establishing consumer protections for digital access transaction kiosks.	Consent	COM	Commerce
Waive	SB 523	establishing the registration and oversight of builders.	Consent	COM	Commerce
Waive	HB 529	relative to the liquor commission.	Consent	COM	Commerce
Waive	SB 581	modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.	Consent	EF	Education Finance
Waive	HB 366	(New Title) modifying the priority of applications for school building aid grants.	Consent	EF	Education Finance

Finance	SB 586	requiring school districts to publish a school administrative unit audit report after the end of the fiscal year.	Consent	ELMA	Election Law and Municipal Affairs
Waive	SB 643	requiring cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.	Consent	ELMA	Election Law and Municipal Affairs
Finance	HB 365	relative to proof of United States citizenship for indigent voters.	Consent	ELMA	Election Law and Municipal Affairs
Waive	SB 591	allowing utility companies to own or build generation facilities.	Consent	ENR	Energy and Natural Resources
Waive	SB 596	prohibiting smoking in Hampton Beach State Park.	Consent	ENR	Energy and Natural Resources
Waive	HB 392	(New Title) directing the dissolution of the department of health and human services' office of health access and the department of environmental services' functions for environmental justice.	Consent	EDA	Executive Departments and Administration
Waive	SB 441	requiring a municipality that intends to transport a person needing substance use disorder treatment and other support services to have a memorandum of understanding with the receiving municipality prior to transport.	Consent	HHS	Health and Human Services
Waive	SB 455	relative to health plan coverage of GLP-1 medications.	Consent	HHS	Health and Human Services
Waive	SB 480	limiting certain prior authorization requirements for physical therapy, occupational therapy, and similar rehabilitative services.	Consent	HHS	Health and Human Services
Finance	SB 498	relative to children's mental health services for persons 18 years of age and younger.	Consent	HHS	Health and Human Services
Finance	SB 506	relative to community engagement and work requirements under the state Medicaid program.	Consent	HHS	Health and Human Services
Finance Waive	SB 548	relative to health carrier provider contract standards.	Consent	HHS	Health and Human Services
Finance	SB 611	relative to rate setting parity for Medicaid state plan case management services.	Consent	HHS	Health and Human Services
Finance	SB 645	relative to income eligibility for the New Hampshire child care scholarship program and reallocating certain revenue to fund the program.	Consent	HHS	Health and Human Services
Waive	SB 646	relative to mental health standards of care.	Consent	HHS	Health and Human Services
Waive	SB 465	classifying xylazine as a schedule III controlled drug.	Consent	JUD	Judiciary
Waive	SB 619	establishing procedures for expedited court hearings and disposition of confiscated animals.	Consent	JUD	Judiciary
Waive	SB 624	restricting access to certain hemp-derived products.	Consent	JUD	Judiciary
Waive	HB 510	relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.	Consent	JUD	Judiciary
Waive	HB 1190	enabling the division of motor vehicles to create a temporary traditional driver's license for youth operators about to turn 21.	Consent	TRANS	Transportation
Waive	HB 1350	relative to antique motor vehicles.	Consent	TRANS	Transportation
Waive	HB 1485	relative to eligibility and fees for late refund requests of road tolls.	Consent	TRANS	Transportation
Waive	SB 580	(New Title) establishing a school cooperative purchasing program.	Regular	EDU	Education

Waive	SB 477	relative to increasing transparency in the 340B Drug Pricing Program.	Regular	HHS	Health and Human Services
Waive	SB 512	relative to fees to annul criminal records related to charges that do not result in conviction.	Regular	JUD	Judiciary
Waive	SB 551	relative to legal protections for legal reproductive health care services.	Regular	JUD	Judiciary
Finance	SB 621	establishing a homicide cold case commission for the purpose of acting as an intermediary between the department of justice and the family of cold case homicide victims.	Regular	JUD	Judiciary
Finance	SB 623	relative to requirements for law enforcement officers assisting in immigration enforcement.	Regular	JUD	Judiciary
Finance	SB 625	permitting family members of homicide victims to seek an evidentiary hearing in cases where the department of justice does not file charges in the case.	Regular	JUD	Judiciary
Finance	HB 186	relative to the legalization and regulation of cannabis and making appropriations therefor.	Regular	JUD	Judiciary
Finance	SB 635	establishing a health reimbursement arrangement tax credit program.	Regular	WM	Ways and Means
Finance	SB 654	creating tax credits for businesses that have on-site child care services and for businesses that provide health care coverage for certain employees.	Regular	WM	Ways and Means

Please Note: Senate Rule 4-5 requires every bill and joint resolution appropriating money, and every other bill which is accompanied by a fiscal note pursuant to RSA 14:44, which has been referred to another committee and found Ought to Pass by the Senate, shall be referred to the Senate Finance Committee for review, unless otherwise ordered by the Senate upon recommendation of the Chair of the Senate Finance Committee. Senator Gray has reviewed the bills on the Consent and

Regular Calendars to be acted upon by the Senate on March 5, 2026, and his recommendations are listed on this FN Report. Bills listed as Waive should be sent to Third Reading. Bills listed as Finance should be sent to the Senate Finance Committee. The recommendations are only applicable to bills found Ought to Pass.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

COMMERCE

SB 444-FN, by Senator Innis

SB 482-FN, by Senator Birdsell

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 643-FN, by Senator Avar

FINANCE

HB 104-FN, by Senator Sullivan

HEALTH AND HUMAN SERVICES

SB 441-FN, by Senator Gray

WAYS AND MEANS

SB 561, by Senator Murphy

SPECIAL ORDER

Without objection, the following bill is Special Ordered to Thursday, March 12, 2026. Adopted.

JUDICIARY

SB 512-FN, relative to fees to annul criminal records related to charges that do not result in conviction.

SPECIAL ORDER

Without objection, the following bills are Special Ordered to Thursday, March 19, 2026. Adopted.

COMMERCE

SB 482-FN, establishing consumer protections for digital access transaction kiosks.

HEALTH AND HUMAN SERVICES

SB 441-FN, requiring a municipality that intends to transport a person needing substance use disorder treatment and other support services to have a memorandum of understanding with the receiving municipality prior to transport.

SB 476, relative to consumer health care cost transparency.

CONSENT CALENDAR

Senator Birdsell moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought to Pass be ordered as follows:

FN bills not waived under Senate Rule 4-5, to the Committee on Finance; non-FN bills approved for referral to Finance by the day's FN Report, to the Committee on Finance; and all other bills, to Third Reading.

COMMERCE

SB 523-FN, establishing the registration and oversight of builders.

Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

This bill would establish a Board of Builder Registration that would set forth regulatory requirements for certain builders and general contractors engaged in construction-related business on any residential property. Given the complexity of this issue, and the concerns raised by stakeholders, the Committee believed this bill needed additional work. The Committee Amendment would replace the entirety of the bill with a commission to study the implementation of a residential builder registration system.

Senate Commerce

February 18, 2026

2026-0831s

09/05

Amendment to SB 523-FN

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

AN ACT establishing a commission to study the implementation of a residential builder registration system.

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

1 Findings and Statement of Purpose. The general court finds that the New Hampshire residential home building industry is essential to New Hampshire's economic vitality, workforce development, and housing availability. The general court also finds that while the overwhelming majority of New Hampshire builders operate with integrity and professionalism, isolated instances of fraud and abuse, often from out of state, have caused harm to consumers and undermined confidence in the industry. The general court recognizes that leaders within the New Hampshire residential building community have expressed a commitment to strengthening accountability measures and supporting reasonable mechanisms to promote transparency and consumer protection without creating unnecessary financial or regulatory burdens.

2 New Subdivision; Commission to Study the Implementation of a Residential Builder Registration System. Amend RSA 310-A by inserting after section 222 the following new subdivision:

Commission to Study the Implementation of a Residential Builder Registration System

310-A:223 Commission Established; Duties; Report.

I. There is established a commission to study the implementation of a statewide registration system for residential builders and contractors.

II. For the purposes of this section, "residential builder" shall mean a person or business entity whose primary source of income is derived from the construction, reconstruction, or substantial renovation of residential properties consisting of 4 or fewer dwelling units in a single building.

III. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives, at least one of whom shall have experience in municipal administration.

(c) One member from the department of justice, appointed by the attorney general.

(d) One member from the department of labor, appointed by the commissioner of labor.

(e) One member from the office of professional licensure and certification, appointed by the director.

(f) Two members with experience in residential home building, appointed by the New Hampshire Home Builders Association.

(g) The chief executive officer of the New Hampshire Home Builders Association, or the chief executive officer's designee.

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

V. The commission shall:

(a) Examine the viability, process, and necessity of implementing a statewide registration for residential builders.

(b) Assess whether a registration system would enhance consumer protection and address instances of fraud, misrepresentation, exploitation, and miscommunication.

(c) Evaluate the scope and structure of a registration system, including eligibility requirements, renewal standards, complaint procedures, fee structures, oversight, and disciplinary mechanisms.

(d) Identify which, if any, existing state agency or department would be best suited to oversee and administer a registration system, including but not limited to the department of labor, the office of professional licensure and certification, or the department of justice.

(e) Solicit testimony from members of the public, representatives of the residential building industry, municipal officials, consumer protection advocates, and other interested stakeholders.

(f) Recommend a fee structure sufficient to fully fund administration without reliance on general funds.

VI. The first-named senate member shall call the first meeting of the commission within 45 days of the effective date of this section. The commission shall elect a chairperson from among its members at its first meeting. Five members of the commission shall constitute a quorum.

VII. The commission shall submit a report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the chairs of the house and senate commerce committees, and the governor on or before November 30, 2026.

3 Repeal. RSA 310-A:223, and the subdivision heading preceding it, relative to commission to study the implementation of a residential builder registration system, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 30, 2026.

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

2026-0831s

AMENDED ANALYSIS

This bill establishes a commission to study the implementation of a residential builder registration system. HB 529, relative to the liquor commission. Ought to Pass, Vote 5-0. Senator Innis for the committee.

This bill would allow on-premises licensees to deliver liquor to customers who order a meal for home delivery, and it would restore penalties for the overserving of liquor by licensees. Products must be sealed and properly labeled to include the brand of the liquor used to make the beverage, the alcohol by volume, and the amount of liquor contained within the alcoholic beverage. To reduce confusion, this bill would add the transportation of liquor to RSA 178:21. This bill would also clarify that a restaurant would not violate their license if they close their business for a private party.

HB 565, allowing persons under 21 into veterans' clubs, private clubs, and social clubs under certain conditions. Ought to Pass, Vote 5-0. Senator Murphy for the committee.

This bill would allow individuals under 21 into veterans' clubs, private clubs, and social clubs if they are accompanied by a parent, legal guardian, or adult spouse, or if they present a valid military identification card. When an underage individual attends an event in one of these venues, they must be signed in and their age must be listed unless they have a military identification card. When a club is using a supplemental license, this bill would allow any individual under 21 to be allowed in rentable rooms approved by the Liquor Commission when beverages, specialty beverages, and liquor are served without a parent or guardian present.

HB 1168, relative to employer documentation requirements. Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

This bill would extend the time an employer has to file objections to a wage claim from 10 days to 30 days after receiving notice of the claim. Presently, employers have 10 days to investigate wage claims and respond to the Department of Labor. For small businesses who do not have a dedicated human resources department this can be challenging, especially if records are stored off-site or in archives. This bill would not remove any workplace protections; it would simply extend the amount of time to respond to claims. The Committee Amendment would change the timeframe for responding to a wage claim by an employer from 30 days to 20 days.

Senate Commerce
February 17, 2026
2026-0786s
05/09

Amendment to HB 1168

Amend the bill by replacing section 1 with the following:

1 Payment of Wages; Enforcement. Amend RSA 275:51, V to read as follows:

V. A wage claim may be filed by an employee or by the department on its own motion no later than 36 months from the date the wages were due. The commissioner shall notify the employer by serving upon the employer a copy of such claim and an order to file with the commissioner within ~~[10]~~ **20** days from the receipt of such notice any objections to such claim specifying the grounds therefor. Service may be by certified mail with return receipt. If objection is not made within ~~[10]~~ **20** days, the commissioner may order that payment be made in accordance with the claim. If requested, a hearing shall be afforded at which time any party may appear, with counsel if desired, and present evidence and cross-examine opposing witnesses. Any party, at the party's own expense, may cause a record to be made of the hearing. A written decision shall be made within 30 days after the hearing stating the decision and specifying the facts and conclusions upon which the decision is based. If wages are found to be due, an order for payment shall issue. Any party aggrieved by the decision may appeal to the superior court not later than 20 days from the date thereof by petition, setting forth that the decision is erroneous, in whole or in part, and specifying the grounds upon which the decision is claimed to be in error. Upon the filing of an appeal, the commissioner shall transfer to the court the record of the proceeding or a certified copy thereof. The scope of review by the superior court shall be limited to questions of law. After hearing and upon consideration of the record, the court may affirm, vacate or modify in whole or in part the decision of the commissioner, or may remand the matter to the commissioner for further findings. In the absence of a seasonable appeal, the decision and order shall be final, shall be entered upon the docket of the superior court at the request of the prevailing party, may be enforced as a judgment of the court, and shall be a lien upon the property of the employer situated in the state for a period of 3 years from the time of the decision. It is a requirement of this chapter for purposes of RSA 275:52 that a final order be immediately satisfied by the employer.

2026-0786s

AMENDED ANALYSIS

This bill extends the time an employer has to file objections to a wage claim from 10 days to 20 days after receiving notice of the claim.

EDUCATION

SB 575, establishing a study committee to study the issue of school bullying.
Ought to Pass, Vote 5-0. Senator Prentiss for the committee.

SB 575 establishes a study committee to examine school bullying and means to prevent it. A similar bill passed the Senate unanimously last session, but no agreement was reached during the committee of conference.

EDUCATION FINANCE

SB 581-FN, modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.
Interim Study, Vote 6-0. Senator Innis for the committee.

SB 581-FN repeals the priority guidelines and the enrollment cap for education freedom accounts (EFAs). The bill also removes references to both priority guidelines and the enrollment cap relative to applications for EFAs. The cap for the EFA program was put in place to provide predictability and projection during a difficult budget year. Therefore, the committee decided to adopt the Interim Study motion on this bill.

HB 366-FN-A, modifying the priority of applications for school building aid grants.
Inexpedient to Legislate, Vote 6-0. Senator Murphy for the committee.

This bill removes the prioritization of school construction project applications that received insufficient funds in the previous fiscal year and applications with critical needs over newer applications. The prime sponsor, Rep. Michael Cahill, testified to the Education Finance Committee that he opposed this bill because it was substantially amended by the House. Therefore, the committee approved the ITL motion.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 438, enabling the department of safety and the secretary of state to develop a process to share certain information regarding REAL ID applicants.
Ought to Pass with Amendment, Vote 5-0. Senator Perkins Kwoka for the committee.

This bill authorizes the Department of Safety and the Secretary of State to establish a process for sharing certain information about REAL ID applicants. The amendment changes the current statute from “may” to “shall” and requires the departments to review this process every three years to stay current with legal changes.

Senate Election Law and Municipal Affairs
February 17, 2026
2026-0773s
08/09

Amendment to SB 438

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

AN ACT relative to the sharing of data between the department of safety and the secretary of state for the purposes of verifying the accuracy of information in the centralized voter registration database.

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

1 Centralized Voter Registration Database. Amend RSA 654:45, IV(b) to read as follows:

(b) Voter database record data shall be verified by matching the records with those of the department of safety and the federal Social Security Administration as are required by law, and with the records of the state agency or division charged with maintaining vital records. For this purpose the voter registration record database may be linked to the state agency or division charged with maintaining vital records and the department of safety, provided that no linked agency or division may save or retain voter information or use it for purposes other than verifying the accuracy of the information to be entered or contained in the voter database. The link authorized by this subparagraph shall not allow the department of state or election officials direct access to the motor vehicle registration or driver's license records maintained by the division of motor vehicles; provided that such link shall authorize the department of state to identify voter records with out-of-state driver's license information where the record cannot be matched to an in-state driver's license obtained within the deadline provided in RSA 263:35. The secretary of state shall authorize the release of information from the voter database necessary for the department of safety to notify an individual pursuant to RSA 263:35, II. The commissioner of safety ~~[may]~~ **shall** authorize the release of information from motor vehicle registration and driver's license records to the extent that the information is necessary to department of state and department of safety cooperation in a

joint notification to individuals of apparent discrepancies in their records to the extent that the information is necessary to resolve those discrepancies or to complete voter registration. The commissioner of safety and the secretary of state ~~[are authorized to]~~ **shall** enter into an agreement that establishes the services to be provided by the department of safety and the cost for those services. ***Any agreement established shall be reviewed at least once every 3 years, or as needed.*** The department of safety shall not be required to provide any services under this subparagraph unless an agreement is in place and there are sufficient funds in the election fund to pay the cost for the services. The system shall facilitate the completion, identification, and correction of voter registration records, including but not limited to when a registered voter has died or has been disenfranchised pursuant to part I, article 11 of the New Hampshire constitution or RSA 654:5 through RSA 654:6, or when the domicile address does not match the address provided by the same individual to the department of safety or to verify citizenship for voter registration.

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

2026-0773s

AMENDED ANALYSIS

This bill requires the commissioner of safety and the secretary of state to enter into an agreement that enables the sharing of voter information from the department of safety with the secretary of state for use in the centralized voter database.

SB 586-FN, requiring school districts to publish a school administrative unit audit report after the end of the fiscal year.

Ought to Pass with Amendment, Vote 5-0. Senator Perkins Kwoka for the committee.

This bill requires school districts to publish an annual school administrative unit audit report. The committee amendment preserves transparency, adds practicality, and balances the needs of school districts striving in good faith to comply. The amendment also gives the Department of Education discretion to grant extensions in cases of submission issues.

Senate Election Law and Municipal Affairs

February 17, 2026

2026-0772s

07/08

Amendment to SB 586-FN

Amend RSA 198:4-d, III as inserted by section 1 of the bill by replacing it with the following:

III. Each city, school district, and chartered public school shall file a report for the preceding fiscal year showing a summary of receipts and expenditures, according to uniform classifications, and a balance sheet showing assets and liabilities at the close of the year. This report shall be either an audit completed and verified by an independent certified public accountant or, if no such audit is completed, a financial audit report filed by the governing body of the city, school district, or chartered public school that includes balance sheets; a breakdown of revenue sources; an itemized list of all employees or staff on payroll and their pay; and an itemized list of the school or district's assets, debts, bonds, lease agreements, and capital improvement investment projects. Upon receipt of the final audit or financial report, the school board shall submit the audit or financial report to the department of education. The audit or financial report for the last completed fiscal year shall be submitted within 6 months of the fiscal year. Each report submitted under this paragraph shall include a certification signed by the chairperson of the school district's governing body or the chairperson of the board of trustees of approved public academies that states: "I certify, under the pains and penalties of perjury, to the best of my knowledge and belief, that all of the information contained in this document is true, accurate, and complete." The commissioner of the department of education shall verify that the report appears complete within 6 months of receipt, comparing it against those submitted in prior years. The department may grant extensions to cities, school districts, chartered public schools, and school boards as needed to address any disputed items. Unless the district is actively working with the department to resolve any financial audit or report deficiencies, in no case shall the deficiencies exceed one year from the date of the submission. The commissioner shall withhold any and all state funding allocated to any non-compliant city, school district, or chartered public school until the audit or financial report is completed and submitted to the department, and any questions are answered to the commissioner's satisfaction.

HB 365-FN, relative to proof of United States citizenship for indigent voters.
Ought to Pass, Vote 3-2. Senator Gray for the committee.

HB 365-FN establishes a process for local election officials and the Secretary of State to verify a voter's citizenship when a voter lacks documentary proof. It also establishes a voucher program for low-income voters who cannot afford a birth certificate and requires the Secretary of State to reimburse municipalities for issuing those vouchers.

ENERGY AND NATURAL RESOURCES

SB 518, relative to asset condition projects.
Interim Study, Vote 5-0. Senator Avarð for the committee.

SB518 would have expanded the Site Evaluation Committee fund to cover monitoring and enforcement cost as well as clarifies the agencies role in the process. The committee decided the legislation needed more work and referred the bill to interim study.

SB 591-FN, allowing utility companies to own or build generation facilities.
Ought to Pass with Amendment, Vote 5-0. Senator Avarð for the committee.

The bill as amended authorizes electric utilities to own and invest more into local power projects. It also removes previous limits on non-renewable projects and requires that any investment must save customers more money than it costs. It also raises the cap on utility investment in distributed generation from 6 percent to 10 percent of peak demand.

Senate Energy and Natural Resources
February 17, 2026
2026-0779s
04/08

Amendment to SB 591-FN

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

AN ACT relative to electric utility investment in distributed energy resources.

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

1 Electric Utility Investment in Distributed Energy Resources. Amend RSA 374-G:4, II-III to read as follows:

II. Distributed electric generation owned by or receiving investments from an electric utility under this section shall be limited to a cumulative maximum in megawatts of [6] **10** percent of the utility's total distribution peak load in megawatts. This limitation shall not apply to [~~front-of-meter~~] energy storage[~~the energy storage pilot approved by commission order number 26,209;~~] or demand response.

[~~III. In addition, once the cumulative generation authorized under this chapter for a given public utility reaches 3 percent of the utility's total distribution peak load in megawatts, then that utility shall not be allowed to add any additional non-renewable generation under this chapter, until the cumulative renewable generation installed pursuant to this chapter, as a percentage of total generation installed pursuant to this chapter, shall equal or exceed twice the sum of the then-applicable percentage requirements for class I and class II under RSA 362-F:3.~~]

2 Electric Utility Investment in Distributed Energy Resources; Authorization. Amend RSA 374-G:5, II(h) to read as follows:

(h) Whether the expected value of the economic benefits, **direct and indirect**, of the investment to the utility's ratepayers over the life of the investment outweigh the economic costs to the utility's ratepayers.

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

2026-0779s

AMENDED ANALYSIS

This bill amends certain standards governing electric utility investment in distributed energy resources.

SB 596-FN, prohibiting smoking in Hampton Beach State Park.
Ought to Pass, Vote 5-0. Senator Pearl for the committee.

SB596 prohibits smoking in Hampton Beach State Park, including the RV park across the street from the beach. The committee stated that this legislation gives police and park authorities a clear enforcement tool to uphold the no-smoking policy and address violations when necessary.

SB 598, establishing the cyanobacteria mitigation loan and grant fund task force.
Ought to Pass with Amendment, Vote 5-0. Senator Pearl for the committee.

SB598 will establish a cyanobacteria mitigation loan and grant fund task force. The committee emphasized the need for a more sustainable and reliable funding mechanism. The amendment, 2026-0780s, creates a sunset provision as well as the appointment process of a lake and river association designee.

Senate Energy and Natural Resources
February 17, 2026
2026-0780s
08/07

Amendment to SB 598

Amend RSA 485-A:62, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) One member of the senate, appointed by the president of the senate.

Amend RSA 485-A:62, II(i) as inserted by section 1 of the bill by replacing it with the following:

(i) A director of a river association or their designee, appointed by the president of the senate.

(j) A director of a lake association or their designee, appointed by the speaker of the house of representatives.

Amend RSA 485-A:62, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The task force shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before January 1, 2027.

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

2 Repeal. RSA 485-A:62, relative to cyanobacteria mitigation loan and grant fund task force, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2027.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 425, relative to the terms and qualifications for the adjutant general and deputy adjutant general, and commandant of the New Hampshire veterans' home.

Ought to Pass with Amendment, Vote 4-0. Senator Reardon for the committee.

SB 425 would have originally amended the terms and qualifications for the adjunct general, deputy adjunct general, and Commandant of the New Hampshire Veteran's Home. As amended, SB 425 instead adopts the physician associate licensure compact in New Hampshire. The compact is important for rural care, workforce recruitment and retainment, preserves state authority, and aligns strategically with the rural health transformation program.

Senate Executive Departments and Administration
February 18, 2026
2026-0840s
05/09

Amendment to SB 425

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

AN ACT adopting the physician associate licensure compact.

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

1 New Section; Physician Associates; Physician Associate Licensure Compact Adopted. Amend RSA 328-D by inserting after section 18 the following new section:

328-D:18-a Physician Associate Licensure Compact Adopted. The state of New Hampshire hereby adopts the provisions of the physician associate licensure compact as follows:

Section 1. Purpose.

In order to strengthen access to medical services, and in recognition of the advances in the delivery of medical services, the participating states of the PA licensure compact have allied in common purpose to develop a comprehensive process that complements the existing authority of state licensing boards to license and discipline PAs and seeks to enhance the portability of a license to practice as a PA while safeguarding the safety of patients. This compact allows medical services to be provided by PAs, via the mutual recognition of the licensee's qualifying license by other compact participating states. This compact also adopts the prevailing standard for PA licensure and affirms that the practice and delivery of medical services by the PA occurs where the patient is located at the time of the patient encounter, and therefore requires the PA to be under the jurisdiction of the state licensing board where the patient is located. State licensing boards that participate in this compact retain the jurisdiction to impose adverse action against a compact privilege in that state issued to a PA through the procedures of this compact. The PA licensure compact will alleviate burdens for military families by allowing active duty military personnel and their spouses to obtain a compact privilege based on having an unrestricted license in good standing from a participating state.

Section 2. Definitions.

In this compact:

A. "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a PA license or license application or compact privilege such as license denial, censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

B. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another participating state to practice as a PA to provide medical services and other licensed activity to a patient located in the remote state under the remote state's laws and regulations.

C. "Conviction" means a finding by a court that an individual is guilty of a felony or misdemeanor offense through adjudication or entry of a plea of guilt or no contest to the charge by the offender.

D. "Criminal background check" means the submission of fingerprints or other biometric based information for a license applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 C.F.R. § 20.3(d), from the state's criminal history record repository as defined in 28 C.F.R. § 20.3(f).

E. "Data system" means the repository of information about licensees, including but not limited to license status and adverse actions, which is created and administered under the terms of this compact.

F. "Executive committee" means a group of directors and ex-officio individuals elected or appointed pursuant to Section 7.F.2.

G. "Impaired practitioner" means a PA whose practice is adversely affected by health related condition(s) that impact their ability to practice.

H. "Investigative information" means information, records, or documents received or generated by a licensing board pursuant to an investigation.

I. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of a PA in a state.

J. "License" means current authorization by a state, other than authorization pursuant to a compact privilege, for a PA to provide medical services, which would be unlawful without current authorization.

K. "Licensee" means an individual who holds a license from a state to provide medical services as a PA.

L. "Licensing board" means any state entity authorized to license and otherwise regulate PAs.

M. "Medical services" means health care services provided for the diagnosis, prevention, treatment, cure, or relief of a health condition, injury, or disease, as defined by a state's laws and regulations.

N. "Model compact" means the model for the PA licensure compact on file with the council of state governments or other entity as designated by the commission.

O. "Participating state" means a state that has enacted this compact.

P. "PA" means an individual who is licensed as a physician associate in a state. For purposes of this compact, any other title or status adopted by a state to replace the term "physician assistant" shall be deemed synonymous with "physician associate" and shall confer the same rights and responsibilities to the licensee under the provisions of this compact at the time of its enactment.

Q. "PA licensure compact commission," "compact commission," or "commission" mean the national administrative body created pursuant to section 7.A of this compact.

R. "Qualifying license" means an unrestricted license issued by a participating state to provide medical services as a PA.

S. "Remote state" means a participating state where a licensee who is not licensed as a PA is exercising or seeking to exercise the compact privilege.

T. "Rule" means a regulation promulgated by an entity that has the force and effect of law.

U. "Significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the PA to respond if required by state law, has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction.

V. "State" means any state, commonwealth, district, or territory of the United States.

Section 3. State Participation in this Compact.

A. To participate in this compact, a participating state shall:

1. License PAs.
2. Participate in the compact commission's data system.
3. Have a mechanism in place for receiving and investigating complaints against licensees and license applicants.
4. Notify the commission, in compliance with the terms of this compact and commission rules, of any adverse action against a licensee or license applicant and the existence of significant investigative information regarding a licensee or license applicant.
5. Fully implement a criminal background check requirement, within a time frame established by commission rule, by its licensing board receiving the results of a criminal background check and reporting to the commission whether the license applicant has been granted a license.
6. Comply with the rules of the compact commission.
7. Utilize passage of a recognized national exam such as the NCCPA PANCE as a requirement for PA licensure.
8. Grant the compact privilege to a holder of a qualifying license in a participating state.

B. Nothing in this compact prohibits a participating state from charging a fee for granting the compact privilege.

Section 4. Compact Privilege.

A. To exercise the compact privilege, a licensee must:

1. Have graduated from a PA program accredited by the Accreditation Review Commission on Education for the Physician Assistant, Inc. or other programs authorized by commission rule.
2. Hold current NCCPA certification.
3. Have no felony or misdemeanor conviction.
4. Have never had a controlled substance license, permit, or registration suspended or revoked by a state or by the United States Drug Enforcement Administration.
5. Have a unique identifier as determined by commission rule.

6. Hold a qualifying license.

7. Have had no revocation of a license or limitation or restriction on any license currently held due to an adverse action.

8. If a licensee has had a limitation or restriction on a license or compact privilege due to an adverse action, 2 years must have elapsed from the date on which the license or compact privilege is no longer limited or restricted due to the adverse action.

9. If a compact privilege has been revoked or is limited or restricted in a participating state for conduct that would not be a basis for disciplinary action in a participating state in which the licensee is practicing or applying to practice under a compact privilege, that participating state shall have the discretion not to consider such action as an adverse action requiring the denial or removal of a compact privilege in that state.

10. Notify the compact commission that the licensee is seeking the compact privilege in a remote state.

11. Meet any jurisprudence requirement of a remote state in which the licensee is seeking to practice under the compact privilege and pay any fees applicable to satisfying the jurisprudence requirement.

12. Report to the commission any adverse action taken by a non-participating state within 30 days after the action is taken.

B. The compact privilege is valid until the expiration or revocation of the qualifying license unless terminated pursuant to an adverse action. The licensee must also comply with all of the requirements of subsection A above to maintain the compact privilege in a remote state. If the participating state takes adverse action against a qualifying license, the licensee shall lose the compact privilege in any remote state in which the licensee has a compact privilege until all of the following occur:

1. The license is no longer limited or restricted; and

2. Two years have elapsed from the date on which the license is no longer limited or restricted due to the adverse action.

C. Once a restricted or limited license satisfies the requirements of subsection B.1 and 2, the licensee must meet the requirements of subsection A to obtain a compact privilege in any remote state.

D. For each remote state in which a PA seeks authority to prescribe controlled substances, the PA shall satisfy all requirements imposed by such state in granting or renewing such authority.

Section 5. Designation of the State from Which Licensee is Applying for a Compact Privilege.

A. Upon a licensee's application for a compact privilege, the licensee shall identify to the commission the participating state from which the licensee is applying, in accordance with applicable rules adopted by the commission, and subject to the following requirements:

1. When applying for a compact privilege, the licensee shall provide the commission with the address of the licensee's primary residence and thereafter shall immediately report to the commission any change in the address of the licensee's primary residence.

2. When applying for a compact privilege, the licensee is required to consent to accept service of process by mail at the licensee's primary residence on file with the commission with respect to any action brought against the licensee by the commission or a participating state, including a subpoena, with respect to any action brought or investigation conducted by the commission or a participating state.

Section 6. Adverse Actions.

A. A participating state in which a licensee is licensed shall have exclusive power to impose adverse action against the qualifying license issued by that participating state.

B. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to do all of the following:

1. Take adverse action against a PA's compact privilege within that state to remove a licensee's compact privilege or take other action necessary under applicable law to protect the health and safety of its citizens.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a participating state for the attendance and testimony of witnesses or the production of evidence from another participating state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and

procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Notwithstanding paragraph 2, subpoenas may not be issued by a participating state to gather evidence of conduct in another state that is lawful in that other state for the purpose of taking adverse action against a licensee's compact privilege or application for a compact privilege in that participating state.

4. Nothing in this compact authorizes a participating state to impose discipline against a PA's compact privilege or to deny an application for a compact privilege in that participating state for the individual's otherwise lawful practice in another state.

C. For purposes of taking adverse action, the participating state which issued the qualifying license shall give the same priority and effect to reported conduct received from any other participating state as it would if the conduct had occurred within the participating state which issued the qualifying license. In so doing, that participating state shall apply its own state laws to determine appropriate action.

D. A participating state, if otherwise permitted by state law, may recover from the affected PA the costs of investigations and disposition of cases resulting from any adverse action taken against that PA.

E. A participating state may take adverse action based on the factual findings of a remote state, provided that the participating state follows its own procedures for taking the adverse action.

F. Joint investigations.

1. In addition to the authority granted to a participating state by its respective state PA laws and regulations or other applicable state law, any participating state may participate with other participating states in joint investigations of licensees.

2. Participating states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under this compact.

G. If an adverse action is taken against a PA's qualifying license, the PA's compact privilege in all remote states shall be deactivated until 2 years have elapsed after all restrictions have been removed from the state license. All disciplinary orders by the participating state which issued the qualifying license that impose adverse action against a PA's license shall include a statement that the PA's compact privilege is deactivated in all participating states during the pendency of the order.

H. If any participating state takes adverse action, it promptly shall notify the administrator of the data system.

Section 7. Establishment of the PA Licensure Compact Commission.

A. The participating states hereby create and establish a joint government agency and national administrative body known as the PA licensure compact commission. The commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in section 11.A.

B. Membership, voting, and meetings.

1. Each participating state shall have and be limited to one delegate selected by that participating state's licensing board or, if the state has more than one licensing board, selected collectively by the participating state's licensing boards.

2. The delegate shall be either:

- a. A current PA, physician, or public member of a licensing board or PA council/committee; or
- b. An administrator of a licensing board.

3. Any delegate may be removed or suspended from office as provided by the laws of the state from which the delegate is appointed.

4. The participating state licensing board shall fill any vacancy occurring in the commission within 60 days.

5. Each delegate shall be entitled to one vote on all matters voted on by the commission and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telecommunications, video conference, or other means of communication.

6. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in this compact and the bylaws.

7. The commission shall establish by rule a term of office for delegates.

C. The commission shall have the following powers and duties:

1. Establish a code of ethics for the commission;

2. Establish the fiscal year of the commission;

3. Establish fees;

4. Establish bylaws;

5. Maintain its financial records in accordance with the bylaws;

6. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

7. Promulgate rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all participating states;

8. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;

9. Purchase and maintain insurance and bonds;

10. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a participating state;

11. Hire employees and engage contractors, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

12. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest;

13. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

14. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

15. Establish a budget and make expenditures;

16. Borrow money;

17. Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

18. Provide and receive information from, and cooperate with, law enforcement agencies;

19. Elect a chair, vice chair, secretary, and treasurer and such other officers of the commission as provided in the commission's bylaws.

20. Reserve for itself, in addition to those reserved exclusively to the commission under the compact, powers that the executive committee may not exercise;

21. Approve or disapprove a state's participation in the compact based upon its determination as to whether the state's compact legislation departs in a material manner from the model compact language;

22. Prepare and provide to the participating states an annual report; and

23. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of PA licensure and practice.

D. Meetings of the commission.

1. All meetings of the commission that are not closed pursuant to this subsection shall be open to the public. Notice of public meetings shall be posted on the commission's website at least 30 days prior to the public meeting.

2. Notwithstanding subsection D.1 of this section, the commission may convene a public meeting by providing at least 24 hours prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rulemaking under section 9.L.

3. The commission may convene in a closed, non-public meeting or non-public part of a public meeting to receive legal advice or to discuss:

- a. Non-compliance of a participating state with its obligations under this compact;
- b. The employment, compensation, discipline, or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation;
- d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- e. Accusing any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- h. Disclosure of investigative records compiled for law enforcement purposes;
- i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to this compact;
- j. Legal advice; or
- k. Matters specifically exempted from disclosure by federal or participating states' statutes.

4. If a meeting, or portion of a meeting, is closed pursuant to this provision, the chair of the meeting or the chair's designee shall certify that the meeting or portion of the meeting may be closed and shall reference each relevant exempting provision.

5. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

E. Financing of the commission.

1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each participating state and may impose compact privilege fees on licensees of participating states to whom a compact privilege is granted to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount levied on participating states shall be allocated based upon a formula to be determined by commission rule.

a. A compact privilege expires when the licensee's qualifying license in the participating state from which the licensee applied for the compact privilege expires.

b. If the licensee terminates the qualifying license through which the licensee applied for the compact privilege before its scheduled expiration, and the licensee has a qualifying license in another participating state, the licensee shall inform the commission that it is changing to that participating state the participating state through which it applies for a compact privilege and pay to the commission any compact privilege fee required by commission rule.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the participating states, except by and with the authority of the participating state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

F. The executive committee.

1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact and commission rules.

2. The executive committee shall be composed of 9 members:

a. Seven voting members who are elected by the commission from the current membership of the commission;

b. One ex-officio, nonvoting member from a recognized national PA professional association; and

c. One ex-officio, nonvoting member from a recognized national PA certification organization.

3. The ex-officio members will be selected by their respective organizations.

4. The commission may remove any member of the executive committee as provided in its bylaws.

5. The executive committee shall meet at least annually.

6. The executive committee shall have the following duties and responsibilities:

a. Recommend to the commission changes to the commission's rules or bylaws, changes to this compact legislation, fees to be paid by compact participating states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of participating states and provide compliance reports to the commission;

f. Establish additional committees as necessary;

g. Exercise the powers and duties of the commission during the interim between commission meetings, except for issuing proposed rulemaking or adopting commission rules or bylaws, or exercising any other powers and duties exclusively reserved to the commission by the commission's rules; and

h. Perform other duties as provided in the commission's rules or bylaws.

7. All meeting of the executive committee at which it votes or plans to vote on matters in exercising the powers and duties of the commission shall be open to the public and public notice of such meetings shall be given as public meetings of the commission are given.

8. The executive committee may convene in a closed, non-public meeting for the same reasons that the commission may convene in a non-public meeting as set forth in section 7.D 3 and shall announce the closed meeting as the commission is required to under section 7.D.4 and keep minutes of the closed meeting as the commission is required to under section 7.D.5.

G. Qualified immunity, defense, and indemnification.

1. The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall not in any way compromise or limit the immunity granted hereunder.

2. The commission shall defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

4. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses in any proceedings as authorized by commission rules.

5. Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

6. Nothing herein shall be construed to designate the venue or jurisdiction to bring actions for alleged acts of malpractice, professional misconduct, negligence, or other such civil action pertaining to the practice of a PA. All such matters shall be determined exclusively by state law other than this compact.

7. Nothing in this compact shall be interpreted to waive or otherwise abrogate a participating state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

8. Nothing in this compact shall be construed to be a waiver of sovereign immunity by the participating states or by the commission.

Section 8. Data System.

A. The commission shall provide for the development, maintenance, operation, and utilization of a coordinated data and reporting system containing licensure, adverse action, and the reporting of the existence of significant investigative information on all licensed PAs and applicants denied a license in participating states.

B. Notwithstanding any other state law to the contrary, a participating state shall submit a uniform data set to the data system on all PAs to whom this compact is applicable (utilizing a unique identifier) as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Any denial of application for licensure, and the reason(s) for such denial (excluding the reporting of any criminal history record information where prohibited by law);
5. The existence of significant investigative information; and
6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

C. Significant investigative information pertaining to a licensee in any participating state shall only be available to other participating states.

D. The commission shall promptly notify all participating states of any adverse action taken against a licensee or an individual applying for a license that has been reported to it. This adverse action information shall be available to any other participating state.

E. Participating states contributing information to the data system may, in accordance with state or federal law, designate information that may not be shared with the public without the express permission of the contributing state. Notwithstanding any such designation, such information shall be reported to the commission through the data system.

F. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the participating state contributing the information shall be removed from the data system upon reporting of such by the participating state to the commission.

G. The records and information provided to a participating state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a participating state.

Section 9. Rulemaking.

A. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Commission rules shall become binding as of the date specified by the commission for each rule.

B. The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer this compact and achieve its purposes. A commission rule shall be invalid and have not force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope of the purposes of this compact, or the powers granted hereunder, or based upon another applicable standard of review.

C. The rules of the commission shall have the force of law in each participating state, provided however that where the rules of the commission conflict with the laws of the participating state that establish the medical services a PA may perform in the participating state, as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

D. If a majority of the legislatures of the participating states rejects a commission rule, by enactment of a statute or resolution in the same manner used to adopt this compact within 4 years of the date of adoption of the rule, then such rule shall have no further force and effect in any participating state or to any state applying to participate in the compact.

E. Commission rules shall be adopted at a regular or special meeting of the commission.

F. Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission or other publicly accessible platform; and
2. To persons who have requested notice of the commission's notices of proposed rulemaking, and
3. In such other way(s) as the commission may by rule specify.

G. The notice of proposed rulemaking shall include:

1. The time, date, and location of the public hearing on the proposed rule and the proposed time, date, and location of the meeting in which the proposed rule will be considered and voted upon;
2. The text of the proposed rule and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person and the date by which written comments must be received; and
4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing or provide any written comments.

H. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

I. If the hearing is to be held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall as directed in the notice of proposed rulemaking, not less than 5 business days before the scheduled date of the hearing, notify the commission of their desire to appear and testify at the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings shall be recorded. A copy of the recording and the written comments, data, facts, opinions, and arguments received in response to the proposed rulemaking shall be made available to a person upon request.

4. Nothing in this section shall be construed as requiring a separate hearing on each proposed rule. Proposed rules may be grouped for the convenience of the commission at hearings required by this section.

J. Following the public hearing the commission shall consider all written and oral comments timely received.

K. The commission shall, by majority vote of all delegates, take final action on the proposed rule and shall determine the effective date of the rule, if adopted, based on the rulemaking record and the full text of the rule.

1. If adopted, the rule shall be posted on the commission's website.

2. The commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

3. The commission shall provide on its website an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

4. The commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in subsection L, the effective date of the rule shall be no sooner than 30 days after the commission issued the notice that it adopted the rule.

L. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 24 hours prior notice, without the opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in this compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately by the commission in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or participating state funds;
3. Meet a deadline for the promulgation of a commission rule that is established by federal law or rule; or
4. Protect public health and safety.

M. The commission or an authorized committee of the commission may direct revisions to a previously adopted commission rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made as set forth in the notice of revisions and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

N. No participating state's rulemaking requirements shall apply under this compact.

Section 10. Oversight, Dispute Resolution, and Enforcement.

A. Oversight.

1. The executive and judicial branches of state government in each participating state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

3. The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact or the commission's rules and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission with service of process shall render a judgment or order in such proceeding void as to the commission, this compact, or commission rules.

B. Default, technical assistance, and termination.

1. If the commission determines that a participating state has defaulted in the performance of its obligations or responsibilities under this compact or the commission rules, the commission shall provide written notice to the defaulting state and other participating states. The notice shall describe the default, the proposed means of curing the default and any other action that the commission may take and shall offer remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from this compact upon an affirmative vote of a majority of the delegates of the participating states, and all rights, privileges and benefits conferred by this compact upon such state may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of participation in this compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and to the licensing board(s) of each of the participating states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from this compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal its termination from the compact by the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

7. Upon the termination of a state's participation in the compact, the state shall immediately provide notice to all licensees within that state of such termination:

a. Licensees who have been granted a compact privilege in that state shall retain the compact privilege for 180 days following the effective date of such termination.

b. Licensees who are licensed in that state who have been granted a compact privilege in a participating state shall retain the compact privilege for 180 days unless the licensee also has a qualifying license in a participating state or obtains a qualifying license in a participating state before the 180-day period ends, in which case the compact privilege shall continue.

C. Dispute resolution.

1. Upon request by a participating state, the commission shall attempt to resolve disputes related to this compact that arise among participating states and between participating and non-participating states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement.

1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions of this compact and rules of the commission.

2. If compliance is not secured after all means to secure compliance have been exhausted, by majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices, against a participating state in default to enforce compliance with the provisions of this compact and the commission's promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

E. Legal action against the commission.

1. A participating state may initiate legal action against the commission in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

2. No person other than a participating state shall enforce this compact against the commission.

Section 11. Date of Implementation of the PA Licensure Compact Commission.

A. This compact shall come into effect on the date on which this compact statute is enacted into law in the seventh participating state.

1. On or after the effective date of the compact, the commission shall convene and review the enactment of each of the states that enacted the compact prior to the commission convening ("charter participating states") to determine if the statute enacted by each such charter participating state is materially different than the model compact.

a. A charter participating state whose enactment is found to be materially different from the model compact shall be entitled to the default process set forth in section 10.B.

b. If any participating state later withdraws from the compact or its participation is terminated, the commission shall remain in existence and the compact shall remain in effect even if the number of participating states should be less than 7. Participating states enacting the compact subsequent to the commission convening shall be subject to the process set forth in section 7.C.21 to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

2. Participating states enacting the compact subsequent to the 7 initial charter participating states shall be subject to the process set forth in section 7.C.21 to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

3. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

B. Any state that joins this compact shall be subject to the commission's rules and bylaws as they exist on the date on which this compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day this compact becomes law in that state.

C. Any participating state may withdraw from this compact by enacting a statute repealing the same.

1. A participating state's withdrawal shall not take effect until 180 days after enactment of the repealing statute. During this 180-day period, all compact privileges that were in effect in the withdrawing state and were granted to licensees licensed in the withdrawing state shall remain in effect. If any licensee licensed in the withdrawing state is also licensed in another participating state or obtains a license in another participating state within the 180 days, the licensee's compact privileges in other participating states shall not be affected by the passage of the 180 days.

2. Withdrawal shall not affect the continuing requirement of the state licensing boards of the withdrawing state to comply with the investigative, and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

3. Upon the enactment of a statute withdrawing a state from this compact, the state shall immediately provide notice of such withdrawal to all licensees within that state. Such withdrawing state shall continue to recognize all licenses granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal.

D. Nothing contained in this compact shall be construed to invalidate or prevent any PA licensure agreement or other cooperative arrangement between participating states and between a participating state and non-participating state that does not conflict with the provisions of this compact.

E. This compact may be amended by the participating states. No amendment to this compact shall become effective and binding upon any participating state until it is enacted materially in the same manner into the laws of all participating states as determined by the commission.

Section 12. Construction and Severability.

A. This compact and the commission's rulemaking authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rulemaking authority solely for those purposes.

B. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any participating state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person, or circumstance shall not be affected thereby.

C. Notwithstanding subsection B or this section, the commission may deny a state's participation in the compact or, in accordance with the requirements of section 10.B, terminate a participating state's participation in the compact, if it determines that a constitutional requirement of a participating state is, or would be with respect to a state seeking to participate in the compact, a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any participating state, the compact shall remain in full force and effect as to the remaining participating states and in full force and effect as to the participating state affected as to all severable matters.

Section 13. Binding Effect of Compact.

A. Nothing herein prevents the enforcement of any other law of a participating state that is not inconsistent with this compact.

B. Any laws in a participating state in conflict with this compact are superseded to the extent of the conflict.

C. All agreements between the commission and the participating states are binding in accordance with their terms.

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

2026-0840s

AMENDED ANALYSIS

This bill adopts the PA licensure compact.

HB 392-FN, directing the dissolution of the department of health and human services' office of health access and the department of environmental services' functions for environmental justice.
Inexpedient to Legislate, Vote 4-0. Senator Pearl for the committee.

HB 392-FN would eliminate the Department of Health and Human Services' Office of Health Access and the Department of Environmental Services' functions for environmental justice. The bill would significantly disrupt essential services relied upon by members of our community.

HB 1025, relative to the designation of the chief financial officer as a civilian employee within the department of military affairs and veterans services.
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

HB 1025 changes the statutory reference from the Chief Financial Officer of the New Hampshire National Guard to the Chief Financial Officer of the Department of Military Affairs and Veterans Services. This clarifies that the position is held by a civilian employee.

HB 1101, relative to the membership and governance of the state veterans council.
Ought to Pass, Vote 4-0. Senator Reardon for the committee.

HB 1101 amends the membership and governance of the State Veterans Council. It increases the total number of members from four to five by adding an additional veteran member. The bill also amends language to reflect the reorganization of veterans services, as it now falls under the Department of Military Affairs and Veteran Services.

HB 1152, designating the funds account for donations and bequests received by the department of military affairs and veterans services to be non-lapsing funds.
Ought to Pass, Vote 5-0. Senator Reardon for the committee.

HB 1152 makes clear that the funds account which takes donations for the Department of Military Affairs and Veterans service is a non-lapsing fund. This guarantees that contributions made to the Department remain available for its use. The bill does not affect the general fund, as the Department has ensured that these funds have not lapsed in the past.

HB 1162, extending the commission on Holocaust and genocide studies.
Ought to Pass, Vote 4-0. Senator Altschiller for the committee.

HB 1162 extends the final report deadline for the commission on Holocaust and genocide studies from November 1, 2026, to November 1, 2029. This extension gives the Commission time necessary to continue vital ongoing work. This work includes a recent survey of teachers across the state, the collection of primary source materials relevant to genocide studies, as well as collaboration with partners across the state such as the Department of Education and the Cohen Center.

HB 1193, naming a 911 call service center in Laconia in honor of Bruce G. Cheney.
Ought to Pass, Vote 4-0. Senator Reardon for the committee.

HB 1193 names the 911 call center in Laconia, New Hampshire after Bruce G. Cheney. The bill specifies that this is to be done in recognition of Mr. Cheney's contribution to the development of the statewide 911 emergency call system.

FINANCE

SB 528-FN, prohibiting receiving compensation for lobbying on behalf of a foreign adversary.
Ought to Pass with Amendment, Vote 8-0. Senator Birdsell for the committee.

This bill prohibits a lobbyist from receiving compensation for conducting lobbying activity on behalf of a foreign adversary, a foreign political party of a foreign adversary, or a foreign adversary client. The Senate Finance Committee amended Section 1 of the bill to remove references to the Venezuelan regime of Nicolas Maduro as well as the Syrian Arab Republic. Committee members also added a paragraph to Section 1 clarifying the bill shall not apply to any entities that are the subject of, or covered by, a qualified divestiture under the Protecting Americans from Foreign Adversary Controlled Applications Act, namely TikTok, the social media platform.

Senate Finance
February 18, 2026
2026-0845s
09/05

Amendment to SB 528-FN

Amend RSA 15:5-a, I(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Republic of Cuba;

Amend RSA 15:5-a as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. This section shall not apply to any entities that are the subject of, or covered by, a qualified divestiture under the Protecting Americans from Foreign Adversary Controlled Applications Act, Public Law 118-50, division H, including but not limited to any entity referenced in Executive Order 14352, dated September 25, 2025, whether or not such Executive Order is in effect.

Amend the bill by replacing section 3 with the following:

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

SB 603-FN, relative to the funding of the SNAP program by the department of health and human services.
Ought to Pass, Vote 8-0. Senator Birdsell for the committee.

This bill directs the Department of Health and Human Services to transfer funds as needed to address any budget reduction for the Supplemental Nutrition Assistance Program (SNAP) resulting from a decrease in federal funding. The bill is effective for the FY 2026/2027 biennium only, and requires any transfer in excess of \$100,000 to receive prior approval from the Fiscal Committee. The Senate Finance Committee recommends passage of SB 603-FN.

SB 663-FN-A, creating a Medicaid methodology working group within the department of health and human services and making an appropriation to the department of health and human services for eligible nursing facilities based on Medicaid reimbursement rates.

Ought to Pass with Amendment, Vote 8-0. Senator Lang for the committee.

This bill establishes a Medicaid methodology working group within the Department of Health and Human Services. Committee members amended SB 663-FN-A by removing the \$5 million appropriation included in the original bill. The Senate Finance Committee recommends passage of the bill as amended.

Senate Finance
February 18, 2026
2026-0803s
07/05

Amendment to SB 663-FN-A

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

AN ACT creating a Medicaid methodology working group within the department of health and human services.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

2026-0803s

AMENDED ANALYSIS

This bill creates a Medicaid methodology working group within the department of health and human services.

HEALTH AND HUMAN SERVICES

SB 455-FN, relative to health plan coverage of GLP-1 medications.

Ought to Pass with Amendment, Vote 5-0. Senator Prentiss for the committee.

As amended, this bill directs the Department of Health and Human Services to provide coverage for GLP-1 medication under the state Medicaid plan if such medication is medically necessary for a patient based on certain health conditions. This effort will assist in treating obesity from a medical care perspective and preventing associated chronic conditions.

Senate Health and Human Services
February 18, 2026
2026-0836s
05/07

Amendment to SB 455-FN

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

AN ACT relative to coverage for GLP-1 medication under the state Medicaid plan.

Amend the bill by replacing section 1 with the following:

1 New Section; State Medicaid Plan; GLP-1 Medication. Amend RSA 167 by inserting after section 3-m the following new section:

167:3-n State Medicaid Plan; GLP-1 Medication.

I. Medical assistance under the state Medicaid plan shall include coverage for GLP-1 medication if a health care provider licensed in the state of New Hampshire has determined that such medication is medically necessary for the patient and the patient meets one or more of the following:

- (a) BMI greater than or equal to 30 kg/m² (obesity); or
- (b) BMI greater than or equal to 27 kg/m² with at least one weight-related comorbidity, including:
 - (1) Type 2 diabetes.
 - (2) Hypertension.

- (3) Dyslipidemia.
- (4) Obstructive sleep apnea.
- (5) Cardiovascular disease.
- (6) Prediabetes.
- (7) Metabolic dysfunction associated steatotic liver disease.

II. The department of health and human services shall submit to CMS any amendment to the state Medicaid plan necessary for implementation no later than January 1, 2027.

2026-0836s

AMENDED ANALYSIS

This bill directs the department of health and human services to provide coverage for GLP-1 medication under the state Medicaid plan if such medication is medically necessary for a patient based on certain health conditions.

SB 480-FN, limiting certain prior authorization requirements for physical therapy, occupational therapy, and similar rehabilitative services.

Ought to Pass with Amendment, Vote 5-0. Senator Prentiss for the committee.

As amended, this bill prohibits health carriers from requiring prior authorization for the first physical or occupational therapy visit in any new episode of care, and mandates approval of at least 8 medically necessary treatments after the initial evaluation before further review. This bill also preserves insurers' ability to deny claims deemed not medically necessary. The committee amendment reflects the progress made thus far in stakeholder negotiations to address administrative barriers and treatment delays.

Senate Health and Human Services

February 18, 2026

2026-0838s

05/07

Amendment to SB 480-FN

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

1 New Section; Managed Care Law; Prior Authorization for Physical Therapy and Occupational Therapy; When Required. Amend RSA 420-J by inserting after section 6-e the following new section:

420-J:6-f Prior Authorization for Physical Therapy and Occupational Therapy; When Required.

I. A health carrier shall not require prior authorization for physical therapy and occupational therapy, as defined in RSA 328-A:2, XI and RSA 326-C:1, IV, respectively, for the first visit of each new episode of care. Health carriers may require prior authorization following the covered person's first visit. Each health carrier shall provide prior authorization for physical therapy and occupational therapy, if medically necessary based on the evaluation of the patient at the initial visit, for not less than 8 treatments before requiring additional review for medical necessity, unless otherwise specified in the plan sponsor's contract with the health carrier. For purposes of this section, "new episode of care" means treatment for a new condition or treatment for a recurring condition for which an enrollee has not been treated within the previous 60 days.

II. This section shall not limit the right of a health carrier to deny a claim when an appropriate prospective or retrospective review concludes that the health care services or treatment rendered were not medically necessary.

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

2026-0838s

AMENDED ANALYSIS

The bill prohibits health carriers from requiring prior authorization for the first physical or occupational therapy visit in any new episode of care, and mandates approval of at least 8 medically necessary treatments after the initial evaluation before further review. This bill also preserves insurers' ability to deny claims deemed not medically necessary.

SB 498-FN, relative to children's mental health services for persons 18 years of age and younger. Ought to Pass, Vote 4-1. Senator Birdsell for the committee.

This bill establishes the New Hampshire Children's Behavioral Health Association for the purpose of collecting assessments to fund payments to care management entities for the provision of childhood behavioral health services. This is part of an ongoing effort to address the fiscal situation regarding the FAST Forward program and commercially insured youth.

SB 506-FN, relative to community engagement and work requirements under the state Medicaid program. Interim Study, Vote 4-1. Senator Rochefort for the committee.

This bill is a request of the Department of Health and Human Services. It directs the Department to establish community engagement and work requirements under the New Hampshire Granite Advantage Health Care Program, or the state's expanded Medicaid program, pursuant to authorization for such requirements established in the One Big Beautiful Bill Act of 2025, Public Law 119-21. Committee members believe it is best to refer this bill to interim study, as this subject matter is being addressed in another bill.

SB 548-FN, relative to health carrier provider contract standards. Ought to Pass with Amendment, Vote 5-0. Senator Rochefort for the committee.

As amended, this bill allows the Insurance Department commissioner to hold an informational public hearing when a health carrier ends a provider contract affecting 1,000 or more patients, and includes requirements for continuity-of-care and patient notification. It also creates a standardized notice process to ensure patients receive information about contract terminations and their rights. The committee amendment represents a stakeholder compromise on the issue of protecting patients when contracts are terminated.

Senate Health and Human Services

February 18, 2026

2026-0837s

05/09

Amendment to SB 548-FN

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

1 New Section; Managed Care Law; Public Hearing Regarding Termination of Provider Contract; When Required. Amend RSA 420-J by inserting after section 7-e the following new section:

420-J:7-f Public Hearing Regarding Termination of Provider Contract; When Authorized.

I. The commissioner may, in the commissioner's discretion, hold a public hearing within 15 business days after receiving notice that a health carrier intends to terminate a contract with a provider when such termination will affect 1,000 or more covered persons. Any hearing held pursuant to this section shall be informational in nature and shall not constitute approval, disapproval, or review of the contract termination. The purpose of the hearing shall be limited to receiving information and testimony regarding the potential effect of the contract termination on access to care in the affected community, including access to quality and affordable physical and mental health care services.

II. Nothing in this section shall be construed to authorize the commissioner to require continuation, modification, or renegotiation of a provider contract.

III. For purposes of this section, a health carrier's obligation to notify the commissioner of a provider contract termination shall be satisfied in accordance with existing notice requirements under this chapter.

2 Managed Care Law; Provider Contract Standards. RSA 420-J:8, XI is repealed and reenacted to read as follows:

XI.(a) Every contract entered into after July 1, 2003, between a health carrier and any physician or facility shall include a provision ensuring that covered persons have continued access to the provider in the event the contract is terminated for any reason other than unprofessional conduct.

(b) Such continued access shall be provided for a period of 60 days from the effective date of contract termination and shall be furnished and reimbursed in accordance with the terms and conditions of the covered person's health benefit plan and the prior contract between the health carrier and the provider.

(c) Within 5 business days of the contract termination, the health carrier shall provide written notice to affected covered persons explaining their continued access rights and stating whether the commissioner has elected to hold a public hearing pursuant to RSA 420-J:7-f.

3 New Paragraphs; Standardized Notice; Election by Carrier. Amend RSA 420-J:8 by inserting after paragraph XI the following new paragraphs:

XI-a.(a) The commissioner shall develop, by bulletin, a standardized notice form for use by health carriers in notifying covered persons of a provider contract termination and their continued access rights under this section.

(b) A health carrier shall notify the department, no later than 5 business days after providing notice of the contract termination to the commissioner, whether it intends to use the standardized notice developed pursuant to this paragraph.

(c) A health carrier that elects to use the standardized notice shall provide such notice to affected covered persons in accordance with the timing requirements of this section.

(d) Nothing in this paragraph shall prevent a health carrier from electing to provide a notice that varies from the standardized notice, subject to department review pursuant to paragraph XI-b.

XI-b.(a) A health carrier that does not elect to use the standardized notice shall submit its proposed notice to the department within 14 business days of providing notice of contract termination to the commissioner.

(b) The department shall approve or deny the proposed notice within 7 business days of receipt. Review shall be limited to determining whether the notice:

(1) Clearly and accurately states that the health carrier and provider have not reached agreement on contract terms and that, as a result, the provider's participation in the carrier's network will terminate on a specified date;

(2) Clearly identifies the date on which in-network coverage with the provider will terminate, and the period during which continued access to care is available under state or federal continuity-of-care requirements;

(3) Clearly describes the rights and protections available to covered persons under applicable state and federal law, including continuity of care, transitional care, and access to medically necessary services;

(4) Clearly describes the health carrier's obligations to assist covered persons in transitioning care to an in-network provider, including care coordination and network access assistance; and

(5) Does not include statements, characterizations, or content intended to influence, pressure, or induce covered persons or providers regarding the substance or outcome of contract negotiations, or to attribute responsibility for the termination to any party beyond the fact of non-agreement.

(c) Review under this paragraph shall not extend to the merits of the contract negotiations, the reasonableness of proposed contract terms, or the conduct of either party in negotiations.

(d) If denied, the health carrier may resubmit a revised notice within 4 business days. The department shall approve or deny the resubmitted notice within 3 business days.

(e) If denied upon resubmission, the health carrier shall provide notice using the standardized notice developed by the department.

(f) Approval or denial of a notice under this paragraph shall not be construed as approval or disapproval of the contract termination.

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

2026-0837s

AMENDED ANALYSIS

This bill allows the insurance commissioner to hold an informational public hearing when a health carrier ends a provider contract affecting 1,000 or more patients, and includes requirements for continuity of care and patient notification. It also creates a standardized notice process to ensure patients receive information about contract terminations and their rights.

SB 609, relative to improving screening for and treatment of blood clots, or venous thromboembolism, and establishing a statewide venous thromboembolism registry.

Interim Study, Vote 5-0. Senator Prentiss for the committee.

This bill directs hospitals, ambulatory surgical centers, and emergency medical care centers to develop a screening and treatment plan for venous thromboembolism. The bill also directs the Department of Health and Human Services to contract with a qualified entity to establish and maintain a statewide venous thromboembolism registry. The Committee appreciates the importance of this bill and recognizes that its intent may be achieved by utilizing existing standard practices and infrastructure in New Hampshire.

SB 611-FN, relative to rate setting parity for Medicaid state plan case management services.

Interim Study, Vote 5-0. Senator Avard for the committee.

This bill directs the Department of Health and Human Services to annually establish rates for Medicaid state plan case management services to create rate parity for such services within the program.

SB 645-FN, relative to income eligibility for the New Hampshire child care scholarship program and real-locating certain revenue to fund the program.

Ought to Pass with Amendment, Vote 5-0. Senator Long for the committee.

This bill directs the Department of Health and Human Services to amend its policy to increase eligibility for the Child Care Scholarship Program and directs revenue to fund the eligibility increase. A committee amendment has been adopted to alter the proposed funding mechanism for the Child Care Scholarship Program.

Senate Health and Human Services

February 18, 2026

2026-0839s

07/09

Amendment to SB 645-FN

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

2 Taxation; Tobacco Tax; Distribution of Funds. Amend RSA 78:24, I to read as follows:

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 39 percent of that total revenue deposited in the education trust fund established by RSA 198:39 and the remaining revenue deposited in the general fund, ***except that for any surplus funds over that year's planned revenue, 50 percent of the surplus shall be transferred to the department of health and human services for the purposes of administering and expanding eligibility for the child care scholarship program pursuant to RSA 167:83, II(r)(4), and the remainder shall be deposited in the general fund.***

3 Alcoholic Beverages; The Liquor Commission; Funds. Amend RSA 176:16, I to read as follows:

I. Except as provided in paragraph II, the state treasurer shall credit all gross revenue derived by the commission from the sale of liquor, or from license fees, and interest received on such moneys, to a special fund, to be known as the liquor commission fund, from which the treasurer shall pay all expenses of the commission incident to the administration of this title. Any balance left in such fund after such expenses are paid shall be deposited in the general fund on a monthly basis, ***except that for any surplus funds over that month's planned revenue, 50 percent of the surplus shall be transferred to the department of health and human services for the purposes of administering and expanding eligibility for the child care scholarship program pursuant to RSA 167:83, II(r)(4), and the remainder shall be deposited in the general fund.***

4 Alcoholic Beverages; Liquor Licenses and Fees; Additional Fees. Amend RSA 178:26, I to read as follows:

I. In addition to the annual license fees provided in this chapter, a fee of \$.30 for each gallon of beverage sold or transferred for retail sale or to the public shall be required for licenses issued to wholesale distributors, beverage manufacturers, brew pubs, and nano breweries; provided, however, that if beverage container mandatory deposit legislation is enacted, such fee shall be \$.18 per gallon as of the effective date of such legislation. A fee of 5 percent of the wholesale price per case of any specialty beverage sold or transferred for retail sale or to the public shall be required for licenses issued to wholesale distributors or beverage manufacturers. For failure to pay any part of the fees provided or under this section when

due, 10 percent of such fees shall be added and collected by the commission from the licensee. ***For any surplus funds over that month's planned revenue, 50 percent of the surplus shall be transferred to the department of health and human services for the purposes of administering and expanding eligibility for the child care scholarship program pursuant to RSA 167:83, II(r)(4), and the remainder shall be deposited in the general fund.***

5 Games, Amusements, and Athletic Exhibitions; Video Lottery Terminals; Revenue Share. Amend RSA 287-J:6, III(b)(2) to read as follows:

(2) 75 percent to the general fund;

(3) Except that for any surplus funds over that period's planned revenue, 50 percent of the surplus shall be transferred to the department of health and human services for the purposes of administering and expanding eligibility for the child care scholarship program pursuant to RSA 167:83, II(r)(4), and the remainder shall be deposited in the general fund.

6 New Paragraph; Horse and Dog Racing; General Provisions. Amend RSA 284:21-j by inserting after paragraph II the following new paragraph:

III. Notwithstanding any other provision of law to the contrary, 2 percent of all revenues received by the lottery commission under RSA 284, 287-D, 287-E, 287-H, 287-I, 287-J, or pursuant to any other provision of law, shall be distributed to the department of health and human services for the purposes of administering and expanding eligibility for the child care scholarship program pursuant to RSA 167:83, II(r)(4).

7 Contingency. This act shall not take effect until the commissioner of the department of revenue administration certifies to the secretary of state and the director of the office of legislative services that the revenues in sections 2 through 6 of this act have each operated at a surplus for the past year. In no case shall the commissioner make such certification prior to July 1, 2027.

8 Effective Date. This act shall take effect as described in section 7 of this act.

SB 646-FN, relative to mental health standards of care.

Ought to Pass, Vote 5-0. Senator Rochefort for the committee.

This bill provides that parity in coverage for certain biologically-based mental illnesses shall be consistent with New Hampshire Medicaid scope of coverage and reimbursement rates. The Committee recommends this bill ought to pass as stakeholder discussions remain ongoing.

JUDICIARY

SB 414, relative to enforcement of marital property settlements.

Ought to Pass, Vote 5-0. Senator Altschiller for the committee.

Senate Bill 414 clarifies that when the court finds a party in contempt in proceedings related to the enforcement of a marital property settlement, the court shall fashion an immediate remedy and rectify the contempt, if practicable, such as ordering immediate access to funds, payment, or property that has been withheld. The Committee believes that the bill effectively ensures timely enforcement of settlements already ordered by the court and provides meaningful relief to parties entitled to receive funds or property without unnecessary delay.

SB 465-FN, classifying xylazine as a schedule III controlled drug.

Ought to Pass with Amendment, Vote 5-0. Senator Gannon for the committee.

Senate Bill 465-FN as introduced classifies xylazine as a schedule III-controlled drug under the Controlled Drug Act. The amendment adopted by the committee retains the schedule III classification but clarifies that licensed veterinarians may continue to dispense, prescribe, or administer xylazine for approved or otherwise permissible uses in nonhuman species consistent with federal law.

Senate Judiciary
February 18, 2026
2026-0842s
09/05

Amendment to SB 465-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Controlled Drug Act; Xylazine. Amend RSA 318-B by inserting after section 1-c the following new section:

318-B:1-d Xylazine.

I. Notwithstanding the provisions of RSA 318-B:1-a, relative to scheduling by rulemaking of the commissioner of the department of health and human services, xylazine shall be scheduled as a schedule III controlled drug.

II. Notwithstanding paragraph I, nothing in this section shall prevent any licensed veterinarian, as defined in RSA 332-B:1, from doing any of the following:

(a) Dispensing or prescribing for, or administering to, a nonhuman species of a drug containing xylazine that has been approved by the Secretary of Health and Human Services under section 512 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 360b.

(b) Dispensing or prescribing for, or administering to, a nonhuman species that is permissible under section 512(a)(4) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 360b(a)(4).

(c) Another use that is approved or permissible under the Federal Food, Drug, and Cosmetic Act.

SB 619-FN, establishing procedures for expedited court hearings and disposition of confiscated animals. Ought to Pass with Amendment, Vote 4-0. Senator Abbas for the committee.

Senate Bill 619-FN as introduced establishes procedures for expedited court hearings when animals are confiscated due to allegations of animal cruelty. The amendment adopted by the committee clarifies that the purpose of the hearing is to determine whether the confiscation was legal, allows the court to make determinations regarding custody rather than disposition, permits the court to address additional matters in the interests of justice, and clarifies procedures regarding arraignment and failure to appear.

Senate Judiciary
February 18, 2026
2026-0848s
07/09

Amendment to SB 619-FN

Amend RSA RSA 644:8, IV(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) 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.

(A) A purpose of the hearing shall be to determine whether the confiscation of the animal or animals was legal. Upon such a showing, the court may require the defendant or appellant to post a bond or other security in an amount not exceeding \$1,000 for each animal in custody and/or make a determination of custody that 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 may transfer the custody of the animal 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. The court may also address any other matters before it as raised by either party or if it is in the interests of justice. Upon request from either party or by order of the court, this hearing may include the defendant's arraignment. Waiver of the arraignment by the defendant shall not waive the 14 day hearing set forth in this paragraph.

(B) Such bond or security shall be posted to the court within 30 days. If such bond or security is not paid within 30 days after the court orders the bond or security to be posted, the animals shall be forfeited to the arresting officer, the arresting officer's agency, or the arresting officer's agency's designee. The court may, for good cause, extend the deadline by no more than 15 days. A court shall order the return of any bond or security upon a court approved agreement of the parties or a finding of not guilty. Nothing in subparagraph (3) shall negate any requirement for payment resulting from provisions in RSA 435:16.

(C) If the accused fails to appear in court without giving prior notice within 3 days of the hearing date, or, if less than 3 days notice, without evidence of emergent circumstances, the hearing shall take place as scheduled and the court may rule on any matters before it.

SB 624-FN, restricting access to certain hemp-derived products.
Ought to Pass with Amendment, Vote 5-0. Senator Gannon for the committee.

Senate Bill 624-FN as introduced prohibits the sale of hemp-derived products containing more than 0.3 percent THC, establishes penalties for unlawful possession and sale, requires liquor licensees to comply, and bars individuals under 21 from purchasing, possessing, or consuming THC-containing hemp products. The amendment adopted by the committee revises the definition of hemp to use a total THC calculation, adds a definition of “container,” sets a 0.4 milligram total THC per-container limit for final products, adjusts penalty structures, and expressly prohibits licensees from selling or furnishing such products to persons under 21.

Senate Judiciary
February 18, 2026
2026-0843s
09/08

Amendment to SB 624-FN

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

1 New Paragraph; Hemp; Definition Added. Amend RSA 439-A:2 by inserting after paragraph II the following new paragraph:

II-a. “Container” means the innermost wrapping, packaging, or vessel in direct contact with the final hemp derived cannabinoid product when sold at retail (such as a bottle, jar, cartridge, or can).

2 Hemp; Definition. Amend RSA 439-A:2, V to read as follows:

V. “Hemp” means the plant *Cannabis sativa* L. and any part of the plant, ~~[whether growing or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a dry weight basis]~~ ***including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis.***

3 Hemp; Prohibitions. Amend RSA 439-A:4 to read as follows:

439-A:4 Hemp-Derived Products Containing THC Prohibited.

I. Nothing in this chapter shall be construed to authorize the sale of products that are derived from hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis, which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant. ***Such products are prohibited.***

II. Notwithstanding any other provision of law:

(a) Final hemp-derived cannabinoid products shall not include products that contain more than 0.4 mg total THC per container, including all forms of tetrahydrocannabinols (including delta-9 THC and THCA) and other cannabinoids with similar human or animal effects.

(b) Products exceeding this limit are not authorized for sale, and are excluded from the legal definition of hemp.

III. No person under the age of 21 may purchase, possess, or consume a product derived from hemp which contains natural or synthetic THC in any amount, which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant or tetrahydrocannabinolic acid (THCA).

IV. Any person who knowingly possesses a product in violation of paragraph I, II, or III shall be guilty of a violation for a first through third offense, and a class B misdemeanor for any fourth or subsequent offense.

V. Any person who is convicted of violating paragraph I shall be subject to a fine of \$100 for a first or second offense, or a fine of up to \$300 for any third or subsequent offense. The offender shall forfeit the hemp-derived product to the state.

VI. A corporation or unincorporated association shall be subject to a fine not to exceed \$20,000 for a misdemeanor and \$1,000 for a violation. A writ of execution may be issued by the court against the corporation or unincorporated association to compel payment of the fine, together with costs and interest.

4 Premises Restrictions; Unlawful Purpose. Amend RSA 179:50 to read as follows:

179:50 Unlawful Purpose.

I. No licensee shall use, or allow to be used, his or her premises for any purpose contrary to law.

II. All licensees shall comply with the provisions of RSA 439-A:4 relative to certain hemp-derived products containing THC prohibited.

5 New Paragraph; Prohibited Sales. Amend RSA 179:5 by inserting after paragraph II the following new paragraph:

III. No licensee, salesperson, nor any other person, shall sell or give away or cause or allow or procure to be sold, delivered, or given away any product derived from hemp which contains natural or synthetic tetrahydrocannabinol (THC) in any amount, which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant or tetrahydrocannabinolic acid (THCA), to a person under the age of 21.

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

2026-0843s

AMENDED ANALYSIS

This bill sets penalties for possession of certain hemp-derived products, directs liquor licensees to comply with the prohibition, and amends the definition of hemp.

HB 510-FN, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.

Ought to Pass with Amendment, Vote 5-0. Senator Abbas for the committee.

House Bill 510-FN as introduced would establish statutory due process protections for students, student organizations, and faculty members at publicly funded New Hampshire colleges and universities when facing disciplinary proceedings that could result in suspension, expulsion, termination, or loss of organizational recognition. The Committee amendment replaces the bill's due process requirements with the creation of a temporary commission to study due process in higher education disciplinary proceedings.

Senate Judiciary
February 13, 2026
2026-0716s
07/08

Amendment to HB 510-FN

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

AN ACT establishing a commission to study due process in higher education disciplinary proceedings.

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

1 New Subdivision; Due Process In Higher Education Commission. Amend RSA 187-A by inserting after section 29 the following new subdivision:

Due Process In Higher Education Commission

187-A:29-a Due Process In Higher Education Commission.

I. There is established a commission to study due process protections afforded to faculty members, students, and student organizations in disciplinary proceedings at public institutions of higher education within the state.

II. The members of the commission shall be as follows:

- (a) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Three members of the senate, appointed by the president of the senate.
- (c) The chancellor of the community college system of New Hampshire, or designee.
- (d) The chancellor of the university system of New Hampshire, or designee.

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

IV. The commission shall:

(a) Review the following:

(1) Disciplinary matters involving alleged misconduct that may result in suspension, expulsion, termination of employment, or comparable major sanctions.

(2) Policies and procedures involving faculty conduct, student conduct, and conduct related to recognized student organizations, not including matters involving routine academic evaluation, grading disputes, minor code-of-conduct violations, or informal disciplinary actions.

(b) Examine the following;

(1) Whether existing institutional disciplinary procedures provide timely and adequate notice of allegations and a meaningful opportunity for the accused faculty member or student to respond before the imposition of serious sanctions.

(2) The extent to which disciplinary processes ensure impartial decision-makers, clearly defined procedures, and safeguards against conflicts of interest.

(3) Whether institutional disciplinary policies and practices are consistent with applicable state and federal due process requirements.

V. The members of the study 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. Four members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the public higher education study committee for the state of New Hampshire, the house clerk, and the senate clerk on or before November 1, 2026.

2 Repeal. RSA 187-A:29-a, relative to the commission on due process in higher education, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2026.

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

2026-0716s

AMENDED ANALYSIS

This bill establishes a commission to study due process in higher education disciplinary proceedings.

TRANSPORTATION

HB 1190-FN, enabling the division of motor vehicles to create a temporary traditional driver's license for youth operators about to turn 21.

Ought to Pass with Amendment, Vote 3-0. Senator Fenton for the committee.

As amended, HB 1190-FN would authorize the Division of Motor Vehicles to issue a temporary traditional (horizontal) driver's license, valid for up to 60 days, to youth operators approaching their 21st birthday. The bill would also update certain vehicle registration and permit fee provisions, including adjusted fee calculations and renewal requirements for vehicles registered under RSA 261:40-b.

Senate Transportation

February 17, 2026

2026-0792s

07/09

Amendment to HB 1190-FN

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

AN ACT enabling the division of motor vehicles to create a temporary traditional driver's license for youth operators about to turn 21 and relative to fleet vehicle registration requirements.

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

2 New Paragraph; Certificates of Title and Registration of Vehicles; Fees to be Collected. Amend RSA 261:141 by inserting after paragraph VI the following new paragraph:

VI-a. If a vehicle is to be registered in accordance with RSA 261:40-b, the following shall apply:

(a) If an original registration, the month in which the anniversary of the owner's birth occurs will be one of the next 2 or 3 months, the fee shall be increased by 1/24 for each whole month or part thereof remaining until the end of the month in which such anniversary will occur.

(b) If a vehicle has been previously registered pursuant to RSA 261:40-b, said vehicle registration shall not be renewed for less than a 24 month fee, provided that the renewal registration is effected within 24 months of the expiration of the registrant's last valid registration. If a vehicle has been previously registered, and the owner of said vehicle fails to renew the vehicle registration in the month said renewal was legally required to be made when said renewal is obtained within 24 months of the last valid registration, the 24 month renewal fees charged hereunder shall be computed at the applicable mill rate which applied in the month when the vehicle should have been legally registered. If the registration is renewed beyond the 24 months immediately succeeding the last valid registration, the 24 month fee charged shall be computed at the mill rate applicable on the date when any successive registration period would have begun, and the minimum fee in such cases shall be for 24 months, except in those cases where the registrant can demonstrate to the satisfaction of the director that the vehicle has not been operated since the expiration of the last valid registration, in which case the registrant may register at the applicable mill rate on the date of the registration.

3 New Paragraph; Certificates of Title and Registration of Vehicles; Fees for Registration Permits. Amend RSA 261:153 by inserting after paragraph III the following new paragraph:

III-a. If a vehicle is to be registered in accordance with RSA 261:40-b, the following shall apply:

(a) If the month in which the anniversary of the owner's birth occurs will be one of the next 2 or 3 months, the permit fee shall be increased by 1/24 for each whole month or part thereof remaining until the end of the month in which such anniversary will occur and the owner shall not be required to obtain a permit for the next registration period.

(b) In all other cases for vehicles specified in RSA 261:40-b, the permit fee shall be determined by multiplying 1/24 of the permit fee for the vehicle times the total number of whole months and any part of a month remaining until the end of the month in which the anniversary of the owner's birth occurs, and the owner shall be required to obtain a permit for the next registration period.

4 Effective Date.

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

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

2026-0792s

AMENDED ANALYSIS

This bill:

I. Allows the division of motor vehicles to create a temporary traditional driver's license for youth operators whose youth operator license will expire in 30 days or less.

II. Revises registration requirements and associated fees for fleet vehicles.

HB 1350-FN, relative to antique motor vehicles.

Inexpedient to Legislate, Vote 3-0. Senator Prentiss for the committee.

HB 1350-FN would have amended the definition of an antique motor vehicle to clarify that such vehicles may not be maintained for primary transportation use, replacing prior language that focused on original condition or daily use. While the change was intended to align the statute with current administrative interpretation, there was confusion about the bill's purpose and significant safety and enforcement concerns, particularly regarding the lack of a clear definition of "primary use." Therefore, the committee recommended the bill as inexpedient to legislate.

HB 1485-FN, relative to eligibility and fees for late refund requests of road tolls.
Ought to Pass, Vote 3-0. Senator Prentiss for the committee.

HB 1485-FN allows businesses and individuals (not just political subdivisions) to request a late road toll fuel tax refund for off-road fuel use, subject to a penalty, and limits such relief to once every three years. The bill would provide equitable treatment similar to what is already available to government entities.

The question is on the adoption of the Consent Calendar. Adopted.

EDUCATION

SB 580-FN, establishing a school cooperative purchasing program.
Ought to Pass with Amendment, Vote 3-2. Senator Sullivan for the committee.
(Committee Amendment #2026-0510s was previously adopted on 02-19-2026.)

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5
February 19, 2026
2026-0852s
12/05

Floor Amendment to SB 580-FN

Amend the bill by deleting sections 5 and 6 and renumbering the original section 7 to read as 5.

2026-0852s

AMENDED ANALYSIS

This bill establishes a school cooperative purchasing program to allow multiple school districts or school administrative units (SAUs) the ability to enter into joint agreements for the procurement of specific goods and services in schools.

The question is on the adoption of the Floor Amendment. Failed.

Senator Perkins Kwoka moved to divide the question on Ought to Pass with Amendment: 1. Sections 5 & 6, and the effective date. 2. The remaining sections and effective date.

The Chair ruled the question divisible.

The question is on the adoption of Sections 5 & 6, and the effective date. Failed.

Recess. Out of recess.

MOTION OF RECONSIDERATION

Senator Lang, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 580-FN, relative to establishing a school cooperative purchasing program. Sections 5 & 6, and the effective date. Adopted.

The question is on the adoption of Sections 5 & 6, and the effective date. Adopted.

The question is on the adoption of the remaining sections and the effective date. Adopted, bill ordered to Third Reading.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 323, requiring the presentation of a government-issued photographic means of identification in order to vote.
Ought to Pass, Vote 3-1. Senator Gray for the committee.

The question is on the adoption of the motion of Ought to Pass.

A roll call was requested by Senator Lang, seconded by Senator Avard.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted, bill ordered to Third Reading.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 527, relative to written notice provided by state agencies to municipalities regarding pending applications. Ought to Pass with Amendment, Vote 4-0. Senator Pearl for the committee.

Senate Executive Departments and Administration

February 11, 2026

2026-0681s

07/05

Amendment to SB 527

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

1 Notice to Municipalities. Amend RSA 541-A:39, I-II to read as follows:

I. In addition to any other requirements imposed by this chapter, each agency shall ~~[give]~~ **ensure written notice *is provided*** to and afford all affected municipalities reasonable opportunity to submit data, views, or comments with respect to the issuance of a permit, license, or any action within its boundaries that directly affects the municipality. Such actions shall include those which may have an effect on land use, land development, or transportation; those which would result in the operation of a business; or those which would have an immediate fiscal impact on the municipality or require the provision of additional municipal services.

II. Each agency shall ~~[give notice by first class mail]~~ **ensure written notice *is provided by first class mail*** to the town or city clerk. ***Electronic mail may be used to provide written notice unless the town or city clerk notifies the state agency that it objects to electronic mail written notices. Each state agency using electronic mail for written notices shall keep an up-to-date list of electronic mail addresses for each town or city clerk and a list of those towns or cities that object to electronic mail written notices.***

2 New Hampshire Rivers Management and Protection Program; State Action; Notification of Rivers Coordinator; Petition for Review. Amend RSA 483:12-a, I-I-a to read as follows:

I. Any state agency considering any action affecting any river or segment designated under this chapter shall ~~[notify]~~ **ensure that** the rivers coordinator and the local river management advisory committee ***are notified*** prior to taking any such action. Such agency shall forward to the rivers coordinator and the local river management advisory committee for review and comment copies of all notices of public hearings, or, where a public hearing is not required, ***shall ensure that*** a copy of the application for issuance of a permit, certificate, or license within the designated river or corridor under RSA 485-C, RSA 485-A, RSA 483-B, RSA 12-E, RSA 270:12, RSA 482, RSA 482-A ***is provided***, except notifications for minimum impact activities under RSA 482-A:3, V and XII and for routine roadway maintenance under RSA 482-A:3, XVI on land used for agricultural purposes, RSA 149-M, RSA 430, or RSA 147-A. If an agency is notified by the rivers coordinator that a proposed activity would violate a protection measure under RSA 483:9, 483:9-a, 483:9-aa, or 483:9-b, such agency shall deny the application.

I-a. State agencies shall develop, in conjunction with the rivers coordinator and the local river management advisory committees, the procedure by which the ~~[state shall notify the]~~ appropriate local river management advisory committee ***is notified*** when state action is being considered which affects a designated river.

3 Shoreland Water Quality Protection Act; Permit Required; Exemption. Amend RSA 483-B:5-b, IV-a to read as follows:

IV-a. ~~[At the time of the permit application, the]~~ **The** applicant shall provide postal receipts or copies, verifying that the governing body of the municipality or municipalities in which the property is located and the local river management advisory committee, if the project is within a designated river corridor defined in RSA 483:4, XVIII and contains river and river segments designated in RSA 483:15, and all abutters have been notified of the application by certified mail. Applicants for the construction of public roads, public utility lines and associated structures and facilities, and public water access facilities shall only be required to provide postal receipts or copies, verifying that the governing body of the municipality or municipalities in which the property is located, and the local river management advisory committee if the project is within a designated river corridor defined in RSA 483:4, XVIII and contains river and river segments designated in RSA 483:15, have been notified of the application by certified mail.

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

The question is on the adoption of the Committee Amendment. Failed.

Senator Pearl offered a Floor Amendment.

Sen. Pearl, Dist 17
February 17, 2026
2026-0766s
07/08

Floor Amendment to SB 527

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

1 Notice to Municipalities. Amend RSA 541-A:39, I-II to read as follows:

I. In addition to any other requirements imposed by this chapter, each agency shall ~~[give]~~ **ensure written notice *is provided*** to and afford all affected municipalities reasonable opportunity to submit data, views, or comments with respect to the issuance of a permit, license, or any action within its boundaries that directly affects the municipality. Such actions shall include those which may have an effect on land use, land development, or transportation; those which would result in the operation of a business; or those which would have an immediate fiscal impact on the municipality or require the provision of additional municipal services.

II. Each agency shall ~~[give notice by first class mail]~~ **ensure written notice *is provided*** to the town or city clerk. ***Written notice may be provided by electronic mail unless the town or city clerk notifies the state agency that it objects to notice by electronic mail. If the town or city clerk objects to written notice being provided by electronic mail, then written notice shall be provided by first class mail. Each state agency using electronic mail for written notice shall keep an up-to-date list of electronic mail addresses for each town or city clerk and a list of those towns or cities that object to electronic mail written notice.***

2 New Hampshire Rivers Management and Protection Program; State Action; Notification of Rivers Coordinator; Petition for Review. Amend RSA 483:12-a, I-I-a to read as follows:

I. Any state agency considering any action affecting any river or segment designated under this chapter shall ~~[notify]~~ **ensure that** the rivers coordinator and the local river management advisory committee ***are notified*** prior to taking any such action. Such agency shall forward to the rivers coordinator and the local river management advisory committee for review and comment copies of all notices of public hearings, or, where a public hearing is not required, ***shall ensure that*** a copy of the application for issuance of a permit, certificate, or license within the designated river or corridor under RSA 485-C, RSA 485-A, RSA 483-B, RSA 12-E, RSA 270:12, RSA 482, RSA 482-A ***is provided***, except notifications for minimum impact activities under RSA 482-A:3, V and XII and for routine roadway maintenance under RSA 482-A:3, XVI on land used for agricultural purposes, RSA 149-M, RSA 430, or RSA 147-A. If an agency is notified by the rivers coordinator that a proposed activity would violate a protection measure under RSA 483:9, 483:9-a, 483:9-aa, or 483:9-b, such agency shall deny the application.

I-a. State agencies shall develop, in conjunction with the rivers coordinator and the local river management advisory committees, the procedure by which the ~~[state shall notify the]~~ appropriate local river management advisory committee ***is notified*** when state action is being considered which affects a designated river.

3 Shoreland Water Quality Protection Act; Permit Required; Exemption. Amend RSA 483-B:5-b, IV-a to read as follows:

IV-a. ~~[At the time of the permit application, the]~~ **The** applicant shall provide postal receipts or copies, verifying that the governing body of the municipality or municipalities in which the property is located and the local river management advisory committee, if the project is within a designated river corridor defined in RSA 483:4, XVIII and contains river and river segments designated in RSA 483:15, and all abutters have been notified of the application by certified mail. Applicants for the construction of public roads, public utility lines and associated structures and facilities, and public water access facilities shall only be required to provide postal receipts or copies, verifying that the governing body of the municipality or municipalities in which the property is located, and the local river management advisory committee if the project is within a designated river corridor defined in RSA 483:4, XVIII and contains river and river segments designated in RSA 483:15, have been notified of the application by certified mail.

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

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

FINANCE

SB 483-FN-A, making a contingent appropriation to the department of health and human services for recruitment and benefit grants for child care employers.

Ought to Pass, Vote 8-0. Senator Rosenwald for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted.

Senator Gray moved to Lay on the Table. Adopted.

SB 662-FN-A, making an appropriation to the department of natural and cultural resources for renovations to the Northwood Meadows Lake Dam.

Ought to Pass, Vote 8-0. Senator Pearl for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted.

Senator Gray moved to Lay on the Table. Adopted.

HEALTH AND HUMAN SERVICES

SB 477-FN, relative to increasing transparency in the 340B Drug Pricing Program. Interim Study, Vote 5-0. Senator Avard for the committee.

The question is on the adoption of the motion of Interim Study. Adopted.

Recess. Out of recess.

SPECIAL ORDER

Without objection, the bills in Judiciary were Special Ordered to the end of the calendar. Adopted.

WAYS AND MEANS

SB 635-FN, establishing a health reimbursement arrangement tax credit program. Ought to Pass with Amendment, Vote 3-2. Senator Lang for the committee.

Senate Ways and Means

February 18, 2026

2026-0832s

07/05

Amendment to SB 635-FN

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

AN ACT establishing a health reimbursement arrangement tax credit program and making an appropriation for improvements in the department of revenue administration's information management system.

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

2 New Chapter; Health Reimbursement Arrangement Tax Credit. Amend RSA by inserting after chapter 77-G the following new chapter:

CHAPTER 77-H

HEALTH REIMBURSEMENT ARRANGEMENT TAX CREDIT

77-H:1 Definitions. As used in this chapter:

I. "Covered employee" means an employee for whom a qualified taxpayer makes a qualified contribution.

II. "Department" means the department of revenue of administration.

III. "Qualified account" means an individual coverage health reimbursement arrangement established pursuant to 45 C.F.R. 146.123 or a qualified small employer health reimbursement arrangement described in Section 9831(d) of the Internal Revenue Code.

IV. "Qualified contribution" means a reimbursement by a qualified taxpayer to a qualified account for use in accordance with applicable federal laws and regulations.

V. "Qualified taxpayer" means an employer with fewer than 50 employees that is a corporation, a limited liability company, a partnership, or another entity that has any state tax liability under RSA 77-A or RSA 77-E.

77-H:2 Eligibility Criteria.

A qualified taxpayer may claim a credit against their tax due under RSA 77-A and RSA 77-E, in the manner described in RSA 77-H:3, for qualified contributions of \$300 per covered employee per year for no more than 2 years, which shall be consecutive, if:

(a) The qualified taxpayer did not contribute to an employer sponsored group health insurance plan for the covered employee in any of the previous 3 years; and

(b) The contribution to a qualified account in the benefit year for which the credit is claimed is not less than \$300 more than the amount provided in the last benefit year of an employer sponsored group health insurance program or qualified account for the covered employee prior to the first year in which the credit was claimed.

77-H:3 Health Reimbursement Arrangement Tax Credit.

I. There shall be allowed a health reimbursement arrangement tax credit applied to a qualified taxpayer, as set forth in RSA 77-H:2, for qualified contributions made during the taxable year, as follows:

(a) To receive the credit provided under this chapter, a qualified taxpayer shall submit an application on a form to be prescribed by the commissioner and shall be accompanied by information or records required by the commissioner.

(b) Applications shall be processed on a first come, first served basis, up to the aggregate tax credit amount allowed under this section. If multiple applications are received on the same day, they shall be processed at random.

(c) Once awarded, the credit may be claimed by the qualified taxpayer against tax due under RSA 77-E at any time in the manner prescribed by the department. Any unused credit may be applied against RSA 77-A. For the purposes of the credit allowed under 77-A:5, X, the credit under this section shall be considered taxes paid.

(d) The aggregate amount of tax credits awarded under this chapter may not exceed \$2,500,000 in any state fiscal year.

(e) The department may not award a tax credit after the total credits awarded under this section equals the maximum amount allowable in a particular state fiscal year.

(f) The amount of the credit provided by this chapter that a qualified taxpayer uses during a particular taxable year may not exceed the state tax liability of the qualified taxpayer.

(g) Any unused credit awarded under this chapter may be carried forward for not more than 3 succeeding taxable periods.

(h) A qualified taxpayer shall not be entitled to a carry-back or refund of any unused credit.

II. The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to implementing the administration of the health reimbursement arrangement tax credit program established under this chapter.

3 New Paragraph; Taxation; Business Profits Tax; Health Reimbursement Arrangement Tax Credit. Amend RSA 77-A:5 by inserting after paragraph XVII the following new paragraph:

XVIII. There shall be allowed a health reimbursement arrangement tax credit, as established in RSA 77-H, against taxes due under this chapter for any unused portion of credit that has not been applied to the taxes due under RSA 77-E.

4 New Section; Taxation; Business Enterprise Tax; Health Reimbursement Arrangement Tax Credit. Amend RSA 77-E by inserting after section 3-f the following new section:

77-E:3-g Health Reimbursement Arrangement Tax Credit. The health reimbursement arrangement tax credit established under RSA 77-H shall be allowed against taxes due under this chapter.

5 Appropriation; Department of Revenue Administration. There is hereby appropriated to the department of revenue administration the sum of \$40,000 for the fiscal year ending June 30, 2028, for the purpose of making internal improvements and system upgrades to the department's revenue information management system. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

6 Applicability. Sections 1 through 4 of this act shall apply to taxable periods ending on or after December 31, 2027.

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

2026-0832s

AMENDED ANALYSIS

This bill establishes a health reimbursement arrangement tax credit program and makes an appropriation for improvements in the department of revenue administration's information management system.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted.

Senator Lang moved to Lay on the Table. Adopted.

SB 654-FN, creating tax credits for businesses that have on-site child care services and for businesses that provide health care coverage for certain employees.

Ought to Pass with Amendment, Vote 3-2. Senator Sullivan for the committee.

Senate Ways and Means

February 18, 2026

2026-0829s

07/05

Amendment to SB 654-FN

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

1 New Paragraphs; Business Profits Tax; Credits. Amend RSA 77-A:5 by inserting after paragraph XVII the following new paragraphs:

XVIII. There shall be allowed an on-site child care services tax credit for eligible businesses, according to the following:

(a) The credit shall be equal to 20 percent of qualifying expenditures, as defined in 26 U.S.C. section 45F, tied to operating or contracting for on-site or nearby child care services for employees, up to \$100,000 per fiscal year.

(b) An eligible business shall have its child care service facility for its employees housed within the business' main building, inside a shared building where both the business and child care facility are located, or in separate buildings within the same office or industrial park, or within 1/4 of a mile of the above.

(c) Unused tax credits may be carried forward for up to 4 years. Older credits shall be utilized first.

(d) A business that receives a credit under this paragraph shall be required to pay any tax not paid due to credits received if it closes an on-site child care facility within 3 years of receiving a credit and continues to maintain its primary business operations at the same address no later than the tax year following the closure.

(e) The department of health and human services and the department of revenue administration may share information about facility closures without waiving any other applicable confidentiality rules or requirements.

(f) Upon written request made prior to the filing of the applicable tax return, the commissioner may waive the repayment of tax not paid due to credits in circumstances where a child care facility is closed due to no fault of the business that received the credits or due to circumstances beyond the control of the business that received the credit. Factors which the department should consider in determining whether to waive the repayment obligation shall include the duration of the closure if temporary, the reason for the closure as stated by the requestor, and the impact of the closure upon the employees.

(g) Businesses that share a group child day care center may jointly claim the on-site child care services tax credit under this paragraph. A joint application shall include a qualifying contractual agreement of the use of the shared facility to the department prior to claiming the credit under this paragraph. A qualifying contractual agreement shall include clauses regarding credit recapture in cases of contract dissolution or the cessation of child care facility services.

(h) Taxpayers shall apply for the tax credit on forms provided by the commissioner and applications shall be accompanied by information or records required by the commissioner. Applications shall be processed in the order received, and shall be approved or denied within 60 days of receipt. If an application is denied, the commissioner shall notify the taxpayer of the reason or reasons for the denial.

(i) The aggregate of all on-site child care services tax credits issued by the commissioner shall not exceed \$2,500,000 in any state fiscal year. Applications received in a fiscal year that exceed the aggregate limit for that year may be considered and granted for the succeeding fiscal year or years and shall receive priority over subsequently filed applications in applying the aggregate cap for that fiscal year.

(j) The department may adopt rules pursuant to RSA 541-A regarding the procedure for applying for the credit and the procedure for applying for waiver of the repayment obligation.

XIX. There shall be allowed a “parent hours” tax credit, according to the following:

(a) The credit shall be equal to 20 percent of the employer’s cost of health care benefits conferred to each parent hours employee, up to \$10,000 per year per employee.

(b) As used in subparagraph (a), “parent hours employee” means an employee with at least one dependent child whose working hours fall entirely between 9:00 a.m. and 3:00 p.m. on weekdays.

(c) Any costs of health care benefits included as a qualifying expenditure for purposes of the on-site child care tax credit under paragraph XVIII shall be ineligible for the parent hours tax credit.

2 Appropriation; Department of Revenue Administration. There is hereby appropriated to the department of revenue administration the sum of \$40,000 for the fiscal year ending June 30, 2028, for the purpose of making internal improvements and system upgrades to the department’s revenue information management system. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Applicability. Section 1 of this act shall apply to taxable periods beginning on or after December 31, 2027.

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

2026-0829s

AMENDED ANALYSIS

This bill creates tax credits against the business profits tax for businesses that have on-site child care services and for businesses that provide health care coverage for certain employees. This bill also makes an appropriation to the department of revenue administration for improvements and system upgrades to the revenue information management system.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted.

Senator Lang moved to Lay on the Table. Adopted.

CONSENT CALENDAR REPORTS REMOVED

PRESIDENT CARSON: We are at the conclusion of the Regular Calendar and will take up the bills that were removed from the Consent Calendar.

COMMERCE

SB 444-FN, prohibiting the use of animal testing when other comparable methods are available.

Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

Senate Commerce
February 17, 2026
2026-0778s
08/09

Amendment to SB 444-FN

Amend the bill by replacing section 1 with the following:

1 New Chapter; Use of Animals in Product Testing. Amend RSA by inserting after chapter 359-U the following new chapter:

CHAPTER 359-V

USE OF ANIMALS IN PRODUCT TESTING

359-V:1 Definitions. In this chapter:

I. "Alternative test method or strategy" means a test method, including a new or revised method, that:

- (a) Does not use animals;
- (b) Provides information of equivalent or better scientific quality and relevance compared to traditional animal test methods; and
- (c) Includes, but is not limited to, computational toxicology and bioinformatics, high-throughput screening methods, testing of categories of chemical substances, tiered testing methods, in vitro studies, and microphysiological systems.

II. "Animal" means any living vertebrate other than humans.

III. "Biomedical research" means the investigation of the biological processes and causes of disease or research conducted to increase fundamental scientific knowledge or to expand the understanding about how processes in living organisms develop and function. "Biomedical research" shall not include testing done to assess the safety or efficacy of chemicals, ingredients, drugs, vaccines, product formulations, or products.

IV. "Testing facility" means any institution, business, partnership, corporation, association, or other entity that conducts research, studies, tests, or experiments to assess chemicals, ingredients, drugs, vaccines, product formulations, or products in the state.

V. "Traditional animal test method" means a process, procedure, or experiment using animals to obtain information on the characteristics of a chemical, ingredient, drug, vaccine, product formulation, or product and that generates information regarding the ability of the chemical, ingredient, drug, vaccine, product formulation or product to produce a specific biological effect under specified conditions.

359-V:2 Animal Testing Prohibited Under Certain Circumstances.

I.(a) No testing facility in the state shall use a traditional animal test method in this state if an agency responsible for regulating the specific product or activity for which the test method is being used has either:

- (1) Approved an alternative test method or strategy; or
- (2) Made available or granted a waiver from using a traditional animal test method.

(b) Where there is no alternative test method or strategy and no waiver available, a testing facility that employs a traditional animal test method shall employ a method involving the fewest possible number of animals and that reduces the level of pain, suffering, and stress of each animal subjected to testing.

(c) No provision of this section shall be construed to apply to any animal research conducted for the purposes of biomedical research that is reviewed and approved by an Institutional Animal Care and Use Committee, nor shall any entity subject to oversight by an Institutional Animal Care and Use Committee be required to make a report under RSA 359-V:2, II.

(d) This chapter shall not prohibit the use of any nonanimal test method or strategy that is not defined in RSA 359-V:1.

(e) This chapter shall not prohibit the use of traditional animal test methods to comply with requirements of state or federal agencies.

(f) This chapter shall not prohibit the use of traditional animal test methods, if needed to comply with a written request from a state or federal agency in circumstances where the agency has approved an alternative test method or strategy but has also expressly concluded that a traditional animal test method is needed to fully assess the impacts on the health or safety of consumers.

II. Each testing facility in the state shall report annually to the governor's commission on the humane treatment of animals regarding any traditional animal test method or alternative test method or strategy conducted in the prior calendar year. Such report shall include the number and species of animal used, the type and number of alternative test methods or strategies used, the number of waivers used, and the reason for using any traditional animal test methods, alternative test methods or strategies, and waivers, including an explanation for why a traditional animal test method was required. The governor's commission on the humane treatment of animals shall make the results of this data collection publicly available no later than 90 days after receiving the report. Testing facilities shall submit the report no later than January 20, or the next business day following, beginning on January 20, 2028.

359-V:3 Severability. If any provision of this chapter is held invalid, or if its application to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application.

The question is on the adoption of the Committee Amendment. Failed.

Senator Innis offered a Floor Amendment.

Sen. Innis, Dist 7
February 24, 2026
2026-0877s
04/08

Floor Amendment to SB 444-FN

Amend the bill by replacing section 1 with the following:

1 New Chapter; Use of Animals in Product Testing. Amend RSA by inserting after chapter 359-U the following new chapter:

CHAPTER 359-V

USE OF ANIMALS IN PRODUCT TESTING

359-V:1 Definitions. In this chapter:

I. "Alternative test method or strategy" means a test method, including a new or revised method, that:

- (a) Does not use animals;
- (b) Provides information of equivalent or better scientific quality and relevance compared to traditional animal test methods; and
- (c) Includes, but is not limited to, computational toxicology and bioinformatics, high-throughput screening methods, testing of categories of chemical substances, tiered testing methods, in vitro studies, and micro-physiological systems.

II. "Animal" means any living vertebrate other than humans.

III. "Biomedical research" means the investigation of the biological processes and causes of disease or research conducted to increase fundamental scientific knowledge or to expand the understanding about how processes in living organisms develop and function. "Biomedical research" shall not include testing done to assess the safety or efficacy of chemicals, ingredients, drugs, vaccines, product formulations, or products.

IV. "Testing facility" means any institution, business, partnership, corporation, association, or other entity that conducts research, studies, tests, or experiments to assess chemicals, ingredients, drugs, vaccines, product formulations, or products in the state. Testing facility does not include an institution of higher education as defined in RSA 188-H:1.

V. "Traditional animal test method" means a process, procedure, or experiment using animals to obtain information on the characteristics of a chemical, ingredient, drug, vaccine, product formulation, or product and that generates information regarding the ability of the chemical, ingredient, drug, vaccine, product formulation or product to produce a specific biological effect under specified conditions.

359-V:2 Animal Testing Prohibited Under Certain Circumstances.

I.(a) No testing facility in the state shall use a traditional animal test method in this state if an agency responsible for regulating the specific product or activity for which the test method is being used has either:

- (1) Approved an alternative test method or strategy; or
- (2) Made available or granted a waiver from using a traditional animal test method.

(b) Where there is no alternative test method or strategy and no waiver available, a testing facility that employs a traditional animal test method shall employ a method involving the fewest possible number of animals and that reduces the level of pain, suffering, and stress of each animal subjected to testing.

(c) No provision of this section shall be construed to apply to any animal research conducted for the purposes of biomedical research.

(d) This chapter shall not prohibit the use of any nonanimal test method or strategy that is not defined in RSA 359-V:1.

(e) This chapter shall not prohibit the use of traditional animal test methods to comply with requirements of state or federal agencies.

(f) This chapter shall not prohibit the use of traditional animal test methods, if needed to comply with a written request from a state or federal agency in circumstances where the agency has approved an alternative test method or strategy but has also expressly concluded that a traditional animal test method is needed to fully assess the impacts on the health or safety of consumers.

II. Each testing facility in the state shall report annually to the governor's commission on the humane treatment of animals regarding any traditional animal test method or alternative test method or strategy conducted in the prior calendar year. Such report shall include the number and species of animal used, the type and number of alternative test methods or strategies used, the number of waivers used, and the reason for using any traditional animal test methods, alternative test methods or strategies, and waivers, including an explanation for why a traditional animal test method was required. The governor's commission on the humane treatment of animals shall make the results of this data collection publicly available no later than 90 days after receiving the report. Testing facilities shall submit the report no later than January 20, or the next business day following, beginning on January 20, 2028.

359-V:3 Severability. If any provision of this chapter is held invalid, or if its application to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 643-FN, requiring cities and towns to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

Ought to Pass with Amendment, Vote 3-2. Senator Lang for the committee.

Senate Election Law and Municipal Affairs

February 17, 2026

2026-0781s

07/05

Amendment to SB 643-FN

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

AN ACT requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

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

1 Statement of Findings. The general court hereby finds that:

I. There is a compelling state interest in promoting transparency, accountability, and citizen participation when municipalities consider overriding locally adopted tax or spending caps.

II. Local tax caps and spending caps, whether adopted under RSA 32, RSA 49-C, or RSA 49-D, reflect the will of the voters to place limits on the growth of local government.

III. In cities and towns governed by elected councils, budgetary and override decisions are made by a governing body acting as the legislative authority, rather than directly by the voters.

IV. Taxpayers are entitled to clear and timely information regarding when and how elected officials vote to override such caps, particularly when such decisions may directly affect property tax rates.

V. Enhanced procedural safeguards, including advance notice, public hearings, and recorded roll call votes, are appropriate when override decisions are made by elected governing bodies.

2 New Section; Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Override Procedures. Amend RSA 32 by inserting after section 5-h the following new section:

I. This section shall apply only to:

(a) Cities; and

(b) Towns in which the governing body is an elected town council authorized by charter or statute to adopt the municipal operating budget.

II. This section shall not apply to:

(a) Towns operating under a traditional town meeting form of government;

(b) Towns operating under the official ballot referendum form of town meeting pursuant to RSA 40:13; or

(c) Village districts or other special districts.

III. Before any vote to override a tax or spending cap by a municipality subject to this section may be held, the governing body shall:

(a) Hold a public hearing on the proposed override and provide notice of such hearing in accordance with RSA 32:5, I, and other applicable law, except that such notice shall be provided at least 30 days in advance of the hearing;

(b) Provide at such hearing a public comment period of at least 60 minutes in duration, during which any resident may address the proposed override; and

(c) Record the final vote of the governing body on the proposed override as a roll call vote, with each member's name and vote entered into the official record.

IV. The results of the roll call vote, including the name of each member of the governing body and how such member voted, shall be published on, or included with, the next property tax bill issued by the municipality. Such disclosure shall be presented in a clear and prominent manner.

V. Nothing in this section shall be construed to:

(a) Alter the authority of voters at a town meeting or official ballot referendum to approve or reject a tax or spending cap override;

(b) Impose procedural requirements on deliberative sessions conducted pursuant to RSA 40:13; or

(c) Modify any charter provision governing the adoption of municipal budgets or override votes.

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

2026-0781s

AMENDED ANALYSIS

This bill requires municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

The question is on the adoption of the Committee Amendment. Failed.

Senator Lang offered a Floor Amendment.

Sen. Avard, Dist 12
 March 2, 2026
 2026-0958s
 07/09

Floor Amendment to SB 643-FN

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

AN ACT requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

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

1 Statement of Findings. The general court hereby finds that:

I. There is a compelling state interest in promoting transparency, accountability, and citizen participation when municipalities consider overriding locally adopted tax or spending caps.

II. Local tax caps and spending caps, whether adopted under RSA 32, RSA 49-C, or RSA 49-D, reflect the will of the voters to place limits on the growth of local government.

III. In cities and towns governed by elected councils, budgetary and override decisions are made by a governing body acting as the legislative authority, rather than directly by the voters.

IV. Taxpayers are entitled to clear and timely information regarding when and how elected officials vote to override such caps, particularly when such decisions may directly affect property tax rates.

V. Enhanced procedural safeguards, including advance notice, public hearings, and recorded roll call votes, are appropriate when override decisions are made by elected governing bodies.

2 New Section; Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Override Procedures. Amend RSA 32 by inserting after section 5-h the following new section:

32:5-i Override Procedures for Local Tax and Spending Caps.

I. Notwithstanding RSA 32:2, this section shall apply only to:

(a) Cities; and

(b) Towns in which the governing body is an elected town council authorized by charter or statute to adopt the municipal operating budget.

II. This section shall not apply to:

(a) Towns operating under a traditional town meeting form of government;

(b) Towns operating under the official ballot referendum form of town meeting pursuant to RSA 40:13; or

(c) Village districts or other special districts.

III. Before any vote to override a tax or spending cap by a municipality subject to this section may be held, the governing body shall:

(a) Hold a public hearing on the proposed override and provide notice of such hearing in accordance with RSA 32:5, I, and other applicable law, except that such notice shall be provided at least 30 days in advance of the hearing;

(b) Provide at such hearing a public comment period of at least 60 minutes in duration, during which any resident may address the proposed override; and

(c) Record the final vote of the governing body on the proposed override as a roll call vote, with each member's name and vote entered into the official record.

IV. The results of the roll call vote, including the name of each member of the governing body and how such member voted, shall be published on, or included with, the next property tax bill issued by the municipality. Such disclosure shall be presented in a clear and prominent manner.

V. Nothing in this section shall be construed to:

(a) Alter the authority of voters at a town meeting or official ballot referendum to approve or reject a tax or spending cap override;

(b) Impose procedural requirements on deliberative sessions conducted pursuant to RSA 40:13; or

(c) Modify any charter provision governing the adoption of municipal budgets or override votes.

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

2026-0958s

AMENDED ANALYSIS

This bill requires municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

Recess. Out of recess.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Fenton, seconded by Senator Avard.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted, bill ordered to Third Reading.

FINANCE

HB 104-FN, relative to requiring an official declaration of war for the activation of the New Hampshire national guard in a foreign state.

Inexpedient to Legislate, Vote 8-0. Senator Gray for the committee.

Senator Gray moved to Indefinitely Postpone.

The question is on the adoption of the motion to Indefinitely Postpone. Adopted.

WAYS AND MEANS

SB 561, relative to change of address for certain game operator employer licensees.

Inexpedient to Legislate, Vote 3-2. Senator Lang for the committee.

Senator Lang moved to Lay on the Table. Adopted.

Recess. Out of recess.

MOTION TO REMOVE FROM THE TABLE

Senator McConkey moved to remove SB 627-FN from the Table. Adopted.

TRANSPORTATION

SB 627-FN, relative to toll rate adjustments and periodic inflation-based toll reviews for the New Hampshire turnpike system to support the 2027-2036 ten-year transportation plan.

(Committee Amendment #2026-0341s, and Floor Amendment #2026-0533s were previously adopted on 02-05-2026).

The pending motion is Ought to Pass with Amendment.

Senator McConkey offered a Floor Amendment.

Sen. McConkey, Dist 3

March 4, 2026

2026-1062s

04/09

Floor Amendment to SB 627-FN

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

1 Tolls. Amend RSA 237:9 to read as follows:

I. The commissioner of transportation, with the approval of the governor and council, shall establish toll rates and other charges for use of the New Hampshire turnpike system or any part of the right-of-way and other property acquired in connection therewith. The governor and council shall approve or reject the commissioner's proposed toll rates and other charges within 90 days of receiving them. The tolls collected shall be deposited with the state treasurer who shall keep the same in a separate account to be used exclusively for purposes of the New Hampshire turnpike system including, without limitation, the operating expenses, construction, reconstruction, and maintenance of the New Hampshire turnpike system. All operating expenses and maintenance costs shall be paid from said account. From the balance remaining after the payment of operating expenses and maintenance costs, there shall be paid the interest and principal on the bonds issued to finance the system. No part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever. Fourteen days previous to the time any interest or principal is payable, on any general obligation bonds issued to finance the system, the state treasurer shall examine the existing balance and, except as otherwise provided in RSA 237:10, if such balance is insufficient to make the payment, then he **or she** shall notify the governor who shall immediately draw his **or her** warrant on the highway fund to cover any deficit and if the funds in both of the above accounts are insufficient, the governor shall draw his **or her** warrant upon the state's general fund to the amount necessary to meet the payments. Any funds paid out from the state's highway fund or general fund for the above purposes shall be reimbursed from the collection of tolls as soon as such funds are available. Any funds that have been or may be expended for any portion of the system by the department of transportation shall be repaid to said department when, in the opinion of the governor and council, sufficient funds are available. Any excess income may be used for further system extensions in accordance with RSA 237:5, II(m). No provision of this chapter shall constitute a covenant with bondholders with respect to the charging, collection or disposition of tolls.

II. Notwithstanding paragraph I of this section, RSA 237:24, and any other provision of law to the contrary, to support the turnpike projects included in the 2027-2036 ten year transportation plan and to cover associated operating expenses and maintenance costs for the central New Hampshire turnpike, the eastern New Hampshire turnpike, and the New Hampshire turnpike system, the toll rates for cash transactions and for vehicles not bearing a registration number as defined by RSA 259:85 or not listed on a funded New Hampshire E-Z pass account shall be increased based on the toll plaza and vehicle classification as defined in Tra 701.02(j) of the New Hampshire administrative rules. For purposes of this section, "class" shall mean the vehicle classification established under Tra 701.02(j), which categorizes vehicles by type, number of axles, and dual tires. The toll rates shall be as follows:

(a) Hooksett Main:

- (1) Class 1: \$2.00**
- (2) Class 2: \$2.25**
- (3) Class 3: \$2.50**
- (4) Class 4: \$2.75**
- (5) Class 5: \$4.00**
- (6) Class 6: \$4.50**
- (7) Class 7: \$5.00**
- (8) Class 8: \$5.50**
- (9) Class 9: \$6.00**
- (10) Class 10: \$6.50**
- (11) Class 11: \$7.00**
- (12) Class 12: \$ 7.50**

(b) Hooksett Ramp:

- (1) Class 1: \$1.00**
- (2) Class 2: \$1.25**

(3) Class 3: \$1.50

(4) Class 4: \$1.75

(5) Class 5: \$2.00

(6) Class 6: \$2.50

(7) Class 7: \$3.00

(8) Class 8: \$3.50

(9) Class 9: \$4.00

(10) Class 10: \$4.50

(11) Class 11: \$5.00

(12) Class 12 \$5.50

(c) Bedford Main:

(1) Class 1: \$2.00

(2) Class 2: \$2.25

(3) Class 3: \$2.50

(4) Class 4: \$2.75

(5) Class 5: \$4.00

(6) Class 6: \$4.50

(7) Class 7: \$5.00

(8) Class 8: \$5.50

(9) Class 9: \$6.00

(10) Class 10: \$6.50

(11) Class 11: \$7.00

(12) Class 12: \$7.50

(d) Hampton Main:

(1) Class 1: \$4.00

(2) Class 2: \$4.25

(3) Class 3: \$4.50

(4) Class 4: \$4.75

(5) Class 5: \$8.00

(6) Class 6: \$8.50

(7) Class 7: \$9.00

(8) Class 8: \$9.50

(9) Class 9: \$10.00

(10) Class 10: \$10.50

(11) Class 11: \$11.00

(12) Class 12: \$11.50

(e) Hampton Side:

(1) Class 1: \$1.50

- (2) Class 2: \$1.75*
- (3) Class 3: \$2.00*
- (4) Class 4: \$2.25*
- (5) Class 5: \$3.00*
- (6) Class 6: \$3.50*
- (7) Class 7: \$4.00*
- (8) Class 8: \$4.50*
- (9) Class 9: \$5.00*
- (10) Class 10: \$5.50*
- (11) Class 11: \$6.00*
- (12) Class 12: \$6.50*

(f) Dover:

- (1) Class 1: \$1.50*
- (2) Class 2: \$1.75*
- (3) Class 3: \$2.00*
- (4) Class 4: \$2.25*
- (5) Class 5: \$3.00*
- (6) Class 6: \$3.50*
- (7) Class 7: \$4.00*
- (8) Class 8: \$4.50*
- (9) Class 9: \$5.00*
- (10) Class 10: \$5.50*
- (11) Class 11: \$6.00*
- (12) Class 12: \$6.50*

(g) Rochester:

- (1) Class 1: \$1.50*
- (2) Class 2: \$1.75*
- (3) Class 3: \$2.00*
- (4) Class 4: \$2.25*
- (5) Class 5: \$3.00*
- (6) Class 6: \$3.50*
- (7) Class 7: \$4.00*
- (8) Class 8: \$4.50*
- (9) Class 9: \$5.00*
- (10) Class 10: \$5.50*
- (11) Class 11: \$6.00*
- (12) Class 12: \$6.50*

III. Notwithstanding paragraph I of this section, RSA 237:24, and any other provision of law to the contrary, the toll rates for vehicles bearing a registration number as defined by RSA 259:85

or listed on a funded New Hampshire E-Z Pass account using the New Hampshire electronic toll collection system shall be at a minimum as follows, based on toll plaza and vehicle classification as defined in Tra 701.02(j) of the New Hampshire administrative rules:

(a) Hooksett Main:

- (1) Class 1: \$0.70***
- (2) Class 2: \$0.88***
- (3) Class 3: \$1.05***
- (4) Class 4: \$1.23***
- (5) Class 5: \$1.80***
- (6) Class 6: \$2.25***
- (7) Class 7: \$2.70***
- (8) Class 8: \$3.15***
- (9) Class 9: \$3.60***
- (10) Class 10: \$4.05***
- (11) Class 11: \$4.50***
- (12) Class 12: \$4.95***

(b) Hooksett Ramp:

- (1) Class 1: \$0.35***
- (2) Class 2: \$0.53***
- (3) Class 3: \$0.70***
- (4) Class 4: \$0.88***
- (5) Class 5: \$0.90***
- (6) Class 6: \$1.35***
- (7) Class 7: \$1.80***
- (8) Class 8: \$2.25***
- (9) Class 9: \$2.70***
- (10) Class 10: \$3.15***
- (11) Class 11: \$3.60***
- (12) Class 12: \$4.05***

(c) Bedford Main:

- (1) Class 1: \$0.70***
- (2) Class 2: \$0.88***
- (3) Class 3: \$1.05***
- (4) Class 4: \$1.23***
- (5) Class 5: \$1.80***
- (6) Class 6: \$2.25***
- (7) Class 7: \$2.70***
- (8) Class 8: \$3.15***
- (9) Class 9: \$3.60***

(10) Class 10: \$4.05

(11) Class 11: \$4.50

(12) Class 12: \$4.95

(d) Hampton Main:

(1) Class 1: \$1.40

(2) Class 2: \$1.58

(3) Class 3: \$1.75

(4) Class 4: \$1.93

(5) Class 5: \$3.60

(6) Class 6: \$4.05

(7) Class 7: \$4.50

(8) Class 8: \$4.95

(9) Class 9: \$5.40

(10) Class 10: \$5.85

(11) Class 11: \$6.30

(12) Class 12: \$6.75

(e) Hampton Side:

(1) Class 1: \$0.53

(2) Class 2: \$0.70

(3) Class 3: \$0.88

(4) Class 4: \$1.05

(5) Class 5: \$1.35

(6) Class 6: \$1.80

(7) Class 7: \$2.25

(8) Class 8: \$2.70

(9) Class 9: \$3.15

(10) Class 10: \$3.60

(11) Class 11: \$4.05

(12) Class 12: \$4.50

(f) Dover:

(1) Class 1: \$0.53

(2) Class 2: \$0.70

(3) Class 3: \$0.88

(4) Class 4: \$1.05

(5) Class 5: \$1.35

(6) Class 6: \$1.80

(7) Class 7: \$2.25

(8) Class 8: \$2.70

(9) Class 9: \$3.15

(10) Class 10: \$3.60

(11) Class 11: \$4.05

(12) Class 12: \$4.50

(g) Rochester:

(1) Class 1: \$0.53

(2) Class 2: \$0.70

(3) Class 3: \$0.88

(4) Class 4: \$1.05

(5) Class 5: \$1.35

(6) Class 6: \$1.80

(7) Class 7: \$2.25

(8) Class 8: \$2.70

(9) Class 9: \$3.15

(10) Class 10: \$3.60

(11) Class 11: \$4.05

(12) Class 12: \$4.50

2 New Paragraph; Statewide Transportation Improvement Program; Roll Rate Comparison to Inflation Rate. Amend RSA 228:99 by inserting after paragraph II the following new paragraph:

II-a. The statewide transportation improvement program shall include a comparison of the current toll rates against the department of transportation's project inflation rate for consideration by the governor's advisory commission on intermodal transportation and the legislature.

3 Agency Directive; Department of Transportation; New Hampshire E-ZPass Transponder. Notwithstanding any other provision of law, for a period of 210 days, beginning upon the effective date of this section, the department of transportation shall issue at no cost, a New Hampshire E-ZPass transponder to any resident, as defined by RSA 21:6, who opens or currently maintains a funded New Hampshire E-ZPass account, if so requested by the resident.

4 Repeal. RSA 237:11, V, relative to the E-Z Pass discount on established tolls on any of the New Hampshire turnpike system, is repealed.

5 Effective Date.

I. Section 3 of this act shall take effect December 1, 2026.

II. The remainder of this act shall take effect January 1, 2027.

2026-1062s

AMENDED ANALYSIS

This bill:

I. Provides for toll rate adjustments at specified turnpike plazas to support projects in the 2027–2036 ten year transportation plan.

II. Provides for periodic toll adjustments tied to the New Hampshire department of transportation's projected inflation index as part of the statewide transportation improvement program.

III. Directs the department of transportation to issue at no cost, a New Hampshire E-ZPass transponder to any resident who opens or currently maintains a funded New Hampshire E-ZPass account, if so requested by the resident.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

Deputy President Pro Tempore Murphy Presiding

Recess. Out of recess.

SPECIAL ORDER

Without objection, SB 621-FN, is Special Ordered to the present time. Adopted.

JUDICIARY

SB 621-FN, establishing a homicide cold case commission for the purpose of acting as an intermediary between the department of justice and the family of cold case homicide victims.

Inexpedient to Legislate, Vote 3-2. Senator Gannon for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate. Adopted.

President Carson presiding.

SB 551-FN, relative to legal protections for legal reproductive health care services.

Inexpedient to Legislate, Vote 3-2. Senator Abbas for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Altschiller, seconded by Senator Avar.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avar, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted.

SB 552, permitting classification of individuals based on biological sex under certain limited circumstances. Ought to Pass, Vote 3-2. Senator Abbas for the committee.

The question is on the adoption of the motion of Ought to Pass.

A roll call was requested by Senator Altschiller, seconded by Senator Lang.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avar, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted, bill ordered to Third Reading.

SB 554, repealing the limitation of liability for certain design features of firearms.

Inexpedient to Legislate, Vote 3-2. Senator Gannon for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Abbas, seconded by Senator Avar.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avar, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted.

Recess. Out of recess.

INTRODUCTION OF GUESTS

PRESIDENT CARSON: I'd like to introduce the Leadership New Hampshire group. They are from all over the state and it is a true pleasure to have them with us here this afternoon.

SB 623-FN, relative to requirements for law enforcement officers assisting in immigration enforcement. Inexpedient to Legislate, Vote 3-2. Senator Abbas for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Abbas, seconded by Senator Avar.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avar, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 16 - Nays: 8. Adopted.

SB 625-FN, permitting family members of homicide victims to seek an evidentiary hearing in cases where the department of justice does not file charges in the case.

Interim Study, Vote 5-0. Senator Gannon for the committee.

The question is on the adoption of the motion of Interim Study. Failed.

Senator Birdsell moved Ought to Pass.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

HB 186-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. Inexpedient to Legislate, Vote 2-1. Senator Gannon for the committee.

Senator Gannon moved to Lay on the Table.

A roll call was requested by Senator Fenton, seconded by Senator Altschiller.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avar, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators voted No: Watters, Prentiss, Fenton, Rosenwald, Reardon, Murphy, Long, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 15 - Nays: 9. Adopted.

LIST OF RULE 6-25'S FOR THE DAY

Senator Reardon: SB 465-FN

Senator Reardon: SB 551-FN

LIST OF IN FAVOR/OPPOSITION FORMS FOR THE DAY

Senator Altschiller: HB 365-FN: In opposition to the motion of Ought to Pass.

Senator Altschiller: SB 580-FN: In opposition to Ought to Pass with Amendment: Sections 5 & 6, and the effective date.

Senator Altschiller: SB 654-FN: In opposition to the motion of Ought to Pass.

Senator Birdsell: SB 627-FN: In opposition to the motion of Ought to Pass with Amendment.

Senator McGough: HB 104-FN: In opposition to the motion of Indefinitely Postpone.

Senator Murphy: HB 104-FN: In opposition to the motion of Indefinitely Postpone.

Senator Perkins Kwoka: SB 580-FN: In opposition to Ought to Pass with Amendment: Sections 5 & 6, and the effective date.

Senator Ricciardi: SB 621-FN: In opposition to the motion of Inexpedient to Legislate.

Senator Sullivan: HB 104-FN: In opposition to the motion of Indefinitely Postpone.

Senator Sullivan: SB 621-FN: In opposition to the motion of Inexpedient to Legislate.

Senator Sullivan: SB 627-FN: In opposition to the motion of Ought to Pass with Amendment.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Birdsell moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted. Adjournment from the Early Session.

LATE SESSION
ANNOUNCEMENTS

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Okay. Thank you very much. First of all, I would just like to share with my colleagues in this chamber that the first year that I was here, I worked, actually with Senator Gannon, on putting emergency action plans for medical emergencies in athletic settings in our New Hampshire schools into place. It was a bill that you introduced. We worked with the athletic trainers to enrich that so that every school had a plan, if there was a medical emergency in an athletic setting, how to respond to it. Two years later, we worked together again with the bill that I led on, and Senator Gannon and others in this chamber, I'm thankful, and in the House. Helped with to make sure that in this plan there was also a designation to have one or more automatic external defibrillators in these athletic settings, not locked up in a nurse's office or an athletic trainer's office, but on the field or on the bench or wherever it might be, and then we had at least one CPR trained individual on site. This past Saturday in my district at a middle school, at an athletic event in a gymnasium, an elderly person collapsed. CPR were started immediately the plan was activated, the AED on the bench was pulled. Two shocks by bystanders were administered, and that individual, that man's life was saved he was transported and he is still alive and doing well. So work that we do in this body goes out and has implications throughout the state, and this is a great example of some work that we have all done together to make New Hampshire safer. So there's one. Thank you, everyone, with working together on that.

Number two, once a year I have the opportunity to speak, well, to go and meet with the Dartmouth students in their policy shop. They have a specific class at the Rockefeller Center where they work on policy proposals and they look to legislators to come in and pitch ideas. I did pitch my GLP-1 that if we were actually supporting, either through, at that point, it was private health insurance or through Medicaid, a public plan GLP-1s for obesity treatment that we could actually drive down healthcare related costs.

I want to let you all know that if you're interested this Monday at 10:00 a.m. in Room 100, the Dartmouth policy students are going to come and present their findings. So if you're just interested in learning more about this in general, and hearing from students that are actually interested in what we're all working on here together, it would be a great opportunity and I'm sure they'd appreciate being able to see you. Madam President, thank you for the opportunity and colleagues.

Without objection, all Personal Privileges and Unanimous Consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17). Adopted.

LATE SESSION
Third Reading and Final Passage

HB 323, requiring the presentation of a government-issued photographic means of identification in order to vote.

HB 510-FN, establishing a commission to study due process in higher education disciplinary proceedings.

HB 529, relative to the liquor commission.

HB 565, allowing persons under 21 into veterans' clubs, private clubs, and social clubs under certain conditions.

HB 1025, relative to the designation of the chief financial officer as a civilian employee within the department of military affairs and veterans services.

HB 1101, relative to the membership and governance of the state veterans council.

HB 1152, designating the funds account for donations and bequests received by the department of military affairs and veterans services to be non-lapsing funds.

HB 1162, extending the commission on Holocaust and genocide studies.

HB 1168, relative to employer documentation requirements.

HB 1190-FN, enabling the division of motor vehicles to create a temporary traditional driver's license for youth operators about to turn 21 and relative to fleet vehicle registration requirements.

HB 1193, naming a 911 call service center in Laconia in honor of Bruce G. Cheney.

HB 1485-FN, relative to eligibility and fees for late refund requests of road tolls.

SB 414, relative to enforcement of marital property settlements.

SB 425, adopting the physician associate licensure compact.

SB 438, relative to the sharing of data between the department of safety and the secretary of state for the purposes of verifying the accuracy of information in the centralized voter registration database.

SB 444-FN, prohibiting the use of animal testing when other comparable methods are available.

SB 455-FN, relative to health plan coverage of GLP-1 medications.

SB 465-FN, classifying xylazine as a schedule III controlled drug.

SB 480-FN, limiting certain prior authorization requirements for physical therapy, occupational therapy, and similar rehabilitative services.

SB 523-FN, establishing a commission to study the implementation of a residential builder registration system.

SB 527, relative to written notice provided by state agencies to municipalities regarding pending applications.

SB 528-FN, prohibiting receiving compensation for lobbying on behalf of a foreign adversary.

SB 548-FN, relative to health carrier provider contract standards.

SB 552, permitting classification of individuals based on biological sex under certain limited circumstances.

SB 575, establishing a study committee to study the issue of school bullying.

SB 580-FN, relative to establishing a school cooperative purchasing program.

SB 591-FN, relative to electric utility investment in distributed energy resources.

SB 596-FN, prohibiting smoking in Hampton Beach State Park.

SB 598, establishing the cyanobacteria mitigation loan and grant fund task force.

SB 603-FN, relative to the funding of the SNAP program by the department of health and human services.

SB 619-FN, establishing procedures for expedited court hearings and disposition of confiscated animals.

SB 624-FN, restricting access to certain hemp-derived products.

SB 627-FN, relative to toll rate adjustments and periodic inflation-based toll reviews for the New Hampshire turnpike system to support the 2027-2036 ten-year transportation plan.

SB 643-FN, requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

SB 646-FN, relative to mental health standards of care.

SB 663-FN-A, creating a Medicaid methodology working group within the department of health and human services.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Birdsell moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, vacating bills, and processing enrolled bill reports and amendments, and forming committees of conference and when we recess, we recess to the Call of the Chair.

Adopted. The Senate is in recess to the Call of the Chair.