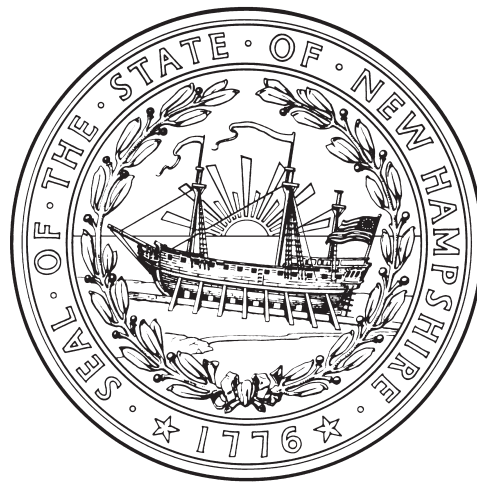


June 5, 2025
Nos. 14-15

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 22, 2025 SESSION
COMMENCEMENT – JUNE 5, 2025 SESSION**

SENATE JOURNAL 14 *(continued)*

May 22, 2025

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 551-FN, (New Title) repealing the license to sell pistols and revolvers and limiting liability for certain design features of firearms.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 37, relative to residential care and health facility licensing.

SB 130-FN, (New Title) establishing a commission to study delivery models for emergency medical services in the state of New Hampshire.

SB 257, establishing a committee to study state guidelines for Medicaid eligibility determinations.

SB 272-FN, relative to electric-vehicle charging station funding.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 170, (New Title) relative to development and related requirements in cities, towns, and municipalities.

SB 174, prohibiting planning boards from considering the number of bedrooms a given unit or development has during the hearing and approval process.

SB 243-FN, relative to the child care scholarship program.

SB 294-FN, relative to lab fees for career and technical education courses.

HOUSE MESSAGE

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

SB 12, relative to adding eligibility for a disability placard for certain veterans.

SB 40, relative to safe boater education certificates.

SB 61-FN, relative to prescriptions for state prisoners paid for by the department of corrections.

SB 98-FN, extending the donations to regional career and technical education center programs.

SB 102-FN, making informational materials regarding type 1 diabetes available on the department of education website.

SB 154-FN, relative to authorized organizations issuing multi-use decal plates.

SB 156, allowing the division of motor vehicles to contract with a third-party vendor to facilitate the secure transfer of title applications and information.

SB 165, relative to the audit requirements for consumer cooperative associations.

SB 166, relative to notice required prior to sale of a manufactured housing unit located in a resident-owned community.

SB 202, relative to Alzheimer's disease and other related dementia training for first responders.

SB 269, removing references to matrimonial age and time waivers in the vital records act.

SB 271, relative to qualifications for issuing veteran license plates to include General Discharge Under Honorable Conditions.

SB 273-FN, relative to motorist duties when approaching highway emergencies involving a stopped or standing vehicle.

SB 281, prohibiting municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

May 23, 2025
2025-2401-EBA
09/05

Enrolled Bill Amendment to SB 236

The Committee on Enrolled Bills to which was referred SB 236

AN ACT relative to transferring control of the Electric Assistance Program to the department of energy.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 236

This enrolled bill amendment makes a technical correction to the bill.

Enrolled Bill Amendment to SB 236

Amend RSA 374-F:4, VIII(c), as inserted by section 3 of the bill, by replacing line 15 with the following:

over the next 12 months, it ~~[shall]~~ **may, using non-adjudicative procedures**, suspend **by order**

Senator Avarad moved adoption of the Enrolled Bill Amendment. Adopted in recess.

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 551-FN, repealing the license to sell pistols and revolvers and limiting liability for certain design features of firearms.

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

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 62-FN, relative to protection of persons from domestic violence and military protective orders.

HB 76-FN, relative to tracking special education complaints.

HB 108, relative to bullying and cyberbullying across multiple school districts.

HB 168, relative to including municipal public works facilities as eligible capital facilities for the assessment of impact fees.

HB 227-FN, relative to licensure for psychotherapy activities or services.

HB 230-LOCAL, relative to the adoption of public health ordinances by municipalities.

HB 272, exempting certain agricultural practices from municipal noise regulation.

HB 288, limiting how far in advance of an election an absentee ballot may be requested.

HB 319-FN, relative to the responsibility of local school districts to provide transportation for pupils in kindergarten.

HB 405, establishing a commission to study human trafficking within illicit massage businesses and relative to prostitution and related offenses.

HB 440, relative to educator licensing.

HB 474, requiring a second witness at the counting of write-in votes.

HB 538-FN, reallocating positions in the liquor commission.

HB 494-FN, relative to the math learning communities program.

HB 552-FN, relative to coverage of children under the state retiree insurance plan.

HB 569, relative to the establishment of county-wide communication districts.

HB 571, including Constitution Day in patriotic exercises required of public schools.

HB 602, requiring certain offenders to participate in a victim impact program.

HB 753-FN, relative to expedited due process hearings to enforce special education rights.

HB 754-FN, establishing automatic discovery in due process hearings for actions seeking to enforce special education rights.

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

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 268-FN, relative to hearings before the board of tax and land appeals.

HB 355, relative to the membership of the solid waste working group.

HB 647-FN, relative to the fee for a newborn lifetime hunting and fishing license.

SB 16, requiring municipalities to post a copy of election return forms on their websites and in public locations.

SB 22-FN, relative to disclosure of criminal history and criminal records to the child care licensing unit of the department of health and human services.

SB 28, relative to workers' compensation claims involving emergency responders with acute stress disorder or post-traumatic stress disorder.

SB 29, relative to membership, jurisdiction, and reports of the health care workplace safety commission and relative to health care facility reporting requirements under the workplace violence prevention program.

SB 50, establishing a committee to study the regulation of private animal boarding facilities.

SB 51, relative to decal fees and the statewide public boat access program.

SB 68, adding a member to the governor's commission on disability.

SB 77-FN, providing children in delinquency and children in need of services (CHINS) cases the identical types of psychological evaluations as children in child protection matters.

SB 91-FN, allowing one-time special appraisals of residences located in commercial zones.

SB 107-FN, enabling the state treasurer to invest certain fish and game funds.

SB 133-FN, relative to the designation of emergency medical services performed by ambulance service providers as essential services.

SB 146-FN, relative to medical examiner's certificates and medical certification of the death record.

SB 194-FN, relative to qualifications for cosmetologists.

SB 229-FN, relative to the sale of uninspected bison, red deer, and elk meat.

SB 278-FN, including qualifying convictions from other states as grounds for termination of parental rights petitions.

SB 299, relative to penalties for contractors violating water pollution and waste disposal regulations.

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

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 15

June 5, 2025

The Senate reconvened at 1:00 p.m., a quorum being present.

Without objection the Senate will proceed today without taking a roll call on each bill.

Without objection, pursuant to Senate Rule 2-33 Senator Watters will participate remotely. Adopted.

PRESIDENT CARSON: Good afternoon, Senator Watters, can you please state your location and identify anyone present in the location from which you are participating?

SENATOR WATTERS: I'm at my home in Dover and there is no one in the room with me.

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

Good afternoon, Senators, staff and guests.

If your faith allows, would you pray with me. Heavenly Father, we come before you today with grateful hearts acknowledging your sovereignty over all things, including the affairs of our great state of New Hampshire. We thank you for the gift of this day and the opportunity to serve the people of New Hampshire. Lord, we lift up every Senator and staff gathered in this chamber. We recognize the weight of responsibility they carry and the sacrifices they make to lead with integrity and purpose. May they be reminded today that public service is not just a position but a sacred calling, one that you have ordained for such a time as this. We thank you Lord for the unseen work, the long hours and the commitment each person here brings to the service of others. Bless them, their families and their communities. May your peace and strength be with them as they carry out their duties entrusted to them today. In your holy name we pray. Amen.

Senator Carson led the Pledge of Allegiance.

MEMORIAL CANDLE

PRESIDENT CARSON: I would like to call Senator Prentiss forward, so that we might light the candle in honoring Senator David Hammond Bradley.

MOMENT OF SILENCE

PRESIDENT CARSON: Please join me in a moment of silence for a fallen colleague.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Avard.)

SENATOR AVARD: Thank you Madam President. I'd like to introduce our page here. His name is Julian Gutierrez Cabanzo. Age 16, grade 11 from Nashua. He comes from Nashua High North. His favorite school subject is social studies. I think Senator Watters would like that. He's the class treasurer for four years in a row of Rho Kappa, Social Studies Honor Society, Treasurer, and Leo's Club, Treasurer of the Business Honor Society, Jazz Band. I don't know what instrument you play, but I'm excited to hear that. Marching Band School Soccer Team, J.V. Captain Club Soccer. My gosh. He also works for Chick-fil-A, and it's a pleasure to serve you. He's a lecturer at his school and at his church. I'm having a hard time reading one other thing here, but he plans to major in Business Administration and Management, and he wants to go to pre-law in his studies so that he can be an attorney and find a position, and if that doesn't work out for him, he wants to be a U.S. Senator. Welcome.

(The Chair recognized Senator Murphy.)

SENATOR MURPHY: Thank you, Madam President. Madam President, in 2018 I finished my last of fourth terms as a State Representative and I decided to not run for reelection. I wanted to step down and really focus on my family and my business and I really never thought I'd be sitting in this chamber. And then in 2022 I got a phone call from a friend that I served with in the house named Michael Yakubovich. Michael said, Keith, I'm not feeling well, I'm very sick and I'm going to ask you to please put your name on the ballot for me because he had just won a nomination for the chair that I now occupy. And that was a great compliment to me and an honor to take that spot on the ballot, but it's never left me that in a better, more fair world it would be Michael here. I'm honored to say that Mike's in the gallery today and I ask you to please welcome him to the Senate. Mike, one day I hope you're here. Thank you.

PRESIDENT CARSON: I have a few guests that are here today. They are a great group of people that we've worked with on House Bill 337 and House Bill 712 that work to protect children, and I would like them to stand please. Jamie Reed, Lauren Leggieri, Evelyn Ullman, and Simon Amaya Price. Thank you.

Thank you, all our guests, for being here this afternoon.

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate. Adopted.

SPECIAL ORDER

Without objection, the following bills are Special Ordered to the beginning of the regular calendar. Adopted.

EDUCATION

HB 10-FN, establishing a parental bill of rights.

FINANCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2026, and June 30, 2027.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

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 to Third Reading.

FINANCE

HB 499-FN, making technical corrections to certain insurance laws.

Ought to Pass, Vote 7-1. Senator Lang for the committee.

This bill makes technical corrections to different insurance laws. It does not provide funding, nor does it authorize any new positions.

HEALTH AND HUMAN SERVICES

HB 117, relative to the substitution of biological products.

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

This bill modifies the definition of “interchangeable biological product” and allows for interchangeable biological products to be provided by pharmacists subject to certain restrictions. An amendment has been adopted to point to the proper section of U.S. code allowing for interchangeable biological products and define “biosimilar” in statute.

Senate Health and Human Services

May 21, 2025

2025-2325s

09/05

Amendment to HB 117

Amend RSA 318:47-dd, I as inserted by section 1 of the bill by replacing it with the following:

I. In this section:

(a) “Biological product” means a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, protein (except any chemically synthesized polypeptide), or analogous product, or arsphenamine or derivative of arsphenamine (or any other trivalent organic arsenic compound), applicable to the prevention, treatment, or cure of a disease or condition of human beings.

(b) “Biosimilar” or “biosimilarity” means:

(1) The biological product is highly similar to the reference product notwithstanding minor differences in clinically inactive components; and

(2) There are no clinically meaningful differences between the biological product and the reference product in terms of the safety, purity, and potency of the product.

~~[(b)]~~ (c) “Proper name” means the nonproprietary name for a biological product designated by the federal Food and Drug Administration license for use upon each package of the product.

~~[(c)]~~ (d) “Interchangeable biological product” means a biological product that **meets the definition under 42 U.S.C. section 262(i)(3)** ~~[the federal Food and Drug Administration:~~

~~(1) Has licensed and determined meets the standards for interchangeability pursuant to 42 U.S.C. section 262(k)(4); or~~

~~(2) Has determined is therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and Drug Administration’s Approved Drug Products with Therapeutic Equivalence Evaluations].~~

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

REGULAR CALENDAR

EDUCATION

HB 10-FN, establishing the parental bill of rights.

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

Senate Education
May 13, 2025
2025-2150s
11/09

Amendment to HB 10-FN

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

AN ACT establishing a parental bill of rights.

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

1 Declaration of Purpose.

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

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

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

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

CHAPTER 169-I

PARENTAL BILL OF RIGHTS

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

169-I:2 Definitions. In this chapter:

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

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

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

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

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

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

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

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

169-I:4 Parental Rights.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

169-I:7 Exceptions.

I. Nothing in this chapter shall:

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

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

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

169-I:8 Violations.

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

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

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

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

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

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

June 3, 2025

2025-2646s

05/06

Floor Amendment to HB 10-FN

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

1 Declaration of Purpose.

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

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

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

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

CHAPTER 189-B PARENTAL BILL OF RIGHTS

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

189-B:2 Definitions. In this chapter:

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

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

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

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

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

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

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

189-B:4 Parental Rights.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Procedures for a parent to object to instructional materials and other materials used in the classroom. Such objections may be based on beliefs regarding morality, sex, and religion or the belief that such materials

are harmful. For purposes of this section, the term “instructional materials” shall include, without limitation, all materials used in the classroom, including workbooks and worksheets, handouts, software, applications, and any digital media made available to students.

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

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

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

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

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

189-B:6 Exceptions.

Nothing in this chapter shall:

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

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

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

189-B:7 Violations.

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

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

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

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

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

2025-2646s

AMENDED ANALYSIS

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

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.

EARLY SESSION
THIRD READING AND FINAL PASSAGE

Senator Birdsell moved that, HB 10, having been ordered to third reading, be, by this resolution, read a third time, its title be the same as adopted, and be ordered by the Senate to be passed at the present time in the early session. Adopted.

Recess. Out of recess.

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 10-FN, establishing the parental bill of rights.

FINANCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2026 and June 30, 2027.

Ought to Pass with Amendment, Vote 6-2. Senator Gray for the committee.

Senate Finance

June 2, 2025

2025-2638s

09/08

Amendment to HB 1-A

Amend the bill by replacing all after section 1.07 with the following:

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1, the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. Not used.

B. Not used.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2027.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2027.

H. Not used.

I. In the event that estimated revenue in revenue class 001-transfers for other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the division of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2027, account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

J. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.

2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds, shall be the total appropriation from general funds for such accounting units that may be expended for the

purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefor.

3 Assignment of Office Space. If, during the biennium ending June 30, 2027, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the division of plant and property, activity number 01-14-14-141510 for maintenance of applicable state buildings.

4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2027, in order to provide sufficient funding to the lottery commission to carryout lottery games that will provide funds for the distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new games, the expansion of any existing lottery games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$15,000,000 for the biennium ending June 30, 2027.

5 Positions Abolished.

I. Developmental Disabilities Council. Position number 14623 is hereby abolished.

II. Housing Appeals Board. Position number 9U656 is hereby abolished.

III. Department of Education. Position numbers 41235, 16952, 13220, 44969, 44970, 44973, 42775, 13118, 8T3183, 13074, 13102, 40568, 40569, 40574, 41232, 44687, 9T3008, 44593, 45031, 44965, 44966, 44173, 9T2894, 9T2964, and 9T2965, are hereby abolished.

IV. Office of the Child Advocate. Position numbers 44348, 44349, 44986, and 44987 are hereby abolished.

V. State Department. The following position numbers are hereby abolished:

(a) Accounting Unit #1065 Corporate Administration: 11359.

(b) Accounting Unit #1610 Records Management Archives: 43455.

(c) Accounting Unit #2410 Securities Regulation: 9U562.

(d) Accounting Unit #7052 Right-to-Know Ombudsman: 9U727.

VI. Board of Tax and Land Appeals. Position number 14583 is hereby abolished.

VII. Insurance Department. Position numbers 40590, 44902 and 44112 hereby abolished.

VIII. Department of Corrections. The following position numbers are hereby abolished:

(a) Accounting Unit #7101 Commissioner's Office: 42238.

(b) Accounting Unit #8338 Victim Services Coordinator: 42282.

(c) Accounting Unit #8300 Financial Services: 12983.

(d) Accounting Unit #5731 Correctional Industries Inventory: 12888, 12907.

(e) Accounting Unit #3372 NH State Prison for Men: 12821, 12882, 16320, 16913, 40748.

(f) Accounting Unit #3373 Northern NH Correctional Facility: 41503.

(g) Accounting Unit #3374 NH Correctional Facility/Women: 40724.

(h) Accounting Unit #6632 Maintenance: 12894, 40167, 44336.

(i) Accounting Unit #6633 Laundry: 16811.

(j) Accounting Unit #6634 Kitchen: 18813.

(k) Accounting Unit #6635 Warehouse: 18848.

(l) Accounting Unit #8302 District Offices: 12829, 12845, 18563, 30356, 40899, 17428.

(m) Accounting Unit #4106 Concord Transitional Work Center: 12827.

(n) Accounting Unit #6820 Programs: 12901, 12937, 18809, 19552, 19564, 40719, 41315, 42240, 42250, 42263, 44329, 44334.

(o) Accounting Unit #8231 Mental Health: 16277, 19559, 41462, 41501, 41502, 41504.

(p) Accounting Unit #8234 Medical - Dental: 19536, 30352, 40709, 41497, 41522.

(q) Accounting Unit #8235 Residential Treatment Program: 30365.

(r) Accounting Unit #8236 Pharmacy: 9U662.

(s) Accounting Unit #6528 Employee Development: 42283.

(t) Accounting Unit #6529 Human Resources: 12805, 13028, 18180, 19901, 42269.

(u) Accounting Unit #6531 Business Information Unit: 30347, 44333.

(v) Accounting Unit #5929 Professional Standards: 12899, 9U548.

6 Department of Health and Human Services; Bureau of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account number 05-95-45-457010-2384, class 085, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the bureau of child support services and the administrative office of the courts. The bureau of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the bureau of child support services in accordance with the cooperative agreement.

7 Legislative Branch; General Fund Appropriation Reductions. The legislative branch shall reduce state general fund appropriations by \$500,000 for the fiscal year ending June 30, 2026, and \$500,000 for the fiscal year ending June 30, 2027.

8 Office of the Governor; General Fund Appropriation Reductions. The office of the governor shall reduce state general fund appropriations by \$50,000 for the fiscal year ending June 30, 2026, and \$50,000 for the fiscal year ending June 30, 2027.

9 Department of Information Technology; Appropriation Reductions.

I. The department of information technology shall reduce appropriations by \$5,000,000 for the fiscal year ending June 30, 2026, and by \$5,000,000 for the fiscal year ending June 30, 2027.

II. The department of information technology, in consultation with the department of administrative services, shall proportionally decrease the funding allocated to the class 027 expenditure class lines of each state department or agency by their respective portion of these department of information technology costs.

10 Department of Natural and Cultural Resources; General Fund Appropriation Reductions. The department of natural and cultural resources shall reduce state general fund appropriations by \$300,000 for the fiscal year ending June 30, 2026, and \$300,000 for the fiscal year ending June 30, 2027.

11 Department of Environmental Services; General Fund Appropriation Reductions. The department of environmental services shall reduce state general fund appropriations by \$3,000,000 for the fiscal year ending June 30, 2026, and \$3,000,000 for the fiscal year ending June 30, 2027.

12 Department of Health and Human Services; Budget Reduction. In addition to any other required reductions, the department of health and human services is hereby directed to reduce general fund appropriations by \$25,500,000 in the fiscal year ending June 30, 2026, and by \$25,500,000 in the fiscal year ending June 30, 2027. The department shall provide the department of administrative services with the accounting units and class lines to be reduced and shall report these reductions to the fiscal committee of the general court by May 30, 2026, for reductions in the fiscal year ending June 30, 2026, and by May 30, 2027, for reductions in the fiscal year ending June 30, 2027.

13 Department of State; General Fund Appropriation Reductions. The department of state shall reduce general fund appropriations by \$225,000 in the fiscal year ending June 30, 2026, and by \$240,000 in the fiscal year ending June 30, 2027.

14 Human Rights Commission; General Fund Appropriation Reductions. The human rights commission shall reduce general fund appropriations by \$254,000 in the fiscal year ending June 30, 2026, and by \$267,000 in the fiscal year ending June 30, 2027.

15 Liquor Commission; Liquor Fund Appropriation Reductions. The liquor commission shall reduce state liquor fund appropriations by \$1,000,000 for the biennium ending June 30, 2027. In the event liquor fund revenue transfers to the general fund for the fiscal year ending June 30, 2026, as reported in the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), exceeds the official revenue plan for liquor fund revenues transferred to the general fund, the commission may use this excess revenue towards meeting the required \$1,000,000 reduction.

16 Department of Corrections; General Fund Appropriation Reductions. The department of corrections shall reduce general fund appropriations by \$5,000,000 for the biennium ending June 30, 2027.

17 Estimates of Unrestricted Revenue.

GENERAL FUND	<u>FY 2026</u>	<u>FY 2027</u>
BUSINESS TAXES	\$663,800,000	\$728,700,000
MEALS AND ROOMS TAX	342,400,000	354,800,000
TOBACCO TAX	112,800,000	112,800,000
TRANSFER FROM LIQUOR	102,900,000	103,500,000
INTEREST AND DIVIDENDS TAX	8,700,000	0
INSURANCE	165,000,000	168,000,000
COMMUNICATIONS TAX	29,100,000	29,100,000
REAL ESTATE TRANSFER TAX	143,600,000	152,600,000
COURT FINES & FEES	13,700,000	13,700,000
SECURITIES REVENUE	44,400,000	44,500,000
BEER TAX	13,000,000	13,000,000
OTHER REVENUES	126,000,000	120,000,000
MEDICAID RECOVERIES	<u>3,200,000</u>	<u>3,200,000</u>
TOTAL GENERAL FUND	\$1,768,600,000	\$1,843,900,000
EDUCATION FUND	<u>FY 2026</u>	<u>FY 2027</u>
BUSINESS TAXES	\$461,200,000	\$506,300,000
MEALS AND ROOMS TAX	11,100,000	11,500,000
TOBACCO TAX	64,900,000	64,900,000
REAL ESTATE TRANSFER TAX	70,700,000	75,100,000
TRANSFER FROM LOTTERY	224,700,000	224,700,000
TOBACCO SETTLEMENT	32,500,000	30,000,000
UTILITY PROPERTY TAX	48,500,000	50,000,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
TOTAL EDUCATION FUND	\$1,276,700,000	\$1,325,600,000
HIGHWAY FUND	<u>FY 2026</u>	<u>FY 2027</u>
GASOLINE ROAD TOLL	\$127,700,000	\$127,900,000
MOTOR VEHICLE FEES	131,700,000	134,700,000
MISCELLANEOUS	<u>200,000</u>	<u>200,000</u>
TOTAL HIGHWAY FUND	\$259,600,000	\$262,800,000
FISH AND GAME FUND	<u>FY 2026</u>	<u>FY 2027</u>
FISH AND GAME LICENSES	\$10,000,000	\$10,000,000
FINES AND MISCELLANEOUS	<u>4,000,000</u>	<u>4,000,000</u>
TOTAL FISH AND GAME FUND	\$14,000,000	\$14,000,000

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

The Chair ruled the question divisible.

Senator Birdsell objects to dividing the questions.

Recess. Out of recess.

The Question is shall the decision of the Chair stand.

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Altschiller.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

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.

A roll call was requested by Senator Rosenwald, seconded by Senator Perkins Kwoka.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, 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, bill ordered to Third Reading.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

Ought to Pass with Amendment, Vote 6-2. Senator Gray for the committee.

Senate Finance

June 2, 2025

2025-2637s

07/06

Amendment to HB 2-FN-A-LOCAL

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

1 New Paragraphs; Fish and Game; Endangered Species Conservation Act; Definitions. Amend RSA 212-A:2 by inserting after paragraph V the following new paragraphs:

VI. "Commissioner" means the commissioner of the department of environmental services.

VII. "Department" means the department of environmental services.

2 Fish and Game; Endangered Species Conservation Act; Conservation Program. Amend RSA 212-A:9 to read as follows:

212-A:9 Conservation Programs.

I. The executive director shall establish such programs, including acquisition of land or aquatic habitat or interests therein, as are deemed necessary for the conservation of endangered or threatened species. The executive director shall utilize all authority vested in the fish and game department to carry out the purposes of this section.

II. In carrying out programs authorized by this section the executive director shall consult with other states having a common interest in particular threatened or endangered species of wildlife and may enter into agreements with federal agencies, other states, political subdivisions of this state or private persons with respect to programs designed to conserve endangered or threatened species of wildlife including, where appropriate, agreements for administration and management if any are established under this section or utilized for conservation of endangered or threatened species of wildlife.

III. All other state departments and agencies, to the extent possible, consistent with their authorities and responsibilities, shall ~~[assist and cooperate with the executive director in the furtherance of the purposes of this chapter for the conservation of endangered or threatened species. They shall]~~ take such action as is reasonable and prudent to ~~[insure]~~ **ensure** that actions authorized, funded, or carried out by them do not appreciably jeopardize the continued existence of such species or result in the destruction or modification of

habitat of such species which is determined by the executive director to be critical, by requiring that all such action is designed to avoid ~~and~~, minimize, **and mitigate** harm to such species and habitat designated as critical. ***Other departments and agencies may consult with the executive director or hire their own internal wildlife biologists to carry out the requirements of this paragraph. The executive director shall assist other departments and agencies in carrying out this paragraph.*** For the purpose of this statute, “appreciably jeopardize the continued existence of such species” shall be defined in rules adopted by the executive director pursuant to RSA 541-A. The provisions of RSA 212-A or any rule promulgated under this chapter shall not be applicable to a state department or agency when that state department or agency, in the process of undertaking an action, is required by federal law or regulation to address the environmental impact on wildlife or wildlife habitat, of that action.

IV. To meet the requirements of paragraph III, the department of environmental services shall complete the review for any permit, approval, or written authorization required pursuant to RSA 482-A, RSA 485-A, and RSA 236. The department of environmental services shall adopt rules under RSA 541-A to implement the review process and establish a fee schedule for any requested reviews. Such rulemaking shall commence within 90 days of the effective date of this paragraph. The revenue collected from this section shall be deposited into the water resources fund established in RSA 482-A:3, III.

V. Any reviews conducted to fulfill the requirements of paragraph III for any permit, approval, or written authorization shall be conducted as follows:

(a) Reviews shall not exceed 60 days from receipt of all information as required by rules developed pursuant to paragraph IV;

(b) The time to complete the review may be extended with written authorization from the applicant;

(c) If the agency or department requests additional information from the applicant necessary to complete the review, the time it takes the applicant to respond shall not count against the 60 day timeline in subparagraph (a); and

(d) If the review period is not completed within the required timelines, except as provided for in subparagraph (c), then the permit, approval, or written authorization shall be deemed to not appreciably jeopardize the continued existence of a threatened or endangered species.

3 Department of Environment Services; Position Established. There shall be an environmental scientist position established within the department of environmental services, compensated under SOC 19, Payband 8, for the purpose of administering the environmental species act conservation program under RSA 212-A:9, III.

4 Fish and Game; Endangered Species Conservation Act; Threatened and Endangered Species Compensatory Mitigation Fund. Amend RSA 212-A:16 to read as follows:

212-A:16 Threatened and Endangered Species Compensatory Mitigation Fund.

I. There is hereby established in the state treasury a separate fund to be known as the threatened and endangered species compensatory mitigation fund into which payments made pursuant to this section shall be credited. The fund shall be non-lapsing and continually appropriated to the ***fish and game*** department, for the purpose of funding projects that facilitate a net conservation benefit to threatened and endangered species, including, but not limited to critical habitat creation or restoration and the monitoring and maintenance of such areas. The state treasurer shall invest the fund as provided by law and any interest received on such investment shall be credited to the fund. Notwithstanding any other provision of law to the contrary, the executive director may accept payment for deposit into the fund for an unavoidable loss of critical habitat from a proposed activity without the approval of the governor, the governor and council, or the commission. The executive director shall approve disbursements from the fund following consultation with the commissioner ~~[of the department of environmental services]~~. The ~~[department]~~ ***executive director*** shall submit an annual report by October 1, 2022, and every year thereafter, to the fiscal committee, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library, summarizing all deposits and expenditures from the fund. The report shall include, but not be limited to a description of all projects undertaken.

II. The executive director shall adopt rules under RSA 541-A for the ***disbursement of money from the*** threatened and endangered species compensatory mitigation fund no later than one year following the effective date of this section. ***Those rules shall establish an administrative fee that the executive director may collect from payments made to the fund to cover the cost of operation of the fund.***

III. The department of environmental services shall adopt rules under RSA 541-A regarding when mitigation payments to the fund are required for impacts to threatened and endangered species or the habitats of threatened and endangered species, pursuant to RSA 206:33-g, II, resulting from the issuance of a permit by the department of environmental services, and the calculation of those payments.

5 Public Recreation; New Hampshire Native Plant Protection; Definitions. Amend RSA 217-A:3, VI to read as follows:

VI. "Environmental review" means a ~~[natural heritage bureau]~~ review of potential impacts to protected species and exemplary natural community occurrences to enable planning, permitting, and funding.

6 Public Recreation; New Hampshire Native Plant Protection; Cooperation with Other State Agencies. Amend RSA 217-A:7 to read as follows:

217-A:7 Cooperation with Other State Agencies.

I. All state agencies, consistent with their authority and responsibilities, shall assist and cooperate with the commissioner to carry out the purposes of this chapter. To the extent possible actions funded or carried out by state agencies shall not jeopardize the continued existence of any protected plant species or exemplary natural community.

II. If another state agency or department requires an environmental review to meet its obligations in paragraph I, they shall consult with the department of environmental services. The department of environmental services may charge a fee of not less than \$50 for screening the database for instances of protected species and may charge a fee for providing an environmental review. Such fees shall be sufficient to cover the cost of building and maintaining a database for instances of protected species, for screening the database for instances of protected species, and for providing an environmental review. Fees shall be deposited in the water resources fund established in RSA 482-A:3, III. The commissioner of the department of natural and cultural resources shall be responsible for providing the data necessary for the database.

III. The department of environmental services shall adopt rules to establish the process for requesting a screening and for the environmental review process in paragraph II. Such rulemaking shall begin within 90 days of the effective date of this section. The commissioner shall assist and cooperate with the department of environmental services to ensure the agency has the information necessary to adequately complete the environmental review process.

7 Public Recreation; New Hampshire Native Plant Protection; Natural Heritage Bureau Fund Established. Amend RSA 217-A:7-a to read as follows:

217-A:7-a Natural Heritage Bureau Fund Established.

I. The commissioner may charge a fee ~~[for screening department records for instances of protected species or environmental review;]~~ for using inventory and information services~~;~~ and for publications and reports to recover the costs of providing products and services ~~[and a reasonable portion of the costs associated with building and maintaining the database].~~

II. Fees shall be sufficient to cover the costs of providing services and producing and providing products authorized by this chapter.

III. Fees shall be fixed in a schedule prepared and revised as necessary by the natural heritage bureau, approved by the commissioner, and established in rules adopted pursuant to RSA 541-A. The fees charged under this paragraph shall be deposited in the fund established in paragraph IV.

IV. There is hereby established in the office of the state treasurer a fund to be known as the natural heritage bureau fund. Moneys collected under this section and RSA 217-A:6, III shall be deposited in this fund. The fund shall be nonlapsing and continually appropriated to the commissioner ~~[for the purposes of providing environmental reviews;]~~ for the costs of providing publications or reports to the public, for the costs of providing inventory and information services, and to accomplish the purposes of this chapter.

8 New Paragraph; Water Management and Protection; Fill and Dredge In Wetlands; Definitions. Amend RSA 482-A:2 by inserting after paragraph VIII the following new paragraph:

VIII-a. "Boathouse" means a docking structure having a permanent roof covering one or more boat slips.

9 New Paragraph; Water Management and Protection; Fill and Dredge In Wetlands; Definitions. Amend RSA 482-A:2 by inserting after paragraph IX the following new paragraph:

IX-a. "Structural height" means the vertical distance from its lowest dock surface of a structure to the highest point of the structure.

10 Water Management and Protection; Fill and Dredge In Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, I(b)-(d) to read as follows:

(b) The application fee for shoreline structure projects shall be ~~[\$400]~~ **\$600** plus an amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof, which shall be ~~[\$4]~~ **\$6** per square foot for permanent dock surface area; ~~[\$2]~~ **\$3** per square foot for seasonal dock surface area; and ~~[\$.40]~~ **\$0.60** per square foot for dredge or fill surface area or both. For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be ~~[\$400]~~ **\$600**.

(c) The application fee shall be ~~[\$400]~~ **\$600** for minimum impact dredge and fill projects and for non-enforcement related publicly funded and supervised restoration projects as defined by rules, regardless of impact classification, if undertaken by other than the person or persons responsible for causing the restoration to be needed. The application fee for all projects under this chapter which are not covered by subparagraph (b) or (c) or paragraphs IV-a, V, X through XII, XV, XVI, or XVII through XIX shall be ~~[\$.40]~~ **\$0.60** per square foot of proposed impact, with a minimum fee of ~~[\$400]~~ **\$600** for all such projects that impact fewer than 600 square feet.

(d) If an owner chooses to voluntarily register existing docking structures, at the time the owner registers the structures with the department, he or she shall also submit a nonrefundable fee of ~~[\$200]~~ **\$300**.

11 Water Management and Protection; Fill and Dredge In Wetlands; Administrative Provisions. Amend RSA 482-A:11, III(a) to read as follows:

III.(a) Upon written notification to the department by a municipal conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, local river management advisory committee, or the council, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier~~[-, subject to an extension of up to 40 days, as permitted by the commissioner, for good cause shown].~~ In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. ~~[Where the commissioner grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended for up to 40 days as agreed to by the applicant and the department.]~~ If a conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission, local river management advisory committee, or the New Hampshire Rivers Council pursuant to this paragraph, is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

12 Terrain Alteration. Amend RSA 485-A:17, II to read as follows:

II.(a) The department shall charge a fee for ~~[each review of plans]~~ **applications**, including project inspections, required under this section.~~[-The plan review fee shall be based on the total area to be disturbed:]~~ **For projects that qualify for a permit by notification allowed by paragraph II-a, the application fee for a permit by notification shall be \$3,125.** Except for ~~[property subject to RSA 483-B:9]~~ **projects that qualify for a permit by notification allowed by paragraph II-a**, the fee for ~~[review of plans]~~ **applications** encompassing an area of at least ~~[100,000]~~ **150,000** square feet but less than 200,000 square feet shall be ~~[\$3,125]~~ **\$6,250**. ~~[For the property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at least 50,000 square feet but less than 200,000 square feet shall be \$3,125.]~~ An additional fee of ~~[\$1,250]~~ **\$2,500** shall be assessed for each additional area of up to 100,000 square feet to be disturbed. **For any property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at least 50,000 square feet but less than 150,000 square feet shall be \$5,000. For all other projects, the fee shall be \$500 plus \$0.005 per square foot of disturbance.** No application shall be accepted by the department until the fee required by this paragraph is paid. All fees required under this paragraph shall be paid when plans are submitted for review and shall be deposited in the water resources fund established in RSA 482-A:3, III.

(b) The department shall charge a non-refundable fee of \$500 ~~[plus a \$.10 fee per square foot of disturbance associated with the amendment request]~~ for each request to amend a permit that requires plans to be reviewed.

13 Permit by Notification. RSA 485-A:17, II-a is repealed and reenacted to read as follows:

II-a. By January 1, 2026, the department shall adopt rules to establish a permit by notification for projects with plans encompassing an area less than 150,000 square feet that are not subject to RSA 483-B:9.

14 New Section; Boathouse Requirements. Amend RSA 482-A by inserting after section 26 the following new section:

482-A:26-a Boathouse Requirements.

I. Any boathouse constructed after July 1, 2025, and located over public waters shall not exceed a structural height of 18 feet, have no second floor, and minimize storage to accommodate only those items, such as life-jackets, paddles, and rigging, reasonably related to the use of a boat. No boathouse over public waters existing as of July 1, 2025, shall be modified to increase its structural height or to add additional floors.

II. For the purposes of this section, "public waters" means all natural ponds of more than 10 acres and all tidal waters up to the high water mark at the level of the mean high tide.

15 Water Management and Protection; Fill and Dredge In Wetlands; Restrictions on Use of Structures Built Over the Waters of the State; Penalty. Amend RSA 482-A:27 to read as follows:

482-A:27 Penalty. Any person who violates any provision of RSA 482-A:26 **or 482-A:26-a** shall be required to remove the structure or portion of the structure constructed, reconstructed, repaired, converted, or modified in violation of said section and shall be subject to the civil, criminal, and other penalties set forth in RSA 482-A:13, 14, and 14-b. Any criminal fine collected for a violation of RSA 482-A:26 shall accrue to the use of the municipality in which the structure is located.

16 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

VI. "Eligible student" means a resident of this state who is eligible to enroll in a public elementary or secondary school ~~[and whose annual household income at the time the student applies for the program is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the student otherwise qualifies]~~. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

17 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:1 by inserting after paragraph XII the following new paragraphs:

XIII. "Priority Guidelines" means the ordered list:

- (a) A student currently enrolled in the EFA program;
- (b) A sibling of a student currently enrolled in the EFA program;
- (c) A child with disabilities as defined by RSA 186-C:2;

(d) A student whose family income is less than or equal to 350 percent of the federal poverty guidelines as updated annually by the United States Department of Health and Human Services under 42 U.S.C. section 9902 (2).

XIV. "Enrollment Cap" means the total number of students that may be enrolled in the EFA program in a given school year before further enrollment is closed to all but students meeting priority guidelines, for whom enrollment is always open.

18 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications ~~[for the fall and spring semesters]~~ **for enrollment on a rolling basis** each year and shall establish procedures for approving applications **for enrollment** in an expeditious manner. **Priority guideline students shall not be subject to the enrollment cap and shall be enrolled on a rolling basis.**

19 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications for enrollment on a rolling basis each year and shall establish procedures for approving applications for enrollment in an expeditious manner. ~~[Priority guideline students shall not be subject to the enrollment cap and shall be enrolled on a rolling basis.]~~

20 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new paragraphs:

I-a. For the 2025-2026 school year, the enrollment cap shall be 10,000. For each subsequent year, if the total enrollment of the prior year is greater than 90 percent of the prior year's enrollment cap, then the enrollment cap shall be increased once by 25 percent when enrollment begins for the year. The department of education shall publish on its website information identifying the enrollment cap when it is increased pursuant to this paragraph.

I-b. The scholarship organization shall prioritize current EFA students for renewal in the subsequent year by reserving space for them under that subsequent year's enrollment cap before enrolling new EFA students in that subsequent year.

21 Repeal. The following are repealed:

I. RSA 194-F:I, XIII and XIV, relative to definitions related to education freedom accounts.

II. RSA 194-F:3, I-a and I-b, relative to education freedom account eligibility.

22 Contingency. Sections 19 and 21 of this act shall take effect on the date the department of education certifies to the secretary of state and the director of the office of legislative services that student applications for the education freedom account program have not exceeded the enrollment cap for 2 consecutive school years.

23 Effective Dates.

I. Sections 19 and 21 of this act shall take effect as provided in section 22 of this act.

II. Sections 16-18, 20, and 22 of this act shall take effect upon its passage.

24 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the elderly, disabled, blind, and deaf exemption reimbursement fund as established in RSA 72:42-a.

25 New Section; Elderly-Disabled-Blind-Deaf Exemption Reimbursement Fund Established. Amend RSA 72 by inserting after section 42 the following new section:

72:42-a Elderly, Disabled, Blind, and Deaf Exemption Reimbursement Fund established

I. There is hereby established an elderly, disabled, blind, and deaf exemption reimbursement fund ("fund"). The purpose of the fund shall be to reimburse municipalities for revenue not realized due to tax exemptions utilized in their communities under RSAs 72:37, 72:37-b, 72:38-b, 72:39-a, and 72:39-b. The fund shall be funded by fees collected pursuant to RSA 287-J:6, II(b)(2).

II.(a) Not later than May 1 of every year, the department of revenue administration shall provide to the department of treasury a report of the exemptions under RSAs 72:37, 72:37-b, 72:38-b, 72:39-a, and 72:39-b, as reported by municipalities on their summary inventory of valuation (MS-1) for the preceding tax year.

(b) Not later than July 31 of every year, the department of revenue administration shall pay to each municipality out of the fund the amount reported pursuant to subparagraph (a), as reimbursement.

(c) Notwithstanding subparagraph (b), if the fund does not have sufficient funds to fully pay municipalities as set forth in subparagraph (b), the department of revenue administration shall pay to each municipality a pro-rated amount of its reported exemptions, by applying the ratio of available funds to total claimed exemptions to each municipality's reported exemptions.

(d) Not later than October 1 of every year, department of revenue administration shall issue a report of the amounts paid to municipalities under either subparagraph (b) or (c), for use by the department in municipal rate setting. Such report shall be submitted to the president of the senate, the speaker of the house, and the chairs of the house and senate ways and means committees.

III. The department of revenue administration is authorized to create rules under RSA 541-a to implement this chapter.

26 New Section; Voluntary Statewide Self-Exclusion. Amend RSA 284 by inserting after section 6-c the following new section:

284:6-d Voluntary Statewide Self-Exclusion.

I. To reduce and mitigate the effects of problem gambling, the commission shall establish a centralized voluntary statewide self-exclusion database for all forms of legal gaming throughout New Hampshire, through an agent selected through a competitive bid process and approved by the governor and executive council. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent and the ability of the agent to securely and anonymously collect and transmit relevant data among the operators and systems of all forms of regulated gaming in New Hampshire. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agent whose bid is best suited to accomplish the stated objectives. All agents shall be subject to criminal and financial background checks as prescribed by the commission.

II. The commission may adopt rules requiring vendors, agents, and entities licensed or registered under chapter 284, chapter 287-D, chapter 287-H, chapter 287-I, and chapter 287-J to participate in any program established in section II, above.

III. Notwithstanding RSA 91-A, records and information obtained or developed by the commission or its agent as part of establishing and administering the list of persons who voluntarily request exclusion under paragraph I, above, shall be confidential and shall not be subject to disclosure or to public inspection except that information may be released only with the written consent of the person requesting voluntary exclusion. Statistical data and general information that do not allow for a person on the voluntary exclusion list to be personally identified are not confidential.

27 State Lottery and Gaming Commission. Amend RSA 284:21-a to read as follows:

284:21-a State Lottery **and Gaming** Commission. There shall be and hereby is created a state lottery **and gaming** commission consisting of 3 members who shall be appointed and may be removed for cause by the governor with the advice and consent of the council. One member shall be appointed for one year, one for 2 years and one for 3 years, and upon the expiration of their terms of office their successors shall be appointed for a term of 3 years. Any vacancy shall be filled by appointment for the unexpired term. No member of the commission shall have any pecuniary or other interest in any supplier or agent to the commission or in any licensee licensed under the provisions of this chapter. ***The commission shall be properly addressed as the "New Hampshire lottery and gaming commission" but all statutory and regulatory references to "lottery commission" shall remain valid and shall be used synonymously.***

28 Definitions. Amend RSA 287-D:1, XII to read as follows:

XII. ***"High-Stakes tournament" means a tournament of a game of chance in which the required buy-in for participation in the tournament is \$2,500 or greater.***

XIII. ***"Video lottery terminal" or "VLT" means any device which, upon payment of bills, coins or vouchers, is available to play or operate and may entitle the patron to receive cash, vouchers, or electronic credits redeemable for cash. The results, including options available to the patron, are randomly determined by the device. A device may use spinning reels or video displays or both. This definition does not include any device that sells lottery tickets, pari-mutuel wagers, nor any device which is operated through, utilizes, or is played on or with assistance from the Internet.***

XIV. "Wager" means a monetary agreement between 2 or more persons that a sum of money or other valuable thing shall be paid to one of them on the happening or not happening of an uncertain event. Wager may be used synonymously with the term "bet."

XV. ***"Wide-area progressive link" means a networked gaming system that connects electronic gaming devices located at multiple licensed gaming establishments to a common progressive jackpot pool, allowing for contributions from each linked machine, regardless of location, to incrementally increase a shared jackpot prize, which can be won by any eligible player participating on any of the linked devices.***

29 Rulemaking. Amend RSA 287-D:3, XVII to read as follows:

XVII. *The licensing and enforcement of VLT licensees, terminals, and compliance requirements under RSA 287-J.*

XVIII. Other matters related to the proper administration of this chapter.

30 New Section; Games of Chance; High-Stakes Tournaments. Amend RSA 287-D by inserting after section 3 the following new section:

287-D:3-a High-Stakes Tournaments. A licensed game operator employer may conduct a high-stakes game of chance tournament provided that:

I. The tournament is held at a facility licensed to conduct games of chance under RSA 287-D.

II. The tournament is conducted in accordance with the rules and procedures established by the lottery commission.

III. The game operator submits the tournament structure, entry fees, rake structure, and prize payout distribution to the lottery commission at least 30 days prior to the tournament start date for approval.

IV. The tournament is conducted using approved dealers and equipment.

31 Games, Amusements, and Athletic Exhibitions; Games of Chance; Wager RSA 287-D:16 is repealed and reenacted to read as follows:

287-D:16 Wagers. Notwithstanding any other provision of law to the contrary, no maximum wager shall apply to any game of chance conducted under this chapter or any historic horse race under RSA 284:22-b, including table games, historic horse racing, and VLT wagers.

32 Games, Amusements, and Athletic Exhibitions; Games of Chance; Prizes. Amend RSA 287-D:20 to read as follows:

287-D:20 Prizes.

I. In games where chips have no monetary value, ***except for high-stakes tournaments, as defined in RSA 287-D:1, XI-a***, 3 percent of all funds collected from players, less moneys used by the lottery commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the special fund established in RSA 284:21-j. Such payments shall be made once per month not later than the [5th] ***15th*** day of the month for the funds collected in the previous month.

I-a. In high-stakes tournaments, as defined in RSA 287-D:1, XI-a, 5 percent of house winnings, after prizes paid, less moneys used by the lottery commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the special fund established in RSA 284:21-j. Such payments shall be made once per month not later than the 15th day of the month for the funds collected in the previous month.

II. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the lottery commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the special fund established in RSA 284:21-j. Such payments shall be made once per month not later than the [5th] ***15th*** day of the month for the funds collected in the previous month.

III. Notwithstanding any other provision of law, the cash value of free bets and promotional credits of all table games, historic horse racing (HHR), and VLTs shall be exempted from revenues subject to charity allocation and payments to the state, so long as the cash value of such promotions for each type of game, whether it be table games, HHR, or VLTs, does not exceed 15 percent of the total revenue from that type of game for a given month.

33 New Chapter; Video Lottery Terminals. Amend RSA by inserting after chapter 287-I the following new chapter:

CHAPTER 287-J VIDEO LOTTERY TERMINALS

287-J:1 Definitions.

For the purposes of this chapter these words shall have the following meaning:

I. "Applicant" means an individual or entity applying for a license under this chapter.

II. "Commission" means the lottery and gaming commission.

III. "Gross video lottery revenue" means the total of all sums actually received by a VLT licensee from operation of video lottery terminals, minus the total of all sums actually paid out as winnings to patrons, less any free play paid to patrons. The maximum amount of free play that any one licensee can deduct from gross video lottery revenue shall be 12.5 percent in any calendar year.

IV. "Facility" means a facility licensed under RSA 287-D for the conduct of charitable gaming.

V. "Video lottery terminal" or "VLT" means any device which, upon payment of bills, coins or vouchers, is available to play or operate and may entitle the patron to receive cash, vouchers, or electronic credits redeemable for cash. The results, including options available to the patron, are randomly determined by the device. A device may use spinning reels or video displays or both. This definition does not include any device that sells lottery tickets, pari-mutuel wagers, nor any device which is operated through, utilizes, or is played on or with assistance from the Internet.

VI. "VLT license" means a license issued in accordance with this section, to offer video lottery terminals to the public.

VII. "VLT licensee" means a game operator employer licensee that has been granted a VLT license under this section.

VIII. "Voucher" means a printed wagering instrument, issued by a video lottery terminal at a facility, that has a fixed dollar wagering value which can only be used to acquire an equivalent value of cashable credits or cash.

287-J:2 Enforcement. The commission, with the assistance of the attorney general and the chief of police of any city or town where licensed facilities are located, shall administer and enforce the provisions of this chapter. To enforce the requirements of this chapter, the commission may exercise all rights of enforcement, including but not limited to its subpoena power, investigation authority, and authority to issue administrative orders and fines, granted to the commission by RSA 287-D.

287-J:3 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The application procedure for VLT licenses for game operators.

II. Information to be required on VLT license applications for VLT licenses for game operators.

III. The conducting and operation of video lottery terminals.

IV. Accountability controls to ensure game integrity, including, but not limited to, cash, prizes, income, expense and financial reporting, and recordkeeping to be implemented by VLT licensees in addition to requirements set forth in RSA 287-D:22.

V. Investigation and enforcement to ensure compliance with this chapter.

VI. Other matters related to the proper administration of this chapter.

287-J:4 Eligible Operators.

I. To be eligible for a VLT license, the applicant shall have been licensed or eligible for licensure to sell pari-mutuel pools on historic horse races under RSA 287-D and under RSA 284:22-b as of the effective date of this chapter. A license shall not be permitted to be transferred or sold.

II. Applicants eligible to obtain a VLT license pursuant to paragraph I of this section shall submit to background, financial, and suitability checks pursuant to RSA 287-D:11 and RSA 287-D:12, to ensure the applicant's ability to conduct video lottery terminals in accordance with the provisions of RSA 287-D and this chapter. An entity found suitable for gaming by the commission as of the effective date of this chapter shall satisfy paragraph I and RSA 284:22-b. The applicant for a VLT license shall submit to the commission a criminal history records release form, as provided by the division of state police, which authorizes the division of state police to conduct a criminal history records check through its state records and through the Federal Bureau of Investigation and to release a report of the applicant's criminal history and record information, including confidential criminal history record information, to the commission.

III. Applicants seeking a VLT license shall apply utilizing forms supplied by the lottery commission. The VLT license fee shall be \$2,000 per three-year license period.

IV. Applicants seeking a VLT license must also obtain a game operator employer license in accordance with RSA 287-D prior to commencing VLT operations.

287-J:5 Operation of Video Lottery Terminals.

I. Prior to use all VLTs must have been tested by an independent testing laboratory and approved by the commission to ensure integrity and proper working order.

II. No VLT shall be operated except within the facility of an eligible VLT licensee during the facility's approved hours of play of charitable games.

III. VLTs shall operate to ensure a minimum average daily aggregate payback of 88 percent computed for all VLTs operated at each facility on a quarterly basis.

IV. VLTs shall operate to ensure a minimum average daily aggregate payback of 88 percent computed for all VLTs operated at each facility on a quarterly basis, except for machines that are tied to a wide-area progressive link, which shall have minimum average daily aggregate payback of 80 percent. For historic horse racing pools authorized by RSA 284:22-b tied to a wide-area progressive link, the commission on such pools shall be set at a rate no greater than 20 percent.

287-J:6 Revenue Share.

I. Each VLT licensee shall collect a sum equal to 31.25 percent of gross video lottery revenue.

II. Each VLT licensee shall distribute 0.25 percent of gross video lottery revenue collected to the governor's commission on addiction, treatment, and prevention.

III. Each VLT licensee shall distribute 31 percent of gross video lottery revenue shall be distributed pursuant to subparagraphs (a) and (b).

(a) Each licensee shall distribute 35 percent of the amount collected under paragraph III to charitable organizations with whom the licensee contracts on each licensed game date. Each VLT licensee must contract with 2 licensed charitable organizations for each game date.

(b) The remainder collected under paragraph III shall be paid to the commission and distributed as follows:

- (1) 25 percent to the special fund established under RSA 284:21-j for use as provided in that section;
- (2) 75 percent to the general fund.

287-J:7 Unclaimed Vouchers.

I. Vouchers shall remain valid for 180 days from the date printed, after which the obligation of the VLT licensee to pay the patron any value remaining on a voucher expires.

II. Before the end of each calendar month, the VLT licensee shall report and remit the total value of vouchers that expired during the preceding calendar month in a format prescribed by the commission.

III. Such moneys shall become a part of the special fund established in RSA 284:21-j.

34 Games, Amusements, and Athletic Exhibitions; Games of Chance; Video Lottery Terminals. Amend RSA 287-J:6, III(b)(1) and (2) to read as follows:

- (1) 25 percent to the special fund established under RSA 284:21-j for use as provided in that section;
- (2) **25 percent to the elderly-disabled-blind-deaf exemption reimbursement fund established under RSA 72:42-a; and**
- (3) [75] **50** percent to the general fund.

35 Effective Date. Sections 24, 25, and 34 of this act shall take effect July 1, 2027.

36 Opioid Abatement Trust Fund; Substance Abuse Enforcement Program. For the biennium ending June 30, 2027, \$3,500,000 from the opioid abatement trust fund, established under RSA 126-A:83, may be appropriated to the department of safety, as authorized by the general court. These funds are intended to cover overtime costs for county and local law enforcement officers participating in the substance abuse enforcement program, established under RSA 21-P:66. Specifically, the funding may support officers in Coos, Grafton, Carroll, and Sullivan counties in carrying out law enforcement activities related to the program, which aims to prevent or reduce overdose deaths and other opioid-related harms.

37 Substance Abuse Enforcement Program. Amend RSA 21-P:66, I by inserting after subparagraph (b) the following new subparagraph:

(c) For law enforcement agencies in Coos, Grafton, Carroll, and Sullivan counties, costs for hiring additional officers carrying out law enforcement activities aimed at preventing or reducing overdose deaths and other opioid related harms.

38 Substance Abuse Enforcement Program. Amend RSA 21-P:66, IV(a) to read as follows:

(a) ***Except for Coos, Grafton, Carroll, and Sullivan counties***, no funds shall be granted for “purchase of evidence” or for “confidential funds.”

39 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows:

70-B:14 Staff. ~~[The board shall have upon its staff at least one review appraiser who shall be a classified state employee and who shall be competent to review the value of property for tax and eminent domain purposes. In addition,]~~ The board shall have such clerical and technical staff as may be necessary within the limits of appropriation made therefor.

40 Department of Business and Economic Affairs; Division of Planning and Community Development Established. The subdivision heading preceding RSA 12-O:53 and RSA 12-O:53 are repealed and reenacted to read as follows:

Planning and Community Development

12-O:53 Division of Planning and Community Development. There is established within the department the division of planning and community development under the supervision of a classified director of the division of planning and community development. The director of the division of planning and community development shall administer and supervise the programs related to planning and development, broadband, and housing within the department and shall serve under the supervision of the commissioner of the department.

12-O:53-a Office of Planning and Development.

I. There is established the office of planning and development within the department of business and economic affairs, division of planning and community development. The office shall be under the supervision of the director of the division of planning and community development, who shall serve under the supervision of the commissioner.

II. The office of planning and development shall:

(a) Plan for the orderly development of the state and the wise management of the state’s resources.

(b) Compile, analyze, and disseminate data, information, and research services as necessary to advance the welfare of the state.

(c) Encourage and assist planning, growth management, and development activities of cities and towns and groups of cities and towns with the purpose of encouraging smart growth.

(d) Encourage the coordination and correlation of state planning by agencies of state government.

(e) Participate in interstate, regional, and national planning efforts.

(f) Administer federal and state grant-in-aid programs assigned to the office by statute or executive order.

(g) Participate and advise in matters of land use planning regarding water resources and floodplain management.

(h) Take a leadership role in encouraging smart growth and preserving farmland, open space land, and traditional village centers.

(i) Administer the following programs: the statewide comprehensive outdoor recreation plan, the national flood insurance program, and the land conservation investment program. The office shall employ necessary personnel to administer these programs.

(j) Perform such other duties as the commissioner may assign.

41 State Development Plan. Amend the introductory paragraph of RSA 12-O:54, I and 12-O:54, I(a) to read as follows:

I. The office of planning and development, under the direction of the ~~[commissioner]~~ **director of the division of planning and community development**, shall:

(a) Assist ~~[the commissioner]~~ in preparing, publishing, and revising the comprehensive development plan required under RSA 9-A.

42 Change “Director of the Office of Planning and Development” to “Director of the Division of Planning and Community Development”. Amend the following RSA provisions by replacing “director of the office of planning and development” with “director of the division of planning and community development”: 12-O:57; 17-M:2, V; 21-O:5-a, I(d); 21-P:48, I(h); 36-B:1; 78-A:25, III; 162-L:15, II(b); 233-A:2, I(f); 432:19, II(c); 482-A:32, II(c); 483:8, II; 483-A:6, III.

43 State Development Plan; Office of Planning and Development. Amend the introductory paragraph of RSA 9-A:2 and 9-A:2, I to read as follows:

9-A:2 Office of Planning and Development. The office of planning and development, under the direction of the ~~[commissioner of business and economic affairs]~~ **division of planning and community development**, shall:

I. Assist ~~[the commissioner]~~ in preparing, publishing and revising the comprehensive development plan.

44 New Hampshire Workforce Development; State Workforce Innovation Fund. Amend RSA 12-O:45 to read as follows:

12-O:45 State Workforce Innovation Fund.

I. There is hereby established the state workforce innovation fund which shall be nonlapsing and administered by the commissioner of the department of business and economic affairs. Said fund shall be for the purpose of receiving financial assistance under the ~~[Workforce Investment Act of 1998]~~ **Workforce Innovation and Opportunity Act of 2014** and providing funds for grants and other workforce development initiatives.

II. The fund shall be distributed or expended by the commissioner after consultation with the State Workforce Innovation Board established in RSA 12-O:44 and the approval of the governor and council for any of the following purposes:

(a) ~~[Workforce Investment Act]~~ **Workforce Innovation and Opportunity Act of 2014** Adult and Dislocated Worker programs.

(b) ~~[Workforce Investment Act]~~ **Workforce Innovation and Opportunity Act of 2014** Youth programs.

(c) ~~[Workforce Investment Act]~~ **U.S. Department of Labor**, Senior Community Service Employment programs.

(d) ~~[Workforce Investment Act]~~ **U.S. Department of Labor** Disability programs.

(e) ~~[Workforce Investment Act]~~ **U.S. Department of Labor** Regional Innovation and National Emergency grant programs.

(f) Other projects, programs, or grants recognized as being beneficial to workforce development initiatives and consistent with the goals of the ~~[Workforce Investment Act]~~ **Workforce Innovation and Opportunity Act of 2014**.

III.(a) The department may accept gifts, grants, donations, or other moneys for the purposes of this section. Said moneys shall be deposited into the state workforce innovation fund.

(b) The commissioner may enter into contracts and agreements and may take other actions that may be necessary or desirable to effect the transfer to it of operations currently conducted by ~~[the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council under the Workforce Investment Act]~~ **the department of business and economic affairs**, and to effect the transfer of assets utilized by them in doing so; and, the commissioner may assume, bear, and agree to perform those contracts of ~~[the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council]~~ **the state workforce innovation board** that may be necessary or desirable for carrying out the purposes of this section.

IV. The commissioner of the department of business and economic affairs shall have the authority to enter into such agreements for leasing real property, acquiring goods, and engaging services to perform Rapid Response activities in accordance with this subdivision. The commissioner shall provide the governor

and council an information item not less frequently than semi-annually describing all such agreements and amounts expended pursuant thereto. Such agreements shall be made pursuant to forms of agreement that shall be approved by governor and council which forms of agreement have been reviewed by the attorney general and the commissioner of the department of administrative services.

~~[V. In accordance with RSA 282-A:181 through RSA 282-A:184, the commissioner of the department of employment security shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.]~~

45 New Section; Unemployment Compensation; Job Training Program; State workforce Innovation Grants. Amend RSA 282-A by inserting after section 184 the following new section:

282-A:185 State Workforce Innovation Grants. In accordance with RSA 282-A:181 through RSA 282-A:184, the commissioner of the department of employment security may make grants to New Hampshire employers for the purpose of training employees in accordance with RSA 12-O:45, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.

46 The State and Its Government; State Commission on Aging; State Commission on Aging Established; Membership. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve ~~[2-year terms]~~ **3-year terms effective for appointments made after July 1, 2025**; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms, with the exception of the chairperson, vice-chairperson, and recorder, who may service an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. A majority of the members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

47 New Section; State Commission on Aging; Advisory Council on the System of Care for Healthy Aging in New Hampshire. Amend RSA 19-P by inserting after section 2 the following new section:

19-P:2-a Advisory Council on the System of Care for Health Aging in New Hampshire.

I. The commission shall establish an advisory council on the system of care for healthy aging in New Hampshire. The purpose of the advisory council shall be to:

(a) Improve the well-being of older adults and caregivers;

(b) Identify cost-savings and opportunities to increase collaboration, efficiency, and the effectiveness of the service array and service delivery system; and

(c) Assist and advise the commissioner of the department of health and human services on the system of care principles and values and implementation of RSA 151-E:22 through 151-E:27.

II.(a) The director of the division of long-term supports and services, or the director's designee, and one member of the state commission on aging shall serve as the permanent co-chairpersons of the advisory council.

(b) Additional members of the advisory council representing diverse perspectives shall be appointed by the commission on aging and shall include older adults and family caregivers with relevant experience, members of agencies serving older adults including public, private, consumer advocacy, and non-profit organizations, and individuals with relevant policy expertise.

III. The advisory council shall meet at least quarterly and may meet more often at the call of the commission.

IV. The duties of the council shall include reviewing and making recommendations regarding all aspects of the implementation of the system of care for healthy aging established under RSA 151-E:22 through 151-E:27. Such duties shall also include addressing the availability of long term supports and services for individuals across the continuum of care, including but not be limited to:

(a) Reviewing and making recommendations that improve and shorten the timeline for accessing Medicaid long-term care benefits.

(b) Reviewing and making recommendations to remove barriers to hospital discharge for non-acute patients who require post hospital long-term supports and services.

(c) Gathering additional data to review the implementation of the system of care for healthy aging, including but not limited to:

(1) Licensed long-term care beds in service versus licensed long-term care beds not in service, and recommendations for optimal utilization of limited long-term care bed licenses to increase access to long-term care.

(2) Reviewing the availability of long-term services and supports for individuals requiring post hospital or nursing facility care service.

(3) Access to Medicaid Choices for Independence waiver services post hospital discharge and recommendations for optimal program utilization.

(4) Availability of long-term supports and services for non-Medicaid individuals.

(d) Working collaboratively with public and private stakeholders to strengthen the direct care workforce to meet the growing demand for long-term supports and services in New Hampshire.

(e) Advising the governor, the senate president, the speaker of the house, the oversight committee on health and human services, as established in RSA 126-A:13, and the commissioner of health and human services on any issue related to long-term services and supports within the system of care for healthy aging.

V. A summary of the advisory council's activities, findings, and recommendations shall be included in the commission's annual report submitted under RSA 19-P:3.

48 New Section; State Commission on Aging; Fund Established. Amend RSA 19-P by inserting after section 4 the following new section:

19-P:5 Fund Established. There is established in the office of the state treasurer a fund known as the New Hampshire commission on aging fund, which shall be kept separate and distinct from all other funds and shall be continually appropriated to the commission. Such fund shall be the depository of all gifts, grants, or donations made to the commission pursuant to RSA 19-P. The payment of the executive director of the commission, the expenses of the commission, and all other overhead costs of the commission, shall be paid from such fund. Any moneys in such fund shall not lapse into the general fund of the state.

49 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph 399 the following new subparagraph:

(400) Moneys deposited in the New Hampshire commission on aging fund established in RSA 19-P:5.

50 Appropriation. The New Hampshire commission on aging fund established pursuant to RSA 19-P:5 is hereby appropriated \$150,000 in general funds for the fiscal year ending June 30, 2026 and \$150,000 for the fiscal year ending June 30, 2027. This appropriation shall be used exclusively to support payment of the executive director and the activities of the commission. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

51 Department of Corrections; Funding Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17a, 9:17c, classes 10-personal services-perm classified, 11- personal services unclassified, 12-personal services-unclassified, 18-overtime, 19-holiday pay, 50- personal service-temp/appointed and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that quarterly these transfers are reported to the fiscal committee within 60 days of the end of that quarter. In the event class 18 overtime expenditures are more than amounts appropriated and transferred from vacant positions, the commissioner may request, with prior approval of the fiscal committee, that the governor and council authorize additional funding. Upon fiscal committee and governor and council approval, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

52 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [~~director of personnel and information, director of rehabilitative services, and the~~] division directors, **deputy warden, and deputy directors** of the department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [~~director of personnel and information, director of rehabilitative services, and the~~] division directors, **deputy warden, and deputy directors** of the department shall be as specified in RSA 94:1-a.

53 The State Prisons; Sale of Prison Products; Industries Inventory Account. Amend RSA 622:28-a, I to read as follows:

I. An industries inventory account shall be maintained to enable the state prisons to implement RSA 622:26-28. [~~Except for~~] **All** permanent personnel, [~~all~~] operating expenses, materials, supplies, overtime and purchase and repair of equipment determined to be necessary for the growing or manufacture of products for resale shall be a proper charge against this account. Charges for the sale of goods and services produced by the industries program shall be sufficient to defray the expenditures charged against this account and any sums obtained therefrom shall be a credit to the account.

54 Department of Health and Human Services; State Grant in Aid.

Notwithstanding any other law to the contrary, there is hereby appropriated to the department of health and human services the sum of \$5,000,000 for the state fiscal year ending June 30, 2026, and the sum of \$5,000,000 for the state fiscal year ending June 30, 2027, from the opioid abatement trust fund, established under RSA 126-A:83, for the purpose of providing year-round emergency shelter services to individuals with an opioid use disorder. Such shelter programs must provide supportive services designed to assist people obtain recovery and permanent housing to achieve self-sufficiency.

55 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV as amended by 2019, 346:64, as amended by 2021, 91:27, and as amended by 2023, 79:215, to read as follows:

IV. Section 10 of this act shall take effect June 30, [~~2025~~] **2027**.

56 Effective Date. Section 55 of this act shall take effect June 30, 2025.

57 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as amended by 2019, 346:61, I, as amended by 2021, 91:404, as amended by 2023, 79:198, to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2025~~] **2027**.

58 Health and Human Services; Graduate Medical Education Payments Suspended.

The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2027. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2027.

59 Health and Human Services; Suspension of Catastrophic Aid Payments to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2027.

60 Department of Health and Human Services; Division of Medicaid Services. Any funds appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending June 30, 2025, shall not lapse until June 30, 2027, and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

61 Effective Date. Section 60 of this act shall take effect June 30, 2025.

62 Appropriation; WIC Farmers' Market Nutrition Program. There is hereby appropriated to the department of health and human services the sum of \$15,000 in the fiscal year ending June 30, 2026, and the sum of \$15,000 in the fiscal year ending June 30, 2027, for the purpose of funding the WIC farmers' market nutrition program in RSA 132:12-f. The department is authorized to accept and expend any matching federal funds without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

63 New Paragraph; Gifts to the State. Amend RSA 4:8 by inserting after paragraph II the following new paragraph:

III. Notwithstanding paragraph I, the commissioner of the department of health and human services may accept gifts of personal property valued at \$1,000 or less for the benefit of New Hampshire hospital, Hampstead hospital residential treatment facility, Glencliff home, and the New Hampshire youth development center.

64 Department of Health and Human Services; Unclassified Positions Established.

I. There are hereby established 2 unclassified supervising regional attorney positions in the department of health and human services.

II. The salary of the unclassified positions established in paragraph I shall be in accordance RSA 94:1-a, I.

III. The incumbents in the classified positions, establish by 2024, 377:8 shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

IV. The classified positions established by 2024, 377:8 shall be abolished on June 30, 2027, or upon transfer of the incumbents in accordance with paragraph III, whichever is sooner.

65 Congregate Housing; Appropriation. The sum of \$350,000 for the fiscal year ending June 30, 2026, and the sum of \$350,000 for the fiscal year ending June 30, 2027, are hereby appropriated to the department of health and human services for the purpose of funding congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

66 Department of Health and Human Services; Positions Established; Staffing. Amend the introductory clause of RSA 126-A:9, I to read as follows:

I. There shall be established within the department the following unclassified positions~~[-, in addition to existing unclassified positions and positions established in paragraph II of this section].~~

67 Department of Health and Human Services; Positions Established; Staffing. Amend RSA 126-A:9, II(b) to read as follows:

(b) The commissioner shall appoint a person to each **unclassified** position ~~[established pursuant to subparagraph (a)]~~ **authorized by the legislature**. Any ~~[vacancy]~~ **vacant position not established under paragraph I** shall be filled in the same manner as the original appointment. The annual salary of such unclassified employees shall be as prescribed in RSA 94:1-a **and RSA 94:3-b, II**. The provisions of RSA 21:33-a shall not apply to appointments made under this subparagraph.

68 Repeal; Mental Health Medical Supervisor Position. RSA 126-A:9, I(c), relative to appointment of an unclassified mental health medical supervisor, is repealed.

69 Department of Health and Human Services; General Provisions; Drug Prescriptions. Amend RSA 126-A:3, V to read as follows:

V. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of health and human services, ~~[including the Medicaid program,]~~ unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting **or as otherwise authorized by law or regulation** and shall be retained ~~[in the pharmacist's file]~~ **by the pharmacy. Pertaining to Medicaid, pharmacists shall dispense brand name drug products to Medicaid beneficiaries when the brand name drug product is listed on the department's Medicaid preferred drug list, and not substitute generically equivalent drugs**. The provisions of paragraph III shall not apply to the dispensing by a pharmacy for medical assistance reimbursement for legend and non-legend drugs. The commissioner, in consultation with

pharmacy providers, shall establish medical assistance reimbursement for legend and non-legend drugs. For Medicaid fee for service [clients] **beneficiaries**, no prior authorization ~~[for generically equivalent drugs shall be required]~~ **shall be required for generic drug products unless the drug class is recommended by the drug utilization review board for clinical appropriateness and safety utilization review.**

70 New Paragraph; Public Health; Department of Health and Human Services; General Provisions. Amend RSA 126-A:3 by inserting after paragraph V the following new paragraph:

V-a.(a) When deemed medically necessary and cost effective by the department of health and human services' chief medical officer, a standing order may be issued by the chief medical officer for certain Medicaid covered over-the-counter (non-legend) medications, medical supplies, and laboratory tests. Such standing order shall be reviewed annually by the chief medical officer for continuation or discontinuation of the standing order.

(b) The chief medical officer's standing order, as provided in subparagraph (a), shall also permit non-Medicaid recipients to obtain over-the-counter (non-legend) medications, medical supplies, and laboratory tests pursuant to the standing order. Nothing in this paragraph shall prohibit insurers from applying appropriate medical management techniques or require insurers to pay for the cost of these items unless expressly stated by the insurer's terms of coverage.

(c) No health care professional, acting in good faith and with reasonable care, who issues a standing order, or who dispenses, or distributes over-the-counter (non-legend) medications, medical supplies, or laboratory tests by standing order shall be subject to any criminal or civil liability, or any professional disciplinary action, for any action authorized by this paragraph or any outcome resulting from an action authorized by this paragraph.

71 Developmental Services; Pilot Program Limited to Current Enrollment. Amend 2022, 272:9, VII as amended by 2023, 79:548 to read as follows:

VII. There is hereby appropriated to the department of health and human services the sum of \$2,800,000, for the fiscal year ending June 30, 2023, for the purpose of implementing the pilot program plan or the pilot itself, for developmental services established in this section. This appropriation shall not lapse until June 30, 2025. Additionally, the department may accept and expend any applicable federal funds, and any gifts, grants, or donations that may be available for the purposes of the pilot program. ~~[In the event of any remaining funds not otherwise expended after reaching the cap of serving 20 eligible individuals under the pilot program, the department may allocate funding and provide services to additional eligible individuals.]~~ The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

72 Developmental Services; Pilot Program; Appropriation. There is hereby appropriated to the department of health and human services the sum of \$1,000,000 for the biennium ending June 30, 2027, for the purpose of continuing services for those enrolled in the developmental services pilot program established in 2022, 272:9. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend any available federal funds or gifts, grants, or donations for this purpose without prior approval of the fiscal committee of the general court.

73 Expanding Access to Court-appointed Counsel for Children in Dependency Proceedings; Prospective Effective Date Extended. Amend 2024, 296:6 to read as follows:

296:6 Effective Date.

I. Sections 3 and 5 of this act shall take effect August 1, ~~[2026]~~ **2028**.

II. The remainder of this act shall take effect July 1, ~~[2025]~~ **2027**.

74 Department of Health and Human Services; Pharmacy Copays; Medicaid Program. The department of health and human services shall file a Medicaid state plan amendment on or before January 1, 2026, to increase the prescription drug copay amount to \$4, subject to federal limitations on cost sharing and eligibility limitations.

75 Department of Health and Human Services; Medicaid Managed Care. The department of health and human services is hereby directed to complete no more than one Medicaid rate filing with the Centers for Medicare and Medicaid Services each state fiscal year for the biennium ending June 30, 2027.

76 New Section; New Hampshire Granite Advantage Health Care Program; Premiums Established. Amend RSA 126-AA by inserting after section 2 the following new section:

126-AA:2-a New Hampshire Granite Advantage Health Care Program; Premiums Established. The department of health and human services shall file a Medicaid waiver and state plan amendment, if necessary, on or before July 1, 2026, to institute premiums, as provided in this section, for individuals participating in the granite advantage health care program who have income at or above 100 percent of the federal poverty level, subject to federal limitations on cost sharing and eligibility limitations. The premium amount shall be based on a portion of the cost of the services and the program, and shall not vary based on the participant's income. The department shall develop hardship criteria in administering these premiums.

I. For the biennium ending June 30, 2027, monthly premium amounts for individuals participating in the granite advantage health care program shall be:

- (a) Household size of one: \$60 per month.
- (b) Household size of 2: \$80 per month.
- (c) Household size of 3: \$90 per month.
- (d) Household size of 4 or more: \$100 per month.

II. Beginning in fiscal year 2028, the commissioner shall adopt rules under RSA 541-A, to establish monthly premiums for individuals participating in the program in accordance with this section.

77 New Paragraph; Department of Health and Human Services; Children's Health Insurance Program; Premiums Established. Amend RSA 126-A:3 by inserting after paragraph VIII the following new paragraph:

IX. The commissioner shall file a Medicaid state plan amendment on or before January 1, 2026, to institute premiums, as provided in this paragraph, for households with children enrolled in Medicaid with income at or above 255 percent of the federal poverty level, subject to federal limitations. The premium amount shall be based on a portion of the cost of the services and the program, and shall not vary based on the participant's income. The premium shall only apply to Medicaid and shall not apply to waiver services. The department shall develop hardship criteria in administering these premiums.

(a) For the biennium ending June 30, 2027, monthly premium amounts for households with children enrolled in Medicaid with income at or above 255 percent of the federal poverty limit shall be:

- (1) Household size of 2: \$190 per month.
- (2) Household size of 3: \$230 per month.
- (3) Household size of 4 or more: \$270 per month.

(b) Beginning in fiscal year 2028, the commissioner shall adopt rules under RSA 541-A to establish monthly premiums for households with children enrolled in Medicaid in accordance with this paragraph.

78 Report Required; Department of Health and Human Services. The department of health and human services shall submit, for the premiums established in sections 76 and 77 of this act, a report on the department's success in collecting said premiums as well as the impact of the premiums on Medicaid enrollment. The first report shall be submitted by January 1, 2026, to the speaker of the house of representatives, the president of the senate, and the chairs of the senate health and human services committee and the house of representatives health, human services, and elderly affairs committee. The department shall provide an updated report to the speaker of the house of representatives, the president of the senate, and the chairs of the senate health and human services committee and the house of representatives health, human services, and elderly affairs committee every 6 months.

79 Department of Health and Human Services; Medicaid Eligibility. To restore income verification for Medicaid redetermination to pre-public health emergency income verification standards for the biennium ending June 30, 2027, the department of health and human services shall allow the federal public health emergency Social Security Act Section 1902e(14)(A) waiver authorities to expire effective June 30, 2025.

80 Department of Health and Human Services; Appropriation; Child Care Scholarship Program. To avoid a waitlist for the New Hampshire child care scholarship program, the commissioner of the department of health and human services may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. If approved by governor and council, the governor is authorized to draw a warrant for said sum out of any money in the treasury otherwise not appropriated.

81 Department of Information Technology; Salary Grades for Certain Positions. Amend the following positions in RSA 94:1-a, I(b) to read as follows:

GG Department of information technology director, ***user services division***

GG Department of information technology director, ***user experience division***

GG Department of information technology assistant director, ~~[agency software division]~~ ***business relationship management division***

HH Department of information technology director, ***business relationship management division***

HH Department of information technology director, ***infrastructure and operations division***

82 Department of Justice; Division of Legal Counsel. Amend RSA 7:8-b to read as follows:

7:8-b Division of Legal Counsel.

I. There is hereby established, within the office of the attorney general, a division of legal counsel. The division shall be supervised by an associate attorney general appointed under RSA 7:16.

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) ~~[A transportation and construction bureau.]~~ ***A public safety and infrastructure bureau, as provided in RSA 21-M:12.***

(c) ~~[An office of the solicitor general.]~~ ***A civil rights unit, which shall be responsible for enforcing the New Hampshire Law Against Discrimination and the New Hampshire Civil Rights Act, bringing civil enforcement actions on behalf of the public to redress discriminatory acts and civil rights violations, and enforcing any other state or federal antidiscrimination laws that authorize the attorney general to enforce them.***

(d) ***A charitable trusts unit, which shall be responsible for administering the duties assigned to the attorney general regarding charitable trusts under RSA 7:19 through 7:32-a.***

(e) ***An election law unit, which shall be responsible for enforcing violations of New Hampshire election laws under RSA 7:6-c and the Uniform Law on Notarial Acts.***

~~[III. The division shall also be responsible for administering the duties assigned to the attorney general regarding charitable trusts under RSA 7:19 through 7:32-a.]~~

83 Department of Justice; Division of Legal Counsel. Amend RSA 21-M:7 to read as follows:

21-M:7 Division of Legal Counsel.

I. There is established within the department a division of legal counsel. The division shall be supervised by an associate attorney general appointed under RSA 21-M:3.

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A public safety and infrastructure bureau, ***as provided in RSA 21-M:12.***

(c) ***A civil rights unit, which shall be responsible for enforcing the New Hampshire Law Against Discrimination and the New Hampshire Civil Rights Act.***

(d) ***A charitable trusts unit, which shall be responsible for administering the duties assigned to the attorney general regarding charitable trusts under RSA 7:19 through 7:32-a.***

(e) ***An election law unit, which shall be responsible for enforcing violations of New Hampshire election laws under RSA 7:6-c and the Uniform Law on Notarial Acts.***

~~[III. The division shall also be responsible for administering the duties assigned to the attorney general regarding charitable trusts under RSA 7:19 through 32-a.]~~

84 Repeal; Bureau of Civil Law; Regulation of Charitable Trusts. RSA 21-M:11, II(c), relative to responsibility for the regulation of charitable trusts by the bureau of civil law, is repealed.

85 Department of Justice; Private Practice Prohibited. Amend RSA 7:6-d to read as follows:

7:6-d Private Practice Prohibited. The attorney general, deputy attorney general, assistant attorneys general and all attorneys employed by the department of justice shall not directly or indirectly engage in the private practice of law, nor shall they accept any fees or emoluments other than their official salaries for any legal services. Private practice of law shall not include the provision of legal services without charge to the members of an attorney's family when the same shall not conflict with the attorney's official duties. The provisions of this section shall not apply to ~~[the director of charitable trusts, nor to]~~ special counsel retained by the attorney general.

86 Director of Charitable Trusts; Authority. Amend RSA 7:19, I to read as follows:

I. RSA 7:19 through ~~[32-a]~~ **7:32-b** inclusive shall apply to all trustees holding property for charitable purposes and to all persons soliciting for charitable purposes or engaging in charitable sales promotions; and the attorney general shall have and exercise, in addition to all the common law and statutory rights, duties and powers of the attorney general in connection with the supervision, administration and enforcement of charitable trusts, charitable solicitations, and charitable sales promotions, the rights, duties and powers set forth in RSA 7:19 through ~~[32-a]~~ **7:32-b** inclusive. The attorney general shall also have the authority to prepare and maintain a register of all charitable trusts heretofore or hereafter established or active in this state. However, this subdivision does not apply to the United States; any state, territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico or to any of their agencies or governmental subdivisions or to any religious organization which holds property for charitable or religious purposes or their integrated auxiliaries or to conventions or associations of churches.

87 Attorney General; Enforcement of the Election Laws. Amend RSA 7:6-c, I to read as follows:

I. Upon receipt of a signed written complaint, or upon his or her own motion, the attorney general may in his or her discretion, conduct investigations to determine whether any violation of the election **or lobbying** laws has occurred and may prosecute anyone responsible for such a violation. In conducting an investigation under this section the attorney general may enlist the aid of the county attorneys, the state police, and other public officers. In the exercise of his or her powers and duties under this section, the attorney general may hold hearings and require the attendance of individuals by the use of subpoena and may require the production of books, documents, records, and other tangible goods by use of subpoena duces tecum. Any testimony required by the attorney general at a hearing which he or she is empowered to hold under this section shall be given under oath. The attorney general shall maintain records of complaints and investigations of alleged violations of the election laws.

88 Education; School Money; Educated Trust Fund Created and Invested. Amend RSA 198:39, I(m)-(n) to read as follows:

(m) To distribute payments to education service providers on behalf of school districts for children with disabilities in certain court ordered placements ~~[or placements for an episode of treatment]~~ pursuant to RSA 186-C:19-b.

(n) ***To distribute payments to providers for costs of special education and education services related to an episode of treatment pursuant to RSA 193:27, VII.***

(o) To distribute grants for leased space to approved chartered public schools pursuant to RSA 198:15-hh.

(p) ***To fund grants from the public school infrastructure fund under RSA 198:15-y.***

(q) ***To fund department of education operating costs, as authorized under RSA 198:39, III.***

89 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(c) to read as follows:

(c) The ~~[commissioner of the]~~ department of education shall calculate and distribute chartered public school tuition payments as set forth herein. The first payment shall be 30 percent of the per pupil amount multiplied by the number of eligible pupils **enrolled and** present on the first day of the current school year. Such payment shall be made no later than 15 days after the department of education receives the ~~[attendance]~~ **approved enrollment** report. The December 1 payment shall be 30 percent of the per pupil amount multiplied by the membership on ~~[November]~~ **October** 1, and the March 1 payment shall be 30 percent of the per pupil amount multiplied by the membership on February 1. To calculate the final payment, ~~[the commissioner of]~~ the department of education shall multiply the per pupil amount by the average daily membership in attendance for the full school year, and subtract the total amount of the first 3 payments made. The remaining balance

shall be the final payment. Eligible chartered public schools shall report membership in accordance with RSA 189:1-d. In this subparagraph, "membership" shall be as defined in RSA 189:1-d, II. Tuition amounts shall be prorated on a per diem basis for pupils attending a school for less than a full school year. ***The average daily membership in attendance for the Virtual Learning Academy Charter School shall be calculated by converting each credit completed into an average daily membership metric utilizing the basis that 12 half-credits equal 1.0 average daily membership. No full-time enrolled pupil at the Virtual Learning Academy Charter School shall have an average daily membership that exceeds 1.0.***

90 New Subparagraph; Chartered Public Schools; Funding. Amend RSA 194-B:11, I by inserting after subparagraph (e) the following new subparagraph:

(f) The first 3 payments made pursuant to subparagraph (c) to the Virtual Learning Academy Charter School shall be made based on the estimated end of year full-time student and full-time equivalent student average daily membership in attendance calculation. The department may make a May 1 payment distribution to the Virtual Learning Academy using the most current data to ensure the Virtual Learning Academy Charter School receives an estimated 90 percent of adequacy distribution before the end of the fiscal year. The department of education may adjust down the December 1 or March 1 payment on the estimated average end of year enrollment during the school year for any charter school with a 20 percent or greater enrollment decline after the first day of school.

91 Determination of Education Grants. Amend RSA 198:41, VI to read as follows:

VI. ~~[When final determination year data is available, but not later than April 1,]~~ The department shall make a final determination of grant amounts ***by October 1***. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph IV. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

VI-a. The final determination of the grant amount can be modified after October 1 after a vote in the affirmative by the state board under the following conditions:

(a) The department or a school district petitioned the state board to modify the October 1 grant determination prior to January 15 of the same fiscal year and the state board votes in the affirmative to accept the petition by February 15;

(b) The change being considered within the scope of the petition shall have a total adequacy dollar impact greater than \$10,000 for at least one municipality; and

(c) The petition specifically identifies the municipality or municipalities requiring change in the final grant amount and the amount being modified.

92 Adequate Representation for Indigent Defendants in Criminal Cases; Services Other Than Counsel. RSA 604-A:6 is repealed and reenacted to read as follows:

604-A:6 Services Other Than Counsel.

I. In any criminal case in which counsel has been appointed to represent a defendant who is financially unable to obtain investigative, expert or other services necessary to an adequate defense in his or her case, counsel may apply therefor to the court, and, upon finding that such services are necessary and that the defendant is financially unable to obtain them, the court shall authorize counsel to obtain the necessary services on behalf of the defendant. The court may, in the interests of justice and upon finding that timely procurement of necessary services could not await prior authorization, ratify and approve such services after they have been obtained. The court shall determine reasonable compensation for the services and direct payment upon the filing of a claim for compensation supported by an affidavit specifying the time expended, the nature of the services rendered, the expenses incurred on behalf of the defendant, and the compensation, if any, received in the same case for the same services from any other source.

II. The administrative judges of the circuit and superior court may designate classes of routine, necessary services, under \$1,500 per service, that are not subject to the procedure above. Invoices classified as routine and necessary may be submitted directly to the judicial council for review and payment. These invoices shall include a certification by the attorney assigned to the case that the services were necessary to representation in the matter that the attorney was assigned to.

III. The executive director of the judicial council may, upon review of any particular invoice, decline to process such invoice without judicial review, and may direct the attorney to go through the process outline in paragraph I.

IV. Vendor invoices and certifications under this section will be retained by the judicial council.

V. Any indigent defendant appearing pro se may seek services as outlined in paragraph I.

93 Contract Services. Amend RSA 604-A:6-a to read as follows:

604-A:6-a Contract Services. The state of New Hampshire, by the judicial council and with the approval of governor and council, may, within the limits of appropriations, contract with qualified firms or individuals in the state to provide stenographic, ***interpretation, translation, transportation, investigation, and psychological, psychiatric, mental health, and substance abuse evaluations*** and clerical services where, pursuant to RSA 604-A:6, the defendant has been found to be eligible for such services. The executive director of the judicial council shall authorize payments to such individuals and firms as provided for under this section.

94 Compensation of Counsel. Amend RSA 604-A:4 to read as follows:

604-A:4 Compensation of Counsel.

I. [Subject to the provisions of RSA 604-A:6,] Counsel appointed pursuant to this chapter to represent the defendant, at the conclusion of the representation or any segment thereof, shall be reasonably compensated therefor and shall be reimbursed for expenses reasonably incurred. A separate claim for compensation and reimbursement shall be made to each court before which the counsel represented the defendant. Each claim shall be supported by a written statement specifying the time expended, services rendered and expenses incurred while the case was pending before the court. Each court before which the counsel represented the defendant shall fix the compensation and reimbursement to be paid the counsel for services rendered and expenses incurred while representing the defendant in proceedings before the court; however, no justice shall approve any unreasonable or unnecessary charge.

II. The administrative judges of the circuit and superior court may order that any invoice for fees that falls within the limits of the supreme court rules governing assigned counsel may be submitted directly to the judicial council for review and payment.

III. The executive director of the judicial council may, upon review of any particular invoice, decline to process such invoice without judicial review, and may direct the attorney to go through the process outline in paragraph I.

IV. Vendor invoices and certifications under this section shall be retained by the judicial council.

95 New Section; Protective Legislation; Payment of Wages; Wage Claim Settlement Account. Amend RSA 275 by inserting after section 53 the following new section:

275:53-a Wage Claim Settlement Account. A special fund is hereby established in the state treasury for the purpose of receiving and distributing wages in accordance with RSA 275:53, II. The commissioner shall administer the fund. The state treasurer shall be the custodian of the fund, and all moneys in the fund shall be held in trust by the state treasurer and shall not constitute money or property of the state.

96 New Subparagraph; Wage Claim Settlement Account. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the wage claim settlement account fund established pursuant to RSA 275:53-a.

97 Repeal. RSA 281-A:30, relative to the special fund for active cases, is repealed.

98 Effective Date. Section 97 of this act shall take effect September 1, 2025.

99 Workers Compensation; Hearings and Awards. Amend RSA 281-A:43, II to read as follows:

II. A decision of the commissioner, the commissioner's authorized representative, or the board shall take effect and shall become final, in the absence of an appeal from it, 30 days from the date of the decision. Payment of weekly compensation and entitlement to medical and vocational benefits, if necessary and so ordered by the commissioner or the board, shall begin or continue as soon as possible, but no later than 5 working

days after ~~[the decision's effective date]~~ **issuance of the decision**, and shall not be terminated except in accordance with the terms of the decision or of a final court determination. If the commissioner determines that the employer or carrier has failed to comply with any order, then the commissioner may assess a penalty not to exceed \$100 for each day of noncompliance, beginning on the date of notification of its assessment. Upon continued failure to comply with an order to make payment of the compensation or medical benefits, or to institute vocational rehabilitation, or to pay the penalty, or any combination thereof, the commissioner shall petition the superior court for an injunction to comply. The commissioner shall deposit into the department of labor restricted fund established in RSA 273:1-b any penalty collected under this section.

100 Workers Compensation; Appeals Board; Composition. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. ~~[Until January 1, 2024,]~~ The board shall consist of a pool of ~~[33]~~ **27** members, of which ~~[11]~~ **9** members shall represent labor, ~~[11]~~ **9** members shall represent employers or workers' compensation insurers and ~~[11]~~ **9** members shall be attorneys who shall be neutral. ~~[On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total.]~~ Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

101 Confidentiality of Workers Compensation Claims. Amend RSA 281-A:21-b to read as follows:

281-A:21-b Confidentiality of Workers' Compensation Claims. Proceedings and records of the department of labor **and the compensation appeals board** with respect to workers' compensation claims under RSA 281-A shall be exempt from RSA 91-A. Nothing in this section shall prohibit the department of labor **or the compensation appeals board** from releasing information on a person's claim or claims to the person, the person's legal representative, attorney, health care providers, employer, the employer's workers' compensation insurer, the attorneys for the employer or employer's insurer, or state and federal agencies with relevant jurisdiction. Notwithstanding the provisions of this section, information relating to a person's claim or claims may be released to other parties only with the prior written permission of the claimant.

102 Department of Labor; Reports. Amend RSA 273:10 to read as follows:

273:10 Reports. ~~[He]~~ **The labor commissioner** shall transmit to the legislature a report upon these matters when ~~[he]~~ **the labor commissioner** shall deem the occasion of sufficient importance, with such recommendations as ~~[he]~~ **the labor commissioner** shall think advisable. ~~[He]~~ **The labor commissioner** shall biennially make a report of the proceedings of the department of labor to the governor and council, containing the transactions of the office and such other matters and recommendations as ~~[he]~~ **the labor commissioner** shall deem proper.

103 Workers Compensation; Hearings and Awards. Amend RSA 281-A:43, I(a) to read as follows:

I.(a) In a controversy as to the responsibility of an employer or the employer's insurance carrier for the payment of compensation and other benefits under this chapter, any party at interest may petition the commis-

sioner in writing for a hearing and award. The petition shall be sent to the commissioner at the department's offices in Concord and shall set forth the reasons for requesting the hearing and the questions in dispute which the applicant expects to be resolved. The commissioner or the commissioner's authorized representative shall schedule a hearing, either in Concord or at a location nearest the employee as determined by the commissioner, by fixing its time and place and giving notice at least 14 days prior to the date for which it is scheduled. The hearing date shall be set for a time not to exceed 6 weeks from the date the petition was received. In those instances where an expedited hearing is requested, the petition for hearing shall set forth the facts in sufficient detail to support the request for an expedited hearing. The commissioner, or his or her authorized agent shall, in his or her discretion, determine whether the need exists for an expedited hearing. Any requests for an expedited hearing shall be periodically reviewed by the commissioner to determine whether such requests are given proper attention. The commissioner shall also identify any overutilization by the requesting parties and responses given to such requests by the commissioner. An annual report of the expedited requests, responses, the number of continuances, the reasons for such continuances, the number of requests for hearing, and the time within which the hearings were held shall be made annually to the advisory council established in RSA 281-A:62. The notice may be given in hand, via first class mail, or, ~~upon consent of the parties;~~ by electronic transmission **to any party with that party's consent**. Continuances of any hearing are discouraged; however, should a continuance be necessary, the parties requesting such continuance shall file with the department a written petition for such continuance at least 7 days prior to the hearing. Failure to file such a petition shall bar any right to a continuance. Thereafter, a continuance may only be granted upon the commissioner's finding that a compelling need exists so as to require a continuance. At such hearing, it shall be incumbent upon all parties to present all available evidence and the person conducting the hearing shall give full consideration to all evidence presented. In addition, the person conducting the hearing shall freely and comprehensively examine all witnesses to determine the merits of the matter. Also, the person conducting the hearing may recess the hearing to a date certain and direct the parties, or either of them, to provide such further information that may be necessary to decide the matter. No later than 30 days after the hearing, the commissioner or the commissioner's authorized representative shall render a decision and shall forthwith notify the parties of it. When appropriate, the commissioner, or his or her authorized representative, may render a decision at the hearing. Unless excused for good cause shown, or a party has not received notice, failure of any or all parties at interest to appear at a duly scheduled hearing or to petition for a continuance shall bar such parties from any further action concerning an adverse decision, a decision by default, or a dismissal of a petition for hearing and award. The commissioner, or his or her authorized representative, shall serve notice of a pending default, default decision, or dismissal of a petition for hearing and award on the defaulting party via certified mail, return receipt requested. Upon receipt of undeliverable certified mail, the commissioner, or his or her authorized representative, shall stay the proceedings for up to one year from the date of the receipt of undeliverable certified mail during which time the commissioner, or his or her authorized representative, shall make all reasonable attempts to provide notice to the defaulting party. If notice cannot be provided within one year, the commissioner, or his or her authorized representative, shall render a decision in favor of the non-defaulting party.

104 Elevator and Accessibility Lifts; Inspection Report and Certificates; Fee; Penalty. Amend RSA 157-B:5, I to read as follows:

I. Subsequent to the inspection of an elevator or accessibility lift, an inspector shall file with the commissioner an inspection report on a form prescribed by the commissioner indicating whether or not the elevator or accessibility lift is certifiable and shall provide a copy of the inspection report to the owner or the owner's designee. When an elevator or accessibility lift passes inspection, the commissioner shall furnish an ~~inspection certificate to its owner or the owner's designee on a form prescribed by the commissioner. A fee of \$50 shall be charged for each certificate. If the fee is not paid within 30 days of the date on which the certificate is issued, the certificate shall be void.~~ **invoice for a fee of \$75 to the unit owner or designee. Upon receipt of the fee, the commissioner shall issue an inspection certificate to its owner or the owner's designee on a form prescribed by the commissioner, with a separate fee required for each certificate.**

105 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after hearing, impose a civil penalty not to exceed \$2,500, **unless specifically authorized to do so by another provision of law**, as determined by the commissioner, for any violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-C, and RSA 282-A. All moneys collected under this section shall be deposited into the department of labor restricted fund established in RSA 273:1-b.

106 New Subparagraphs; Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, III by inserting after subparagraph (h) the following new subparagraphs:

- (i) Failure to comply with RSA 281-A regarding the workers compensation law.
- (j) Violations pursuant to RSA 276-A relative to youth labor laws.

107 New Hampshire Retirement System. The funds in accounting unit 1051 shall not lapse until June 30, 2027.

108 Department of Safety; General Fund Lapse to Fire Standards and Training and Emergency Medical Services Fund. Unspent general funds appropriated to the fire safety administration accounting unit 66310000 shall lapse to the fire standards and training and emergency medical services fund established in RSA 21-P:12-d, on June 30, 2026.

109 Effective Date. Section 108 of this act shall take effect on June 30, 2026.

110 Department of Safety; Prohibitions. Amend RSA 263:12, VI to read as follows:

VI. Manufacture, advertise for sale, sell, or possess any fictitious, facsimile or simulated license to drive a motor vehicle ***unless specifically authorized by the director.***

111 Department of Safety; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a, VIII to read as follows:

VIII. Notwithstanding any law to the contrary, the department may provide driver history records to a federal entity ***or their authorized agents*** for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14, V.

112 Department of Safety; Division of Fire Safety. Amend RSA 21-P:15-a to read as follows:

21-P:15-a Hazardous Materials Incident Response Coordinator. There is created within the department of safety, division of fire safety, the classified~~[, full-time]~~ position of hazardous materials incident response coordinator. ~~[The position shall be at labor grade 23.]~~ The coordinator~~[shall be appointed by the state fire marshal and]~~ shall oversee the preparedness of the state's regional hazardous materials response teams as provided in RSA 21-P:12, III. ***During full-time service as hazardous materials incident response coordinator, the hazardous materials incident response coordinator shall be eligible to be a group II member, if he or she was a group II member or receiving a group II retirement allowance prior to being hired into this position.***

113 Department of Safety; Division of Fire Standards and Training and Emergency Medical Services. Amend RSA 153-A:1, I to read as follows:

I. The general court declares that it is the policy of the state of New Hampshire to save lives and speed the healing of persons in need of medical services by providing an emergency medical and trauma services system that will bring an injured or sick person under the care of properly trained individuals in the shortest practical time, and that will provide safe transportation to the most appropriate treatment center prepared to receive the sick or injured person. It is the policy of the state of New Hampshire to ~~[insure]~~ ***ensure*** that the sick or injured person is safely transported in properly equipped vehicles which are designed to supply supportive care and which are able to communicate with medical treatment centers. ~~[The use of properly licensed wheelchair vans for hire is to ensure that patients confined to a wheelchair are transported in equipped vehicles driven by personnel approved by the division.]~~

114 Department of Safety; Division of Fire Standards and Training and Emergency Medical Services. Amend RSA 21-P:12-b, II(f) to read as follows:

(f) License emergency medical care providers, emergency medical service units, emergency medical service instructor/coordinators, emergency medical service training agencies, ~~[emergency medical services dispatchers,]~~ and emergency medical service vehicles~~[, including wheelchair vans for hire]~~.

115 Repeal. RSA 21-P:12-b, II(d), relative to division of fire standards and training and emergency medical services responsibility for a communications network for EMS units, is repealed.

116 Department of Safety; Chief of Policy and Planning. Amend RSA 21-P:5-b to read as follows:

21-P:5-b Chief of Policy and Planning. The commissioner of safety shall nominate a chief of policy and planning for appointment by the governor, with the consent of the council. The chief of policy and planning shall

serve at the pleasure of the commissioner and shall be qualified to hold that position by reason of education and experience and shall perform such duties as are assigned. ***Notwithstanding RSA 100-A:3 or any other law to the contrary, membership in the retirement system shall be optional. If the incumbent opts to become a member of the retirement system, the incumbent may enroll as a group II member if he or she was a group II member or was receiving a group II retirement allowance prior to appointment.***

117 Repeal. RSA 11:6, RSA 6:12, I(b)(134), RSA 624:16, V, and 1909, 131, relative to the Benjamin Thompson trust fund, are repealed.

118 Budget and Appropriations; Revolving Funds. Amend RSA 9:16-a, II-a(e) to read as follows:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, class-210 bond insurance, ~~and~~ class-211 property casualty insurance, ***class-043 debt service treasury, and class 044 debt service other agencies.***

119 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns, shall be suspended for the biennium ending June 30, 2027.

120 Repeal. 2023, 79:512 and 2023, 79:513, relative to wastewater state aid grants, are repealed.

121 Record of Wells; Monitoring Wells. Amend RSA 482-B:10, I(c)(1) to read as follows:

(1) Coordinates provided by global positioning technology in units of ***decimal*** degrees ~~and decimal minutes~~ of latitude and longitude, with at least ~~[3]~~ ***5*** decimal places of precision and referenced to the World Geodetic System 1984 (WGS 84) datum or its successor;

122 Repeal. RSA 485-A:4, IX-a, relative to water pollution and waste disposal, is repealed.

123 Repeal. RSA 487:43, relative to aquatic invasive species decal, is repealed.

124 New Paragraph; Acquisition by State of Certain Dams and Water Rights; Acquisition Authorized. Amend RSA 482:48 by inserting after paragraph XI the following new paragraph:

XII. For a consideration of \$1, the department of environmental services may accept an easement from the abutting property owners of all rights necessary for access, and to store equipment during repair, reconstruction, maintaining, and operation of Pequawket Dam in the Town of Conway, Horn Pond Dam in the Town of Wakefield, and Souhegan Site #35 in the Town of New Ipswich for the purpose of repairing and reconstructing these dams. The rights and easements the department is authorized to acquire for the benefit of the state shall be exempt from taxation as long as the easements are held by the state. Except for the \$1 consideration, nothing in this paragraph shall mandate or authorize the expenditure of any funds or capital in relation to its provisions.

125 Department Of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III(c) to read as follows:

(c) The commissioner shall, after consulting with the waste management council, nominate for appointment by the governor and council a director of waste management. Each nominee shall hold a ***baccalaureate or*** master's degree from a recognized college or university with major study in environmental sciences, chemistry, civil engineering, public health, public administration, or a related field, and have 5 years' experience in a high level supervisory or administrative position in a public or private agency engaged in waste management, environmental health, or a related discipline.

126 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, I to read as follows:

I. There is hereby established an air resources council which shall be composed of 11 members, including one representing the ~~[steam power]~~ ***electric*** generating industry; one representing the oil industry; one representing the natural gas industry; ***one representing the renewable energy industry;*** one representing the manufacturing component of industry; one representing the field of municipal government; and ~~[6]~~ ***5*** members appointed at large who shall represent the public interest, one of whom shall be ~~[a licensed practicing physician or other health care professional possessing expertise in the field of public health and the health-related impacts of air pollution]~~ ***in the field of public health,*** one of whom shall represent the field of recreation, and at least one of whom shall represent environmental interests. The council members who shall represent the public interest may not derive any significant portion of their income from persons subject to permits or

enforcement orders, and may not serve as attorney for, act as consultant for, serve as officer or director of, or hold any other official or contractual relationship with any person subject to permits or enforcement orders. All potential conflicts of interest shall be adequately disclosed. The members shall be residents of the state and shall be appointed by the governor with the consent of the executive council. Each member shall serve for a term of 4 years.

127 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, I-II to read as follows:

I. There is established a waste management council consisting of the following, appointed by the governor and council, each of whom shall serve a 4-year term:

- (a) A chairman, representing the public interest;
- (b) Three municipal officials, at least 2 of whom shall be elected officials, representing the public interest~~[-nominated by the New Hampshire Municipal Association];~~
- (c) An expert in public health, representing the public interest;
- (d) A local conservation commission member, representing the public interest~~[-nominated by the New Hampshire Association of Conservation Commissions];~~
- (e) A professor or assistant professor of environmental science or sanitary engineering, representing the public interest;
- (f) A representative of the private waste management industries;
- (g) A licensed sanitary or environmental engineer from private industry;
- (h) A representative of the municipal public works field;
- (i) A representative of the business or financial communities;
- (j) [Repealed.]
- (k) A representative of communities which recycle or recover solid waste, representing the public interest~~[-nominated by the New Hampshire Resources Recovery Association];~~ and
- (l) A representative of private industries that generate hazardous waste.

II. One member of the council shall be elected vice chairman by the members of the council. ***When the chairman is absent, it shall be the duty of the vice-chairman to assume and administer the duties of the chairman.*** All members shall be New Hampshire residents. The members representing the public interest shall not have any official or contractual relationship with, or receive any significant portion of their income from, any person subject to division of waste management permits or enforcement orders. Members shall disclose all potential conflicts of interest, and shall not vote on matters in which they have a direct interest. The council may elect other officers.

128 Department of Environmental Services; Water Council. Amend RSA 21-O:7, I(a) to read as follows:

(a) Thirteen of the members shall be public members appointed by the governor, with the consent of the council, who shall serve for terms of 4 years. Of these members, 2 shall represent the industrial interests of the state; one shall represent the vacation home or private recreational interests of the state; one shall represent the agricultural interests of the state; one shall be an employee of any municipal or privately-owned waterworks in the state; one shall be a representative of the septage hauling industry~~[-nominated by the New Hampshire Association of Septage Haulers];~~ one shall be a member of a statewide nonprofit conservation or environmental organization; one shall be a treatment plant operator; one shall be a designer or installer of septic systems~~[-nominated by the Granite State Designers and Installers Association];~~ one shall represent ***a*** New Hampshire rivers ***council***~~[-nominated by the New Hampshire Rivers Council]~~, and one shall represent ***a*** New Hampshire lakes ***association***~~[-nominated by the New Hampshire Lakes Association]~~. The 2 remaining members shall be appointed and commissioned respectively as the chairman and vice chairman of the council;

129 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, I(f) to read as follows:

(f) Eight members of the public appointed by the governor and council for a term of 3 years or until a successor is chosen. One of these shall be a member of a municipal conservation commission at the time of appointment~~[-and be one of 3 nominees submitted by the New Hampshire Association of Conservation~~

~~Commissions]; one shall be a supervisor, associate supervisor, former associate supervisor, or former supervisor, of a conservation district at the time of appointment[, and be one of 3 nominees submitted by the New Hampshire Association of Conservation Districts]; one shall be a municipal official other than a member of the conservation commission at the time of appointment, [and be nominated by the New Hampshire Municipal Association]; one shall be a natural resource scientist[, and be one of 3 nominees submitted by the New Hampshire Association of Natural Resource Scientists]; one shall be a member of the construction industry[, and be one of 3 nominees submitted by the Associated General Contractors of New Hampshire]; one shall be a member of the marine industry[, and be one of 3 nominees submitted by the New Hampshire Marine Trades Association]; one shall have experience in environmental protection and resource management at the time of appointment[, and be one of 4 nominees submitted, 2 each, by the New Hampshire Audubon Society and the Society for the Protection of New Hampshire Forests]; and one shall be a farm or forest landowner[, and be one of 2 nominees submitted, one each, by the New Hampshire Farm Bureau Federation and the New Hampshire Timberland Owners Association]. One member of the council shall be elected annually as chairperson by the members of the council.~~

130 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30 to read as follows:

485-A:30 Fees.

I. Any person submitting plans and specifications for a subdivision of land shall pay to the department a fee of ~~[\$300]~~ **\$450** per lot. Said fee shall be for reviewing such plans and specifications and making site inspections. Any person submitting plans and specifications or an application for a permit by rule as provided in RSA 485-A:33, IV for sewage or waste disposal systems shall pay to the department a fee of ~~[\$290]~~ **\$450** for each system. Said fee shall be for reviewing such plans and specifications or application for permit by rule, making site inspections, the administration of sludge and septage management programs, and establishing a system for electronic permitting for waste disposal systems, subdivision plans, and permits and approvals under the department's land regulation authority. The fees required by this paragraph shall be paid at the time said plans and specifications or application for permit by rule are submitted and shall be deposited in the subsurface systems fund established in paragraph I-b. For the purposes of this paragraph, the term "lot" shall not include tent sites or travel trailer sites in recreational parks which are operated on a seasonal basis for not more than 9 months per year.

I-a. In addition to fees required under paragraph I, any person submitting plans and specifications or an application for a permit by rule as provided in RSA 485-A:33, IV for sewage or waste disposal systems shall pay to the department a fee of ~~[\$10]~~ **\$25** for each system for use in the septage handling and treatment facilities grant program to municipalities under RSA 486:3, III. The fees required by this paragraph shall be paid at the time said plans and specifications or application for permit by rule are submitted and shall be deposited in the septage management fund established in paragraph I-c.

I-b. The fees collected under paragraph I shall be deposited in the water resources fund established in RSA 482-A:3, III for the purpose of paying all costs and salaries associated with the subsurface systems program and other land resources management programs.

I-c. There is hereby established the septage management fund into which the fees collected under paragraph I-a shall be deposited. The fund shall be a separate, nonlapsing fund, continually appropriated to the department for the purpose of paying costs associated with the septage handling and treatment facilities grant program or for research, engineering analysis, or septage sampling and analysis by the department to advance septage management in the state of New Hampshire.

II. [Repealed].

III. Any person submitting plans and specifications as a resubmission for reapproval of such shall not be required to pay any additional fee under RSA 485-A:30, I or I-a if changes to such plans and specifications would not constitute a new subdivision under the provisions of RSA 485-A:2, XIII.

131 Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, any executive branch department or agency may fill unfunded positions during the biennium ending June 30, 2027, provided that the total expenditures for such positions shall not exceed the amount appropriated for personnel and benefit services.

132 Highways and Other Public Works; Application for and Administration of Federal Aid. Amend RSA 124:4 to read as follows:

124:4 Application for and Administration of Federal Aid. Notwithstanding any other provision of law, the governor and council are hereby authorized to designate from time to time, as they may deem in the best interest of the state, the proper persons or agencies in the state government to take all necessary action to apply for, receive, and administer any federal benefits, facilities, grants-in-aid, or other federal appropriations or services made available to assist state activities, for which the state is, or may become eligible. All such moneys in excess of [~~\$50,000~~] **\$100,000** made available, after designation by the governor and council, may be expended by the proper persons or agencies in the state government only with the prior approval of the joint legislative fiscal committee. In addition to such other instruments, documents, and agreements as may be executed under the authority of this section, such persons or agencies may execute indemnification agreements, with the approval of governor and council, in the name of the state with and for the benefit of the United States whenever such execution is required as a condition of receipt of such federal assistance.

133 Appropriations; Transfers Authorized. Amend RSA 9:16-a, I to read as follows:

I. Notwithstanding any other provision of law, every department as defined in RSA 9:1 is hereby authorized to transfer funds within and among all accounting units within said department, ***with the approval of the commissioner of the department of administrative services***, provided that any transfer of \$100,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 9:17-b, 9:17-c, or 9:17-d or in violation of any restrictions otherwise provided by law. The restrictions included in RSA 9:17-a, 9:17-b, 9:17-c, or 9:17-d shall not apply if a transfer is necessary to satisfy a federal maintenance of effort requirement to ensure the receipt of federal funds.

134 Bridges House Special Account; Establishing the Bridges House Special Account Fund. Amend RSA 4:9-s to read as follows:

4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the state treasury the bridges house special account fund. [~~The funds may be comprised of~~] ***The governor is authorized to accept*** public funds, gifts, grants, donations or any other source of funds, [~~and~~] ***which*** shall be used for the purposes of the care, maintenance, repair of, and additions to, the bridges house, or for any other relevant purpose deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be continually appropriated to the department ***of administrative services***.

135 Capital Project Overview Committee; Duties. Amend RSA 17-J:4 to read as follows:

17-J:4 Duties. The capital project overview committee shall review the status of capital [~~budget~~] projects both during and between legislative sessions. Each state agency with capital [~~budget~~] projects shall report to the department of administrative services, in the format the department of administrative services prescribes, for the quarters ending September 30, December 31, March 31, and June 30. The department of administrative services shall combine these reports and present the summarized report to the capital project overview committee for review quarterly on the first of November, February, May, and August. The department of administrative services, division of public works design and construction shall, within 90 days of the approval of funding for any capital [~~budget~~] project, submit a timeline or schedule for such project to the capital project overview committee for review.

136 General Provisions; Divisions of Procurement and Support Services, Public Works Design and Construction, and Plant and Property. Amend RSA 21-I:11, I(a)(6)(A)-(B)(i) to read as follows:

(A) Be sufficiently high to defray all administrative, warehousing, processing, distribution, and transportation costs incurred by the surplus distribution section and to allow the accumulation of a working capital reserve equal to the cost of [6] **3** months' operation of the surplus distribution section so that the operation of said section shall result in no expense to the state; and

(B) Be maintained by the treasurer in one of 2 separate, restricted funds:

(i) The surplus distribution section administrative assessments fund, into which shall be deposited funds received by the department by virtue of the disposition of surplus property ***and which shall be continually appropriated and nonlapsing***; and

137 New Subparagraph; General Provisions; Division of Accounting Services. Amend RSA 21-I:8, I by inserting after subparagraph (h) the following new subparagraph:

(i) After exhausting any relevant appeal process, state agencies may use funds in existing class 60, or other appropriate budget class, to pay any penalties, fines, interest or other costs imposed on the state of

New Hampshire by the NH retirement system or by the IRS, relating to employer payments, reporting or audits. The department of administrative services will seek concurrence of the department of justice prior to processing any such payment and will facilitate and charge applicable state agencies as necessary.

138 Games, Amusements, and Athletic Exhibitions; Horse and Dog Racing; Administrative and Rulemaking Provisions. Amend RSA 284:21-i, II(c)(1) to read as follows:

(1) The price for which tickets for drawings shall be sold; not to exceed [~~\$30~~] **\$50** per ticket.

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine [~~41~~] **35.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine [~~41~~] **35.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 35.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 35.5 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.

143 Appropriation; Cannon Mountain Tramway. 2023, 79:510 is repealed and reenacted to read as follows:

79:510 Appropriation; Cannon Mountain Tramway. The sum of \$18,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Any remaining funds hereby appropriated shall lapse to the general fund on June 30, 2025.

144 Effective Date. Section 143 of this act shall take effect June 30, 2025.

145 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

II.(a) ***Notwithstanding subparagraph III(a), due to exigent circumstances, an additional one percent shall be added to the annual increase on the cap on county billings for each year of the biennium ending June 30, 2027, resulting in annual increases of 3 percent for each year of that biennium.*** The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2024-2025~~] **2026-2027**:

(1) State fiscal year [~~2024~~] **2026**, [~~\$131,849,659~~] **\$135,805,149**.

(2) State fiscal year [~~2025~~], **2027** [~~\$131,849,659~~]; **\$139,879,303**.

146 New Paragraph; Revenue Stabilization Reserve Account. Amend RSA 9:13-e by inserting after paragraph V the following new paragraph:

VI. Notwithstanding any other provision of RSA 9:13-e, in the event of a general fund operating budget deficit at the close of fiscal year 2025, as determined by the official audit performed pursuant to RSA 21-I:8, II(a), the state comptroller shall notify the fiscal committee and the governor of such deficit and request approval to transfer funds from the revenue stabilization reserve account to eliminate such deficit.

147 Department of Energy; Transfer of Funds. The department of energy shall transfer any uncommitted moneys from the renewable energy fund, established in RSA 362-F:10, to the general fund on July 1, 2025.

148 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall **first** be used by the department of energy to **fund administrative cost for the office of offshore wind industry development and energy innovations, as determined by the department. After funding of the administrative costs, up to \$1,000,000 annually shall** support thermal and electrical renewable energy initiatives, **pursuant to RSA 362-F:10, VIII, and shall not be used to support residential solar initiatives.** ~~[and offshore wind initiatives, including the office of offshore wind industry development and energy innovation]~~ **Any monies remaining shall be transferred to the general fund.** Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

149 2027 Prospective Change; Electric Renewable Portfolio Standard; Renewable Energy Fund. RSA 362-F:10, I is repealed and reenacted to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives and offshore wind initiatives, including the office of offshore wind industry development and energy innovation. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

150 Effective Date. Section 149 of this act shall take effect July 1, 2027.

151 Mechanical Licensing; Inspectors. Amend RSA 153:34, I and II to read as follows:

I. The ~~[office of professional licensure and certification]~~ **department of safety** with the approval of the ~~[board and the executive director of the office of professional licensure and certification]~~ **state fire marshal** shall have the authority to appoint such inspectors as are necessary to insure compliance throughout the state with practices consistent with the public safety and welfare. Any person so employed shall be under the administration and supervisory direction of the ~~[office of professional licensure and certification]~~ **department of safety.**

II. An inspector appointed under this subdivision shall have the authority to enter any premises in which a fuel gas fitter or plumber subject to regulation is performing, or has completed, work regulated under this subdivision for the purpose of making such inspection as is necessary to carry out his or her duties under this subdivision. If consent for such inspection is denied or not reasonably obtainable, the **state fire marshal** ~~[executive director of the office of professional licensure and certification]~~, or his or her designee, may obtain an administrative inspection warrant under RSA 595-B.

152 Electricians; Inspectors. Amend RSA 319-C:5, I to read as follows:

I. The ~~[office of professional licensure and certification]~~ **state fire marshal** shall be empowered to appoint such inspectors as may be necessary to carry out the purposes of this chapter **and RSA 319-C**. Any person so employed shall be under the administration and supervisory direction of the ~~[office of professional licensure and certification]~~ **state fire marshal**.

153 New Paragraph; Barbering, Cosmetology, and Esthetics; Definitions. Amend RSA 313-A:1 by inserting after paragraph XIII the following new paragraph:

XIII-a. "Shop" means barbershop, mobile barbershop, and salon as defined in this section, as well as any other business location for barbering, cosmetology, or esthetics in New Hampshire.

154 Barbering, Cosmetology, and Esthetics; Rulemaking Authority. Amend RSA 313-A:8, VI to read as follows:

VI. The regulation of tanning facilities including:

- (a) Sanitation and hygiene standards to be met and maintained by tanning facilities;
- (b) Standards for approving the training curricula and programs used for training tanning device operators;
- (c) Registering tanning facilities;
- (d) Standards for the inspection of tanning devices **upon application for initial licensure**;
- (e) Standards for the consumer consent form required under RSA 313-A:30, IV.

155 New Paragraph; Barbering, Cosmetology, and Esthetics; Rulemaking Authority. Amend RSA 313-A:8 by inserting after paragraph XIV the following new paragraph:

XV. Criteria for determining what other one-time certification programs are the equivalent of an OSHA certificate that meets or exceeds 10 hours and is earned in barbering, cosmetology, manicuring, and/or esthetics for the purposes of operating a shop or school under this chapter.

156 Barbering, Cosmetology, and Esthetics; Licensure Required. Amend RSA 313-A:9, II(a) to read as follows:

(a) Operate a ~~[barbershop, salon,]~~ **shop** or school unless such establishment is at all times under the direct supervision and management of a professional licensed under this chapter.

157 Barbering, Cosmetology, and Esthetics; Qualifications; Barbers. Amend RSA 313-A:10, I(c)(1) to read as follows:

(1) A minimum of 800 hours of training in a school of barbering approved by the office of professional licensure and certification in accordance with **this chapter and** criteria established by the board pursuant to RSA 541-A; or

158 Barbering, Cosmetology, and Esthetics; Qualifications; Barbers. Amend RSA 313-A:10, III(c)(1) to read as follows:

(1) A minimum of 1,500 hours of training in a school of master barbering approved by the ~~[board]~~ **office of professional licensure and certification in accordance with this chapter and criteria established by the board pursuant to RSA 541-A**; or

159 Qualifications; Cosmetologists. Amend RSA 313-A:11, I(c)(1) to read as follows:

(1) A minimum of ~~[1,500]~~ **1,200** hours of training in a school of cosmetology approved by the board; or

160 Effective Date. Section 159 of this act shall take effect 60 days after its passage.

161 Barbering, Cosmetology, and Esthetics; Qualifications; Manicurists. Amend RSA 313-A:12, I to read as follows:

I. Have completed a course of at least 300 hours of professional training in manicuring, in a school approved by the ~~[board]~~ **the office of professional licensure and certification in accordance with this chapter and criteria established by the board pursuant to RSA 541-A** and passed an examination; or

162 Barbering, Cosmetology, and Esthetics; Qualifications; Estheticians. Amend RSA 313-A:13 to read as follows:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the office of professional licensure and certification, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the [board] ***the office of professional licensure and certification in accordance with this chapter and criteria established by the board pursuant to RSA 541-A*** and have passed an examination. An apprenticeship approved by the board may be substituted for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board. Cosmetologists licensed under this chapter may obtain the training hours in subjects required by the board in increments at separate schools, but must present certifications to the office for all required hours and curriculum subjects.

163 Barbering, Cosmetology, and Esthetics; Shop Licensure. Amend RSA 313-A:19 to read as follows:

313-A:19 Shop Licensure.

I. It shall be a misdemeanor for any person, as owner, manager, or agent, to open, establish, conduct, or maintain a ~~[salon, barbershop, or mobile barbershop]~~ ***shop*** without first having obtained a shop license from the board. Application for such shop license shall be made to the [board] ***office of professional licensure and certification*** in writing and shall state the name and address of the owner of such shop, the shop's address or, in the case of a mobile barbershop, the business mailing address of the owner, and such other information as may be required by the board ***or office of professional licensure and certification***. Licenses under this section shall be conspicuously posted within the licensed establishment.

II. Any licensed barber, cosmetologist, manicurist, or esthetician shall, upon written application accompanied by the required fees, receive a license to operate a salon, barbershop, or mobile barbershop in this state, provided that the salon, barbershop, or mobile barbershop meets all requirements established in the rules of the board, ***including passing an inspection***.

III. In the event of a change of location of any licensed shop and upon notice thereof, the [board] ***office of professional licensure and certification*** shall issue a transfer of licensure of such shop to its new location, provided such new location meets the requirements of this section. The board may ~~[revoke]~~ ***take disciplinary action, in accordance with RSA 310, against*** any shop license upon a finding that such shop fails to comply with this chapter or the rules adopted by the board, ***or has committed professional conduct as defined in RSA 310***~~]; provided that, before any such certificate shall be revoked, the holder shall have notice thereof and be granted a proper hearing].~~ ***Nothing in this section shall be construed to prevent the board from taking disciplinary action in accordance with RSA 310 against any licensee managing or working at a shop.***

IV. In addition to licenses issued under paragraph II, the board may issue a license to an owner of a salon or barbershop who does not personally engage in cosmetology, barbering, or esthetics, provided the salon or barbershop shall fulfill all requirements ~~[set forth in the rules of the board]~~ ***for licensure*** and provided further that the owner has paid the required license fee for such salon or barbershop and employs a licensed cosmetologist, barber, manicurist, or esthetician as manager in the salon or barbershop. However, this section shall not authorize such owner to practice cosmetology, barbering, manicuring, or esthetics unless the owner has a cosmetologist, barber, or esthetician license.

V. ***Anyone holding a shop license may obtain a one-time Occupational Safety and Health Administration (OSHA) certificate that meets or exceeds 10 hours, or its equivalent, relative to health, safety, disinfection, and sanitation, in the professional service that is regulated by this chapter and is offered at the shop. The board may adopt rules pursuant to RSA 541-A as to what other one-time certification programs may be considered equivalent to an OSHA certificate that meets or exceeds 10 hours earned in barbering, cosmetology, esthetics, or manicuring.***

164 New Section; Barbering, Cosmetology, and Esthetics; Operating a School. Amend RSA 313-A by inserting after section 19 the following new section:

313-A:19-a Operating a School.

I. Applicants for initial licensure as a school shall meet all requirements established in the rules of the board, including passing an inspection.

II. Anyone holding a school license may obtain a one-time Occupational Safety and Health Administration (OSHA) certificate that meets or exceeds 10 hours, or its equivalent, relative to health, safety, disinfection, and sanitation in each professional service that is regulated by this chapter and taught at the school. The board may adopt rules pursuant to RSA 541-A as to what other one-time certification programs are the equivalent of an OSHA certificate that meets or exceeds 10 hours earned in barbering, cosmetology, esthetics, or manicuring.

III. It shall be the obligation of any individual who opens, establishes, conducts, maintains, or manages a school to ensure it maintains compliance with this chapter and board rules. Failure to maintain compliance shall constitute conduct sufficient to support disciplinary proceedings initiated pursuant to RSA 310. This provision shall not be construed to prevent the board from also taking disciplinary action against any licensee working at such school.

165 Barbering, Cosmetology, and Esthetics; Inspectors. RSA 313-A:21 is repealed and reenacted to read as follows:

313-A:21 Inspectors.

I. The executive director of the office of professional licensure and certification or his or her designees shall be authorized to enter and make reasonable examination and inspection of any shop or school during business hours for the purpose of ascertaining whether or not the administrative rules of the board and the provisions of this chapter are being observed. The executive director or his or her designees shall file a report with the board of such findings with respect to each inspection made. Any salaries and necessary expenses of employed inspectors shall be charged against the fees and other moneys collected by the board.

II. Sanitary inspections of all shops and schools shall be made at the time of initial licensure and biannually thereafter, unless a shop or school has obtained an Occupational Safety and Health Administration (OSHA) certificate or its equivalent pursuant to RSA 313-A:19 or RSA 313-A:19-a. Sanitary inspections may also be made for investigations conducted pursuant to RSA 310:9, regardless of whether a shop or school has obtained a certificate.

166 Repeal. RSA 313-A:24, V, relative to applicants for apprentice certificates providing a social security number, is repealed.

167 Agriculture, Horticulture; and Animal Husbandry; Pesticide Controls; Registration Certificates and Permits. Amend RSA 430:33, I to read as follows:

I. No person shall engage in the commercial application of pesticides or in the private application of restricted pesticides within this state without possessing a valid certificate of registration issued by the division. An annual application for a certificate of registration with a fee of ~~[\$20]~~ **\$60** shall be collected by the division for each commercial ***application registration*** ~~or~~ ***and \$20 shall be collected by the division for each*** private applicator registration, except that no fee shall be collected from any nonprofit entity or from any governmental entity. The board shall by rule establish the criteria for eligibility for, and the limits on the use of, certificates of registration for commercial applicator, private applicator, and commercial applicator for hire. Each application for registration shall contain such information regarding the applicant's qualifications and proposed operations and other relevant matters as the division may require. Every person applying for a registration certificate shall be required to demonstrate by examination, or by such other means as the board by rule may establish, his competency and ability to use pesticides in accordance with standards of the board. The division shall require from each applicant proof of financial responsibility in amounts to be determined under rules adopted by the board. Registered applicators shall maintain routine operational records pursuant to the rules of the board, which records shall be open to inspection at reasonable times by the division or its agents. Operational records for the preceding calendar year shall be submitted by an applicant for renewal of a certificate of registration. Upon submission of such records and satisfaction of such other conditions as the board may by rule impose, the division shall renew a certificate of registration.

168 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases; Application for Registration and Permits. Amend RSA 430:34, III to read as follows:

III. Each application for initial examination of a commercial or private applicator shall be accompanied by an examination fee of ~~[\$5]~~ **\$15** for each category or commodity group in which such examination is requested.

When an applicator has been examined by the division and found not qualified, the applicant shall be re-examined at a subsequent date in accordance with rules adopted by the board, provided that each application for re-examination shall be accompanied by a re-examination fee of ~~[\$5]~~ **\$15** for each category or commodity group in which re-examination is requested. A separate application and re-examination fee shall be filed by the applicant each time a re-examination is requested.

169 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases; Pesticide Dealer License. Amend RSA 430:35, II and III to read as follows:

II. Application for a license shall be accompanied by a ~~[\$20]~~ **\$60** annual license fee. Dealer applications for renewal received beyond the December 31 deadline shall be subject to a \$10 late registration fee. Application for a license shall be on a form prescribed by the division and shall include the full name of the person applying for such license. If such applicant is an individual, receiver, trustee, firm, partnership, association or corporation, the full name of each member of the firm or partnership or the names of the officers of the association or corporation shall be given on the application. Such application shall further state the principal business address of the applicant in the state and elsewhere and the name of a person domiciled in this state authorized to receive and accept service of summons of legal notices of all kinds for the applicant, and any other necessary information prescribed by the division; provided that the provisions of this section shall not apply to a pesticide applicator who sells pesticides only as an integral part of his pesticide application service when such pesticides are dispensed only through apparatuses used for such pesticide application; provided, further, that the provisions of this section shall not apply to any federal, state, or county agency which provides pesticides for their own programs.

III. Each applicant shall satisfy the division as to his knowledge of the laws and rules governing the use and sale of pesticides and his responsibility in carrying on the business of a pesticide dealer through examination. In addition, each employee or agent of a pesticide dealer who sells or recommends restricted-use pesticides or state restricted-use pesticides shall obtain a pesticide dealer license. Each application for initial examination for a dealer license shall be accompanied by an examination fee of ~~[\$5]~~ **\$15**. When an applicant has been examined by the division and found not qualified, the applicant shall be re-examined at a subsequent date in accordance with rules adopted by the board, provided that each application for re-examination shall be accompanied by a fee of ~~[\$5]~~ **\$15**.

170 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases; Statement Required. Amend RSA 430:38, III to read as follows:

III.(a) The registrant shall pay an annual fee ***of at least \$220*** for each pesticide registered as follows:

- (1) A restricted use pesticide.
- (2) A general use pesticide, other than a specialty/household pesticide.
- (3) A specialty/household pesticide.

(b) The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the amount of the fees charged under subparagraph (a). ~~[Until such rules are adopted, the fees under subparagraph (a) shall be the same as the fees which were in effect on June 30, 2015.]~~

171 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Registration. Amend RSA 431:4, I to read as follows:

I. Each brand and grade of fertilizer shall be registered in the name of that person whose name appears upon the label before being distributed in this state. The application for registration shall be submitted to the commissioner on a form furnished by the commissioner and shall be accompanied by a fee of ~~[\$75]~~ **\$128** per grade of each brand sold.

172 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Registration. Amend RSA 431:27, I to read as follows:

I. Each separately identified product shall be registered before being distributed in this state. The application for registration shall be submitted to the commissioner on a form furnished or approved by the commissioner and shall be accompanied by a fee of ~~[\$50]~~ **\$100** per product. The fees collected under this section shall be deposited with the state treasurer into the agricultural products regulatory fund. Upon approval by the commissioner, a copy of the registration shall be furnished to the applicant. All registrations expire on January 1 of the following year.

173 Agriculture; Horticulture and Animal Husbandry; Horticultural Growing Media; Registration and Inspection Fees; Fund Established. Amend RSA 433-A:6 to read as follows:

433-A:6 Registration and Inspection Fees; Fund Established. The commissioner shall collect a ~~[\$50]~~ **\$96** annual registration and inspection fee for each product registered. The fees collected under this section shall be deposited with the state treasurer into the agricultural products regulatory fund established in RSA 435:20, IV. Moneys from the fund shall be used to offset costs associated with registration and inspection of horticultural growing media.

174 Agriculture; Horticulture and Animal Husbandry; Animal Care, Breeding and Feed. Amend RSA 435:20, II and III to read as follows:

II. No person shall distribute in this state a commercial feed, except a customer-formula feed, which has not been registered pursuant to the provisions of this section. Applications for registration, accompanied by a ~~[\$75]~~ **\$120** per-product registration fee, shall be submitted in a manner prescribed by the commissioner. Upon approval by the commissioner, a registration shall be issued to the applicant. All registrations shall expire on December 31 of each year.

III. The commissioner may refuse to register any commercial feed not in compliance with the provisions of this subdivision and to cancel any registration subsequently found not to be in compliance with any provision of this subdivision; provided that upon the refusal of registration, the ~~[\$75]~~ **\$120** registration fee shall be returned to the applicant; and provided further that no registration shall be refused or ~~cancelled~~ **canceled** unless the applicant or registrant has been given an opportunity to appear at a hearing before the commissioner and to amend his or her application in order to comply with the requirements of this subdivision.

175 Agriculture; Horticulture and Animal Husbandry; Standards for Farm Products; Official Grades and Standards. Amend RSA 426:1 to read as follows:

426:1 Official Grades and Standards. The commissioner of agriculture, markets, and food, whenever, in the commissioner's opinion, the public good so requires, may adopt rules, pursuant to RSA 541-A, establishing official grades and standards for farm products which are produced within the state for purposes of sale. ***Fees for maple product permits shall not be less than \$33 and other product permits shall not be less than \$13.***

176 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Inspection Fees and Tonnage Reports. Amend RSA 431:6, I to read as follows:

I. There shall be paid to the commissioner for all fertilizers distributed in this state to nonregistrants an inspection fee ***of at least \$0.37*** on each ton of fertilizer sold ***with a minimum fee of at least \$9 as*** ~~[in a manner and at a fee]~~ prescribed by the commissioner by rules; provided, that sales or exchanges between importers, manufacturers, distributors, or registrants are exempted.

177 Agriculture; Horticulture and Animal Husbandry; New Hampshire Seed Law; Duties and Authority of Commissioner; Rulemaking. Amend RSA 433:7, III(l)-(m) to read as follows:

(l) Seed labeling license standards and procedures, including, but not limited to, application forms ~~[and fees]~~.

(m) Establish licensing fee of not less than \$94 per company.

~~[(m)]~~ ***(n)*** The enforcement of this subdivision.

178 Weights and Measures Fees. Amend RSA 438:10-a to read as follows:

438:10-a Fees for Licensing Commercial Devices.

The following annual device license fees shall be charged for the following categories:

- I. Scales 100 pounds or less, other than precision scales, ~~[\$18]~~ **\$35** each;
- II. Scales over 100 pounds to 2,000 pounds, ~~[\$27]~~ **\$50** each;
- III. Scales over 2,000 pounds to 5,000 pounds, ~~[-\$54]~~ **\$100** each;
- IV. Non-vehicle scales over 5,000 pounds, ~~[\$90]~~ **\$165** each;
- V. Vehicle scales, ~~[\$180]~~ **\$330** each;
- VI. Lift truck/forklifts, on board weighing systems/scales, ~~[\$90]~~ **\$165** each;

VII. On board weighing systems/scales, refuse or recyclable materials collection trucks, [~~\$90~~] **\$165** each;

VIII. Precision scales, [~~\$36~~] **\$65** each;

IX. Retail motor fuel dispensers, except liquefied petroleum gas and natural gas dispensers, [~~\$18~~] **\$35** per meter;

X. Liquefied petroleum gas retail motor fuel dispensers, [~~\$54~~] **\$100** per meter;

XI. Natural gas retail motor fuel dispensers, [~~\$54~~] **\$100** per meter;

XII. Liquid vehicle tank meters, except liquefied petroleum gas and natural gas meters, [~~\$54~~] **\$100** per meter;

XIII. Liquid bulk storage meters, [~~\$90~~] **\$165** per meter;

XIV. Liquefied gas meters, [~~\$90~~] **\$165** per meter;

XV. Taxi meters, [~~\$27~~] **\$50** per meter; and

XVI. Linear and cordage measures, [~~\$18~~] **\$35** per meter.

179 New Section; Weights and Measures; Registered Service Agencies. Amend RSA 438 by inserting after section 438:14-a the following new section:

438:14-b Registered Service Agencies. Registered service agencies that employ a service technician who is registered with the division of weights and measures to test, adjust, repair, certify, reject, add, remove, or replace a commercial weighing or measuring device, shall pay an annual registration fee of \$250, to be collected by the division.

180 Water Management and Protection; Dams, Mills, and Flowage; Annual Registration Fee. Amend RSA 482:8-a to read as follows:

482:8-a Annual Registration Fee. Annual registration fees for dams shall be payable to the department on January 1 of each calendar year. Yearly dam registration fees shall be based on classification as follows: Low hazard potential = [~~\$400~~] **\$800**; Significant hazard potential = [~~\$750~~] **\$1,500**; High hazard potential = [~~\$1,500~~] **\$3,000**. If the hazard classification designated by the Federal Energy Regulatory Commission for a dam differs from the classification designated by the department, the annual dam registration fees shall be based on the classification designated by the Federal Energy Regulatory Commission except that a dam which is classified as a non-menace dam by the department shall be exempt from the annual dam registration fee for as long as the dam is classified by the department as a non-menace dam. Revenues from this annual registration are to be collected by the department and deposited in the dam maintenance fund established in RSA 482:55 to be used for the inspection of dams.

181 Water Management and Protection; Dams, Mills, and Flowage; Preliminary Filing of Information. Amend RSA 482:9, II(a)-(d) to read as follows:

(a) Non-hazard potential dam [~~\$2,000~~] **\$4,000**

(b) Low hazard potential dam [~~\$3,000~~] **\$6,000**

(c) Significant hazard potential dam [~~\$4,000~~] **\$8,000**

(d) High hazard potential dam [~~\$4,000~~] **\$8,000**

182 Public Health; Hazardous Waste Cleanup Fund; Automotive Oil Fee. Amend RSA 147-B:12, I to read as follows:

I. A fee of [~~\$.02~~] **\$0.05** per gallon of automotive oil shall be assessed at the time of import to this state. Persons licensed under RSA 146-A:11-b, II shall be liable for payment of this additional fee which shall be collected and enforced by the department of safety in the manner described in RSA 146-A:11-b. The department of environmental services may waive all or any portion of penalties or interest for good cause. All fee revenues shall be deposited in the hazardous waste cleanup fund in accordance with RSA 147-B:6, I-d.

183 Hazardous Waste Generator Self-Certification. Amend RSA 147-A:5, IV(b) to read as follows:

(b) Each hazardous waste generator that generates less than 220 pounds/100 kilograms of hazardous waste per month shall pay non-refundable fees at a rate of [~~\$60~~] **\$90** per year for the period of [~~January 1, 2004 to June 30, 2007~~] **July 1, 2007 to June 30, 2025**, and at a rate of [~~\$90~~] **\$140** per year beginning July 1, [~~2007~~] **2025**, to cover department expenses for conducting the self-certification program and hiring of program staff. Total fees due for each year shall be submitted with the self-certification declaration form required under subparagraph (a).

184 Public Health; Hazardous Waste Cleanup Fund; Hazardous Waste Cleanup Fund Fees. Amend RSA 147-B:8, I to read as follows:

I. Each hazardous waste generator that generates in a 3-month period 660 pounds or more of unrecycled hazardous waste shall pay a quarterly fee of [~~\$0-06~~] **\$0.12** per pound or a minimum of \$100, to the department.

185 Public Health; Solid Waste Management Fund. RSA 149-R:4-6 are repealed and reenacted to read as follows:

149-R:4 Purpose and Use of the Fund.

I. The fund shall be used to support the administration and implementation of the department's solid waste technical assistance, planning, regulatory and permitting activities, including, but not limited to, waste reduction and diversion technical assistance, reducing the expense to municipalities of hazardous waste materials disposal and recycling, long term solid waste management planning, education and outreach efforts, and administration of payments in accordance with paragraphs II and III.

II. The fund shall be used to provide quarterly payments to New Hampshire municipalities for source reduction and recycling efforts to offset payments made by the municipality associated with the solid waste disposal surcharge established under RSA 149-R:5, based upon the tonnage of solid waste for which the municipality was financially responsible for disposal at a New Hampshire landfill, incinerator, or waste-to-energy facility. Administration of the payment program shall be in accordance with procedures established by rulemaking under the authority of RSA 149-R:6, IV and V. Such rulemaking shall specifically address the unique circumstances for municipalities that own and operate a facility that is subject to RSA 149-R:5, or that are part of a solid waste district that owns and operates such a facility, to ensure that the costs incurred by those municipalities are offset consistent with this chapter.

III. The fund shall be used to provide matching grant funding to New Hampshire municipalities, private entities, and businesses for projects that will provide a demonstrated, significant improvement in waste diversion methods and contribute to a reduction of wastes, including hazardous waste materials, requiring disposal, including a regional or municipal materials recovery facility operated by a public or private entity, and other regional recycling efforts.

IV. The fund may be used to hire consultants or contractors, or to pay other necessary expenses directly associated with approved activities in this chapter.

V. The department is authorized to solicit funds from any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives. Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.

149-R:5 Solid Waste Disposal Surcharge.

I. Beginning January 1, 2026, solid waste disposed of at a New Hampshire landfill, incinerator, or waste-to-energy facility shall be subject to a surcharge at the rate of \$3.50 per ton. Notwithstanding RSA 149-M:4, XXII, materials used as cover at landfills shall not be subject to the surcharge.

II. Such surcharge shall be paid by the customer of a facility that holds a permit issued pursuant to RSA 149-M for a New Hampshire landfill, incinerator, or waste-to-energy facility. This surcharge will be paid by the customer in addition to any other disposal tipping fee collected by the disposal facility, and such disposal facility shall remit the surcharge quarterly to the department on forms and with supporting documentation as provided for in rulemaking conducted pursuant to RSA 149-R:6, I, II, and III.

III. The first payment of the surcharge shall be due to the department no later than April 30, 2026, and within 30 days of each quarter's end thereafter.

IV. The department shall deposit surcharges collected under this section into the fund.

V. Failure to pay surcharges within 30 days of the date due shall result in the assessment of interest at a rate established by rule pursuant to RSA 149-R:6, VII. The commissioner may waive all or any portion of interest for good cause. The department shall deposit interest collected under this section into the fund.

149-R:6 Rulemaking. The commissioner shall adopt rules, after public hearing and pursuant to RSA 541-A, relative to:

- I. The time, amount, and manner of payment of solid waste disposal surcharges.
- II. Required records to be kept by facility permit holders of the type and quantity of solid waste disposed.
- III. Certified reports required to be submitted with surcharge payments by facility permit holders.
- IV. The time, amount, and manner of payments to New Hampshire municipalities pursuant to RSA 149-R:4, II.
- V. Certified reports required to be submitted by municipalities requesting payments pursuant to RSA 149-R:4, II.
- VI. Administering matching grants pursuant to RSA 149-R:4, III.
- VII. Establishment of the interest rate applied to late payments pursuant to RSA 149-R:5, V.

149-R:7 Penalties and Other Enforcement.

I. Any person who violates any of the provision of this chapter or any rule adopted under this chapter shall be subject to a civil penalty not to exceed \$1,000 for each violation. Each day a surcharge is not paid after it is due in accordance with RSA 149-R:5, III shall be a separate violation.

II. In addition to an action to recover unpaid surcharges and interest owed, any violation of the provisions of this chapter or of any rule adopted under this chapter, may be enjoined by the superior court upon application of the attorney general.

III. The provisions of RSA 7:15-a shall not apply to the collection of unpaid surcharges, and all money collected under this section shall be deposited into the fund.

149-R:8 Biennial Report. The department shall include in its biennial report required under RSA 149-M:29, II, information relative to the activities and finances of the solid waste management fund.

186 Certified Hazardous Waste Coordinator Program. Amend RSA 147-A:5, III(b) to read as follows:

(b) Each application for initial or renewal of a hazardous waste coordinators certification shall be accompanied by a non-refundable fee of [~~\$125~~] **\$225** per year to cover department expenses for conducting the certification program.

187 Boat Fee Decals. Amend RSA 270-E:5-a, II(a) to read as follows:

(a) [~~\$9.50~~] **\$12.50** for each decal specified in paragraph I. The fees collected under this subparagraph shall be paid into the lake restoration and preservation fund established under RSA 487:25.

188 Per Diem; Public Employee Labor Relations Board. Amend RSA 273-A:2, VII to read as follows:

VII. The members of the public employee labor relations board shall be paid [~~\$50~~] **\$250** a day and their necessary expenses while actually engaged in the performance of their duties.

189 Court Fees and Fines; Equitable Fee Schedule; Credit Card Service Charge. Amend RSA 490:26-a to read as follows:

490:26-a Court Fees and Fines; Credit Card Payments.

I. The supreme court shall establish by rule an equitable fee schedule for all courts in the state.

II. [~~(a) Except as provided in subparagraph (b), a \$25 surcharge shall be added to each civil filing fee for all courts. This surcharge shall be deposited in the general fund.~~

~~(b) The following shall be exempt from the surcharge under subparagraph (a):~~

- ~~(1) Actions relating to children under RSA 169-B, RSA 169-C, and RSA 169-D.~~
- ~~(2) Domestic violence actions under RSA 173-B.~~
- ~~(3) Small claims actions under RSA 503.~~
- ~~(4) Landlord/tenant actions under RSA 540, RSA 540-A, RSA 540-B, and RSA 540-C.~~
- ~~(5) Stalking actions under RSA 633:3-a~~

~~H-a.]~~ The supreme court may establish by rule an equitable fee of not less than \$25 to be added to a fine whenever a court extends the time for the payment of the fine. An equitable fee assessed by a court under this paragraph shall be paid prior to or simultaneously with the payment of the fine.

III.(a) All court fees, surcharges, and fines paid into any court may be paid by credit card in lieu of cash payment.

(b) Notwithstanding any other provision of law, the supreme court may, in establishing a fee schedule, establish a service charge for the acceptance of a credit card, debit card, or such other means of electronic payment.

190 Sununu Youth Services Center; Possession and Relinquishment. Amend 2023, 2:4 to read as follows:

2:4 Possession and Relinquishment of the Sununu Youth Services Center (SYSC). As of the date of the opening of the youth development center set forth in section 2 of this act, and notwithstanding RSA 4:40, the department of administrative services shall take possession of the entire property currently housing the SYSC on South River Road in Manchester, New Hampshire. The department shall relinquish the property and any revenues received shall be deposited in the general fund. ***Until such time the property is relinquished, the department shall request an appropriation, subject to the approval from the fiscal committee and the governor and executive council, funds necessary to maintain the property. The governor shall draw a warrant from funds not otherwise appropriated.*** The department shall consult with the city of Manchester, the New Hampshire department of business and economic affairs, and other organizations, as appropriate, prior to any sale of the property. In relinquishing the property, the return of the property to an entity that will enhance the tax and business tax rolls of the city of Manchester and the state of New Hampshire shall be a high priority. Any relinquishment of the SYSC shall be approved by the governor and council.

191 Youth Detention Center; Construction Funds. Amend 2023, 79:443 to read as follows:

79:443 Youth Detention Center; Construction Funds. Notwithstanding any other act of the legislature or law to the contrary, any secured treatment facility constructed to replace the current Sununu Youth Services Center shall ~~[be funded entirely with]~~ ***maximize*** federal discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which have previously been allocated by the governor but which have not been expended. ~~[No state general funds shall be appropriated for the purpose of constructing the replacement facility and]~~ Any funds appropriated to the project shall not be transferred or used for any other purpose. ***The use of general funds, with prior approval of the fiscal committee of the general court, or federal discretionary funds which may become available, may be utilized to support activities or infrastructure to integrate facilities or operations between Hampstead Hospital and the replacement facility. The department shall undertake an initiative to consider establishment of a new permanent name for the Youth Development Center.***

192 Youth Development Center Settlement Fund; Appropriations. The sum of \$20,000,000 for fiscal year ending June 30, 2026, is hereby appropriated to the youth development center settlement fund established in RSA 21-M:11-a, II. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

193 Department of Justice; Approval of Settlement Agreement in Michael Gilpatrick v. N.H. D.H.H.S, et al.

Pursuant to RSA 14:35-b, the settlement agreement executed by the department of justice in the case of *Michael Gilpatrick v. N.H. D.H.H.S, et al.*, Docket No. 217-2021-CV-00479, including the payment of \$10,000,000 to plaintiff Michael Gilpatrick and all other terms of the settlement agreement dated March 5, 2025, is hereby approved, and the sum of \$10,000,000 is hereby appropriated for the purpose of fulfilling the state's obligations under the settlement agreement. The payment of \$10,000,000 to plaintiff Michael Gilpatrick shall be made pursuant to the processes established by the department of justice and department of administrative services pursuant to RSA 99-D:2, RSA 541-B, and the terms of the settlement agreement.

194 The State and Its Government; State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b)(103) to read as follows:

(103) Moneys deposited in the ~~[state art]~~ ***granite patron of the arts*** fund under RSA 19-A:9.

195 The State and Its Government; Council on the Arts; State Art Fund; Granite Patron of the Arts Fund. RSA 19-A:9 is repealed and reenacted to read as follows:

19-A:9 Granite Patron of the Arts Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the granite patron of the arts fund, which shall be kept separate and distinct from all other funds and shall be continually appropriated to the division of the arts and the New Hampshire council of the arts. Such fund shall be

the depository of all gifts, grants, federal funds, or donations made to the division of the arts or the New Hampshire council of the arts pursuant to RSA 19-A and RSA 12-A:2-K, IV. Implementation expenses, the expenses of the division and council, any employees of the division or council, and operations and initiatives of the division and council shall be paid from such fund. Any moneys in such fund shall not lapse into the general fund of the state.

II. The division and the council are authorized to institute programs to solicit and receive any gifts, grants, donations, or to receive federal matching funds made for the encouragement of the arts and to deposit such gifts, grants, or donations in the New Hampshire council on the arts fund under this section. The division and the council shall acknowledge receipt of any gifts, grants, or donations within 15 days of receipt on a form provided by the commissioner of the department of revenue administration.

196 New Paragraph; Taxation; Business Profits Tax; Credits. Amend RSA 77-A:5 by inserting after paragraph XVI the following new paragraph:

XVII. There shall be allowed a granite patron of the arts tax credit, according to the following:

(a) The credit shall be the lesser of 50 percent of donations made to the granite patron of the arts fund or the proportional share of the maximum aggregate credit amount allowed. The department of revenue administration shall oversee and administer the granite patron of the arts tax credit, and may make additional rules, pursuant to RSA 541-A, concerning the credit under this paragraph. No carry forward of this credit shall be allowed. The maximum credit allowed for all taxpayers shall be \$350,000 per fiscal year.

(b) Taxpayers shall apply for the tax credit on forms provided by the commissioner and shall be accompanied by information or records required by the commissioner. Such application shall be filed no later than June 30 following the tax year during which the donations occurred.

(c) A determination on the final amount of the credit awarded by the commissioner to each taxpayer claiming the credit shall be made no later than September 30 of each year.

197 New Section; Business Enterprise Tax; Granite Patron of the Arts Credit. Amend RSA 77-E by inserting after section 3-e the following new section:

77-E:3-f Granite Patron of the Arts Credit. The unused portion of any granite patron of the arts tax credit awarded by the commissioner under RSA 77-A:5, XVII, shall be available to apply to the business enterprise tax.

198 Department of Natural and Cultural Resources; Division of Parks and Recreation; Bureau of Trails; Grant-in-Aid. For the biennium ending June 30, 2027, and notwithstanding any provision of law or administrative rule to the contrary, the limitations on percentages of grant-in-aid administered by the department of natural and cultural resources, division of parks and recreation, bureau of trails, for the development and maintenance of OHRV trails on private, municipal, state, or federal lands shall be as follows:

I. For the grant period of June 1, 2025, to May 31, 2026:

- (a) Eighty percent of the cost of renting equipment required to complete a project.
- (b) Eighty percent of the cost of purchasing trail maintenance equipment.
- (c) Eighty percent of the cost of reconditioning trail grading equipment.
- (d) Eighty percent of the cost of operations for summer trail grading.

II. For the grant period of June 1, 2026, to June 30, 2027:

- (a) Eighty percent of the cost of renting equipment required to complete a project.
- (b) Eighty percent of the cost of purchasing trail maintenance equipment.
- (c) Eighty percent of the cost of reconditioning trail grading equipment.
- (d) Eighty percent of the cost of operations for summer trail grading.

199 Powers and Duties of the Hampton Beach Commission. Amend the introductory paragraph to RSA 216-J:3 to read as follows:

Subject to available funds, the Hampton Beach area commission shall:

200 Hampton Beach Master Plan Fund. Amend RSA 216-J:5 to read as follows:

216-J:5 Hampton Beach Master Plan Fund. There is hereby established in the office of the state treasurer a fund to be known as the Hampton Beach master plan fund which shall be kept separate and distinct from all other funds and shall be continually appropriated to the commission. Such fund shall be the depository of all gifts, grants, or donations made to the commission pursuant to RSA 216-J:4. Implementation expenses, the expenses of the commission, its commissioners, ~~and~~ any employees of the commission, **and operations and initiatives of the commission**, shall be paid from such fund. Any moneys in such fund shall not lapse into the general fund of the state.

201 Assistant State Treasurers. Amend RSA 6:28 to read as follows:

6:28 Appointment; Removal. The state treasurer may appoint [2] assistant state treasurers who shall hold office during good behavior. The governor and council may remove an assistant for cause as they may remove the treasurer.

202 Treasury Department; Transfer of Funds. Notwithstanding any provision of RSA 195-H:12 to the contrary, the state treasury shall transfer any uncommitted moneys from the governor's scholarship fund, established in RSA 195-H:12, to the general fund on July 1, 2025.

203 New Paragraph; Use of Word "Child". Amend RSA 21-V:1 by inserting after paragraph III the following new paragraph:

III-a. Any use of the word "child" within the definition of critical incident in this chapter means "child" as defined by RSA 21-V:1, IV.

204 Child Advocate; Oversight Duties. Amend RSA 21-V:2, II(d)-(e) to read as follows:

(d) ~~[Examine]~~ **Prioritize examining**, on a system-wide basis, the care and services that agencies provide children, and provide recommendations to improve the quality of those services in order to provide each child the opportunity to live a full and productive life.

(e) Advise **in a non-partisan manner** the public, governor, commissioners, speaker of the house of representatives, senate president, and oversight commission about how the state may improve its services to and for children and their families.

205 Child Advocate; Educational Outreach and Advocacy; Partisan Advocacy Prohibited. Amend RSA 21-V:2, VI to read as follows:

VI. Perform educational outreach and advocacy initiatives **in a non-partisan manner**, in furtherance of the mission and responsibilities of the office.

206 New Paragraph; Office of Child Advocate; Investigations. Amend RSA 21-V:2 by inserting after paragraph VIII the following new paragraph:

IX. The office of the child advocate may conduct investigations at the request of the governor or the oversight commission.

207 Child Advocate; Nominations. Amend RSA 21-V:3, II to read as follows:

II. The child advocate shall be ~~[appointed]~~ **nominated** by the governor and **approved by the** executive council~~[, upon the recommendation of the oversight commission]~~.

208 Child Advocate; Assistant Child Advocate. Amend RSA 21-V:3, IV to read as follows

IV. Upon any vacancy in the position of the child advocate, and until such time as a candidate has been appointed by the governor and council, ~~[the associate]~~ **an assistant** child advocate shall serve as the acting child advocate and be entitled to the compensation, privileges, and powers of the child advocate.

209 Child Advocate; Travel Expenditures. Amend RSA 21-V:3, VII to read as follows:

VII. The child advocate ~~[shall appoint an associate child advocate, and]~~ may, subject to appropriation, appoint such other personnel as the child advocate deems necessary for the efficient management of the office. The duties of these personnel shall be performed under and by the advice and direction of the child advocate. **Out-of-state travel expenditures, except travel ensuring children are receiving appropriate services to meet their needs, shall be subject to approval by the joint legislative fiscal committee.**

210 Child Advocate; Access to Information and Facilities. Amend the introductory language of RSA 21-V:4, I to read as follows:

I. The office shall have access to the following information, *as allowed by state and federal law*:

211 Office of the Child Advocate; Funding Authorization. The office of child advocate may request, with prior approval of the fiscal committee, that the governor and council authorize additional funding for staffing costs. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

212 Magistrates; Permitted to Continue Duties. Notwithstanding any other law to the contrary, any magistrate appointed to that position before January 31, 2025, pursuant to RSA 491-B:1 as that law existed on January 31, 2025, may continue to exercise the duties of the magistrate, as provided by RSA 491-B:2 as that law existed on January 31, 2025, except no magistrate shall conduct bail hearings or make bail determinations. Any magistrate so appointed may continue to exercise those duties until the end of any term commenced before January 31, 2025, or the end of their employment with the judicial branch, whichever is earlier, but in no event later than January 1, 2030.

213 Effective Date. Section 212 of this act shall take effect September 21, 2025, at 12:01 a.m.

214 New Chapter; Office of State and Public Sector Labor Relations. Amend RSA by inserting after chapter 273-D the following new chapter:

CHAPTER 273-E OFFICE OF STATE AND PUBLIC SECTOR LABOR RELATIONS

273-E:1 Definitions.

In this chapter:

- I. "Office" means the office of state and public sector labor relations created by RSA 273-E:2.
- II. "Public employee labor relations board" means the board created by RSA 273-A:2.
- III. "Personnel appeals board" means the board created by RSA 273-D:1, I.
- IV. "Right to know ombudsman" means the position created by RSA 91-A:7-a.

273-E:2 The Office.

I. There is hereby created an office of state and public sector labor relations consisting of the public employee labor relations board, the personnel appeals board, and the right to know ombudsman. The purpose of the office is to consolidate the physical location of the public employee labor relations board, the personnel appeals board, and the right to know ombudsman and to have the public employee labor relations board provide administrative support to the personnel appeals board and the right to know ombudsman.

II. The public employee labor relations board shall be responsible for the operations of the office and shall provide the personnel appeals board and the right to know ombudsman with use of its hearing room for the conduct of official business. The public employee labor relations board shall also provide administrative support and workspace to the personnel appeals board and the right to know ombudsman to the extent of their respective budgets, the public employee labor relation board's available staff, and its other resources.

III. The public employee labor relations board, the right to know ombudsman, and the personnel appeals board shall have separate budgets organized under category 2 "Administration of Justice and Public PRTN" and department "Office of State and Public Sector Labor Relations."

IV. The public employee labor relations board shall continue to independently exercise the jurisdiction conferred upon it pursuant to RSA 273-A. The New Hampshire administrative rules Pub 100-300 shall remain in full force and effect.

V. The personnel appeals board shall continue to independently exercise the jurisdiction conferred upon it pursuant to RSA 273-D. The New Hampshire administrative rules Per 100-200 shall remain in full force and effect.

VI. The right to know ombudsman shall continue to independently exercise the jurisdiction conferred upon it pursuant to RSA 91-A:7-a. The New Hampshire administrative rules Rko 100-300 shall remain in full force and effect.

215 Definitions; Public Employee Labor Relations; Per Diem. Amend RSA 273-A:2, VII to read as follows:

VII. The members of the public employee labor relations board shall be paid [~~\$50~~] **\$250** a day and their necessary expenses while actually engaged in the performance of their duties.

216 Office of Right-to-Know Ombudsman. Amend the introductory paragraph of RSA 91-A:7-a to read as follows:

There is hereby established the office of the right-to-know ombudsman to be administratively attached to the ~~[department of state under RSA 21-G:10]~~ **office of state and public sector labor relations under RSA 273-E. The right-to-know ombudsman shall be paid a stipend of \$200 in each biweekly state payroll cycle for such work performed outside of scheduled sessions. The right-to-know ombudsman shall also be paid \$400 for each day devoted to the work of the office and shall be reimbursed for travel, professional development, and other business-related expenses. The right-to-know ombudsman shall be paid \$50 per hour for time spent on the drafting of final decisions.** The ombudsman shall be appointed by the governor and council and shall have the following minimum qualifications:

217 Repeal. The following are repealed:

I. 2022, 250:5, relative to the right-to-know ombudsman.

II. 2022, 250:6, relative to repealing certain provisions relative to the right-to-know ombudsman.

III. 2022, 250:7, relative to the effective date of the repeal of certain provisions of the right to know ombudsman.

218 Effective Date. Section 217 of this act shall take effect June 30, 2025.

219 Town Property; Authority of Select Board. Amend RSA 41:11-a to read as follows:

41:11-a Town Property.

I. The ~~[selectmen]~~ **select board** shall have authority to manage all real property owned by the town and to regulate its use, unless such management and regulation is delegated to other public officers by vote of the town, or is governed by other statutes, including but not limited to RSA 31:112, RSA 35-B, RSA 36-A:4, and RSA 202-A:6.

II. The authority under paragraph I shall include the power to rent or lease such property during periods not needed for public use, provided, however, that any rental or lease agreement for a period of more than one year shall not be valid unless ratified by vote of the town.

III. Notwithstanding paragraph II, the legislative body may vote to ~~[authorize the board of selectmen]~~ **grant the select board the authority** to rent or lease any municipal property for a term of up to 5 years ~~[without further vote or ratification of the town]~~. Once adopted, this authority shall remain in effect until specifically rescinded by the legislative body at any duly warned meeting, ~~[provided that the term of any lease entered into prior to the rescission shall remain in effect]~~ **however, such rescission shall not terminate any existing leases.**

IV. The governing body may choose to send to the planning board a list of real property owned by the town and managed by the select board that is in their judgment appropriate for development for residential use. No property acquired under tax deed pursuant to RSA 80 shall be added to this list.

220 New Paragraph; Duties of the Planning Board. Amend RSA 674:1 by inserting after paragraph VI the following new paragraph:

VII. The planning board may vote to designate any property recommended to it as appropriate for development as a residential use by the select board pursuant to RSA 41:11-a, IV, as appropriate for development for residential use and forward a description of said property to the office of planning and development pursuant to RSA 12-O:55, VIII.

221 New Paragraph; Data and Information Services; Descriptions of Property to be Compiled. Amend RSA 12-O:55 by inserting after paragraph VII the following new paragraph:

VIII. Pursuant to RSA 674:1, VII, compile descriptions of municipally and county-owned property determined to be appropriate for residential development by the select board as a residential use into a publicly available list of properties available for grant or loan funding pursuant to RSA 12-O:72-a.

222 New Section; Partners in Housing Program. Amend RSA 12-O by inserting after section 72 the following new section:

12-O:72-a Partners in Housing Program. The department shall establish a program, known as the partners in housing program, for the purpose of building workforce housing. Properties identified on the list created pursuant to RSA 674:1, VII shall be given priority for program funding. Available funding may be made by the department to housing developers to whom a municipality or county, pursuant to RSA 28:8-c, transfers ownership of the municipally or county-owned property for the purpose of residential development where at least 20 percent of the housing units to be developed will be affordable for a period of at least 20 years. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this section no later than December 1, 2026.

223 New Paragraphs; Power to Review Site Plans. Amend RSA 674:43 by inserting after paragraph V the following new paragraphs:

VI. If the planning board has submitted a property description to the office of planning and development, then the local governing body may further vote to authorize that properties in the municipality on the list generated pursuant to RSA 12-O:55, VIII qualify for expedited review and approval pursuant to RSA 676:4, III.

VII. If the local legislative body of a municipality has by ordinance or resolution authorized minor site plan review pursuant to RSA 674:43, III, then all solely residential development projects proposing to construct workforce housing, as defined in RSA 674:58, IV, that are included on the list generated pursuant to RSA 12-O:55, VIII, may also qualify for expedited review and approval pursuant to RSA 676:4, III.

VIII. The local legislative body of a municipality may by ordinance or resolution adopt pattern zoning regulations to accelerate the construction of infill housing in neighborhoods. To meet the definition of infill housing, projects must be new residential development constructed on vacant lots interspersed among lots with existing, non-vacant development. Pattern zoning provides permit-ready designs with appropriate zoning and regulations to speed the process of building high quality infill housing that is compatible with existing homes in the neighborhood.

224 Housing Champion Designation and Grant Program Fund; Compilation of Property. Amend RSA 12-O:74 to read as follows:

12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is hereby established in the state treasury the New Hampshire housing champion designation and grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72 and [;] RSA 12-O:73, **and the compilation of municipally and county-owned property determined to be appropriate for residential development pursuant to RSA 12-O:72-a and 674:1, VII.** The fund shall be non-lapsing and shall be continually appropriated to the department.

225 Effective Date. Sections 219 through 224 of this act shall take effect June 30, 2025.

226 Adequate Representation for Indigent Defendants in Criminal Cases; Determination of Financial Ability. Amend RSA 604-A:2-c to read as follows:

604-A:2-c Determination of Financial Ability. The determination of a defendant's financial ability to obtain counsel shall be made by comparing the defendant's assets and incomes with the minimum cost of obtaining qualified private counsel. The defendant's assets shall include all real and personal property owned in any manner by the defendant, excluding only those assets which are exempt from attachment and execution under RSA 511:2. The defendant's income shall include all income, whether earned or not, from any source, unless exempt from attachment under any state or federal law, and shall be reduced only by the amount of expenses which are reasonably necessary for the maintenance of the defendant and his dependents. In determining a defendant's financial ability to obtain counsel, the rules adopted by the commissioner under RSA 604-A:10, IV, shall contain a method for considering the defendant's ability to borrow some or all of the necessary funds. ~~[The rules shall also consider the possibility of the defendant paying his counsel fees in periodic installments.]~~

227 Adequate Representation for Indigent Defendants in Criminal Cases; Appointment of Counsel for Nonpayment or Nonperformance; Cross-Reference Deleted. Amend RSA 604-A:2-f, IV to read as follows:

IV. When the court appoints counsel to represent a defendant in a proceeding under this section, the court shall grant the defendant relief from the obligation to repay the state for appointed counsel fees ~~[under RSA 604-A:9, I(b), if the court determines that the defendant is financially unable to repay].~~

228 Repayment. RSA 604-A:9 is repealed and reenacted to read as follows:

604-A:9 Repayment. As of the effective date of this section, all collections efforts under this section or former versions of this chapter shall be terminated. Any person subject to a court order for reimbursement may petition the court to vacate the reimbursement order.

229 Adequate Representation for Indigent Defendants in Criminal Cases; Commissioner of Administrative Services. Amend RSA 604-A:10, IV to read as follows:

IV. The ~~[commissioner of administrative services]~~ **judicial council** shall, with the approval of the attorney general, adopt rules pursuant to RSA 541-A, governing determinations of eligibility for ~~[payment of]~~ indigent defense ~~[expenditures, determinations of repayment schedules, financial and credit investigations, and any other matters the commissioner deems necessary or advisable for the performance of duties under this chapter]~~.

230 Directive; Department of Administrative Services. Upon the effective date of this act, the commissioner of the department of administrative services shall immediately cease all active collection efforts related to any money owed under RSA 604-A:9. The commissioner shall wind down all aspects of the program within a reasonable timeframe, and once the program is ended, the commissioner shall have all records related to payment of money owed under RSA 604-A:9 destroyed.

231 Repeal. The following are repealed:

I. RSA 604-A:2-a, relative to additional inquiry regarding appointed counsel for indigent criminal defendants.

II. RSA 604-A:2-d, relative to partial liability regarding appointed counsel for indigent criminal defendants.

232 Education; Adequate Education; Education Trust Fund; Annual Adjustment. Amend RSA 198:40-d to read as follows:

198:40-d Annual Adjustment. Beginning July 1, ~~[2024]~~ **2026**, and every year thereafter, the department of education shall adjust the following with an increase of 2 percent annually, ***rounded up to the nearest whole dollar***:

I. Per pupil costs in RSA 198:40-a, II; ***and***

II. ~~[Extraordinary need grant “grant floor,” “grant ceiling,” “factor,” and “max grant” as defined in RSA 198:40-f, II, (a)-(d); and~~

~~HH.]~~ Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

233 Education; Adequate Education; Education Trust Fund; Extraordinary Need Grants. RSA 198:40-f is repealed and reenacted to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality’s school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of \$1,697,933 or less shall receive \$11,730 per pupil eligible to receive a free or reduced-price meal in the municipality’s ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between \$1,697,934 and \$7,003,972 shall receive a grant equal to \$0.00221069 for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and \$7,003,972 for each pupil eligible to receive a free or reduced-price meal in the municipality’s ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of \$7,003,973 or more shall not receive an extraordinary need grant.

II. In this section:

(a) “Grant floor” means \$1,697,933 in equalized valuation per free or reduced-price meal pupil.

(b) “Grant ceiling” means \$7,003,973 in equalized valuation per free or reduced-price meal pupil.

(c) “Factor” means \$0.00221069 for each dollar difference between equalized valuation per free or reduced-price meal pupil.

(d) “Maximum grant” means \$11,730 per free or reduced-price meal pupil.

III. The extraordinary needs grants shall be calculated using the formula described in paragraph I, however, beginning July 1, 2027, and every year thereafter, the grant floor, grant ceiling, and maximum grant shall be increased by 2 percent. The factor shall be readjusted by taking the newly adjusted maximum grant and dividing by the difference between the grant floor and grant ceiling.

234 New Section; Education; Adequate Education; Education Trust Fund; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-f the following new section:

198:40-g Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate a fiscal capacity disparity aid grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil of \$1,000,000 or less shall receive \$1,250 per pupil eligible in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil between \$1,000,001 and \$1,599,999 shall receive a grant equal to \$0.00208333 for each dollar of difference between its equalized valuation per pupil and \$1,599,999, for each pupil the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil of \$1,600,000 or more shall not receive a fiscal capacity disparity aid grant.

II. In this section:

(a) "Grant floor" means \$1,000,000 in equalized valuation per pupil.

(b) "Grant ceiling" means \$1,600,000 in equalized valuation per pupil.

(c) "Factor" means \$0.00208333 for each dollar difference between equalized valuation per pupil.

(d) "Maximum grant" means \$1,250 per pupil.

III. The fiscal capacity disparity aid grants shall be calculated using the formula described in paragraph I, however, beginning July 1, 2027, and every year thereafter, the grant floor, grant ceiling, and maximum grant shall be increased by 2 percent. The factor shall be readjusted by taking the newly adjusted maximum grant and dividing by the difference between the grant floor and grant ceiling.

235 Education; Adequate Education; Education Trust Fund; Determination of Education Grants. Amend RSA 198:41, I(a)-(c) to read as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; ~~and~~

(c) Add the municipality's extraordinary need grant pursuant to RSA 198:40-f[-];

(d) Add the municipality's fiscal capacity disparity aid grant pursuant to RSA 198:40-g; and

(e) For municipalities with a total ADMR of 5,000 or more, subtract the amount necessary to limit the total additional targeted aid to \$3,750 per pupil in the municipality's ADMR. For the purpose of this paragraph, additional targeted aid shall be the sum of a municipality's extraordinary needs grant and fiscal capacity disparity aid grant.

236 Effective Date. Sections 232-235 of this act shall take effect July 1, 2026.

237 Instruction in National and State History, Government, and Civics. Amend RSA 189:11, II to read as follows:

II.(a) As a component of instruction under this section, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the required high school course in history and government of the United States and New Hampshire.

(b) To be eligible for a graduation certificate, a student in a public, chartered public, non-public school, or a privately incorporated school that serves as a public school in the state, shall attain a locally sanctioned passing grade on the competency assessment, and ~~a grade of~~ ***shall score*** 70 percent or better on the 128 question civics (history and government) naturalization examination developed by the 2020 United States Citizen and Immigration Services. ***Public and chartered public schools shall use the assessment provided by the department of education.***

(c) ~~[Schools are required to]~~ ***The department of education shall*** provide accommodations and may modify the naturalization examination for a child with a disability in accordance with the child's individualized education program.

(d) Annually, the department shall publish a report of the state and district results of the civics assessment.

(e) ~~[By June 30 of each year, each school district, chartered public or]~~ Non-public ***schools*** ~~[school, or a privately incorporated school that serves as a public school in the state,]~~ shall submit the results of the United States Citizenship and Immigration Services (USCIS) test to the department of education.

238 Appropriations; Department of Education; Computer Science Professional Development. Amend 2023, 79:81, I-III to read as follows:

I. There is hereby appropriated to the department of education the sum of \$500,000 for the fiscal year ending June 30, 2023, for the purpose of encouraging New Hampshire certified educators to pursue eligible industry recognized credentials in the field of computer science. This appropriation shall not lapse ***until June 30, 2025***. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. There is hereby appropriated to the department of education the sum of \$2,741,871 for the fiscal year ending June 30, 2023, for the purpose of encouraging individuals holding an eligible industry recognized credentials to teach computer science or related courses of study in New Hampshire approved education programs. This appropriation shall not lapse ***until June 30, 2025***. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. There is hereby appropriated to the department of education the sum of \$455,000 for the fiscal year ending June 30, 2023, for the purpose of implementing the experiential robotics platform in all New Hampshire classrooms for grades 6-12 including, but not limited to the purchase of robotics kits from First New Hampshire Robotics, Experiential Robotics Platform, career and technical education of community college fabrication sites, and professional development delivery and support. The sum appropriated shall not lapse ***until June 30, 2025***. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

239 Effective Date. Section 238 of this act shall take effect June 30, 2025.

240 Motor Vehicles; Administration of Motor Vehicle Laws; Identification Cards. Amend RSA 260:21, V(a) to read as follows:

V.(a) The fee for such card shall be ~~[\$10]~~ ***\$20*** and is not refundable, except that no fee shall be charged to any person who, for reason of health or age, turns in his or her driver's license before the expiration date of such license. For purposes of this section, reasons of age shall be deemed to apply only to those persons over age 65. A person who requires a photo identification card only for voter identification purposes may obtain a voucher in the form provided for in subparagraph (b) from his or her town or city clerk or the secretary of state exempting the voter from the identification card fee. Upon presentation of the voucher to the division, the actual costs of issuing the card shall be paid by the secretary of state from the election fund established under RSA 5:6-d. An identification card paid for by the secretary of state shall be valid for voter identification purposes only, and the card, which shall be known as a voter identification card, shall be marked "for voter identification only."

241 Motor Vehicles; Certificates of Title and Registration of Vehicles; Fees. Amend RSA 261:20, I(a)-(i) to read as follows:

(a) For filing an application for a first certificate of title, with or without a lienholder named, ~~[\$25]~~ ***\$35***;

(b) For a certificate of title after a transfer, with or without a lienholder named, ~~[\$25]~~ ***\$35***;

(c) For a duplicate certificate of title, ~~[\$25]~~ ***\$35***;

(d) For an ordinary certificate of title issued upon surrender of a distinctive certificate, ~~[\$20]~~ ***\$40***;

(e) For filing a notice of security interest, \$20;

(f) For a certificate of search of the records of the division, for each name or identification number searched against, \$20;

- (g) For filing an assignment of security interest, \$2;
- (h) For issuing a distinctive New Hampshire number in place of a vehicle identification number, [~~\$30~~] **\$40**;
- (i) For issuing a salvage vehicle decal pursuant to RSA 261:22, IV, [~~\$50~~] **\$60**.

242 Motor Vehicles; Certificates of Title and Registration of Vehicles; Twenty-Day Registration. Amend RSA 261:57, I to read as follows:

I. Any resident of this state who intends to purchase a vehicle in another state or from another person or who is unable to register a vehicle because of limited hours of operation of the town clerk in the town where the person resides may apply to the division or its substation or authorized agent nearest his or her residence for a registration to drive said vehicle on the ways of the state in an unregistered condition. Said resident shall appear in person at the division or substation to obtain such registration and shall sign under penalty of perjury a statement that the vehicle meets all New Hampshire inspection requirements, and in the case of a person seeking an extension of his or her registration, that he or she was unable to register the vehicle because of the limited hours of the town clerk, before said registration may be issued. Said registration shall be valid for 20 days from the time it is issued. Application blanks and permits in the form prescribed by the director shall be designed, printed, and supplied to the substations by the division. The fee for the issuance of a registration shall be [~~\$10~~] **\$20**. It shall be unlawful for any person to drive a vehicle on the ways of the state under a registration issued pursuant to this section unless said person has in his or her possession a valid bill of sale for the vehicle he or she is driving, or in the case of a person whose registration is extended, a copy of the form indicating he or she was unable to register because of the limited hours of the town clerk. No person shall make application for a 20-day registration on the same vehicle more than once within a 12-month period. Only 3 20-day registrations shall be issued on the same vehicle within a 12-month period.

243 Motor Vehicles; Certificates of Title and Registration of Vehicles; Fees to be Collected. Amend RSA 261:141, III to read as follows:

III. Prorated fees:

- (a) For agricultural vehicles-~~[\$3.60]~~ **\$12**.
- (b) For each agricultural tractor-~~[\$1.80]~~ **\$12**.
- (c) For air compressors-~~[\$6]~~ **\$11**.
- (d) For cement mixers-~~[\$6]~~ **\$11**.
- (e) For saw rigs or log splitters-~~[\$6]~~ **\$11**.

(If the equipment cited in RSA 261:141, III(c)-(e), is towed exclusively within the limits of a single city or town, the state registration fee shall not be collected.)

- (f) For antique motorcycles-~~[\$2.40]~~ **\$12**.
- (g) For all motor vehicles other than those in RSA 261:141, I:
 - 0-3000 lbs. [~~\$31.20 (\$2.60 per month)~~] **\$42 (\$3.50 per month)**
 - 3001-5000 lbs. [~~\$43.20 (\$3.60 per month)~~] **\$48 (\$4 per month)**
 - 5001-8000 lbs. [~~\$55.20 (\$4.60 per month)~~] **\$66 (\$5.50 per month)**
 - 8001-73,280 lbs. [~~\$-.96~~] **\$1.06** per hundred lbs. gross weight.

(h) Truck-tractors to be used in conjunction with a semi-trailer, gross weight shall include the weight of such tractors, the weight of the heaviest semi-trailer to be used therewith, and the weight of the maximum load to be carried thereby: up to 73,280 pounds [~~\$-.96~~] **\$1.06** per 100 pounds gross weight, over 73,280 pounds-~~[\$1.44]~~ **\$1.58** shall be charged for each 100 pounds gross weight or portion thereof in excess of 73,280 pounds.

- (i) Each additional semi-trailer used in conjunction with such truck-tractor [~~\$24.00~~] **\$26.40**

(j) For semi-trailers or automobile utility trailers (the weight of the trailer shall include the maximum load to be carried thereby):

- 0-1000 lbs. [~~\$-3.00~~] **\$3.30**
- 1001-1500 lbs. [~~6.00~~] **\$6.60**

1501-3000 lbs. [~~12.00~~] **\$13.20**

3001-5000 lbs. [~~24.00~~] **\$26.40**

5001-8000 lbs. [~~36.00~~] **\$39.60**

8001-up [~~60~~] **\$0.66** per hundred lbs. gross weight.

(k) For each semi-trailer not registered in connection with a truck-tractor, the gross weight shall include the weight of such trailer and the weight of the maximum load to be carried thereby. The registration fee shall be [~~\$60~~] **\$0.66** per hundred lbs. gross weight and such trailer shall not be registered for less than 10,000 lbs.

(l) For equipment mounted on trucks of which the equipment is an integral part of the unit and the truck is not capable of carrying freight or merchandise, the registration fee shall be 1/3 of the regular fee charged as determined by the corresponding weight chart specified in subparagraph (i).

(m) For each farm truck or combination of motor type tractor and semi-trailer used only for transportation of agricultural products produced on and meant to be used in connection with the operation of a farm or farms owned, operated, or occupied by the registrant, for the first 16,000 pounds-~~[\$24]~~ **\$36**, for any additional weight above 16,000 pounds-~~[\$.74]~~ **\$1.44** per hundred weight.

(n) For each additional or extra semi-trailer used in connection with a motor type tractor registered for farm purposes-~~[\$24]~~ **\$36**. (In the event that a farm truck registered under the [~~\$24~~] **\$36** fee as provided in this subparagraph and thereafter registered for general use during the same registration year, such fee shall be applied toward the fee for such general registration.)

(o) For each motorcycle-~~[\$15]~~ **\$30**.

(p) For each moped-~~[\$3]~~ **\$14**.

(q) For each motor vehicle used exclusively as a school bus or owned by a religious organization or a non-profit organization used exclusively as a bus for the transportation of its members in connection with functions of the organization for which no fee is charged-\$24. (These provisions shall not apply to municipally owned vehicles nor to vehicles of public utilities or common carriers.)

(r) For antique motor vehicles other than antique motorcycles-~~[\$6]~~ **\$16**.

(s) For each road oiler or bituminous distributor-\$72.

(t) For plates issued to motor vehicle repairer-\$24 for the first set of plates, [~~\$9~~] **\$18** for each additional set of plates.

(u)(1) For each vehicle, owned by or under control of a manufacturer, wholesaler, or dealer-~~[\$200]~~ **\$400** for the first plate.

(2) For every additional plate-~~[\$12]~~ **\$24**.

(v) For motor vehicles owned by or under control of automotive recycling dealer licensee-~~[\$30]~~ **\$60** up to first 7,000 lbs., over 7,000 lbs.-~~[\$.74]~~ **\$1.44** per 100 lbs. gross weight.

(w)(1) For motorcycles owned or under the control of a manufacturer or dealer in motorcycles-~~[\$12]~~ **\$24** for the first plate.

(2) For every additional plate-~~[\$3]~~ **\$6**.

(x)(1) For mopeds owned or under the control of a manufacturer or dealer in mopeds-~~[\$12]~~ **\$24** for the first plate.

(2) For every additional plate-~~[\$3]~~ **\$6**.

(y) For each transporter-~~[\$36]~~ **\$72**. Additional sets of number plates at [~~\$18~~] **\$36** per set.

(z) For each utility dealer registration-~~[\$36]~~ **\$72**. Additional number plates at [~~\$9~~] **\$18** per plate.

(aa) For ski area vehicles-\$6.

(bb) For construction equipment as defined by RSA 259:42-the exclusive fee charged by the state shall be [~~\$25~~] **\$40**.

(cc) For each vanity number plate set-~~[\$40]~~ **\$60**.

(dd) For agricultural/industrial utility vehicles the registration fee shall be 1/3 of the registration fee determined by the corresponding weight chart specified in subparagraph (g).

244 Motor Vehicles; Certificates of Title and Registration of Vehicles; Fees to be Collected. Amend RSA 261:141, VII(f) to read as follows:

(f) For the replacement of lost or illegible validation sticker-~~[\$1]~~ **\$5**.

245 Motor Vehicles; Certificates of Title and Registration of Vehicles; Fees to be Collected. Amend RSA 261:141, IX to read as follows:

IX. For every certified copy of and duplicate of a certificate of registration-~~[\$15]~~ **\$20**.

246 Motor Vehicles; Drivers' Licenses; Driver's License Fees. Amend RSA 263:42, II-IV-a to read as follows:

II. For every certified copy of a registration, license, or driving record, ~~[\$15]~~ **\$20**, except that the commissioner shall waive the fee for local, state, and federal law enforcement and criminal justice agencies requesting such information for investigative purposes and may, for good cause, waive the fee in cases involving other government agencies or the public defender if the commissioner determines that such a waiver is in the public interest.

III. No fee shall be charged for a driver's license issued to a disabled veteran who because of being an amputee or a paraplegic has received a motor vehicle from the United States government. The provisions of this paragraph shall apply to a veteran who, because of a disability incurred in, or aggravated by such service, and upon satisfactory proof that the veteran is evaluated by the United States Department of Veterans Affairs to be permanently and totally disabled from such service-connected disability.

IV. A duplicate copy of a photographic license or a new license with a different classification because of a commercial driver license disqualification may be issued for a fee of ~~[\$10]~~ **\$20**. For the purpose of this chapter, the term "duplicate copy" shall mean an additional license containing an indicator that the license is a duplicate. A new photograph need not be taken.

IV-a. For a new driver's license because of a change of address, ~~[\$3]~~ **\$10**.

247 Vanity Number Plates; Fees. Amend RSA 261:89 to read as follows:

261:89 Vanity Number Plates. The director is hereby authorized to design and to issue, under such rules as the director deems appropriate, vanity number plates to be used on motor vehicles in lieu of other number plates. Such number plates shall be of such design and shall bear such letters or letters and numbers as the director shall prescribe, but there shall be no duplication of identification. Such number plates or a changeable designation of the effective period thereof, as the director shall determine, shall be issued only upon application therefor and upon payment of a special vanity plate service fee of ~~[\$40]~~ **\$60**, said special fee to be in addition to the regular motor vehicle registration fee and any other number plate manufacturing fee otherwise required by law for the particular vehicle. Plates shall be renewed on an annual basis for ~~[\$40]~~ **\$60** per set. All special fees collected under this section shall be paid to the state treasurer and distributed as provided by RSA 263:52. Upon rejection of an application for vanity number plates, the director shall refund or credit the collected special vanity plate service fee. The director shall recall any vanity number plates that have been issued which do not conform to applicable law and rules, regardless of when the plates were issued. Any person whose application for vanity number plates has been rejected or whose vanity number plates have been recalled shall be issued a number plate of the same classification as the plate that had been requested or recalled. The prorated by month portion of the special vanity plate service fee shall be refunded or credited to the person whose vanity number plates have been recalled.

248 Vanity Plates; Fee Collection. Amend RSA 261:141, VII(d) to read as follows:

(d) For vanity plate service fee-~~[\$40]~~ **\$60**.

249 Driver Training Fund; Application of Vanity Plate Fee. Amend RSA 263:52, II to read as follows:

II. The ~~[\$40]~~ **\$60** vanity plate service fee and the fee for renewal of vanity number plates shall automatically be credited to the driver training fund until all fees in such fund equal the amount of money estimated by the general court as available for expenditure for course materials, licensing of schools, and certification services in connection with driver training from that fund for that fiscal year. Once the driver training course materials, licensing of schools, and certification services have been funded in accordance with the legislative

estimates for the current fiscal year, the next 1.5 million dollars shall be transferred to the department of safety as restricted revenue, thereafter the balance of all such fees shall be transferred to the general fund and shall be available as unrestricted revenue.

250 Effective Date. Sections 240 through 249 of this act shall take effect January 1, 2026.

251 Nonresident Who Establishes a Residency in the State. Amend RSA 263:35 to read as follows:

263:35 Nonresident Who Establishes a Residency in the State.

I.(a) Notwithstanding the provisions of RSA 261:44 or any other law to the contrary, any nonresident driver of a motor vehicle who holds a valid driver's license in another jurisdiction, upon the establishment of a bona fide residency in this state, shall have a maximum of 60 days from the date his or her residency was established to obtain a driver's license issued by the state of New Hampshire; provided that H-2A temporary agricultural workers satisfying the requirements under RSA 263:35-a shall have a maximum of 300 days.

(b) *An individual subject to subparagraph (a), who ceases to be a resident of this state within 60 days of establishing a bona fide residency and has not yet obtained a driver's license issued by the state of New Hampshire, shall notify the director of their departure from the state.*

(c) *A resident subject to subparagraph (a), whose out-of-state driver's license expires or is relinquished after becoming a resident of this state shall notify the director.*

II. *The director shall notify any individual in violation of paragraph I who is more than 30 days past a deadline provided in this section. The notification shall be sent to the in-state address and out-of-state address, if available. The director shall begin sending such notifications within one year of the effective date of this section.*

III. *The director, for good cause shown, may grant an extension of a deadline in this section to any individual.*

252 New Subparagraph; Centralized Voter Registration Database; Information Sharing. 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 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 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 and to the extent that the information is necessary to resolve those discrepancies. The commissioner of safety and the secretary of state are authorized to enter into an agreement that establishes the services to be provided by the department of safety and the cost for those services. 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 identification and correction of voter registration records whenever 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.

253 Inspections Authorized. Amend RSA 266:1, I to read as follows:

I. The director may require the inspection of any vehicle, except an OHRV, snowmobile, moped, roadable aircraft, or any other vehicle exempted under this chapter, to determine whether it is fit to be driven. Such inspection shall be made at such times and in such manner as the director may specify, subject to the requirements set forth in this section, ***and shall consist of an examination of:***

- (a) The registration certificate;*
- (b) The vehicle identification number;*
- (c) The steering and suspension systems;*
- (d) The braking system, odometer and speedometer;*
- (e) The horn;*
- (f) The starter safety switch;*
- (g) The reverse gear and parking position;*
- (h) The lights and reflectors, including headlight aim;*
- (i) The glass, glazing, and mirrors;*
- (j) The windshield wipers and defroster;*
- (k) The exhaust system;*
- (l) The body, chassis, and bumper height;*
- (m) The fuel system; and*
- (n) The tires and wheels.*

I-a. Except for commercial motor vehicles and school buses, and notwithstanding the provisions of RSA 266:59, an inspection shall ensure the vehicle's compliance with applicable safety and operational standards. Items identified as mandatory failure items shall require the vehicle to fail inspection if objective, measurable safety defects are found, as set forth in this chapter. Items identified as advisory-only shall require the inspector to document and disclose deficiencies to the vehicle owner but shall not result in a safety inspection failure. No vehicle shall fail inspection except as expressly authorized by the provisions of this chapter.

I-b. Except for commercial motor vehicles and school buses, and notwithstanding the provisions of RSA 266:59-b, vehicle inspection failures shall be limited to the vehicle identification number (VIN); steering and suspension; brakes; reverse gear and parking position; horn; starter safety switch; lights and lighting, including aim; glass; mirrors; wiper function and defroster; body, chassis, and bumper height; fuel system; tires and wheels. No component outside of those listed shall serve as grounds for failure.

254 Motor Vehicle Inspection; Grace Period. Amend RSA 266:1, IV to read as follows:

~~IV. [Notwithstanding paragraphs H and HH]~~ ***Except as provided in paragraph VIII***, newly registered vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, ***and*** ~~roadable aircraft[, and vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, and roadable aircraft]~~, the ownership of which has been transferred, shall be inspected not later than ~~[10]~~ **30** days after the registration or transfer of ownership of said vehicle. However, if a new vehicle is purchased at retail from a licensed dealer, as defined in RSA 259:18, the vehicle shall be inspected not later than ~~[20]~~ **30** days after the date of transfer. A used vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be inspected by the dealer or an authorized inspection station on behalf of the dealer at the time of the attachment of the plate unless a valid inspection sticker issued by the dealer is in place, in which case the vehicle shall be inspected within ~~[20]~~ **30** days or before the sticker expires, whichever occurs first. All other expired motor vehicle inspections shall be subject to the ~~[10-day]~~ **30-day** grace period in RSA 266:5.

255 Motor Vehicle Inspection; Motorcycle-Only Station Designation. Amend RSA 266:1, V-a to read as follows:

V-a. An inspection station may, upon request, be designated a "motorcycle only" inspection station. A "motorcycle only" inspection station may inspect only motorcycles~~[- and shall not be required to conduct OBD II emission testing under RSA 266:59-b or to purchase or lease any equipment relating to the OBD II emission testing program].~~

256 Motor Vehicle Inspection; Inspection Fees. Amend RSA 266:1, VII-VIIa to read as follows:

VII. ~~[Except as provided in paragraph XH,]~~ Each inspection station shall conspicuously post on the outside of the building a sign showing the inspection fee charged ~~[and the additional fee charged for OBD II testing under RSA 266:59-b. No inspection station shall include the cost of OBD II testing or reporting in the inspection fee charged for a vehicle not subject to the OBD II requirements under RSA 266:59-b].~~

VII-a. ~~[(a)]~~ The director is authorized to require inspection stations to submit inspection data to the department electronically, provided that if electronic submission is required the following inspection stations shall be allowed to submit inspection data electronically or on a designated schedule and form prescribed by the department:

~~[(1)]~~ **(a)** Inspection stations that are authorized to inspect only motorcycles.

~~[(2)]~~ [Repealed.]

~~[(3)]~~ **(b)** Fleet motor vehicle inspection stations ~~[for non-OBD-II vehicles]~~.

~~[(4)]~~ **(c)** Municipal and county government inspection stations.

~~[(b)] The department shall not require an inspection station to transfer inspection information electronically for any vehicle of model year 1995 or older.~~

257 Motor Vehicle Inspection; Inspection Fees. Amend RSA 266:1, VII-VIIa to read as follows:

(d) Each inspection station authorized pursuant to this paragraph shall conspicuously post on the outside of its vehicle or trailer a sign showing the inspection fee charged ~~[and the additional fee charged for OBD-II testing under RSA 266:59-b. No inspection station authorized pursuant to this paragraph shall include the cost of OBD-II testing or reporting in the inspection fee charged for a vehicle not subject to the OBD-II requirements under RSA 266:59-b].~~

258 Penalty for Failing to Obey Inspection Requirements. Amend RSA 266:5 to read as follows:

266:5 Penalty for Failing to Obey Inspection Requirements. The driver or owner of any motor vehicle failing to comply with the requirements of the director relative to inspection shall be guilty of a violation, and the director may refuse to register, or may suspend or revoke the registration of, any motor vehicle, trailer, or semi-trailer which has not been inspected as required or which is unsafe or unfit to be driven; provided, however, no person shall be charged with a violation of this section until a period of ~~[10]~~ **30** days has elapsed from the date the inspection was due. It shall be a rebuttable presumption that a vehicle that is required to be inspected is in violation of this section if the vehicle fails to display a valid inspection sticker. This section shall not apply to those vehicles required to be inspected under the provisions of RSA 266:1, IV. The fine for a violation of this section shall be \$60.

259 New Paragraphs; Inspection Upon Retail Sale. Amend RSA 266:1 by inserting after paragraph VIII the following new paragraphs:

VIII-a. Every new vehicle, with a certificate of origin, excluding commercial motor vehicles, school buses, shall be subject to inspection at the time of initial registration in accordance with paragraph IV, and thereafter prior to the last day of the registered owner's month of birth that occurs not more than 36 months following the date of initial registration.

VIII-b. The inspection sticker issued shall retain the originally scheduled expiration date corresponding to the registered owner's month of birth, provided such date does not exceed 36 months from the date of initial registration. Notwithstanding paragraph VIII-a, any vehicle registered under this title, except an OHRV, snowmobile, moped, roadable aircraft, or other exempt vehicle, shall be inspected once a year, during the month in which the birth date of the owner is observed, if the owner is a natural person. An inspection sticker shall be valid for the same duration as the vehicle's registration, which shall not exceed 16 months. If the month in which the anniversary of the owner's birth occurs will be one of the next 4 months, an inspection sticker may be issued, with an expiration date of the birth month in the following year, of the first person named on the title application. Nothing in this paragraph shall require any person who has registered and had inspected a vehicle with temporary plates to have the vehicle reinspected upon receipt of permanent motor vehicle plates. An inspection sticker shall not expire when a vehicle is transferred to a licensed dealer.

260 Rust. RSA 266:3-a is repealed and reenacted to read as follows:

266-3:a Rust.

I. Every motor vehicle shall at all times be equipped with a body and frame in sound and safe condition. A vehicle operated on a way shall fail inspection as a result of body or frame-related conditions due to rust only when there is any of the following:

(a) A defect that permits exhaust gases to enter the passenger or cargo compartment.

(b) A structural exterior panel, including doors, hood, fenders, trunk, or bumpers, that is missing, insecurely mounted, improperly latched, not at the correct height, or not constructed from materials meeting the manufacturer's specifications.

(c) A frame or unibody that is cracked, broken or rusted to the extent that it compromises structural integrity.

261 New Sections; Additional Equipment. Amend RSA 266 by inserting after section 3-a the following new sections:

266:3-b Starter Safety Switch. A motor vehicle shall fail inspection if it is manufactured with a starter safety switch and the engine starts with the gear selector in any position other than "park" or "neutral," or without engaging the clutch on a manual transmission.

266:3-c Steering and Suspension. Every motor vehicle shall be equipped with a steering and suspension system in good working order. A vehicle shall only fail inspection if any component is loose beyond manufacturer tolerances; improperly secured, bent, or damaged in a way that impairs control; excessively worn, corroded, or deteriorated such that it compromises the structural integrity; or repaired or modified in a manner inconsistent with manufacturer specifications or accepted industry standards.

266:3-d Fuel System.

I. Every motor vehicle shall at all times be equipped with a fuel system in good working order, free from leaks and maintained in such a condition that leakage is not present at any part of the system.

II. Fuel components shall be deemed to fail inspection only where there is evidence of leakage or improper connection in the fuel system, including lines, hoses, or tank.

266:3-e Reverse Gear.

I. All passenger vehicles, trucks, and buses shall be equipped with a functional reverse gear capable of moving the vehicle backward under its own power.

II. A vehicle shall fail inspection if the reverse gear is missing, inoperative, or otherwise incapable of propelling the vehicle in reverse under its own power.

262 Parking Brake. Amend RSA 266:27-a to read as follows:

266:27-a Parking Brakes Required.

I. Every motor vehicle and combination of vehicles except motorcycles, farm tractors and mopeds, shall have a parking brake system adequate to hold the vehicle or combination of vehicles on any grade on which it is driven under all conditions of loading on a surface free from snow, ice or loose material, and which shall comply with performance standards issued by the director by rule adopted pursuant to RSA 260:5.

II. A vehicle equipped with an automatic transmission shall only fail inspection if it rolls or moves when placed in the "park" position on a grade.

263 Brake Performance. Amend RSA 266:28 to read as follows:

266:28 Brake Performance.

I. Every motor vehicle and every combination of motor vehicle with trailer or semi-trailer when driven upon the ways of the state shall at a speed of 20 miles per hour be capable, at all times and under all conditions of loading, of stopping on a dry, smooth, approximately level pavement free from loose material, upon application of the foot or service brake, within a distance of 30 feet.

II. Braking systems shall only cause inspection failure when any component shows fluid leakage; lines or hoses are improperly repaired or altered; brake linings are worn below 2/32 inch; rivets are exposed, loose, or the lining is unsecured; or if drums or rotors are cracked, damaged, excessively rusted, have defective grease retainers, collapsed vanes, or fall below the minimum allowable thickness.

264 Front Lights. Amend RSA 266:31 to read as follows:

266:31 Front Lights.

I. Every motor vehicle driven during the period from 1/2 hour after sunset to 1/2 hour before sunrise, and whenever rain, snow, or fog shall interfere with the proper view of the road so that persons and vehicles

on the way are not clearly discernible at a distance of 1,000 feet ahead, shall display at least 2 lighted lamps on the front; provided, however, that one suitable lighted lamp on the front of a motorcycle shall be sufficient. The headlamp shall throw sufficient light ahead within the traveled portion of the way to make clearly visible all vehicles, persons, or substantial objects within a distance of 200 feet, except that the headlamps of motorcycles shall be sufficient if they make clearly visible objects within a distance of 150 feet. No headlamp shall be used unless it is approved by the director and is equipped with a proper lens or other device designed to prevent glaring rays. All headlamps on every motor vehicle shall be located at a height of not more than 54 inches nor less than 24 inches from the ground on an unladen vehicle. The measurement shall be made from the ground to the center of the lens. No device which obstructs, reflects, or alters the beam of such headlamp shall be used in connection therewith unless approved by the director. Every lens or other device to prevent glaring rays, the use of which on motor vehicles has been approved by the director, shall be arranged, adjusted, and operated in accordance with the requirements of the certificate approving the use thereof. Every lamp, bulb, or light used in any headlamp shall be of such candle power as may be specified for the approved device in the certificate approving the use thereof. Every reflector which is used as a part of such headlamp shall have a reflecting surface approved by the director after satisfactory tests have been made~~[-and every reflecting surface shall be free from dents, rust, and other imperfections]~~. The driver of every motor vehicle shall permit any properly authorized person to inspect the headlighting equipment of such motor vehicle and to make such tests as he or she may deem necessary to determine whether the provisions of this section are being complied with. **Headlamp aim shall only be checked if the inspection reveals that the beams appear to be misaligned.** Any headlamp color approved by the director for motor vehicles shall be considered approved for motorcycles. ~~[Any headlamp color approved by the director for motor vehicles shall also apply to headlamps approved for motorcycles.]~~

II. Headlamps shall shine white when shined against a white surface. All other forward facing lights shall be amber or white.

III. Notwithstanding paragraph II, fog lights shall be permitted to shine yellow.

IV. The provisions of this section shall not apply to a vehicle with an original equipment manufacturer (OEM) front lighting system, or a front lighting system of a similar type installed as standard equipment by the vehicle manufacturer.

V. A headlamp shall not cause inspection failure unless it fails to light or does not function properly, does not meet the manufacturer's specifications or violates federal motor vehicle safety standards, is a LED headlamp that is not 100 percent functional, shows a color which is not approved by the director, is improperly aimed, is not securely mounted in the manufacturer-specified location, is obscured, permits the accumulation of water within the assembly excluding normal condensation, or provides a level of light output and projection that is inferior to that of the vehicle's original equipment.

VI. Tape or a comparable sealing method shall be deemed an acceptable repair of a headlamp assembly, provided it effectively prevents the pooling of water.

VII. A required colored lamp or lens shall not be missing or damaged in such a manner that white light is emitted.

265 Directional Signals. Amend RSA 266:42 to read as follows:

266:42 Directional Signals. It shall be unlawful to drive on any way in this state any motor vehicle registered in this state which is manufactured or assembled after January 1, 1952, unless such vehicle is equipped with directional signals approved by the director. The provisions of this section shall not apply to motorcycles manufactured prior to January 1, 1973. **A directional signal shall cause inspection failure only if fails to light or does not function properly, does not meet the manufacturer's specifications or violates federal motor vehicle safety standards, is a LED lamp that is more than 25 percent inoperable, shows a color which is not approved by the director, is not securely mounted in the manufacturer-specified location, is obscured from view, is damaged in a manner that causes the emission of white light, permits the accumulation of water within the assembly excluding normal condensation, or provides a level of light output and projection that is inferior to that of the vehicle's original equipment. Tape or a comparable sealing method shall be deemed an acceptable repair if it effectively prevents water accumulation.**

266 Additional Lighting Equipment. Amend RSA 266:45-a to read as follows:

266:45-a Additional Lighting Equipment.

I. Any vehicle 80 inches or more in overall width, if not otherwise required by this chapter, may be equipped with not more than 5 identification lamps showing to the front which shall emit an amber or white light without glare and with not more than 3 identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be grouped in a horizontal row, with lamp centers spaced not less than 6 nor more than 12 inches apart, and mounted on the permanent structure of the vehicle as close as practicable to the vertical center line. Any vehicle may be equipped with one or more side marker lamps, and any such lamp may be flashed in conjunction with turn or vehicular warning signals. Lamps allowed by this section shall be of a type approved by the director.

II. Except as provided by RSA 266:31, the failure of an auxiliary light to illuminate shall not cause inspection failure.

267 Wheel and Tire Requirements. RSA 266:49 is repealed and reenacted to read as follows:

266:49 Wheel and Tire Requirements.

I. A tire shall be deemed to be in unsafe driving condition, and shall cause inspection failure, only if such tire has:

(a) A fabric break, or a cut in excess of one inch in any direction as measured on the outside of the tire and deep enough to reach the body cords, or has been repaired temporarily by the use of blowout patches or boots;

(b) Any bump, bulge, or knot related to separation or partial failure of the tire structure;

(c) Any portion of the ply or cord structure exposed;

(d) A portion of the tread design completely worn, provided such worn portion is of sufficient size to affect the traction and stopping ability of the tire; or

(e) With tread depth having been measured in accordance with the method prescribed under RSA 266:51, a tread depth in a major tread groove nearest the center of the tire which measures less than $\frac{2}{32}$ inch or $\frac{4}{32}$ inch on the front axles of any vehicle with a gross vehicle weight in excess of 10,000 pounds.

II. Notwithstanding paragraph I, the any of the following shall cause inspection failure:

(a) Radial and bias-ply tires on the same axle.

(b) Different tire sizes on the same axle, except for U.S. and metric sizes of compatible construction, dimensions and load capacity.

(c) Tires marked "for farm use only", "off highway use only", or "racing only" on any axle.

III. A wheel shall not be considered to be in safe operating condition and shall be cause for inspection failure only if any wheel bolt, nut, stud, or lug is loose, missing, or cracked.

268 Muffler, Horn and Lamps. Amend RSA 266:54 to read as follows:

266:54 Muffler, Horn and Lamps. Every motor vehicle driven on the ways of this state shall be provided with a muffler, a suitable and adequate horn or other device for signaling, and suitable lamps. ***A motor vehicle shall fail inspection if the horn is not securely mounted, fails to emit a sound audible from a distance of at least 200 feet under normal operating conditions, or is inoperative.***

269 Mirrors. Amend RSA 266:55 to read as follows:

266:55 Mirrors.

I. No person shall drive upon any way any closed motor vehicle, or motor vehicle so constructed, equipped, or loaded that the driver is prevented from having a constantly free and unobstructed view of the way immediately in the rear, unless there is attached to the vehicle a mirror or reflector so placed and adjusted as to afford the driver a clear, reflected view of the way in the rear of the vehicle.

II. No rule shall require inspection failure due to cracks in an exterior mirror provided that the mirror continues to provide an unobstructed view to the rear of the vehicle.

III. No rule shall require inspection failure due to cracks in the interior mirror provided that exterior mirrors are installed on both the left and right sides.

270 Windshield Wipers and Defrosters. Amend RSA 266:56 to read as follows:

266:56 Windshield Wipers and Defrosters.

I. Every motor vehicle shall be equipped with a windshield wiper, or wipers so-called, for cleaning rain, ice, snow or other moisture from its windshield, and every motor vehicle manufactured after January 1, 1947, shall, in addition to such windshield wiper, be also equipped with a defroster, so-called, designed for melting snow and ice from the windshield. All such devices shall at all times be maintained in good working condition.

II. A vehicle manufactured after January 1, 1968, shall be rejected from inspection if the windshield wiper system does not have at least two distinct operating speeds.

III. A vehicle manufactured after January 1, 1947, shall be rejected from inspection if not equipped with a functional defroster capable of melting snow and ice on the windshield.

271 Safety Glass. Amend RSA 266:58 to read as follows:

266:58 Safety Glass Required.

I. It shall be unlawful to register or to drive on any way in this state any motor vehicle which shall have been manufactured or assembled on or after January 1, 1936, unless it be equipped with safety glass wherever glass is used in partitions, doors, windows, or windshields. This section shall not apply to any motor vehicle registered in another state by a bona fide resident of said state. **Failure to comply with this requirement shall result in inspection failure.**

II. No windshield shall be deemed to be in safe driving condition and shall only fail inspection if it contains any intersecting cracks, or two or more star breaks or bullseyes larger than 1.5 inches, within the critical viewing area. For the purposes of inspection under this section, the critical viewing area shall mean the portion of the windshield extending 2 inches inward from the left-side windshield post, 2 inches down from the top edge, 2 inches up from the bottom edge, and 2 inches to the right of the vertical centerline.

272 Emission Control Equipment. RSA 266:59-b, is repealed and reenacted as follows:

266:59-b Emission Control Equipment. Every motor vehicle driven on the ways of this state which is subject to inspection under this chapter shall be equipped with all of the emission control equipment which was part of that motor vehicle as originally equipped, and such equipment shall be properly connected to prevent excessive emissions.

273 Rulemaking Amendments. The department of environmental services shall submit amendments to the state implementation plan (SIP) that reduces the scope of the emissions testing program by January 1, 2026. The initial SIP amendment shall remove the emissions testing requirements under 266:59-b. Notwithstanding RSA 266, the department of safety shall establish draft amendments to its rules implementing the vehicle inspection program consistent with the proposed SIP amendments, as revised according to this section, necessary for review and concurrence by the Environmental Protection Agency in their review of the SIP submittals. The draft rules shall be finalized for inclusion in the final SIP submittals for the Environmental Protection Agency approval, and shall become effective when the commissioner of the department of environmental services certifies to the director of the office of legislative services that the Environmental Protection Agency has approved amendments to the SIP as it relates to emissions testing under the state's vehicle inspection program. These rules shall be exempt from the rulemaking process requirements under RSA 541-A.

274 Effective Date.

I. Section 273 shall take effect upon its passage.

II. Sections 253-272 of this act shall take effect January 1, 2027.

275 Ten-Year Transportation Improvement Program; State and Federal Funding. Amend RSA 228:114 to read as follows:

228:114 State and Federal Funding.

I. Any public-private partnership projects utilizing federal or state funding shall be approved as part of the state 10-year transportation improvement program in accordance with RSA 240.

II. All proceeds or revenues to the state derived from public-private partnerships and intended for payment to the department of transportation shall be credited to the department of transportation, restricted in accordance with the approved public-private partnership agreement, continuously appropriated, and non-lapsing.

276 Fish and Game; Gifts, Donations, and Raffles. Amend RSA 206:33-a to read as follows:

206:33-a Gifts, ~~[and]~~ Donations, ***and Raffles***; Account Established.

I. Notwithstanding any other provision of law to the contrary, individual gifts and donations not exceeding \$2,500 in value in a year may be received by the fish and game department with the consent of the commission and without the approval of the governor or the governor and council. Individual gifts and donations exceeding \$2,500 in value in a year may be received by the fish and game department with the consent of the commission and with the approval of the governor and council.

I-a. The fish and game department is authorized to conduct raffles for fundraising purposes. Revenue received shall be credited to the gifts, donations, and raffles account established in RSA 206:33-a, II.

II. There is established an account within the fish and game fund to be known as the gifts, ~~[and]~~ donations, ***and raffles*** account. Moneys in the gifts and donations account are nonlapsing and continually appropriated to the fish and game department. All gifts and donations shall be deposited in this account, except gifts and donations made to the department in support of a specific program that has an established dedicated account in title XVIII which shall be deposited into the appropriate dedicated account and expended in accordance with the purpose of the dedicated account.

III. This section shall not apply to gifts, grants, bequests, or donations received pursuant to RSA 206:33-c or RSA 212-B:6.

277 Fish and Game; Gifts, Donations, and Raffles. Amend RSA 6:12, I(b)(231) to read as follows:

(231) Moneys deposited in the fish and game department gifts, ~~[and]~~ donations, ***and raffles*** account under RSA 206:33-a.

278 Pheasant License Revenues. Amend RSA 206:35-a to read as follows:

206:35-a Pheasant License Revenues. The state treasurer shall establish a separate account to which shall be credited all moneys collected by the fish and game department from issuance of pheasant licenses under RSA 214:9, X. The moneys in said account shall be used only for purchase or propagation of pheasants, ***as well as for program management and implementation***, and is hereby appropriated for said purposes. Said funds shall be expended for the purposes hereof as determined by the executive director with the approval of the commission. The moneys in said account shall be nonlapsing.

279 Fisheries Habitat Fee. Amend RSA 214:1-g to read as follows:

I. A ~~[one dollar]~~ ***\$5*** fisheries habitat fee shall be required to be paid by all persons 16 years of age or older, in addition to each applicable fishing or combination license required by Title XVIII, in order to take fish in the fresh waters of this state. ***The \$5 fee shall be credited to the fisheries habitat account under RSA 214:1-g, II.*** This paragraph shall not apply to any person who takes fish under a complimentary license, excluding any administrative fee, issued pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime license issued pursuant to RSA 214:9-c that was purchased in a prior calendar year.

II. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the fisheries habitat account, to which shall be credited all fees collected under RSA 214:1-g, I. The state treasurer may accept public and private grants and donations for deposit into the account. ***The executive director may transfer any amount in this account in excess of \$750,000 to the fish and game fund at the end of the fiscal year.***

280 Game Management Account Established; Report. Amend RSA 206:34-b, I to read as follows:

I. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the game management account. Each month the department shall determine the number of licenses, applications, or permits sold for moose, bear, turkey, and waterfowl and, for each, transfer \$10 to the game management account. The moneys in this account shall be used exclusively for the implementation of a comprehensive population and habitat management program, including research and management, protec-

tion, education, and outreach for game as defined in RSA 207:1, IX, fur-bearing animals as defined in RSA 207:1, VIII, and migratory game birds as defined in RSA 209:5 to include waterfowl, snipe, and woodcock. Funds in the game management account are hereby continually appropriated for said purposes. Said funds shall be expended for the purposes of this section as determined by the executive director with approval of the commission. ***The executive director may transfer any amount in this account in excess of \$750,000 at the end of the fiscal year to the fish and game fund.***

281 Wildlife Habitat License. Amend RSA 214:1-f, V to read as follows:

V. The state treasurer shall establish a separate nonlapsing account within the fish and game fund, to be known as the wildlife habitat account, to which shall be credited all fees collected under RSA 214:9, XV from the sale of wildlife habitat licenses. The state treasurer may accept public and private grants and donations into the account. ***The executive director may transfer any amount in this account in excess of \$750,000 at the end of the fiscal year to the fish and game fund.***

282 Application; Hunting, Fishing, and Trapping Licenses. Amend RSA 214:9, XV to read as follows:

XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild birds, a fee set by the executive director pursuant to RSA 206:10, I, and the agent shall thereupon issue a wildlife habitat license as provided in RSA 214:1-f. For any year in which a license is issued, the agent shall be entitled to retain a portion of the fee as set by the executive director pursuant to RSA 206:10, I for each wildlife habitat license sold and all licenses sold at the department headquarters or any subagency thereof shall retain the same portion of the fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife habitat license issued pursuant to RSA 214:1-f. ***The wildlife habitat fee shall be set no less than \$5.***

283 Repeal. The following are repealed:

- I. RSA 206:35-c, relative to the fish food sales revenue account.
- II. RSA 6:12, I(b)(182), relative to the fish food sales revenue account.

284 Effective Date.

- I. Section 283 of this act shall take effect June 30, 2025.
- II. Sections 279 and 282 of this act shall take effect January 1, 2026.

285 New Hampshire Retirement System; Membership; Division of Fire Safety. Amend RSA 100-A:3, III-c to read as follows:

III-c. Notwithstanding the provisions of RSA 100-A:1, VIII, any permanent fireman who has been a group II member and who has 10 years' fire service experience, or any person included in the definition of "fire service personnel" as defined in RSA 21-P:25, II(c) who has 10 years' fire service experience, who is or becomes the director of the division of fire safety, the director of the division of homeland security and emergency management, the director of the division of fire standards and training and emergency medical services, any fire instructor, supervisor, instructor, or other technical specialist who has hazardous materials, firefighting, or rescue training functions and who has as a job requirement satisfied the fire standards and training commission's entrance and certification requirements for physical condition, education, and training shall be construed to be a permanent fireman for the purposes of membership in group II and shall remain in the system for the duration of service in that capacity with the fire standards and training commission ***or the division of fire safety.***

286 Public School Infrastructure Fund. Amend the introductory paragraph of RSA 198:15-y, III to read as follows:

III. The public school infrastructure commission may authorize the department of education to fund expenditures [~~with approval of the fiscal committee of the general court~~] for the following purposes:

287 Education; Special Education; Program Approval, Monitoring, and Corrective Action. Amend RSA 186-C:5, IX to read as follows:

IX. The department, with input from the advisory committee on the education of children/students with disabilities, shall select and contract with an independent, nationally recognized organization in program evaluation and quality assurance to evaluate in 2010, 2015, and decennially thereafter, the effectiveness of

the program approval and monitoring system, including whether it is carrying out activities in RSA 186-C:5 in an efficient manner. Such organization shall submit recommendations for any improvements to the commissioner, the state board of education, the governor, and the general court within 90 days of completing the program evaluation. On or before September 1, 2013, the department shall submit a written response to the report submitted by the organization that conducted the 2012 independent evaluation. The written response shall include a detailed plan for how the department will address the areas identified as needing improvement and the recommendations made in the initial evaluation required under this section. The written response shall include specific steps the department plans to take, along with a timeline for each step. The written response shall also provide an explanation for any actions the department will not implement or complete during the plan's timeframe. On or before December 30, 2013, and June 30, 2014, the department shall submit a report of its progress toward completing its plan. The plan and reports shall be submitted to the governor, to the chairpersons of the senate and house committees with jurisdiction over education policy, to the state advisory committee for the education of children with disabilities established in RSA 186-C:3-b, and to the state board of education. For the 2015 evaluation, the department shall invite the same organization that conducted the 2012 evaluation to respond to a request for proposals. The 2015 evaluation shall include feedback on the steps the department has taken in response to the recommendations in the 2012 report. The department shall provide unimpeded access to all documents requested by the organization, except as otherwise required by law. ***For the 2025 evaluation, the department may utilize the Special Education Dispute Resolution performance audit and the Special Education performance audit from the audit division of the office of legislative budget assistant of the New Hampshire general court to meet this requirement.***

288 Education; Special Education; State Aid. Amend RSA 186-C:18, III(a)-(b) to read as follows:

III.(a) ~~The [state board of education through the commissioner,] department of education[;] shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 and 1/2 times the [estimated] most current state average expenditure per pupil for the school year preceding the year of distribution. [If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant.]~~ ***If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant, provided that the department of education shall distribute to the school district not less than 80 percent of the district's entitlement in the fiscal year.*** ~~[If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements and episodes of treatment under RSA 186-C:19-b.]~~ The state may designate up to \$250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional \$250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

(b) The school district shall be liable for 3 ***and*** 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution, plus 20 percent of the additional cost, up to 10 times the estimated state average expenditure per pupil for the school year preceding the year of distribution.

289 Effective Date. Section 288 of this act shall take effect September 1, 2025.

290 Education; Special Education; State Aid. Amend RSA 186-C:18, IV to read as follows:

IV. ~~[The state shall appropriate an amount for each fiscal year to assist special education programs that are statewide in their scope, and that meet the standards for such programs established by the state~~

board of education. Funds under this paragraph shall be administered and distributed by the state board of education through the commissioner.] ***The amount necessary to fund special education aid under this section is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the state comptroller shall transfer sufficient funds from the general fund to eliminate such deficit. The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of payments.***

291 The State and Its Government; State Treasurer and State Accounts; New Hampshire Excellence in Higher Education Endowment Trust Fund Established. Amend RSA 6:38, I to read as follows:

I. There is hereby established in the office of the treasurer the New Hampshire excellence in higher education endowment trust fund which shall be kept distinct and separate from all other funds. ~~[Annual]~~ ***During the biennium ending June 30, 2027, annual*** assessments less any annual administrative costs received from the New Hampshire college tuition savings plan established under RSA 195-H, ***and less \$6,000,000 per year of gross proceeds from assessments collected, which shall be allocated to the general fund,*** shall be credited to the trust fund to provide scholarships for the benefit of residents of the state pursuing programs of study at eligible educational institutions within the state.

292 The State and Its Government; State Treasurer and State Accounts; New Hampshire Excellence in Higher Education Endowment Trust Fund Established. Amend RSA 6:38, I to read as follows:

I. There is hereby established in the office of the treasurer the New Hampshire excellence in higher education endowment trust fund which shall be kept distinct and separate from all other funds. ~~[During the biennium ending June 30, 2027, annual]~~ ***Annual*** assessments less any annual administrative costs received from the New Hampshire college tuition savings plan established under RSA 195-H~~[, and less \$6,000,000 per year of gross proceeds from assessments collected, which shall be allocated to the general fund,]~~ shall be credited to the trust fund to provide scholarships for the benefit of residents of the state pursuing programs of study at eligible educational institutions within the state.

293 Effective Date. Section 292 of this act shall take effect July 1, 2027.

294 Agency Directive; Department of Health and Human Services. For the biennium ending June 30, 2027, the department of health and human services shall not use general funds to enroll any new participants into the state loan repayment program (SLRP). The department may continue to use general funds to fund existing agreements with existing participants who enrolled in the SLRP prior to this section taking effect.

295 Department of Health and Human Services; Contracts. All department of health and human services contracts or contract amendments shall include a provision requiring the contractor to comply with the patients' bill of rights as applicable pursuant to RSA 151:21.

296 Applicability. Section 295 of this act shall apply to contracts or contract amendments entered into on or after the effective date of that section.

297 Repeal. Section 295 of this act, relative to department of health and human services contracts, is repealed.

298 Effective Date.

I. Section 297 of this act shall take effect November 30, 2026.

II. Sections 295 and 296 of this act shall take effect 60 days after its passage.

299 New Subparagraphs; County Reimbursement of Funds; Limitation on Payments. Amend RSA 167:18-a, III(b) by inserting after subparagraph (4) the following new subparagraphs:

(5) For fiscal year 2026, in addition to the \$5,000,000 allocated pursuant to subparagraph III(b)(3), an aggregate credit of \$5,625,000 shall be allocated among the counties based upon their relative proportional share of overpayments in fiscal year 2020 and fiscal year 2021.

(6) For fiscal year 2027, in addition to the \$5,000,000 allocated pursuant to subparagraph III(b)(3), an aggregate credit of \$5,625,000 shall be allocated among the counties based upon their relative proportional share of overpayments in fiscal year 2020 and fiscal year 2021.

(7) For fiscal year 2028, in addition to the \$5,000,000 allocated pursuant to subparagraph III(b)(3), an aggregate credit of \$5,625,000 shall be allocated among the counties based upon their relative proportional share of overpayments in fiscal year 2020 and fiscal year 2021.

(8) For fiscal year 2029, in addition to the \$5,000,000 allocated pursuant to subparagraph III(b)(3), an aggregate credit of \$5,625,000 shall be allocated among the counties based upon their relative proportional share of overpayments in fiscal year 2020 and fiscal year 2021.

300 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2027.

301 The State and Its Government; New Hampshire Recovery Monument Commission; Commission Established; Special Account. Amend RSA 4:9-p, II to read as follows:

II. The gifts of money, which are donated to contract, construct, and maintain the monument, shall be placed in a special nonlapsing account in the state treasury, to be expended for the purposes of the New Hampshire recovery monument. Any money remaining in the special account after construction of the monument is completed shall be used for the care, maintenance, repair, and additions to the monument. Any funds left in the special account after annual care, maintenance, and repair of the monument shall be deposited in the ~~[alcohol abuse prevention treatment]~~ **addiction, treatment, and prevention** fund under RSA 176-A:1. Notwithstanding any other provision of law, the commission may expend the money raised or accepted as a gift without the approval of governor and council, to contract for the construction and perpetual maintenance of the monument.

302 New Hampshire Recovery Monument Commission; Commission Membership. Amend RSA 4:9-q to read as follows:

4:9-q Commission Membership and Duties.

I. The members of the commission established in RSA 4:9-p shall be as follows:

- (a) One senator, appointed by the president of the senate.
- (b) Two representatives, appointed by the speaker of the house of representatives.
- (c) Two directors of recovery organizations, appointed by the governor.
- (d) Two persons in recovery, appointed by the governor.
- (e) Two family members of persons lost to substance use disorder, appointed by the governor.
- (f) The chairperson of the recovery task force of the governor's commission on ~~[alcohol and drug abuse, prevention,]~~ **addiction, treatment, and [recovery] prevention**, or designee.
- (g) The president of New Futures, or designee.
- (h) The director of National Alliance for Mental Illness, New Hampshire (NAMI-NH), or designee.
- (i) The commissioner of the department of health and human services, or designee.

II.(a) The members appointed pursuant to subparagraphs (a), (b), and (i) shall serve coterminous with their terms in office. The remaining members of the commission shall serve 3-year terms and may be reappointed.

(b) Legislative members of the commission shall receive mileage at the legislative rate while attending to the duties of the commission. The members of the commission shall elect a chairperson from among the members. The first named house member shall call the first meeting of the commission. Seven members of the commission shall constitute a quorum.

III. The commission shall select the location and design for the New Hampshire recovery monument and oversee the construction and maintenance of the monument. In selecting a design for the monument, the commission shall develop a request for proposals and criteria for the evaluation of proposals. Design criteria shall include, after public consultation with interested parties, a monument including central features of a figural, representational, symbolic, or abstract form that recognize inclusively the varied New Hampshire historical and contemporary aspects of recovery from substance use disorders, with appropriate inscriptions and that recognize inclusively those New Hampshire individuals whose lives were lost and those affected by lost lives due to substance use disorders, with appropriate inscriptions. The design may also include an area surrounding the central monument for permanent individual commemoration for those New Hampshire in-

dividuals whose lives were lost due to substance use disorders. The design criteria shall include, after public consultation with interested parties, an area around the central features of the monument suitable for reflection and such commemorative activities as envisioned by the commission. The commission shall approve a memorandum of understanding with the host community governing the siting, design, and construction of the monument, and subsequent related activities.

IV. The commission shall privately raise all the money necessary for the planning, design, construction, and maintenance of the New Hampshire recovery monument.

303 The State and Its Government; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b)(72) to read as follows:

(72) Moneys deposited in the ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund established in RSA 176-A:1, as administered by ~~[the governor's commission on alcohol and drug abuse prevention, treatment, and recovery]~~ **the governor's commission on addiction, treatment, and prevention** in accordance with RSA 12-J:1.

304 New Hampshire Drug Overdose Fatality Review Commission; Commission. Amend RSA 126-DD:1, I(g) to read as follows:

(g) The chairperson of the governor's commission on ~~[alcohol and drug abuse prevention,]~~ **addiction, treatment, and [recovery] prevention**, or designee.

305 New Hampshire Opioid Abatement Advisory Commission. Amend RSA 126-A:85, II to read as follows:

II. The commission shall consist of the following members:

- (a) The governor, or designee.
- (b) The attorney general, or designee.
- (c) The state treasurer, or designee.
- (d) The commissioner of the department of corrections, or designee.
- (e) The commissioner of the department of health and human services, or designee.
- (f) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (g) One member of the senate, appointed by the president of the senate.
- (h) The chairperson of the governor's commission on ~~[alcohol and drug abuse, prevention,]~~ **addiction, treatment, and [recovery] prevention**, or designee.
- (i) A county attorney appointed by the governor.
- (j) A county corrections superintendent, or designee, appointed by the governor.
- (k) A county nursing home supervisor, or designee, appointed by the New Hampshire Association of Counties.
- (l) A New Hampshire municipal fire chief, appointed by the governor.
- (m) A New Hampshire municipal police chief, appointed by the governor.
- (n) One designee from a county with a population of 100,000 or more, appointed by the governor.
- (o) One designee from a county with a population of less than 100,000, appointed by the governor.
- (p) One designee of a city with a population over 75,000, appointed by the governor.
- (q) One designee of a city or town with a population under 75,000, appointed by the governor.
- (r) One designee representing a town with a population under 20,000, appointed by the governor.
- (s) One designee representing victims of the opioid crisis, appointed by the attorney general.
- (t) One member representing prevention, appointed by the governor's commission ~~[alcohol and drug abuse prevention]~~ **on addiction**, treatment, and ~~[recovery]~~ **prevention**, or designee.
- (u) One member representing treatment, appointed by the governor's commission on ~~[alcohol and drug abuse prevention,]~~ **addiction**, treatment, and ~~[recovery]~~ **prevention**, or designee.

(v) One member representing recovery, appointed by the governor's commission on ~~[alcohol and drug abuse prevention,]~~ **addiction**, treatment, and ~~[recovery]~~ **prevention**, or designee.

(w) One public school superintendent, or designee, appointed by the New Hampshire School Administrators Association.

306 Opioid Abatement Advisory Commission; Duties. Amend the introductory paragraph of RSA 126-A:86, I to read as follows:

I. The opioid abatement advisory commission in coordination with the governor's commission on ~~[alcohol and other drugs,]~~ **addiction, treatment, and prevention**, and in alignment with relevant state plans, shall:

307 Controlled Drug Prescription Health and Safety Program; Advisory Council. Amend RSA 126-A:96, I(j) to read as follows:

(j) Two public members appointed by the governor's commission on ~~[alcohol and other drugs,]~~ **addiction, treatment, and prevention**, one of whom may be a member of the commission.

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

III. Five percent of the preceding fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire annual comprehensive financial report, statement of revenues, expenses, and changes in net position for proprietary funds. Such deposit shall be processed in 2 installments as follows:

(a) The commission shall process the initial deposit on or before August 1st of the ensuing fiscal year. Such deposit shall be calculated based on an estimate of the preceding fiscal year gross profit derived by the commission from the sale of liquor.

(b) Upon issuance of the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the commission shall process a second and final deposit or adjustment.

(c) If the amount of the initial deposit exceeds the final amount calculated based on the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the comptroller shall transfer the excess amount from the ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund established by RSA 176-A:1 to the liquor fund.

309 Alcoholic Beverages; Alcohol Abuse Prevention and Treatment Fund. Amend RSA 176-A:1 to read as follows:

176-A:1 ~~[Alcohol Abuse Prevention and Treatment]~~ **Addiction, Treatment, and Prevention** Fund.

I. There is hereby established an ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund to fund alcohol education and abuse **and problem gambling** prevention and treatment programs.

II. The fund shall be nonlapsing and continually appropriated for the purposes of funding alcohol education and abuse **and problem gambling** prevention and treatment programs. The commissioner of the department of health and human services may accept gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. The state treasurer shall invest the moneys deposited in the fund as provided by law. Interest earned on moneys deposited in the fund shall be deposited into the fund.

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of ~~[the governor's commission on alcohol and drug abuse prevention, treatment, and recovery]~~ **the governor's commission on addiction, treatment, and prevention** established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, **problem gambling prevention**, treatment, ~~[and]~~ recovery services, and other purposes related to the duties of the commission under RSA 12-J:3.

310 Occupations and Professions; Controlled Drug Act; Personal Possession of Marijuana. Amend RSA 318-B:2-c, VII to read as follows:

VII. All fines imposed pursuant to this section shall be deposited into the ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

311 Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery. Amend the chapter heading of RSA 12-J, and RSA 12-J:1 through RSA 12-J:4, to read as follows:

Chapter 12-J

~~[GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION,
TREATMENT, AND RECOVERY]~~

THE GOVERNOR'S COMMISSION ON ADDICTION, TREATMENT, AND PREVENTION

12-J:1 Commission Established; Membership; Terms.

There is hereby established a commission which shall serve in an advisory capacity to the governor and the general court regarding ***the importance of prevention as well as*** the delivery of effective and coordinated alcohol and ***other*** drug ~~[abuse]~~ ***misuse programs of*** prevention, ***problem gambling prevention***, treatment ***using a public health informed approach to address addiction***, and recovery services throughout the state. The commission shall consist of the following members:

I. Seven public members, 2 of whom shall be professionals knowledgeable about alcohol and ***other*** drug ~~[abuse]~~ ***misuse*** prevention, one of whom shall be appointed by the governor and one of whom shall be appointed by the senate president; 2 of whom shall be professionals knowledgeable about alcohol and ***other*** drug ~~[abuse]~~ ***misuse*** treatment ***including reduction of societal and individual harm***, one of whom shall be appointed by the governor and one of whom shall be appointed by the speaker of the house of representatives; 2 of whom shall be public members who are not professionals within the alcohol and drug ~~[addiction]~~ ***misuse*** prevention and treatment system, one of whom shall be appointed by the senate president and one of whom shall be appointed by the speaker of the house of representatives; and one member in long-term recovery, appointed by the governor.

II. Two members of the house of representatives, appointed by the speaker of the house of representatives, and 2 members of the senate, appointed by the president of the senate. The term of the legislative members of the commission shall be for the biennium and shall be coterminous with membership in the general court. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

III.(a)(1) The attorney general, or designee.

(2) The adjutant general, or designee.

(3) The administrative judge of the circuit court, or designee.

(4) The chairperson of the liquor commission, or designee.

(5) The commissioner of the department of health and human services, or designee.

(6) The director of juvenile justice services, department of health and human services, or designee.

(7) The commissioner of the department of education, or designee.

(8) The commissioner of the department of corrections, or designee.

(9) The commissioner of the department of safety, or designee.

(10) The director of the office of alcohol and drug policy, department of health and human services, or designee.

(11) The commissioner of the department of insurance, or designee.

(b) The members under this paragraph shall serve terms coterminous with their terms in office.

IV.(a)(1) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(2) A representative of the New Hampshire Medical Society, appointed by the society.

(3) The chancellor of the community college system of New Hampshire, or designee.

(4) The chairman of the New Hampshire Suicide Prevention Council.

(5) A representative of the New Hampshire Nurses' Association, appointed by the association.

(6) A representative of the New Hampshire Charitable Foundation, appointed by the foundation.

(7) A representative of the New Hampshire Hospital Association, appointed by the association.

(8) The president of the New Hampshire Association of Chiefs of Police, or designee.

(b) A representative of the state's faith-based community, who shall be a nonvoting member, appointed by the governor.

(c) The members under this paragraph shall serve 3-year terms.

12-J:2 Organization of Commission; Task Forces; Staffing.

I. The commission shall elect one of its members to serve as chairperson. The executive director of the commission shall be the director of the appropriate division responsible for alcohol and drug [abuse] **misuse** prevention and recovery, who shall serve without additional compensation. Twelve members of the commission shall constitute a quorum.

II.(a) To assist the commission in the performance of its duties, the chairperson shall create task forces. The chairperson shall initially create task forces to address the following issues:

(1) Prevention.

(2) Treatment **and reduction of societal and individual harm.**

(3) Recovery.

(4) Program monitoring and evaluation.

(b) To assist the commission in the performance of its duties, the chairperson may create additional task forces.

(c) The commission chairperson shall appoint at least one commission member to serve on each task force as chairperson.

(d) Based upon recommendations from each task force, the commission chairperson may appoint non-commission members to serve as adjunct members of each task force for a term of one year. In appointing adjunct members, the chairperson shall ensure that youth have the opportunity to participate directly in the work of appropriate task forces.

(e) Each task force shall:

(1) Develop a mission statement, including its goals and objectives.

(2) Report to the commission on a regular basis concerning available programs, funding, and unmet needs.

(3) Identify program areas where improved coordination is needed.

II-a. The chairperson shall create a budget task force comprised of the individuals listed in RSA 12-J:1, III(a) to report biannually on financial expenditures for substance [abuse] **misuse** related work throughout state government as detailed in RSA 12-J:4, III and recommend budget policy priorities to the commission regarding the allocation of funding alcohol and **other** drug prevention, treatment **including reduction of societal and individual harm**, and recovery services across state agencies and throughout the state.

III. All executive branch departments shall provide administrative support to the commission. The executive director of the commission shall direct and coordinate the administrative support to the commission.

IV. All executive branch departments shall respond promptly to written requests from the commission for information concerning the alcohol and drug abuse prevention, treatment, and recovery programs and services provided by them and the costs and funding sources for such programs and services.

12-J:2-a Definition of Harm Reduction.

I. For the purposes of this chapter, RSA 126-A, RSA 318-B:43, RSA 328-D:3, and RSA 329:16-g, “harm reduction” is an approach that emphasizes engaging directly with people who use alcohol and other drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social function of those served, and offer low-threshold options for accessing substance use disorder treatment and other health care services. Harm reduction shall be balanced by the imperative to protect society from the ravages of alcohol or drug misuse.

II. This approach shall be limited to the following:

(a) Connecting individuals to overdose education, counseling, and referral to treatment for infectious diseases and substance use disorders.

(b) Distributing opioid overdose reversal medications, such as naloxone to individuals at risk of overdose, or to those who might respond to an overdose, and provide training in overdose reversal and prevention.

(c) Making available substance test kits, including fentanyl test strips.

(d) Lessening harms associated with drug use and related behaviors that increase the risk of infectious diseases, including HIV, viral hepatitis, and bacterial and fungal infections; via referrals, syringe service programs, sharps disposal and medication disposal kits, wound care supplies medication lock boxes, education, testing, and prophylactic measures.

(e) Reducing infectious disease transmission among people who use drugs, including those who inject drugs by equipping them with accurate information and facilitating referral to resources.

(f) Reducing overdose deaths, promoting linkages to care, and facilitating appropriate co-location of services as part of a comprehensive, integrated approach.

(g) Providing education and public awareness programs to reduce stigma associated with substance use and co-occurring disorders.

(h) Promoting a philosophy of hope and healing by utilizing those with lived experience of recovery in the management of harm reduction services, and connecting those who have expressed interest to treatment, peer support workers and other recovery support services.

(i) Promoting a healthy society by mitigating the harmful effects of individual misuse of alcohol and other drugs.

12-J:3 Duties.

The duties of the commission shall be to:

I. Develop and revise, as necessary, a statewide plan for the effective prevention of alcohol and *other* drug [abuse] *misuse and problem gambling*, particularly among youth, and a comprehensive system of treatment *including reduction of societal and individual harm* and recovery services for individuals and families affected by alcohol and *other* drug [abuse] *misuse and problem gambling*. *Nothing in RSA 12-J should be construed to limit care of chronic pain and hospice and palliative care patients, including use of the term “misuse” which shall be utilized, as intended, to broaden the scope of work across the substance use continuum of care.* The statewide plan shall:

(a) Identify the causes, the nature and scope, and the impact of alcohol and *other* drug [abuse] *misuse and problem gambling* in New Hampshire.

(b) Identify and prioritize unmet needs for prevention *as a leading state initiative*, treatment *including reduction of societal and individual harm*, and recovery services.

(c) Recommend initiatives and policy considerations to the general court to reduce the incidence of alcohol and *other* drug [abuse] *misuse and problem gambling* in New Hampshire.

(d) Identify and quantify public and private resources available to support alcohol and drug [abuse] *misuse and problem gambling* prevention, treatment *including reduction of societal and individual harm*, and recovery.

(e) Specify additional resources necessary to address unmet needs for prevention, treatment *including reduction of societal and individual harm*, and recovery.

(f) Specify evaluation and monitoring methodology.

II. Advise the governor and general court on and promote the development of effective community-based alcohol and **other** drug [abuse] **misuse and problem gambling** prevention strategies.

III. Advise the governor and the general court on and promote the development of treatment services, **including reduction of societal and individual harm**, to meet the needs of **society and** citizens addicted to alcohol or other drugs **and problem gambling**.

III-a. Advise the governor and the general court on and promote the development of recovery services to meet the needs of citizens in recovery from alcohol and other drug misuse **and problem gambling**.

IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and drug [abuse] **misuse and problem gambling** in New Hampshire and to make recommendations to the governor and general court regarding legislation and funding to address such needs.

V. Authorize the disbursement of moneys from the ~~[alcohol abuse prevention and treatment]~~ **addiction, treatment, and prevention** fund, pursuant to RSA 176-A:1, III.

VI. Make presentations at least once each legislative session to the house and senate finance committees, the senate health and human services committee, the house health, human services and elderly affairs committee, and the fiscal committee of the general court.

VII. Develop a handout which shall describe the risks of opioid use and how to mitigate them for the purposes of RSA 318-B:16-a.

12-J:4 Meetings and Reports.

I. The commission shall meet at least 4 times each year and may convene public hearings as necessary to promote the goals of the commission.

II. The commission shall submit an annual report to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, the chairperson of the senate health and human services committee, and the chairperson of the fiscal committee of the general court by October 1 of each year regarding the activities of the commission. The annual report shall:

(a) Identify alcohol and **other** drug [abuse] **misuse and problem gambling** prevention **as a leading state initiative**, treatment **including reduction of societal and individual harm**, and recovery services and programs provided by state departments and agencies or funded in whole or in part by state or federal funds;

(b) Indicate the progress made during the prior year toward the implementation of the statewide plan developed by the commission pursuant to RSA 12-J:3, I;

(c) Recommend any revisions to the statewide plan developed pursuant to RSA 12-J:3, I;

(d) Identify and prioritize unmet needs for prevention, treatment **including reduction of societal and individual harm**, and recovery;

(e) Indicate the progress, or lack thereof, in addressing the unmet needs;

(f) Recommend initiatives and/or policy considerations to the governor and the general court to address the unmet needs;

(g) Specify the resources and any legislation necessary to support existing programs for prevention, treatment **including reduction of societal and individual harm**, and recovery and to develop, implement, support, and evaluate the initiatives recommended by the commission;

(h) In even-numbered years the report may include specific recommendations for funds to be included in the next state biennial budget to support alcohol and **other** drug [abuse] **misuse and problem gambling** prevention, treatment **including reduction of societal and individual harm**, and recovery services and programs; and

(i) Incorporate the findings and recommendations of the report required under paragraph II-a and make specific findings and recommendations regarding public awareness, education, and legislation to address the dangers of synthetic drugs.

(j) Specify and itemize funds spent on prevention, treatment and reduction of societal and individual harm, recovery, and program monitoring and evaluation services and programs.

II-a. The commission shall prepare a report, including recommendations for policies to be implemented for coordinating public awareness of and education in the ***importance of prevention and health promotion, as well as the*** dangers of synthetic drugs and other emerging or designer synthetic drug substances. The report shall include substantive input from the commission's member agencies, including the department of health and human services, bureau of drug and alcohol services, the attorney general, the department of safety, and the department of education. The commission shall submit its initial report, including recommendations, to the senate president, the speaker of the house of representatives, and the governor no later than 3 months after the effective date of this paragraph. The commission shall submit subsequent reports, including recommendations, to the senate president, the speaker of the house of representatives, and the governor annually thereafter.

III.(a) To assist the commission in the timely completion of its annual report, each commission member representing an executive branch department or entity shall provide the information specified in paragraph II for its department or entity to the commission on or before August 1 of each year.

(b) The commission shall submit a mid-year report to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, chairperson of the senate health and human services committee, and chairperson of the fiscal committee of the general court by March 1 of each year regarding the current state of drug ~~[abuse]~~ ***misuse***, prevention, treatment ***including reduction of societal and individual harm***, and recovery. The commission shall include a dashboard of the following, both in the interim and the annual report as required in RSA 12-J:4, II, that includes but is not limited to:

(1) A summary of known prevention programs to include the general type and approaches being followed.

(1-a) The number of known drug overdoses, broken out by drug involved.

(2) The number of deaths attributable to overdoses, as reported by the chief medical examiner, broken out by drug involved.

(3) The number of people known to be in treatment or recovery programs supported by commission funding.

(4) The accessibility and availability of treatment programs, including waitlists.

(5) The number of individuals in drug court programs, as reported by the judicial branch.

(6) The number of individuals in diversion programs, as reported by the judicial branch.

(7) The number of convictions for drug related offenses, as reported by the judicial branch.

(8) The number of persons incarcerated for drug related offenses as reported by the department of corrections.

(9) Funds expended and balances remaining, programs and strategies created or sustained by the funds, and an estimate of the number of individuals served by these funds.

(10) Barriers to data access and availability, with proposed strategies to develop or enhance data capacity.

(11) Performance outcomes pursuant to National Outcomes Measurement Standards (NOMS) as required with federal funding sources.

(12) Any other information requested by the governor or general court.

(c) All data required in subparagraph (b) shall be presented in the aggregate to protect the privacy of the individual. The commission shall delete any data required in those paragraphs that enables the personal identification of an individual.

IV. In the reports submitted by the commission to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate finance committees, chairperson of the house health, human services and elderly affairs committee, chairperson of the senate health and human services committee, and chairperson of the fiscal committee of the general court, the report shall include outcome data and/or research citations about the efficacy of funded programs based upon evidence of program results.

312 Repeal. RSA 338-B, relative to council for responsible gambling, is repealed.

313 Home Dialysis; State Program Implementation. The department of health and human services shall, as part of the state Medicaid program, accelerate the implementation of the at home dialysis program. The department may, as part of its contracts with managed care organizations, provide incentives for such acceleration if the commissioner deems it necessary.

314 Education; Education Freedom Accounts; Program. Amend RSA 194-F:2, VII to read as follows:

VII. An EFA shall remain in force, and any unused funds shall roll over from quarter-to-quarter and from year-to-year until the parent withdraws the EFA student from the EFA program or until the EFA student graduates from high school, unless the EFA is closed because of a substantial misuse of funds. Any unused funds shall revert to the education trust fund established in RSA 198:39 ~~[and be allocated to fund other EFAs]~~.

315 New Subdivision; Substance Use Disorder Access Points. Amend RSA 126-A by inserting after section 105 the following new subdivision:

Substance Use Disorder Access Points

126-A:106 Substance Use Disorder Access Points Established.

I. With the availability of sufficient federal funding, the department of health and human services shall establish and administer statewide access points for delivery of substance use services and supports. The access points shall provide information and referrals for screening and evaluation; treatment, including medications for substance use disorders; prevention, and treatment including naloxone; supports and services to assist in long-term recovery; and peer recovery support services.

II. The commissioner of the department of health and human services shall include the administration and operation of the access points in the department's report to the governor's commission on addiction, treatment, and prevention under RSA 12-J:4, III.

III. The program shall be funded through the state opioid response grant from the Substance Abuse and Mental Health Services Administration. In addition, the department may accept funds from any source, including state appropriations, federal funds, and private gifts, grants, or donations to operate and sustain the access points.

316 Public Health; Department of Health and Human Services; Commissioner of Health and Human Services. Amend RSA 126-A:5, XIX-a(a)(1) to read as follows:

(1) The commissioner shall pursue contracting options to administer the state's Medicaid dental program with the goals of improving access to dental care for Medicaid populations, improving health outcomes for Medicaid enrollees, expanding the provider network, increasing provider capacity, fostering individual behaviors that promote good oral health, and retaining innovative programs that improve access and care through a value-based care model. ***The commissioner shall prepare and submit a report that contains a clinical and financial research study to determine cost-avoidance associated with adult dental benefits under this paragraph. The study shall consider the impact on emergency room visits, patient infections, and any other factors the commissioner determines should be included in the study. The commissioner shall submit their report to the chairs of the senate finance and house finance committees on or before January 1, 2027.***

317 Pharmacists and Pharmacies; Pharmacies; Substituting Biological Products. Amend RSA 318:47-dd to read as follows:

318:47-dd Pharmacies; Substituting Biological Products.

I. In this section:

(a) "Biological product" means a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, protein (except any chemically synthesized polypeptide), or analogous product, or arsphenamine or derivative of arsphenamine (or any other trivalent organic arsenic compound), applicable to the prevention, treatment, or cure of a disease or condition of human beings.

(b) "Biosimilar" or "biosimilarity" means:

(1) The biological product is highly similar to the reference product notwithstanding minor differences in clinically inactive components; and

(2) *There are no clinically meaningful differences between the biological product and the reference product in terms of the safety, purity, and potency of the product.*

~~[(b)]~~ (c) “Proper name” means the nonproprietary name for a biological product designated by the federal Food and Drug Administration license for use upon each package of the product.

~~[(c)]~~ (d) “Interchangeable biological product” means a biological product that ~~[the federal Food and Drug Administration]~~

~~(1) Has licensed and determined meets the standards for interchangeability pursuant to 42 U.S.C. section 262(k)(4); or~~

~~(2) Has determined does not require an interchangeable study to be [is] therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and Drug Administration’s Approved Drug Products with Therapeutic Equivalence Evaluations.]~~ ***meets the definition under 42 U.S.C. section 262(i)(3).***

II. The board shall maintain a link on its website to the federal Food and Drug Administration’s Lists of Licensed Biological Products with Reference Product Exclusivity and Biosimilarity or Interchangeability Evaluations.

III. A pharmacist may substitute a biological product ~~[pursuant to this section only if it has been licensed by the federal Food and Drug Administration as an interchangeable biological product]~~ for the prescribed biological product ***when it meets the definition of interchangeable biological product.***

IV. When a pharmacist dispenses an interchangeable biological product for the prescribed biological product, the pharmacist or his or her designee shall inform the patient.

V. A pharmacist shall not substitute an interchangeable biological product pursuant to this section if:

(a) The prescriber indicates that substitution is not authorized by specifying on the prescription “medically necessary” on a paper prescription, or uses electronic indications when transmitted electronically, or gives instructions when transmitted orally that the biological product prescribed is medically necessary; ***or***

(b) ***The patient informs the pharmacist that he or she does not wish to receive an interchangeable biological product.***

VI.(a) Within 3 business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist’s designee shall make an entry of the specific product provided to the patient, including the name of the product and the manufacturer. The communication shall be conveyed by making an entry that is electronically accessible to the prescriber through:

(1) An interoperable electronic medical records system;

(2) An electronic prescribing technology; or

(3) A pharmacy benefit management system; or

(4) A pharmacy record.

(b) Entry into an electronic records system as described in this paragraph is presumed to provide notice to the prescriber. Otherwise, the pharmacist shall communicate the biological product dispensed to the prescriber using facsimile, telephone, electronic transmission, or other prevailing means, provided that the communication shall not be required where:

(1) There is no federal Food and Drug Administration-approved interchangeable biological product for the biological product prescribed; or

(2) A refill prescription is not changed from product dispensed on the prior filling of the prescription.

VII. The label of all biological products dispensed by a pharmacist shall include the proper name and the name of the manufacturer of the product.

318 Effective Date. Section 317 of this act shall take effect 60 days after its passage.

319 The New Hampshire Granite Advantage Health Care Trust Fund. Amend RSA 126-AA:3, I to read as follows:

I. There is hereby established the New Hampshire granite advantage health care trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The fund

shall be administered by the commissioner and shall be used solely to provide coverage for the newly eligible Medicaid population as provided for under RSA 126-AA:2, to pay for the administrative costs for the program, and reimburse the federal government for any over payments of federal funds. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of the fund. The fund shall be authorized to pay and/or reimburse the cost of medical services and cost-effective related services, including without limitation, capitation payments to MCOs. No state general funds shall be deposited into the fund. Deposits into the fund shall be limited exclusively to the following:

(a) [Repealed.]

(b) Federal Medicaid reimbursement for program costs and administrative costs attributable to the program;

(c) Surplus funds generated as a result of MCOs managing the cost of their services below the medical loss ratio established by the commissioner for the managed care program beginning on July 1, 2019;

(d) Taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under this chapter, consistent with RSA 400-A:32, III(b);

(e) Funds received from the assessment under RSA 404-G;

(f) Revenue from the Medicaid enhancement tax to meet the requirements provided in RSA 167:64; [and]

(g) Funds recovered or returnable to the fund that were originally spent on the cost of coverage of the granite advantage health care program[-]; **and**

(h) Revenue that is attributable to premiums received from granite advantage health care program enrollees.

320 Department of Health and Human Services; Office of Health Access; Name Change; Hiring Freeze. The department of health and human services, office of health equity shall be renamed the office of health access. The office shall remain in compliance with the terms of Executive Order 2025-02, regarding executive branch hiring for the biennium ending June 30, 2027, even if the executive order is lifted. Furthermore, the office of health access shall serve every person with equal dignity and respect. The office shall not contract with or pay vendors who fail to serve every person with equal dignity and respect. The office and all vendors shall comply with RSA 354-B, also known as the “civil rights act.”

321 New Paragraph; Medicaid to Schools Program; Termination. Amend RSA 186-C:25 by inserting after paragraph VII the following new paragraph:

VIII. The program shall terminate statewide if the federal government or state adopts any policy contrary to a policy requiring parental control of all medical services provided to children. If a local school district adopts such a contrary policy, the program shall terminate for that school only.

322 Lapse Extension; Department of Health and Human Services; Granite United Way. Amend 2023, 79:559 to read as follows:

79:559 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services, the sum of \$2,054,360 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, [2025] **2027**, for the purpose of Granite United Way administering the Recovery Friendly Workplace Initiative, which promotes individual wellness for Granite Staters by empowering workplaces to provide support for people recovering from substance use disorder. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

323 Effective Date. Section 322 of this act shall take effect June 20, 2025.

324 Department of Health and Human Services; Availability of Funds Directive. The department of health and human services shall seek all available Title IV-E, Administration for Children and Families funds to maximize federal participation in expenses associated with eligibility screening, training, accounting, technology upgrades, and implementation of a child-centered approach to utilizing and conserving federal benefits to which children in its care might be eligible. The department shall twice annually provide a detailed report of its efforts to seek such funds and results of those efforts to the oversight committee on health and human services established in RSA 126-A:13, the senate finance and children and family law committees, the house children and family law and finance committees, and the fiscal committee of the general court.

325 Directive; Department of Health and Human Services. The department of health and human services shall serve every person with equal dignity and respect. The department shall not contract with or pay vendors who fail to serve every person with equal dignity and respect. The department and all vendors shall comply with RSA 354-B, also known as the “civil rights act.” In the event that the department determines that a contract violates the provisions of this section, it shall terminate said contract in accordance with applicable law and contract provisions, and the state shall be entitled to recover any funds unspent by the contractor at the time of termination.

326 Repeal. The following are repealed:

I. RSA 126-BB, relative to the prescription drug affordability board.

II. RSA 6:12, I(b)(384), relative to the prescription drug affordability board administration fund.

327 Public Officers and Employees; Compensation of Certain State Officers; Salaries Established; Position Removed. Strike from RSA 94:1-a, I(b) the following position:

GG Department of health and human services executive director, prescription drug
affordability board.

328 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2027, whether there is sufficient funding for employment-related child care services to avoid a waitlist and support greater utilization of employment related child care. If at any time the commissioner determines that funding is insufficient, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report quarterly to the fiscal committee of the general court on any funds expended on employment-related child care services, including federal TANF funds authorized by this section.

329 New Paragraph; Department of Health and Human Services; Medicaid; Outpatient Procedure Incentive Program. Amend RSA 126-A:3 by inserting after paragraph VIII the following new paragraph:

IX. The department shall seek to implement in the Medicaid care management program and the contractual agreements with each managed care organization an outpatient procedure incentive program for Medicaid beneficiaries to choose, when clinically appropriate, to receive outpatient procedures, including ambulatory surgical care, in a lower cost setting. The outpatient procedure incentive program shall be included by the department in the managed care organization withhold and incentive program and part of each managed care organization’s member incentive program, subject to federal limitations. The outpatient procedure incentive program shall be included in the next contract amendment between the department and the managed care organizations after the effective date of this paragraph. Within 120 days of the effective date of this paragraph, the department shall submit the plan for implementation of the outpatient procedure incentive program to the fiscal committee of the general court.

330 Tirrell House; Sale of Property. Notwithstanding RSA 10 and RSA 4:40, the commissioner of the department of administrative services shall offer for sale at fair market value the Tirrell House property located at 15 Brook Street, Manchester, New Hampshire. The property shall be offered first to the city of Manchester and then to Hillsborough County. If neither the city nor county accept the offer by January 1, 2026, the commissioner of the department of administrative services shall issue a request for proposals for the sale of the Manchester property at no less than the fair market value, such sale to be completed no later than June 30, 2027. The commissioner of the department of administrative services shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. All proceeds from the sale shall be deposited into the general fund.

331 Anna Philbrook Center for Children; Sale of Property. The department of health and human services shall develop a transition plan to vacate the Anna Philbrook Center for Children that ensures services to current clients residing there are not interrupted. Prior to finalizing the transition plan, the department of health and human services shall work with the current provider and consider reasonable alternatives that are consistent with the department’s “mission zero” initiative. Upon completion of the transition plan, the commissioner of the department of health and human services shall send formal notice to the department of administrative services that the transition plan is finalized. Notwithstanding RSA 10 and RSA 4:40, the commissioner of the department of administrative services, following the completion of the transition plan, shall offer for sale at fair market value the Anna Philbrook Center for Children property

located at 105 Pleasant Street, Concord, New Hampshire. The property shall be offered first to the city of Concord and then to Merrimack County. If neither the city nor county accept the offer by January 1, 2026, the commissioner of the department of administrative services shall issue a request for proposals for the sale of the Concord property at no less than the fair market value, such sale to be completed no later than June 30, 2027. The commissioner of the department of administrative services shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. All proceeds from the sale shall be deposited into the general fund.

332 Hampstead Hospital and Residential Treatment Facility; Sale of Property. Notwithstanding RSA 10 and RSA 4:40, the commissioner of the department of administrative services shall subdivide and offer for sale at fair market value the state-owned portions of the Hampstead Hospital property that are neither part of the Hampstead Hospital and Residential Treatment Facility nor necessary for use as the replacement facility for the Sununu Youth Services Center or other state operations, located at 218 East Road, Hampstead, New Hampshire. The property shall be offered first to the city of Hampstead and then to Rockingham County. If neither the city nor county accept the offer by January 1, 2026, the commissioner of the department of administrative services shall issue a request for proposals for the sale of the Hampstead property at no less than the fair market value, such sale to be completed no later than June 30, 2028. The commissioner of the department of administrative services shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. All proceeds from the sale shall be deposited into the general fund.

333 Department of Health and Human Services; Delay of Capitation Payments. The department of health and human services shall delay the June 2027 capitation payments to Medicaid managed care organizations until the start of the state fiscal year ending June 30, 2028. As a result of implementing this section, the department shall reduce general fund appropriations by \$25,000,000 in the fiscal year ending June 30, 2027. The department shall work with the department of administrative services to reduce appropriated federal funds as needed to implement this section.

334 Dedicated Funds; Amendments, Lapses, and Other Uses.

I. Notwithstanding the provisions of RSA 6:12, or any provision of law to the contrary, for the biennium ending June 30, 2027, the governor shall increase state general fund revenues or decrease state general fund appropriations by a combined total of \$16,000,000 per fiscal year. Such revenue increases and appropriation decreases shall be generated through assessments, lapses, or the appropriate utilizations of dedicated funds listed under RSA 6:12, I(b), as determined by the governor. The governor shall provide a report of said actions to the fiscal committee of the general court on December 31, 2025, June 30, 2026, December 31, 2026, and June 30, 2027.

II. Notwithstanding any provision of law to the contrary, agencies with a dedicated fund may establish an administrative fee upon the adoption of rules through the administrative rules process under RSA 541-A, or through the passage of legislation, that shall be deposited into the general fund. Any agency that establishes such an administrative fee may be exempted from an assessment, lapse, or other appropriate utilization as contained in paragraph I.

III. The governor may reduce the value of the increase in revenues or decrease in appropriations in paragraph I by the anticipated amount to be transferred to the general fund as a result of administrative fees established in paragraph II.

335 New Subdivision; Prohibition on Diversity, Equity, and Inclusion. Amend RSA 21-I by inserting after section 111 the following new subdivision:

Prohibition on Diversity, Equity, and Inclusion

21-I:112 Definitions. In this subdivision:

I. "Agency" means any department, office, commission, board, subdivision, or other unit, however designated, of the executive branch of state government.

II. "Diversity, equity, and inclusion" or "DEI" shall mean any program, policy, training, or initiative that classifies individuals based on a characteristic identified under RSA 354-A:1 for the purpose of achieving demographic outcomes, rather than treating individuals equally under the law.

III. "Political subdivision" means any village district, school district, town, city, county, or unincorporated place in the state.

21-I:113 Prohibition on DEI Initiatives. No public entity shall implement, promote, or otherwise engage in any DEI-related initiatives, programs, training, or policies. No state funds shall be expended for DEI-related activities, including but not limited to implicit bias training, DEI assessments, critical race theory, or race-based hiring, promotion, or contracting preferences.

21-I:114 Prohibition on DEI-Related Contract Provisions. No agencies or political subdivisions shall enter into or renew any contract that includes DEI-related provisions, including requirements for contractors to implement DEI programs, conduct DEI training, or comply with DEI-related reporting obligations.

21-I:115 Review of Agency Contracts for DEI-Related Contract Provisions. Each state agency shall, no later than October 1, 2025, submit to the department of administrative services a report identifying all contracts under its control that include DEI-related provisions. The report shall include descriptions of each contract, the specific DEI-related provisions contained therein, and the total financial obligation associated with each contract. The department shall combine and submit a consolidated report to the governor, speaker of the house of representatives, and the president of the senate.

21-I:116 Review of Political Subdivision DEI-Related Contract Provisions. The department of justice shall establish a process by which all political subdivisions review their existing contracts for the presence of DEI-related provisions.

336 New Subdivision; Prohibition on Diversity, Equity, and Inclusion in Public Schools. Amend RSA 186 by inserting after section 70 the following new subdivision:

Prohibition on Diversity, Equity, and Inclusion in Public Schools

186:71 Definitions. In this subdivision:

I. "Diversity, equity, and inclusion" or "DEI" shall mean any program, policy, training, or initiative that classifies individuals based on a characteristic identified under RSA 354-A:1 for the purpose of achieving demographic outcomes, rather than treating individuals equally under the law.

II. "Public school" means any school, academic institution, or institution of higher education in this state supported by public funds.

186:72 Prohibition on DEI Initiatives. No public school shall implement, promote, or otherwise engage in any DEI-related initiatives, programs, training, or policies. No state funds shall be expended to public schools for DEI-related activities, including but not limited to implicit bias training, DEI assessments, critical race theory, or race-based hiring, promotion, or contracting preferences. This prohibition shall extend to any public school as defined in RSA 186:71, II.

186:73 Prohibition on DEI-Related Contract Provisions. No public school shall enter into, renew, or amend any contract that includes DEI-related provisions, including requirements for contractors to implement DEI programs, conduct DEI training, or comply with DEI-related reporting obligations.

186:74 Review of Public School Contracts for DEI-Related Contract Provisions. No later than October 1, 2025, the commissioner of the department of education shall submit a single report to the senate education, senate education finance, house education funding, and house education policy and administration committees of the general court identifying all existing contracts containing DEI-related provisions in public schools. The report shall include contract descriptions, the specific DEI-related provisions, and the total financial obligation associated with each contract.

186:75 Review of Public School DEI-Related Contract Provisions.

I. The commissioner of the department of education shall establish a process by which all public schools shall conduct a review of existing contracts for the presence of DEI-related provisions.

II. No later than September 30, 2025, each public school shall submit a signed and certified report to the commissioner of the department of education identifying any contract containing DEI-related provisions. The report shall include contract descriptions, the specific DEI-related provisions, and the total financial obligation associated with each contract.

186:76 Final Compliance Report. The commissioner of the department of education shall submit a final compliance report to the governor, executive council, and the senate education, senate education finance, house education funding, and house education policy and administration committees of the general court by April 1, 2026, detailing the progress of public schools in eliminating DEI-related provisions from contracts.

187:77 Interpretation and Compliance.

I. Should a public school fail to abide by any section of this subdivision, either knowingly or unknowingly, the commissioner of the department of education shall immediately halt all sources of public funding to that public school, until such time as the school comes into compliance with all sections of this subdivision.

II. The commissioner of the department of education shall notify the state treasurer if a public school is not in compliance with this subdivision, at which time the treasurer shall halt all forms of public funding to the school until the commissioner has certified the school come into compliance with this subdivision.

337 New Paragraph; The State and Its Government; Department of Information Technology; Commissioner; Deputy Commissioner; Directors; Compensation. Amend RSA 21-R:3 by inserting after paragraph III the following new paragraph:

IV. The unclassified position of chief privacy officer is hereby established in the department of information technology. A person shall be qualified for the position by reason of education and experience, be appointed by the commissioner of the department of information technology, and serve at the pleasure of the commissioner. The salary of chief privacy officer shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

338 One Granite Place. 2023, 79:56 is repealed and reenacted to read as follows:

79:56 One Granite Place. The proceeds of the sale of the former Laconia state school campus property shall be applied to any subsequent purchase of land, building, and other improvements at 1 Granite Place Concord, New Hampshire and such building shall be used for state government office space. Such funds shall not lapse until June 30, 2027. To the extent proceeds are insufficient to cover the full cost of acquisition, the purchase shall be conditioned on the seller taking a promissory note for any unpaid balance for a period of up to 2 years at no interest cost on said note.

339 State Credit Card Contracts; Payment and Procurement Card Fund. Amend RSA 9-D:3, I to read as follows:

I. There is hereby established in the office of the state treasurer the payment and procurement card fund, which shall be a revolving fund administered by the department of administrative services. ~~[The fund shall be nonlapsing and continually appropriated to the department of administrative services.]~~ The department of administrative services may make expenditures of up to \$100,000 in anticipation of revenue which may be received by this fund.

340 State Credit Card Contracts; Payment and Procurement Card Fund. Amend RSA 9-D:3, V to read as follows:

V. At the end of each ~~[fiscal year, the state treasurer shall credit the payment and procurement card fund with interest and any other income earned]~~ **biennium, any funds remaining in excess of \$25,000 after expenses paid in accordance with paragraph III shall lapse to the general fund.**

341 Directive; Department of Administrative Services; Transfer from the Payment and Procurement Card Fund to the General Fund. Notwithstanding any other law to the contrary, the sum of \$1,253,623 shall be transferred from the payment and procurement card fund, established under RSA 9-D:3, to the general fund on July 1, 2025.

342 Taxation; Board of Tax and Land Appeals; Administration of Oaths, Subpoenas, Etc.; Fees. Amend RSA 71-B:9 to read as follows:

71-B:9 Administration of Oaths, Subpoenas, Etc.; Fees. The board shall have authority to administer oaths and to compel the attendance of witnesses to proceedings before it. The board shall have the power to subpoena and subpoena duces tecum. Witnesses compelled to appear shall be paid the same fee and mileage that are paid to witnesses in the superior court of the state. A subpoena or subpoena duces tecum of the board may be served by any person designated in the subpoena or subpoena duces tecum to serve it. Any testimony given by a person duly sworn shall be subject to the pains and penalties of perjury. All applications or petitions to the board for which no filing fee has been otherwise specified by statute shall be accompanied by a ~~[\$65]~~ **\$125** filing fee. Costs and attorney's fees may be taxed as in the superior court.

343 Taxation; Board of Tax and Land Appeals; Order for Reassessment. Amend RSA 71-B:16, I to read as follows:

I. When a specific written complaint is filed with it, by a property owner, within 90 days of the date on which the last tax bill on the original warrant is sent by the collector of taxes of the taxing district, that

a particular parcel of real estate or item of personal property not owned by him has been fraudulently, improperly, unequally or illegally assessed. The board shall consider only one complaint from a property owner for each parcel of land until such time as a reassessment has been made. The complainant shall pay a fee of ~~[\$65]~~ **\$125** for each specific particular parcel or specific item of personal property complained of. The board shall send notice by certified mail to the taxpayer against whose property the complaint is made; or

344 Taxation; Property Taxes; Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. Amend RSA 72:34-a to read as follows:

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed. ***The fee to appeal to the board of tax and land appeals shall be \$75.***

345 Taxation; Excavation Tax; Excavation Tax Appeal and Abatement. Amend RSA 72-B:13 to read as follows:

72-B:13 Excavation Tax Appeal and Abatement. An owner may, within 90 days of notice of the excavation tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless such owner has complied with the provisions of RSA 72-B:8, RSA 72-B:8-a and RSA 72-B:9. If the assessing officials neglect or refuse to abate, an owner may, at the owner's election within 6 months of notice of such tax and not afterwards, petition the superior court of the county where the operation took place, or the board of tax and land appeals. A petition to the board of tax and land appeals shall be accompanied with a ~~[\$65]~~ **\$100** filing fee.

346 Taxation; Residences in Industrial or Commercial Zone; Appeal to Board of Tax and Land Appeals. Amend RSA 75:14, I to read as follows:

I. If the assessing officials deny in whole or in part any application for classification as an eligible residence, the applicant, having complied with the requirements of RSA 75:11, I, may, on or before 30 days after any such action by the assessing officials, in writing and upon a payment to the board of tax and land appeals of a ~~[\$40]~~ **\$100** filing fee, apply to such board for a review of the action of the assessing officials.

347 Taxation; Residences in Industrial or Commercial Zone; Reclassification by Board of Tax and Land Appeals. Amend RSA 75:16, I to read as follows:

I. When a specific written complaint is filed with it by a landowner, within 90 days of being listed as provided by RSA 75:11, III, that a particular residence not owned by the landowner has been fraudulently, improperly, or illegally so classified, the complainant shall pay to the board of tax and land appeals for each specific particular residence complained of a ~~[\$40]~~ **\$100** fee. The board shall send notice by certified mail to the owner against whose property the complaint is made; or

348 Taxation; Abatement; By Board of Tax and Land Appeals. Amend RSA 76:16-a to read as follows:

I. If the selectmen neglect or refuse to so abate, in accordance with RSA 76:16, I(b), any person aggrieved, having complied with the requirements of RSA 74~~[-upon payment of a \$65 filing fee, may apply in writing to the board of tax and land appeals:]~~ ***may appeal in writing to the board of tax and land appeals. Such appeal shall be subject to a filing fee of \$125 for property assessed for \$1,500,000 or less, and \$200 for property assessed for more than \$1,500,000.*** The appeal shall be filed on or before September 1 after the date of notice of tax under RSA 76:1-a, and not afterwards. The board, after inquiry and investigation, shall hold a hearing if requested as provided in this section and shall make such order thereon as justice requires; and such order shall be enforceable as provided hereafter. If the appeal is filed before July 1 the person aggrieved shall state in the appeal to the board the date of the municipality's decision on the RSA 76:16, I(b) application.

349 Taxation; Abatement; By Court. Amend RSA 76:17 to read as follows:

76:17 By Court. ~~[If the selectmen neglect or refuse so to abate in accordance with RSA 76:16, I(b), any person aggrieved, having complied with the requirements of RSA 74, may, in lieu of appealing pursuant to RSA 76:16-a, apply by petition to the superior court in the county, which shall make such order thereon as justice requires. The appeal shall be filed on or before September 1 following the date of notice of tax under~~

~~RSA 76:1-a, and not afterwards. If the appeal is filed before July 1 following the date of notice of tax, the person aggrieved shall state in the appeal to the court the date of the municipality's decision on the RSA 76:16, I(b) application.]~~ ***Any person having submitted a completed application to the board, pursuant to RSA 76:16-a, which the board has processed in accordance with RSA 541-A:29, I and collected the required filing fee, shall have the right to remove the appeal to the superior court in the county where the tax was assessed for trial, which shall make such order thereon as justice requires. Removal to the superior court shall be subject to a \$200 fee, which shall be collected by the board, in addition to the fee required pursuant to RSA 76:16-a. Any request to remove the appeal shall be made within 45 days of filing with the board.***

350 Taxation; Current Use Taxation; Appeal to Board of Tax and Land Appeals. Amend RSA 79-A:9, I to read as follows:

I. If the assessing officials deny in whole or in part any application for classification as open space land, or grant a different classification than that applied for, the applicant, having complied with the requirements of RSA 79-A:5, II may, on or before 6 months after any such action by the assessing officials, in writing and upon a payment of a ~~[\$65]~~ **\$125** filing fee, apply to such board for a review of the action of the assessing officials.

351 Taxation; Current Use Taxation; Abatement of Land Use Change Tax. Amend RSA 79-A:10, III(a)(1) to read as follows:

(1) Apply in writing to the board of tax and land appeals accompanied with a ~~[\$65]~~ **\$125** filing fee; or

352 Taxation; Current Use Taxation; Reclassification by Board of Tax and Land Appeals. Amend RSA 79-A:12, I to read as follows:

I. When a specific written complaint is filed with it by a land owner, within 90 days of being listed as provided by RSA 79-A:5, IV, that a particular parcel of land not owned by him has been fraudulently, improperly or illegally so classified, the complainant shall pay a fee of ~~[\$10]~~ **\$50** to the board of tax and land appeals for each specific particular parcel of land complained of. The board of tax and land appeals shall send notice by certified mail to the owner against whose land the complaint is made; or

353 Taxation; Taxation of Farm Structures and Land Under Farm Structures; Appeal to Board of Tax and Land Appeals. Amend RSA 79-F:6, I to read as follows:

I. If the assessing officials deny in whole or in part any application for classification as land under qualifying farm structures, or grant a different classification than that applied for, the applicant, having complied with the requirements of RSA 79-F:4, II may, on or before 6 months after any such action by the assessing officials, in writing and upon a payment of a ~~[\$65]~~ **\$125** filing fee, apply to such board for a review of the action of the assessing officials.

354 Taxation; Taxation of Farm Structures and Land Under Farm Structures; Abatement of Use Change Tax. Amend RSA 79-F:8, III(a)(1) to read as follows:

(1) Apply in writing to the board of tax and land appeals accompanied with a ~~[\$65]~~ **\$125** filing fee; or

355 Taxation; Taxation of Qualifying Historic Buildings; Appeal to Board of Tax and Land Appeals. Amend RSA 79-G:5, I to read as follows:

I. If the assessing officials deny in whole or in part any application for assessment as a qualifying historic building, the applicant, having complied with the requirements of RSA 79-G:4, II may, on or before 6 months after any such action by the assessing officials, in writing and upon a payment of a ~~[\$65]~~ **\$125** filing fee, apply to such board for a review of the action of the assessing officials.

356 Taxation; Taxes In Unincorporated Towns And Unorganized Places; Abatement of Taxes. Amend RSA 81:5, II to read as follows:

II. Any person aggrieved by the assessment of a tax, who has complied with the requirements of RSA 74, may, by March 1 following the date of notice of the tax under RSA 76:1-a, and not afterwards, apply in writing to the commissioners in accordance with RSA 76:16, I(b). Upon receipt of an application for abatement, the commissioners shall review the application and respond in accordance with RSA 76:16, II. If the commissioners neglect or refuse to abate, any person aggrieved, having complied with the requirements of RSA 74, may, on or before September 1 after the date of notice of tax under RSA 76:1-a, and not afterwards, file an appeal with the ~~[superior court in the county where the property is located, or with the board of tax~~

and land appeals, upon payment of a \$65 filing fee.] ***board of tax and land appeals in the same manner as prescribed under RSA 76:16-a, and may remove the appeal to the superior court in the county where the tax was assessed in the same manner authorized under RSA 76:17.*** After appropriate inquiry or hearing, the board or court, as the case may be, shall make such order thereon as justice requires.

357 Transportation; Laying Out Highways; Abatement and Appeal of Betterment Assessments. Amend RSA 231:32, III(a)(1) to read as follows:

(1) Appeal in writing to the board of tax and land appeals, upon payment of a [\$65] **\$125** filing fee; or

358 Courts; Board of Tax and Land Appeals; Filing Fee. Amend RSA 498-A:16-a to read as follows:

498-A:16-a Filing Fee. The condemnor shall pay a fee of [\$100] **\$250** for each condemnation proceeding brought before the board. The filing fees collected under this chapter shall be deposited to the general fund.

359 Contingent Appropriation. In the event combined state general and education trust fund revenues for the fiscal year ending June 30, 2026, as reported in the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), exceed the combined plan, and the actual statewide general fund lapse amount meets or exceeds estimates contained on the final general fund comparative statement of undesignated surplus as prepared by the office of legislative budget assistant, any state agency required to reduce state general fund appropriations in fiscal year 2027, pursuant to sections contained in HB 1 and HB 2 of the 2025 general legislative session, may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding up to the amounts contained therein. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

360 Disability Retirement Benefits. Amend RSA 100-A:6, II(e)(2)(A) to read as follows:

(A) The member is found, ***on or after July 1, 2024***, to be ~~mentally or~~ physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent;

361 New Chapter; Coos County Established as Distressed Place-Based Economy. Amend RSA by inserting after chapter 162-T the following new chapter:

CHAPTER 162-U

COOS COUNTY ESTABLISHED AS DISTRESSED PLACE-BASED ECONOMY

162-U:1 Definitions. In this chapter:

I. "Place-based economy" means a tailored economic development response that uses a region's unique characteristics to create and sustain growth. The goal is to improve the quality of life and economic vitality by building on its limited strengths and assets.

II. "Distressed" means an area that has a high rate of poverty, unemployment, or outmigration and is the most severely and persistently economically distressed and underdeveloped.

162-U:2 Regulatory Principle for Department Commissioners. Commissioners of state departments shall include county government input for any Coos County decisions impacting its place-based economy. Collaborative regulatory approaches with existing regional economic objectives shall minimize unintended economic impacts. To protect the health, safety, and economic welfare of Coos' interdependent place-based economy, agencies shall seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens on local governments. Failure to recognize differences in the scale and resources of these entities adversely affects competition in the marketplace, discourages innovation, and restricts productivity improvements to the economic landscape.

162-U:3 Application. To uphold the principles outlined in this chapter, the following actions apply solely to agency decisions that would result in an economic downturn and impact private sector entities desiring to engage in job creation and economic development activities as well as a decrease in local and state revenues. These actions do not apply to residential or unrelated regulatory permitting matters. Agency commissioners shall ensure that any management plans or decisions in Coos County promptly and thoroughly consider and avoid potential impacts on the regional economy and related local and state economic development plans. If a decision is found to negatively affect the region and is deemed unavoidable, commissioners must provide Coos County with a clear justification for the decision and develop mitigation measures for undermining revitalization investments to improve the economic performance.

362 Effective Date. Section 361 of this act shall take effect 60 days after its passage.

363 Reduction in Force Notice and Payment.

I. Notwithstanding any other provision of law to the contrary, any executive branch department, except for the department of health and human services that has a classified position unfunded or repealed under HB 1 or HB 2 of the 2025 legislative session, whose incumbent cannot be reassigned resulting in employment separation due to position elimination, shall not be given an employment separation due to position elimination or reduction in force notice until June 26, 2025, resulting in a last day of work on July 10, 2025, with payment on July 25, 2025. Departments may request funding from the department of administrative services to cover the final payments made in fiscal year 2026 from funds available in the pay adjustment fund established in RSA 99:4, or the benefit adjustment fund established in RSA 9:17-c, or both.

II. Notwithstanding any other provision of law to the contrary, \$400,000 shall be reserved from the pay adjustment fund and \$250,000 shall be reserved from the benefit adjustment fund and shall not lapse on June 30, 2025. The reserves shall be available for departments to cover the payments made under paragraph I. The remaining balances after payouts have been made shall lapse to the revenue stabilization reserve account established in RSA 9:13-e no later than September 30, 2025.

III. Any state employee laid off due to their position being unfunded or abolished pursuant to HB 1 or HB 2 of the 2025 legislative session shall be granted a waiver pursuant to Executive Order 2025-02 for any open state position that they are qualified to fill and receive priority consideration.

364 Effective Date. Section 363 of this act shall take effect June 30, 2025.

365 Board Established. Amend RSA 679:1 to read as follows:

679:1 Board Established. There is hereby established a housing appeals board, hereinafter referred to as the board, which shall be composed of [3] **2** members who shall individually and collectively be learned and experienced in questions of land use law or housing development or both. At least one member shall be an attorney licensed to practice law in the state of New Hampshire, and ~~[at least one member]~~ **the other** shall be either a professional engineer or land surveyor. The members of the board shall be full-time employees and shall not engage in any other employment, appointments, or duties during their terms that is in conflict with their duties as members of the board.

366 New Section; Administrative Attachment. Amend RSA 679 by inserting after section 1 the following new section:

679:1-a Housing Appeals Board; Administrative Attachment. The housing appeals board shall be administratively attached to the board of tax and land appeals for budgetary and administrative purposes, in accordance with RSA 21-G:10. Staff for each board may provide support for either board, as is deemed necessary by each board.

367 Appointment; Term; Chair. RSA 679:2 is repealed and reenacted to read as follows:

679:2 Appointment; Term; Chair. The members of the housing appeals board shall serve at the pleasure of the governor and council, rather than fixed terms. The governor and council shall appoint board members and designate one member as chair, who shall serve in that capacity at the discretion of the appointing authority.

368 New Section; Tie Vote; Resolution. Amend RSA 679 by inserting after section 9 the following new section:

679:9-a Tie Vote; Resolution. In the event of a tie vote between the 2 members of the housing appeals board, a third, temporary voting member shall be selected from among the sitting members of the board of tax and land appeals, who shall cast the deciding vote on the matter. The selection shall be made in rotation among available members of the board of tax and land appeals.

369 Board of Tax and Land Appeals; Membership. Amend RSA 71-B:2 to read as follows:

71-B:2 Appointment; Term; Chairman. ~~[The members of the board shall be appointed by the governor and executive council for a term of 5 years and until their successors are appointed and qualified; provided, however, that any vacancy on the board shall be filled for the unexpired term.]~~ **The members of the board shall serve at the pleasure of the governor and council, rather than fixed terms.** The governor and council shall appoint one member as chairman to serve in that capacity for the duration of his or her term. The executive council shall hold a hearing prior to confirmation according to the procedures under RSA 4:44.

370 Board of Tax and Land Appeals; Quorum. Amend RSA 71-B:6, I to read as follows:

I. In all matters except in hearings and decisions relating to all taxation and eminent domain matters, a majority of the board shall constitute a quorum to transact business. In hearings and decisions in all taxation and eminent domain appeals, the board may sit with a quorum of 2; provided, however, that if the 2 members cannot reach a consensus on the decision, a third member shall review the record and participate in the decision, and the decision of the majority of the 3 shall constitute the board's decision. ***The third member may be a temporary voting member selected from among the sitting members of the housing appeals board, with the selection of the member being made in rotation among available members of the housing appeals board.***

371 Office of the Chief Medical Examiner; Accounts. Amend RSA 611-B:27 to read as follows:

611-B:27 ~~[Assistant Deputy]~~ ***Office of the Chief Medical Examiner Accounts.***

I. ~~[Assistant deputy medical examiners]~~ ***The office of the chief medical examiner*** shall be paid at the following rates: telephone consultations-~~[\$25;]~~ ***\$50;*** death investigations involving an external examination of the body-~~[\$140;]~~ ***\$200,*** plus mileage at the state rate; pre-cremation examinations conducted pursuant to RSA 325-A:18-~~[\$50;]~~ ***\$100.***

II. ~~[Assistant deputy medical examiners shall submit all claims for telephone consultation fees, death investigation fees and expenses, and pre-cremation examination fees to the office of the chief medical examiner, which shall authorize such claims and submit them for payment to the state treasurer, chargeable to the medico-legal investigation fund established pursuant to RSA 611-B:28.]~~ On a monthly basis, the office of the chief medical examiner shall bill each of the counties for the services provided to that county by the assistant deputy medical examiners during the previous month, and any body transportation costs associated with the billed services, as provided under RSA 611-B:15, I. Services shall be billed at the following rates: telephone consultation-~~[\$25;]~~ ***\$50;*** death investigation-~~[\$140;]~~ ***\$200*** travel ~~[expenses-the]~~ ***expenses at the*** state mileage rate. The county treasurer shall submit payment to the state treasurer, for deposit in the medico-legal investigation fund ***pursuant to RSA 611-B:28.***

372 Limited Electrical Energy Producers Act; Definition; Eligible Customer Generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of up to and including one megawatt, except as provided for a municipal host as defined in paragraph II-c~~[, that is located behind a retail meter on the customer's premises;]~~ ***and an industrial host as defined under paragraph II-g, that is located behind a retail meter on the customer's premises,*** is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the ~~[nonqualifying]~~ ***non-qualifying*** facility.

373 New Paragraph; Limited Electrical Energy Producers Act Definitions. Amend RSA 362-A:1-a by inserting after paragraph II-f the following new paragraph:

II-g. "Industrial host" means a customer-generator with a total peak generating capacity of greater than one megawatt and less than 5 megawatts, used to offset the electricity requirements of a group consisting exclusively of commercial, industrial, or institutional entities with one or more accounts, provided that all accounts are located within the same utility franchise service territory. If an industrial host's total annual net exported generation exceeds the total annual electricity usage of the host and members of the group, the industrial host shall be entitled to compensation for that excess generation according to the process established by the department's 900 rules for annual reconciliation. An industrial host may be owned by either a public or private entity.

374 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph II the following new paragraph:

II-a. Alternative tariffs for net energy metering shall be made available to eligible customer-generators by each electric distribution utility in conformance with Order No. 26,029 dated June 23, 2017, and with net metering rules adopted by the commission. Any project that begins receiving compensation under Order No.

26,029 alternative tariffs will be eligible to continue receiving that tariff for either 20 years from the year it first begins receiving compensation or through the initial tariff term ending on December 31, 2040, whichever is longer. If the commission creates new net metering tariffs through an adjudicated proceeding before December 31, 2040, eligible customer-generators receiving Order No. 26,029 alternative tariffs will have the option of transitioning to new tariffs created through that proceeding. If an eligible customer-generator elects to transfer to a new tariff, they may not return to Order No. 26,029 alternative tariffs. Upon the expiration of a customer-generator's eligibility under Order No. 26,029 alternative tariffs, the eligible customer-generator will have the option of transitioning to the tariff available at that time.

375 New Paragraph; Net Energy Metering; Consumption. Amend RSA 362-A:9 by inserting after paragraph IV the following new paragraph:

IV-a.(a) Facilities eligible for the net metering tariff under this section for customer-generators larger than one megawatt and up to 5 megawatt with an in-service date after January 1, 2026 and not acting as a group net metering host, must consume at least 33 percent of the generation, on an annual basis.

(b) Consumption requirements under this section shall not apply to low and moderate income customers as defined in administrative rules of the public utilities commission in PUC 902.21.

376 Cremation of Human Remains; Medical Examiner's Certificate. Amend RSA 325-A:18, II to read as follows:

II. The crematory authority shall forward a copy of the cremation certificate to the office of the chief medical examiner, accompanied by a [~~\$60~~] **\$100** fee. The fee shall be deposited in the medico-legal investigative fund established pursuant to RSA 611-B:28.

377 Appropriation; New Hampshire-Ireland Trade Council. The sum of \$20,000 for the biennium ending June 30, 2027, is hereby appropriated to the department of business and economic affairs for deposit into the New Hampshire-Ireland trade council fund, established by RSA 12-O:22-a, VI. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

378 Repeal. The following are repealed:

I. RSA 275:37-c, relative to the use of criminal records in employment decisions.

II. RSA 275-H, relative to use of criminal records in employment decisions.

379 New Hampshire Mental Health Services; Involuntary Admissions; Payment for Legal Services. Amend RSA 135-C:23 to read as follows:

135-C:23 Legal Services; Payment; Appointment. [~~The client or person sought to be admitted shall pay the costs of the legal services in connection with hearings held under this chapter.~~] If the client or person sought to be admitted [~~is unable to pay for~~] **does not have legal counsel in connection with hearings held under this chapter**, the court shall appoint [~~either a member of New Hampshire Legal Assistance, or its successor organization, or another~~] **an** attorney who shall be compensated at a rate as determined by the supreme court. **The cost of such court-appointed attorneys, including counsel and investigative, expert, or other services and expenses approved by the circuit court that are necessary to provide adequate representation, shall be paid from funds appropriated for indigent defense pursuant to RSA 604-A.**

380 Workers' Compensation; First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. Benefits paid under this section for all claimants shall not exceed [~~\$500,000~~] **\$750,000** per biennium.

381 Effective Date. Section 380 of this act shall take effect 60 days after its passage.

382 New Subdivision; Ownership or Lease of Real Property by Foreign Principals from Foreign Countries of Concern. Amend RSA 477 by inserting after section 477:22-a the following new subdivision:

Ownership or Lease of Real Property by Foreign Principals from Foreign Countries of Concern

477:22-b Definitions. In this subdivision:

I. “Company” or “development” means a sole proprietorship, organization, association, corporation, partnership, trust, venture, group, subgroup, or any other entity or organization, including its subsidiary or affiliate, that exists for profit-making purposes or to otherwise secure economic advantage.

II. “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Syrian Arab Republic, and the Democratic People’s Republic of Korea, including any agencies, institutions, instrumentalities, ruling political parties, or any other entity exercising significant control over any of these listed countries.

III. “Foreign principal” means:

- (a) The government or any government official, in any capacity, of a foreign country of concern.
- (b) A company, development, or other entity organized under the laws of, or having its principal place of business in, a foreign country of concern.
- (c) Any natural person who is an employee or agent of a foreign country of concern.

IV. “Protected facility” means the buildings, fixtures, and land contained on or within the perimeters of the following:

- (a) New Hampshire National Guard in Concord, New Hampshire.
- (b) New Hampshire Army Aviation Support Facility in Concord, New Hampshire.
- (c) Readiness Center of the 197th Artillery Brigade in Manchester, New Hampshire.
- (d) Pease Air National Guard Base in Portsmouth, New Hampshire.
- (e) New Boston Space Force Station in New Boston, New Hampshire.
- (f) Portsmouth Naval Shipyard in Portsmouth, New Hampshire.

V. “Real property” means land, buildings, fixtures, and all other improvements to land.

VI. “Within 10 miles of a protected facility” means real property within 10 miles of a protected facility, measured as the shortest distance between any portion of the real property’s perimeter and any portion of the protected facility’s perimeter.

477:22-c Ownership, Control, and Occupancy; Prohibitions.

I. No foreign principal may acquire any ownership or controlling interest in real property within 10 miles of any protected facility by any means, including but not limited to, purchase, grant, contract, eminent domain, or demise.

II. No foreign principal may lease or otherwise enter into a contract to occupy or control, or allow another foreign principal or agent to occupy or control, any real property within 10 miles of a protected facility.

477:22-d Qualified Renter/Purchaser Affidavit Required.

I. Every person or entity who leases or acquires an ownership or controlling interest in property within 10 miles of a protected facility shall file with the office of the attorney general, within one business day of closing, or, in the case of a lease, within one business day of the delivery of keys, access codes, or other methods of access to the premises, a qualified renter/purchaser affidavit signed under penalty of perjury, attesting that the person acquiring an ownership or controlling interest, or leasing the property:

- (a) Is not a foreign principal or an agent of a foreign principal, as defined in this subdivision;
- (b) Has read and understands both the prohibitions in this subdivision and the penalties for violations of the terms of this subdivision; and
- (c) Is not prohibited from purchasing or leasing the property under this subdivision.

II. A failure to submit the qualified renter/purchaser affidavit to the attorney general’s office does not affect the title or insurability of the title for the real property, or subject the listing, brokering, closing, or leasing agent to civil or criminal liability, unless the agent has actual knowledge that the transaction will result in a violation of this section so long as the agent has complied with the notice requirement in RSA 477:4-i. Nothing in this paragraph shall preclude the attorney general’s office from initiating a forfeiture action in accordance with RSA 477:22-f.

III. Failure to submit a required affidavit under this section shall result in a \$500 civil penalty. Prior to an action against a natural person to impose the civil penalty, the attorney general shall give notice and provide 60 days to cure the violation. No opportunity to cure shall be offered to an entity in RSA 477:22-b, as knowledge of the filing requirement under this section shall be imputed.

477:22-e Illegal Acquisition of Property by a Foreign Principal.

I. Acquisition of property in violation of RSA 477:22-c is a:

- (a) Class A misdemeanor, when committed by a natural person.
- (b) Class B felony, when committed by an entity defined in RSA 477:22-b, I.

II. The attorney general's office may refer a violation of this section for prosecution to the county attorney's office in the county in which the subject property is located.

III. The attorney general's office may pursue a forfeiture action according to RSA 477:22-f against a person or entity convicted of an offense under paragraph I of this section.

477:22-f Forfeiture of Real Property.

I. The department of justice may bring a forfeiture action according to this section against a person or entity who secured any ownership interest in real property in violation of this subdivision and who is convicted of an offense under RSA 477:22-e, I regarding that subject property.

II. Real property that is the subject of a conviction under RSA 477:22-e, I may be seized by the state and forfeited as provided in this section. Property seized under this section may be held by the state to secure it prior to forfeiture proceedings.

III. The state may seize the subject property by filing in the registry of deeds in the county where the property is located a notice of attachment stating that the state has attached the identified property pursuant to this section.

IV. The state shall have a lien on any property subject to forfeiture under this section upon seizure of such property. Upon forfeiture, the state's title to the property relates back to the date of seizure.

V. Within 30 days of the seizure of any real property under paragraph II, the attorney general shall file a petition in the superior court of the county in which the property was seized, requesting forfeiture of the property. The court shall issue an order of notice requiring the state to send by certified mail a copy of the petition to all owners of the property, including those with partial ownership or controlling interests, and to other persons appearing to have an interest in the property. If no such petition is filed within 30 days of the seizure of the property, the property shall be returned to its owners.

VI. Within 30 days of receipt of the attorney general's petition for forfeiture, the court shall schedule a hearing. This hearing shall be conducted as a civil action. The court may order forfeiture of the property seized under paragraph II if the state establishes, by a preponderance of the evidence, that (a) the ownership or controlling interest in the property was acquired in violation of this section, and (b) that the person or entity holding their interest in the property knew or should have known that they acquired their interest in violation of this chapter.

VII. If forfeiture is granted, the attorney general shall provide for the disposition of the forfeited property in any manner not prohibited by law, including retention of the property for official use by law enforcement or other public agencies, or by sale at public auction. The attorney general shall pay the reasonable expenses of the seizure, forfeiture proceeding, and sale of property from the proceeds of any public auction of forfeited items or from any penalty obtained under this chapter. All outstanding recorded liens on any property forfeited shall be paid in full within a reasonable time following the court proceedings.

477:22-g Rulemaking. The attorney general shall adopt rules, pursuant to RSA 541-A, relative to:

- I. The contents and filing requirements for the qualified renter/purchaser affidavit; and
- II. Other provisions of this subdivision that the attorney general determines require administrative rules.

383 New Section; Notification of Qualified Renter/Purchaser Affidavit Requirement. Amend RSA 477 by inserting after section 4-h the following new section:

477:4-i Notification of Qualified Renter/Purchaser Affidavit Requirement.

In any purchase and sale agreement, lease agreement, or rental agreement involving real property within 10 miles of a protected facility as defined in RSA 477:22-b, before signing an agreement to sell, transfer, lease, or rent such real property the seller, lessor, or landlord, or the seller, lessor, or landlord's agent, shall provide written notice to the buyer, lessee, or tenant that the buyer, lessee, or tenant is required to file a qualified renter/purchase affidavit with the attorney general's office pursuant to RSA 477:22-d.

384 Effective Date. Sections 382 and 383 of this act shall take effect January 1, 2026.

385 Department of Corrections; Probation/Parole Officer Positions. Notwithstanding any other provision of law, of the probation/parole officer positions funded in accounting unit 02-46-046-464010-8302, any that become vacant due to attrition shall result in one such position remaining vacant for the biennium ending June 30, 2027.

386 Committee Established. There is established a committee to study the creation of the New Hampshire office of film and creative media.

387 Membership and Compensation.

I. The members of the committee 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.

II. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

388 Duties. The committee shall:

I. Review the potential cost and benefits of establishing such an office and tax credit;

II. Identify what other states have done;

III. Make recommendations on what would be the best model;

IV. Solicit testimony, including from the commissioner of business and economic affairs, the commissioner of natural and cultural resources, and any person or organization with relevant information or expertise, regarding establishing such an office and tax credit.

389 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 30 days of the effective date of this section. Two members of the committee shall constitute a quorum.

390 Report. The committee 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 November 1, 2025.

391 Effective Date. Sections 386-390 of this act shall take effect upon its passage.

392 Appropriations; Housing Champion Designation and Grant Program Fund; Lapse Extension. Amend 2023, 79:466, I to read:

I. The sum of \$5,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, [2025] **2026**, is hereby appropriated to the New Hampshire housing champion designation and grant program fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

393 Effective Date. Section 392 of this act shall take effect June 30, 2025.

394 Sale of the Sununu Youth Services Center. 2023, 2:4 is repealed and reenacted to read as follows:

2:4 Sale of the Sununu Youth Services Center (SYSC).

I. Notwithstanding RSA 4:40, the department of administrative services shall commence a search by whatever reasonable means necessary for a purchaser for the entire property currently housing the SYSC on South River Road in Manchester, New Hampshire and sell the property to a suitable buyer in accordance with this section. Identification of a purchaser that will enhance the tax and business tax rolls of the city of Manchester and the state of New Hampshire shall be a high priority.

II. The department shall offer the property for sale at not less than market value.

III. The department shall negotiate and execute any contracts or other agreements or actions to accomplish the sale and lease of the property in accordance with this section.

IV. The department shall consult with the city of Manchester, the New Hampshire department of business and economic affairs, and other organizations, as appropriate, prior to any sale of the property. The sale of the SYSC shall be approved by the governor and council.

V. All proceeds and revenue from the sale of the SYSC shall be deposited in the youth development center claims and administration settlement fund, established in RSA 21-M:11-a.

395 Department of Business and Economic Affairs; Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O:11-b to read as follows:

12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget of the division of travel and tourism, including the travel and tourism development fund established by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified by RSA 78-A:26, I, *plus the income identified under RSA 78-A:26, III*, for the most recently completed fiscal year.

396 Effective Date. Section 395 of this act shall take effect July 1, 2027.

397 Tax Amnesty.

I. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered and collected by the department of revenue administration, an amnesty from the assessment or payment of all penalties and interest exceeding 50 percent of the applicable interest, as calculated pursuant to RSA 21-J:28 on the date of payment for the tax period, shall apply to unpaid taxes reported and paid in full between December 1, 2025, and February 15, 2026, regardless of whether previously assessed. This amnesty shall only apply to taxes due but unpaid on or before June 30, 2025.

II. Without in any way limiting the authority otherwise vested in the commissioner under the law, the commissioner may consider the failure to pay such amounts during such amnesty period as a factor when abating or not abating any interest or penalty for good cause or other reasons.

398 Appropriation. The sum of \$50,000 is hereby appropriated to the department of revenue administration for the fiscal year ending June 30, 2026, to the following account for the purposes of outreach and other administration necessary for the implementation of the tax amnesty program: 01-84-84-840010-7884-102, Contracts for Program Services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

399 Training Coordinator. Amend 2024, 317:17 to read as follows:

317:17 Effective Date.

I. RSA 597:2-b, I-a, as inserted by section 9 of this act, and sections 16 and 17 of this act, shall take effect July 1, 2024.

II. Section 11 of this act shall take effect July 1, [2025] **2027**.

III. The remainder of this act shall take effect January 1, 2025.

400 Veterans Court. Amend 2024, 371:3 to read as follows:

371:3 Effective Date. This act shall take effect July 1, [2025] **2027**.

401 Judicial Districts. Amend RSA 502-A:1 to read as follows:

502-A:1 Judicial Districts.

A comprehensive system of judicial districts, each with a district court, is hereby organized, constituted and established as follows:

Rockingham County

I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.

II. HAMPTON DISTRICT. The Hampton district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook. The district division for the district shall be located in Hampton, holding sessions regularly therein and elsewhere in the district as justice may require.

~~[H-a. [Repealed.]]~~

~~H-b. EXETER DISTRICT. The Exeter district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood. The district division for the district shall be located in Brentwood, holding sessions regularly therein and elsewhere in the district as justice may require.]~~

III. BRENTWOOD DISTRICT. The Brentwood district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, Brentwood, Danville, Kingston, and Newton. The district division for the district shall be located in Brentwood, holding sessions regularly therein and elsewhere in the district as justice may require.

IV. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

V. ~~[AUBURN-CANDIA-RAYMOND]~~ **CANDIA** DISTRICT. The ~~[Auburn-Candia-Raymond]~~ **Candia** district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. ~~[The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.]~~ *The district court for the district shall be located in Candia, holding sessions regularly therein and elsewhere in the district as justice may require.*

VI. SALEM DISTRICT. The Salem district shall consist of the towns of Salem, Windham, Atkinson, Hampstead, and Plaistow in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

Strafford County

VII. ~~[DOVER-SOMERSWORTH-DURHAM]~~ **DOVER** DISTRICT. The ~~[Dover-Somersworth-Durham]~~ **Dover** district shall consist of the cities of Dover and Somersworth and the towns of Rollinsford, Durham, Lee, and Madbury. ~~[The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-e. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require.]~~ *The district court for the district shall be located in Dover, holding sessions regularly therein and elsewhere in the district as justice may require.*

VIII. ROCHESTER DISTRICT. The Rochester district court shall consist of the city of Rochester and the towns of Barrington, Milton, New Durham, Farmington, Strafford, and Middleton. The district court for the district shall be located in Rochester, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Rochester District Court.

Belknap County

IX. LACONIA DISTRICT. The Laconia district shall consist of the city of Laconia and the towns of Meredith, New Hampton, Gilford, Belmont, Alton, Gilmanton, Center Harbor, and Barnstead. The district court for the district shall be located in Laconia, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Laconia District Court.

Carroll County

X. CONWAY DISTRICT. The district for northern Carroll county shall consist of the towns of Conway, Bartlett, Jackson, Eaton, Chatham, Hart's Location, Albany, Madison and the unincorporated places of Hale's Location, Cutt's Grant, and Hadley's Purchase. The district court for the district shall be located in Conway, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Conway District Court.

XI. OSSISPEE DISTRICT. The district for southern Carroll county shall consist of the towns of Ossipee, Tamworth, Freedom, Effingham, Wakefield, Wolfeboro, Brookfield, Tuftonboro, Moultonborough, and Sandwich. The court shall be located in Ossipee, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Ossipee District Court.

Merrimack County

XII. CONCORD DISTRICT. The Concord district shall consist of the city of Concord, and the towns of Loudon, Canterbury, Dunbarton, Bow, Hopkinton, Pittsfield, Chichester, and Epsom. The district court for the district shall be located in Concord, holding sessions regularly there and elsewhere in the district as justice may require. The name of the court shall be Concord District Court.

XIII. HOOKSETT DISTRICT. The Hooksett district shall consist of the towns of Allenstown, Pembroke, and Hooksett. The district court for the district shall be located in Hooksett, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Hooksett District Court.

XIV. FRANKLIN DISTRICT. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, and Webster in Merrimack county and the towns of Sanbornton and Tilton in Belknap county. The district court for the district shall be located in Franklin, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Franklin District Court.

XV. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, Sutton, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. ~~[The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the city or town in which it is located.]~~ ***The district court for the district shall be located in Hillsborough, holding sessions regularly therein and elsewhere in the district as justice may require.***

Hillsborough County

XVI. MANCHESTER DISTRICT. The Manchester district shall consist of the city of Manchester. The district court for the district shall be located in Manchester, holding sessions regularly therein as justice may require. The name of the court shall be Manchester District Court.

XVII. NASHUA DISTRICT. The Nashua district shall consist of the city of Nashua and the towns of Hudson and Hollis. The district court for the district shall be located in Nashua, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Nashua District Court.

XVIII. MERRIMACK DISTRICT. The Merrimack district shall consist of the towns of Merrimack, Litchfield, and Bedford. The district court for the district shall be located in Merrimack, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Merrimack District Court.

XIX. MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon. The district court for the district shall be located in Milford, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Milford District Court.

XX. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county and the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire county. The district court for the district shall be located in Jaffrey ~~[or Peterborough]~~, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.

XXI. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, Sutton, and Bradford in Merrimack county and the towns of Hillsborough,

Deering, Windsor, Antrim, and Bennington in Hillsborough county. ~~[The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the city or town in which it is located.]~~ ***The district court for the district shall be located in Hillsborough, holding sessions regularly therein and elsewhere in the district as justice may require.***

XXII. GOFFSTOWN DISTRICT. The Goffstown district shall consist of the towns of Goffstown, Weare, New Boston, and Francestown. The district court for the district shall be located in Goffstown, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Goffstown District Court.

Cheshire County

XXIII. KEENE DISTRICT. The Keene district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Troy, and Chesterfield. The district court for the district shall be located in Keene, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Keene District Court.

XXIV. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire county and the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county. The district court for the district shall be located in Jaffrey ~~[or Peterborough]~~, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.

Sullivan County

XXV. ~~[CLAREMONT-NEWPORT]~~ ***CLAREMONT*** DISTRICT. The ~~[Claremont-Newport]~~ ***Claremont*** district shall consist of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon, ***and*** Plainfield~~[-, Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington in Sullivan county and the towns of New London, Newbury, and Wilmot in Merrimack county]~~. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located. ***The district court for the district shall be located in Claremont, holding sessions regularly therein and elsewhere in the district as justice may require.***

XXV-a. NEWPORT DISTRICT. The Newport district shall consist of the towns of Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington in Sullivan county and the towns of New London, Newbury, and Wilmot in Merrimack county. The district court for the district shall be located in Newport, holding sessions regularly therein and elsewhere in the district as justice may require.

Grafton County

XXVI. HANOVER-LEBANON DISTRICT. The Hanover-Lebanon district shall consist of the towns of Hanover, Orford, Lyme, Lebanon, Enfield, Canaan, Grafton, Dorchester, and Orange. ~~[The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.]~~ ***The district court for the district shall be located in Lebanon, holding sessions regularly therein and elsewhere in the district as justice may require.***

XXVII. HAVERHILL DISTRICT. The Haverhill district shall consist of the towns of Haverhill, Bath, Landaff, Benton, Piermont, and Warren. The district court for the district shall be located in Haverhill, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Haverhill District Court.

XXVIII. LITTLETON DISTRICT. The Littleton district shall consist of the towns of Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, and Easton. The district court for the district shall be located in Littleton, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Littleton District Court.

XXIX. PLYMOUTH-LINCOLN DISTRICT. The Plymouth-Lincoln district shall consist of the towns of Plymouth, Bristol, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Ashland, Hebron, Holderness, Bridgewater, Alexandria, Lincoln, Woodstock, Waterville Valley, and the unincorporated place of Livermore. The district court for the district shall be located in Plymouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plymouth District Court.

Coos County

XXX. BERLIN-GORHAM DISTRICT. The Berlin-Gorham district shall consist of the city of Berlin and the towns of Gorham, Milan, Dummer, Shelburne, and Randolph and the unincorporated places of Cambridge, Success, Bean's Purchase, Martin's Location, Green's Grant, Pinkham's Grant, Sargent's Purchase, Thompson and Meserve's Purchase and Low and Burbank's Grant. ~~[The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.]~~ ***The district court for the district shall be located in Berlin, holding sessions regularly therein and elsewhere in the district as justice may require.***

XXXI. COLEBROOK DISTRICT. The Colebrook district shall consist of the towns of Colebrook, Pittsburg, Clarksville, Wentworth's Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford and the unincorporated places of Dix's Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving's Location, and Odell. The district court for the district shall be located in Colebrook, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Colebrook District Court.

XXXII. LANCASTER DISTRICT. The Lancaster district shall consist of the towns of Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton and Jefferson, and the unincorporated places of Kilkenny, Bean's Grant, Chandler's Purchase, and Crawford's Purchase. The district court for the district shall be located in Lancaster, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Lancaster District Court.

402 Sites. Amend RSA 490-D:4 to read as follows:

490-D:4 Sites.

The judicial branch family division shall operate at the following sites and such other sites as the supreme court, from time to time, determines, covering the following districts as delineated in RSA 502-A:1, except as otherwise indicated:

Grafton County

I. The courthouses in Grafton county which will house the judicial branch family division shall be the ~~[court facility in North]~~ Haverhill ***District Court***, the Plymouth District Court, the Littleton District Court, and the Lebanon District Court.

II.(a) Matters arising in municipalities located within the Haverhill district shall be heard in the ~~[court facility in North]~~ Haverhill ***District Court***.

(b) Matters arising in municipalities located within the Plymouth-Lincoln district shall be heard in the Plymouth District Court.

(c) Matters arising in municipalities located within the Littleton district shall be heard in the Littleton District Court.

(d) Matters arising in municipalities located within the Lebanon-Hanover district shall be heard in the Lebanon District Court.

Rockingham County

III. The courthouses in Rockingham county which will house the judicial branch family division shall be the court facility in Brentwood, the Portsmouth District Court, the Salem District Court, the Candia District Court, the Derry District Court, and the Hampton District Court.

IV.(a) Matters arising in municipalities located within the Portsmouth district shall be heard in the Portsmouth District Court.

(b) Matters arising in municipalities located within the Salem district shall be heard in the Salem District Court.

(c) Matters arising in municipalities located within the Derry district shall be heard in the Derry District Court.

(d) Matters arising in municipalities located within the Brentwood district shall be heard in the court facility in Brentwood.

(e) Matters arising in municipalities located within the Candia district shall be heard in the Candia District Court.

(f) Matters arising in municipalities located within the Hampton district shall be heard in the Hampton District Court.

Coos County

V. The courthouses in Coos county which will house the judicial branch family division shall be the Colebrook District Court, the Berlin District Court, and the ~~[court facility in]~~ Lancaster ***District Court***.

VI.(a) Matters arising in municipalities located within the Colebrook district shall be heard in the Colebrook District Court.

(b) Matters arising in municipalities located within the Berlin-Gorham district shall be heard in the Berlin District Court.

(c) Matters arising in municipalities located within the Lancaster district shall be heard in the ~~[court facility in]~~ Lancaster ***District Court***.

Carroll County

VII. The courthouses in Carroll county which will house the judicial branch family division shall be the ~~[court facility in Ossipee and the District Court for northern Carroll County]~~ ***Ossipee District Court and the Conway District Court***.

VIII.(a) Matters arising in municipalities located within the district for southern Carroll county shall be heard in the ~~[court facility in]~~ Ossipee ***District Court***.

(b) Matters arising in municipalities located within the district for northern Carroll county shall be heard in the ~~[District Court for northern Carroll County]~~ ***Conway District Court***.

Sullivan County

IX. The courthouses in Sullivan county which will house the judicial branch family division shall be the Newport District Court and the Claremont District Court.

X.(a) Matters arising in municipalities located within the Newport district ~~[and the New London district in Merrimack county]~~ shall be heard in the Newport District Court.

(b) Matters arising in municipalities located within the Claremont district shall be heard in the Claremont District Court.

Strafford County

XI. The courthouses in Strafford county which will house the judicial branch family division shall be the Dover District Court, ***the Rochester District Court***, and the Strafford county court facility in Dover.

XII.(a) Matters arising in municipalities located within the ~~[Dover-Somersworth-Durham]~~ ***Dover*** district shall be heard in the Dover District Court.

(b) Matters arising in municipalities located within the Rochester district shall be heard in the Strafford county court facility in Dover ***and the Rochester District Court***.

Belknap County

XIII. The courthouse in Belknap county which will house the judicial branch family division shall be ~~[a facility located in Laconia, provided, however, that the facility meets the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c]~~ **the Laconia District Court.**

XIV.(a) Matters arising in municipalities located within the Laconia district shall be heard in the judicial branch family division facility in Laconia.

(b) Matters arising in the towns of Sanbornton and Tilton shall be heard in the Franklin District Court in Merrimack county.

Hillsborough County

XV. The courthouses in Hillsborough county which will house the judicial branch family division shall be the Manchester District Court, the Goffstown District Court, ~~[the Hillsborough County Superior Court for the southern judicial district]~~ **the Nashua District Court**, the Milford District Court, the Merrimack District Court, and~~[, upon completion of construction,]~~ the Henniker-Hillsborough District Court.

XVI.(a) Matters arising in municipalities located within the Manchester district shall be heard in the Manchester District Court.

(b) Matters arising in municipalities located within the Goffstown district shall be heard in the Goffstown District Court.

(c) Matters arising in municipalities located within the Nashua district shall be heard in the ~~[Hillsborough County Superior Court for the southern judicial district]~~ **Nashua District Court.**

(d) Matters arising in municipalities located within the Milford district shall be heard in the Milford District Court.

(e) Matters arising in municipalities located within the Merrimack district shall be heard in the Merrimack District Court.

(f) Matters arising in Hillsborough county municipalities located within the Jaffrey-Peterborough district shall be heard in the Jaffrey-Peterborough District Court in Cheshire county.

(g) Matters arising in municipalities located within the **Henniker**-Hillsborough district shall be heard in ~~[the Henniker District Court in Merrimack county until the completion of construction of the Henniker-Hillsborough District Court facility in Hillsborough county, whereupon those matters shall be heard in]~~ the Henniker-Hillsborough District Court in Hillsborough county.

Merrimack County

XVII. The courthouses in Merrimack county which will house the judicial branch family division shall be the Franklin District Court, the Hooksett District Court, ~~[the Henniker District Court until the completion of construction of]~~ the Henniker-Hillsborough District Court ~~[facility]~~, and ~~[a facility located in]~~ **the Concord District Court**~~[, provided, however, that the facility meets the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c].~~

XVIII.(a) Matters arising in municipalities located within the Franklin district shall be heard in the Franklin District Court.

(b) Matters arising in municipalities located within the Hooksett district shall be heard in the Hooksett District Court.

(c) Matters arising in municipalities located within the Concord district shall be heard in the ~~[judicial branch family division facility in]~~ Concord **District Court.**

(d) Matters arising in the towns of New London, Newbury, and Wilmot shall be heard in the Newport District Court in Sullivan county.

(e) Matters arising in municipalities located within the **Henniker-Hillsborough** district shall be heard in ~~[the Henniker District Court in Merrimack county until the completion of construction of the Henniker-Hillsborough District Court facility in Hillsborough county, whereupon those matters shall be heard in]~~ the Henniker-Hillsborough District Court in Hillsborough county.

Cheshire County

XIX. The courthouses in Cheshire county which will house the judicial branch family division shall be the Jaffrey-Peterborough District Court and a facility located in *the* Keene ***District Court***~~[-provided, however, that the facility meets the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c].~~

XX.(a) Matters arising in municipalities located within the Jaffrey-Peterborough district shall be heard in the Jaffrey-Peterborough District Court.

(b) Matters arising in municipalities located within the Keene district shall be heard in the ~~[judicial branch family division facility in]~~ Keene ***District Court***.

403 Effective Date. Sections 401 and 402 of this act shall take effect January 1, 2026.

404 Trade and Commerce; State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:

I. There is hereby created a commission to be known as the New Hampshire commission for human rights, which shall be administratively attached to the department of justice pursuant to RSA 21-G:10, ***with additional oversight provided by the director of the department's civil rights unit, or designee, pursuant to a memorandum of understanding entered into by the department and the commission.*** Such commission shall consist of 7 members, who shall be appointed by the governor, with the consent of the council, and one of whom shall be designated as chair by the governor. The term of office of each member of the commission shall be for 5 years.

405 Trade and Commerce; State Commission for Human Rights; General Powers and Duties of the Chair. Amend RSA 354-A:4 to read as follows:

354-A:4 General Powers and Duties of the Chair. The chair shall serve as the chief executive officer of the commission. ***The chair shall be a licensed attorney admitted or eligible to practice law in this state.*** The chair shall promote the efficient transaction of its business and the orderly handling of complaints and other matters before the commission. The chair shall designate commissioners to investigate and commissioners to hold hearings pursuant to RSA 354-A:21 and shall fix the times and places of public hearings. In the event of the chair's absence or inability to act, the vice-chair, or if no vice-chair has been designated, a commissioner designated by the chair shall act in the chair's stead. Otherwise a commissioner shall be designated by the governor to act as chair.

406 Trade and Commerce; State Commission for Human Rights; General Powers and Duties of the Commission. Amend RSA 354-A:5, V to read as follows:

V. To adopt rules, under RSA 541-A, suitable to carry out the provisions of this chapter, and the policies and practices of the commission in connection therewith. ***Such rules shall be kept current and shall not be permitted to expire. Such rules shall reflect any findings or determinations made in audits conducted by the legislative budget assistant pursuant to RSAs 14:31 and 14:31-a.***

407 Trade and Commerce; State Commission for Human Rights; General Powers and Duties of the Commission. Amend RSA 354-A:5, X to read as follows:

X. To render ~~[biennially]~~ ***annually*** to the governor, ***president of the senate, speaker of the house of representatives, senate clerk, house clerk, legislative fiscal committee,*** and council a full written report of its activities and of its recommendations. ***The report shall include:***

(a) ***A detailed summary of actions taken to address and remediate findings identified in the most recent performance audit issued by the legislative budget assistant in February 2025, including but not limited to:***

(1) ***Timeliness of case investigations and resolutions, the number of cases resolved, the number of outstanding cases before the commission, whether the commission has a backlog of cases, and the average time it takes to close a case;***

(2) ***Implementation of a case management system;***

(3) ***Development of strategic planning, internal controls, and performance metrics;***

(4) ***Training and oversight of staff and commissioners;***

(5) Adoption and enforcement of administrative rules;

(6) Correction of prior audit findings;

(7) Confidentiality and data management improvements; and

(8) Definitions and processes related to legal standards in investigations.

(b) Quantitative performance measures including average time to assign and close cases, number of cases exceeding statutory time limits, and comparison to prior years.

(c) Progress updates on administrative rulemaking, strategic plan implementation, and IT modernization initiatives.

(d) Status of required statutory filings including biennial reports, statements of financial interests, and reconciliations with federal data systems.

(e) Any additional recommendations or needs for legislative action.

II. The report shall be made publicly available online on the TransparentNH website in accordance with executive order 2014-03.

408 Advisory Committee Established. There is established a temporary human rights commission advisory committee to study, monitor, and support implementation of corrective measures identified in the 2025 legislative budget assistant audit. The committee shall exist for a period of one year following enactment and shall be administratively attached to the judicial branch.

409 Membership and Compensation.

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

(a) The chief justice of the New Hampshire supreme court, or designee;

(b) One representative of the department of justice with experience in civil rights or administrative law, appointed by the governor;

(c) One member of the house judiciary committee, appointed by the speaker of the house of representatives;

(d) One member of the senate judiciary committee, appointed by the president of the senate;

(e) One representative of a nonprofit organization with expertise in anti-discrimination law, appointed by the governor;

(f) One municipal human rights officer, appointed by the governor;

(g) One public member with lived experience in housing, employment, or public accommodation discrimination, appointed by the governor.

II. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

410 Duties. The committee shall:

(a) Meet at least quarterly, but may recommend extension of its oversight period if substantial progress has not been demonstrated within one year;

(b) Review the human rights commission's progress in implementing audit recommendations; and

(c) Provide guidance and support on policy, training, and legal rule development.

411 Chairperson; Quorum. The designee of the chief justice of the New Hampshire supreme court shall serve as chair. The first meeting of the committee shall be called by the chair. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

412 Report. The committee 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, the New Hampshire supreme court, the administrative office of the courts, the New Hampshire law library, and the state library on or before November 1, 2026.

413 Effective Date. Sections 408-412 of this act shall take effect upon its passage.

414 New Paragraph; Compensation for Public Water Systems; PFAS. Amend RSA 485-H:6 by inserting after paragraph I-a the following new paragraph:

I-b. Pursuant to settlements received under section I-a, the department of environmental services, with consent of the drinking water and groundwater advisory commission, shall establish an application approval process and determine the prorated compensation amount for each public water system with PFAS detections based on the amount public water systems spent or will spend on infrastructure to mitigate PFAS compounds minus the amount received from other funding sources. If there is sufficient funding available, the department may, with the consent of the drinking water and groundwater advisory commission, use that funding to offset the cost of operation and maintenance of infrastructure related to mitigating PFAS. The department of environmental services, with the consent of the drinking water and groundwater advisory commission, may receive reimbursement for costs associated with personnel and analytical costs it incurred to collect the information required for the submissions of claims under the PFAS public water system settlement agreements or to provide assistance in PFAS litigation against manufacturers brought by the state of New Hampshire.

415 Portability, Availability, and Renewability of Health Coverage; Health Plan Loss Information. Amend RSA 420-G:12-a, II to read as follows:

II. Upon written request from any large employer, every health carrier, third-party administrator, pooled risk management program under RSA 5-B or any other type of multiple employer health plan shall provide that employer's loss information within 30 calendar days of receipt of the request. The loss information shall include all physician, hospital, prescription drug, and other covered medical claims specific to the employer's group plan incurred for the 12-month period paid through the 14 months which end within the 60-day period prior to the date of the request. ***It shall also include deidentified large claim information for claimants over \$50,000 to include medical and pharmacy claims, primary and secondary diagnosis, coverage type (employee, spouse, or dependent), and employment status (active or termed), to the extent such disclosure does not violate state or federal law.*** An employer shall not be entitled by this section to more than [2] 4 loss information requests in any 12-month period; however, nothing shall prohibit a carrier from fulfilling more frequent requests on a mutually agreed-upon basis.

416 Water Management and Protection; Per And Polyfluoroalkyl Substances (PFAS) Fund And Programs; Contingent Reimbursement. Amend RSA 485-H:6, I-a to read as follows:

I-a. Following the reimbursement of the department of justice for legal expenses related to relevant litigation, any funds from judgments or settlements received by the state resulting from lawsuits against manufacturers of PFAS attributable to impacts to public drinking water systems shall be deposited directly into the drinking water and groundwater trust fund established in RSA 6-D:1. RSA 7:6-e and RSA 6:13-e, III, shall not apply to funds deposited pursuant to this paragraph. The New Hampshire drinking water and groundwater advisory commission shall ensure that an amount equivalent to the funds deposited pursuant to this paragraph is distributed through a combination of loans and grants to public water systems whose water sources have been impacted by PFAS contamination above applicable standards. ***If the funds from judgments or settlements received by the state for impacts to public drinking water systems account for PFAS contamination below applicable standards, the advisory commission may issue grants, loans, or reimbursements to those systems for those impacts.***

417 Appropriation; Drinking Water and Groundwater Trust Fund. The sum of \$11,550,000 for the fiscal year ending June 30, 2026, is hereby appropriated to the department of environmental services from the drinking water and groundwater trust fund established under RSA 485-F for the purpose of funding regional drinking water infrastructure as part of Phase 2B of the southern New Hampshire regional water project to increase water supply by over 2 million gallons per day to multiple towns impacted by per- and polyfluoroalkyl substance contamination and growing water demands. No current public utility ratepayer shall be adversely affected by any direct or indirect costs to bring drinking water to communities receiving new services through any projects funded by this appropriation. Any remaining funds hereby appropriated shall not lapse.

418 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of \$2,500,000 for the fiscal year ending June 30, 2026, and the sum of \$2,500,000 for the fiscal year ending June 30, 2027, which shall be nonlapsing, for the purpose of making payments to communities for projects that have previously been awarded state aid grant funding for eligible and completed wastewater infrastructure projects, per RSA 486, as approved by the governor and executive council. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

419 Appropriation; Department of Environmental Services; Pipe, Water Filtration, and Well Upgrades; Pillsbury Lake Village District. The sum of \$325,000 for the biennium ending June 30, 2027, is appropriated to the department of environmental services to the Pillsbury Lake Village District for the purpose of addressing loan costs associated with the following upgrades:

I. Piping Upgrades: \$155,000 to cover a loan used for upgrading the pipes under Concord Drive in Webster.

II. Water Filtration Upgrade: \$105,000 to cover a loan for upgrading the water filtration system.

III. New Well Development: \$65,000 to cover a loan for digging a new well, known as the Franklin-Pierce well, which requires less processing and will reduce overall costs.

The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

420 Emergency Services and Communications; Division of Emergency Services and Communications. Amend RSA 21-P:48-a, II to read as follows:

II. With the approval of the commissioner, the director may employ such necessary technical, clerical, stenographic, and other personnel, and may make such expenditures from state or federal funds as are or may be made available for purposes of emergency services and communications ***and the state radio communications systems***. The director and other personnel of the division shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing, and funds for traveling and related expenses, in the same manner as provided for personnel of other state agencies. With general oversight by the assistant commissioner, the director shall coordinate the activities of all organizations for emergency 911 telecommunications within the state, state and local, county, and private, and shall maintain liaison with and cooperate with police, fire, emergency medical, and sheriff's departments and emergency telecommunications organizations of other states and of the federal government. The director shall ***also oversee the state radio communications system, which includes infrastructure and any communication systems that directly support interoperable communications and the exchange of information between the public safety answering point/emergency communications center and the first responder, and*** have such additional duties, responsibilities, and authority authorized by applicable laws as may be prescribed by the commissioner.

III. Notwithstanding any other provision of law, maintenance of the state radio communications systems overseen by the division of emergency services and communications pursuant to this section shall be funded by the surcharge fund established in RSA 106-H:9.

421 Department of Safety; Division of Administration. Amend RSA 21-P:6, VIII to read as follows:

VIII. Collection of fuel taxes and administration of road tolls~~[, the international fuel tax agreement,]~~ and the audit functions of the international registration plan under RSA 260.

422 Department of Safety; Division of Motor Vehicles. Amend RSA 21-P:8, III to read as follows:

III. Administration of the motor vehicle laws under RSA 260, except for road toll administration under RSA 260:30 through RSA 260:65-a ~~[and the fuel tax agreement under RSA 260:65-b through RSA 260:65-e,]~~ which shall be administered by the division of administration.

423 Number Plates; Plate Manufacture. Amend RSA 228:25 to read as follows:

228:25 Addition to Fund.

I. There is hereby established an inventory fund in the department of safety consisting of the initial appropriation of \$1,000,000 which sum is hereby authorized as a revolving fund comprised of funds in the highway fund that are not otherwise appropriated and into which shall be deposited additional revenues derived from the number plate manufacturing fee established in this paragraph. The fund shall be nonlapsing and continually appropriated to the department. The ~~[prison]~~ ***department of safety*** shall purchase such raw materials~~[-as may be required and agreed to by the commissioner of safety in order for the commissioner of safety]~~ to issue fully reflectorized motor vehicle number plates. This purchase shall be a charge against the inventory fund and the ~~[prison]~~ ***department of safety*** shall be responsible for the control and accountability of the raw materials so charged. Said number plates shall be manufactured at the ~~[state prison]~~ ***department of safety***. ~~[The prison shall be furnished out of said inventory account the raw materials necessary to manufacture said plates and upon receipt of the finished plates by the department of safety shall be reimbursed for their direct and indirect costs. The commissioner of safety shall, biennially, request the commissioner of administrative services to review and approve said cost rates.]~~ Notwithstanding any other provision of law, the commissioner of safety shall charge, in addition to the regular motor vehicle registration fee, a number plate manufacturing fee of ~~[\$4.00]~~

\$6.00 per plate at the time of issuing said reflectorized motor vehicle number plates or replacement reflectorized number plates. Said additional charge shall not give the registrant any title or other property interest in said plates. ~~[The commissioner of safety or assistant commissioner may request from time to time delivery of the number plates from the prison and shall reimburse the inventory fund by a transfer from revenue. At least 6 months prior to subsequent general issue, a transfer from revenue shall be made for all remaining finished plates in inventory.]~~ The commissioner of safety shall report to the governor, the president of the senate, and the speaker of the house of representatives, no later than 90 days after the close of the second fiscal year of each biennium, the year ending balance in the inventory fund and the department's recommendation as to when the next general issue of number plates should commence, the estimated cost of such a general issue, and the estimated annual cost to support routine plate issue and replacement without a new general issue.

II. [Repealed.]

III. In accordance with the provisions of paragraph I, replacement plates may be purchased from the inventory fund.

IV. If the ~~[state prison shop]~~ **department of safety** is unable to manufacture or deliver reflectorized motor vehicle plates in a timely manner because of an emergency interruption resulting from ~~[a riot or other]~~ **an** unforeseen cause, as determined by ~~[the commissioner of corrections or]~~ the commissioner of safety, the ~~[commissioners]~~ **commissioner** shall submit a written report to the governor and council and shall request that an outside vendor be retained to manufacture said plates. If at any time the commissioner of safety~~[or the commissioner of corrections]~~ determines that the ~~[prison]~~ **department of safety** cannot produce number plates at a competitive price or meet reasonable delivery schedules, the commissioner~~[of safety]~~ shall report to the fiscal committee of the general court and the governor and council, and shall request that an outside vendor be retained to manufacture the plates. Upon approval of the governor and council, the commissioner ~~[of safety]~~ shall request the department of administrative services, division of procurement and support services to select an outside vendor in accordance with RSA 8:19.

V. The commissioner of safety, with approval of the governor, may charge the necessary expenses for the manufacture, storage, handling, issuance, and distribution of reflectorized motor vehicle number plates against the inventory fund provided under this section.

424 Official Cover Plates; Manufacture Location. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, the president of the senate, members of the senate, the speaker of the house of representatives, the clerk of the house of representatives, the clerk of the senate, members of the house of representatives, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, and any ambassador or member of the foreign diplomatic corps. The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium, with the exception of the governor's council plates which shall be white with blue lettering every biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor's council whose plates shall have their council district numbers ~~[embossed]~~ on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers ~~[embossed]~~ on them unless the president of the senate, for members of the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of official cover plates to any person. Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. A cover plate and a regular motor vehicle plate may be displayed simultaneously on the same vehicle, with one plate on the front and the other plate on the rear. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. ~~[Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost].~~

425 New Chapter; Mobile Drivers' Licenses and Non-Driver Identification Cards. Amend RSA by inserting after chapter 263 the following new chapter:

CHAPTER 263-A
MOBILE DRIVERS' LICENSES AND NON-DRIVER IDENTIFICATION CARDS

263-A:1 Definitions.

As used in this chapter:

- I. "Credential" means a driver's license or non-driver identification card.
- II. "Credential holder" means the individual that has been issued a physical or electronic credential.
- III. "Data element" means a distinct component of a customer's information that is found on the division's customer record.
- IV. "Division" means the department of safety, division of motor vehicles.
- V. "Electronic credential" means an electronic extension of the division's issued physical credential that conveys identity and driving privilege information and is in compliance with standards of the division.
- VI. "Electronic credential system" means a digital process that includes creating electronic credentials and a method for provisioning electronic credentials, requesting and transmitting electronic credential data elements, and performing tasks to maintain the system.
- VII. "Physical credential" means a document or other tangible object issued by the division that conveys identity and driving privilege information.
- VIII. "Provision" means the initial loading of an electronic credential onto a device.
- IX. "Relying party" means the entity to which the credential holder is presenting the electronic credential.
- X. "Verification process" means a method of authenticating the electronic credential through the use of secure encrypted communication.

263-A:2 Issuance and Life Cycle Management.

- I. The division of motor vehicles shall issue an electronic credential only to individuals who are otherwise eligible to hold a valid physical credential. The data elements that are used to build an electronic credential must match the individual's current motor vehicle or non-driver identification record.
- II. The division may contract with one or more entities to develop an electronic credential system. The electronic credential system shall be designed to comply with the most recent applicable state and federal standards.
- III. The validity period of electronic credentials shall be set by the division.
- IV. The division may assess a fee for the provisioning of an electronic credential.

263-A:3 Acceptance of Electronic Credentials.

- I. The electronic credential holder shall be required to have their physical credential on their person while operating a motor vehicle.
- II. Electronic credential systems shall be designed so that there is no requirement for the electronic credential holder to display or relinquish possession of their mobile device to relying parties for the acceptance of an electronic credential.
- III. Upon request by law enforcement, an electronic credential holder must provide their physical credential.
- IV. Any law or regulation that requires an individual to surrender their physical credential to law enforcement does not apply to the device on which an electronic credential has been provisioned.

263-A:4 Verification Process.

- I. Relying parties shall authenticate electronic credentials in accordance with applicable division standards prior to acceptance of the electronic credential.
- II. Electronic credential data is subject to data security and privacy protection according to RSA 507-H, as well as any other applicable state and federal law.
- III. Relying parties shall only request electronic credential data elements that are necessary to complete the transaction for which that data is being requested.

263-A:5 Privacy and Tracking.

I. Relying parties shall only retain electronic credential data elements for which the relying party explicitly obtained consent from the electronic credential holder. Relying parties shall inform the electronic credential holder of the use and retention period of the electronic data elements and comply with RSA 507-H.

II. The electronic credential system shall be designed to maximize the privacy of the credential holder and comply with RSA 507-H, as well as any other applicable state and federal laws, and shall not track or compile information without the credential holder's actual consent. The division shall only compile and/or disclose information regarding use of the credential as required by RSA 507-H and other applicable state or federal laws.

263-A:6 Rulemaking. The commissioner of the department of safety shall adopt administrative rules under 541-A that are necessary for the management and operation of an electronic credential system.

426 Effective Date. Section 425 of this act shall take effect January 1, 2026.

427 Appropriation; Department of Safety; Northern Border Alliance Program. The sum of \$600,000 for the fiscal year ending June 30, 2026, is hereby appropriated to the department of safety and shall be nonlapsing. This sum shall be expended for the purpose of funding overtime patrols and related training activities, purchasing equipment in support of the northern border alliance program by state police, and disbursing grants to other state, county, and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the northern border alliance program established in RSA 21-P:69. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

428 Legislative Declaration of Authority Regarding Public Education. In its 1993 and 1997 decisions, in the so-called *Claremont* series of public school funding cases, the New Hampshire Supreme Court ruled that the New Hampshire Constitution imposes upon the legislature 4 obligations with respect to public K-12 education: (1) define an adequate education; (2) determine its cost; (3) fund it with constitutional taxes; and (4) ensure its delivery through accountability. Although the legislature has from the beginning had grave reservations as to the court's authority to impose these obligations upon a coordinate branch of government, in the spirit of comity it has over the subsequent quarter-century devoted extensive time, energy and public tax dollars to satisfying them. However, in the most recent of these cases, the judicial branch has asserted authority to review and set aside the legislature's determinations with respect to its 4 supposed obligations, and to fund education at levels determined by the court through a process which, though adjudicatory in form, is legislative in substance. Accordingly, the legislature now deems it necessary to definitively proclaim that, as the sole branch of government constitutionally competent to establish state policy and to raise and appropriate public funds to carry out such policy, the legislature shall make the final determination of what the state's educational policies shall be and of the funding needed to carry out such policies.

429 Land Stewardship Program; Administrative Attachment. Amend RSA 12-O:53, II(i) to read as follows:

(i) Administer the ~~[following programs: the]~~ statewide comprehensive outdoor recreation plan~~]~~ **and** the national flood insurance program~~]; and the land conservation investment program]~~. The office shall employ necessary personnel to administer these programs.

430 New Section; Fish and Game Department; Propagation of Fish and Game; Conservation land Monitoring. Amend RSA 212 by inserting after section 10-b the following new section:

212:10-c Conservation Land Monitoring.

The executive director of the fish and game department shall monitor property acquired through the former land conservation investment program consistent with RSA 162-C:6 and 8. The executive director may further monitor such other land conservation interests held by the state of New Hampshire as may approved by the council for resources and development pursuant to RSA 162-C:6, II.

431 Conservation Land Stewardship Program; Administrative Attachment; Fish and Game Department. Amend RSA 162-C:6, II to read as follows:

II. In addition to its other responsibilities, the council shall manage and administer the lands acquired and funds established under the land conservation investment program under the former RSA 221-A, according to the provisions of this subdivision and consistent with agreements entered into with persons with ownership interests in such lands. ***The fish and game department shall monitor property acquired through the***

former land conservation investment program on behalf of the council and consistent with RSA 162-C:8. The council shall provide funds from the monitoring endowment described in RSA 162-C:8 to the fish and game department sufficient to cover the costs associated with such monitoring. Nothing herein shall preclude the council from providing funds from the monitoring endowment to the department or other entities to cover the costs of monitoring other land conservation interests held by the state of New Hampshire.

432 New Paragraph; Reasons for Removal and Impoundment. Amend RSA 262:32 by inserting after paragraph VIII the following new paragraph:

IX. A vehicle, camper, or other equipment has been towed to and left at a park-and-ride facility without written approval of the commissioner. In such cases, the state may seek reimbursement for the removal costs from the towing company, the owner, or both.

433 Obstructing Water; Penalty. Amend RSA 236:19 to read as follows:

236:19 Obstructing Water; Penalty. Any person who shall place, or suffer to be placed or to remain, any logs, earth or other substances within the limits of a highway *or state-owned railroad corridor*, or upon land in the vicinity of a highway *or state-owned railroad corridor* by which the water in a stream, pond or ditch is turned upon the highway *or state-owned railroad corridor* and injures or renders it unsuitable for public *or railroad* travel, shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person. If such highway is maintained by the town, the fine shall be for the use of the town and if such highway *or railroad* is maintained by the state, the fine shall be for the use of the department of transportation. Nothing in this section shall be construed as prohibiting the placing of snow within the limits of a highway for the purpose of crossing or recrossing by sleds, logging or farming equipment.

434 Credit to Highway Fund; Fee for Expedited Driveway Permit Established in SB 153 (2025). Amend RSA 236:13, IV-b(b) to read as follows:

(b) An applicant electing to use the expedited permitting process under this paragraph shall pay a \$120 per unit non-refundable permit fee, *which shall be credited to the highway fund*.

435 Contingency. If SB 153 of the 2025 general legislative session becomes law, section 434 of this act shall take effect at 12:01 a.m. on the effective date of SB 153. If SB 153 does not become law, section 434 of this act shall not take effect.

436 Effective Date. Section 434 of this act shall take effect as provided in section 435 of this act.

437 Education; Adult Education; Establishment of Adult High School Education Program. Amend RSA 186:61, I to read as follows:

I. The state board of education shall establish and promote ~~[an]~~ educational ~~[program]~~ *programs* for ~~[adults]~~ *adult legal residents of New Hampshire and students at least sixteen years of age eligible for enrollment in a New Hampshire public school* to earn a high school diploma or its equivalent. *Such educational programs shall charge tuition to student resident districts when resident districts receive state adequacy funds pursuant to RSA 198:40-a for such students at an amount agreed to by the educational program and the resident district.* This program shall be administered by the division of learner support, department of education, in accordance with the rules adopted by the state board.

438 Appropriation; Department of Education. Notwithstanding RSA 198:39, I, the sums of \$400,000 in the fiscal year ending June 30, 2026, and \$400,000 in the fiscal year ending June 30, 2027, are hereby appropriated from the education trust fund to the department of education, to be distributed to approved education programs pursuant to RSA 186:61, proportional to the number of credits awarded to high school students served by such educational programs during the fiscal year ending June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the education trust fund not otherwise appropriated.

439 Education; Student and Teacher Information Protection and Privacy; Student Privacy. Amend RSA 189:68, I(1) to read as follows:

(1) Student ~~[postsecondary]~~ workforce information, including the employer's name~~[-and the name of a college attended outside of New Hampshire]~~.

440 Education; District Taxes; Reports Required; Cities and School Districts. Amend RSA 198:4-d, III-a to read as follows:

III-a. The department of education and the department of revenue administration together shall develop and [recommend] ***maintain*** school accounting standards[. The departments shall report to the speaker of the house, the senate president, and the governor concerning such accounting standards on or before December 1, 1999] ***which shall be used by districts and chartered public schools for financial reporting purposes.***

441 Department of Education; Duties of Deputy Commissioner. Amend RSA 21-N:5, I(j) to read as follows:

(j) Administering department responsibilities for information services, ***including shared supervision of department of information technology staff embedded within the department of education and services provided by the department of information technology.***

442 Appropriation; Department of Education. Notwithstanding RSA 198:39, I, the sums of \$1,500,000 in the fiscal year ending June 30, 2026, and \$1,500,000 in the fiscal year ending June 30, 2027, are hereby appropriated from the education trust fund to the department of education for the purpose of providing learning platforms that provide high quality instructional materials across all content areas to ensure all K-12 students in this state have access to evidence-based and content-rich learning outcomes. The governor is authorized to draw a warrant for said sums out of any money in the education trust fund not otherwise appropriated.

443 Operation of Keno Games. Amend RSA 284:47, I to read as follows:

I. A licensee may operate keno games at its business ***during the business' hours of operation*** [between the hours of 11 a.m. and 1 a.m.].

444 New Section; Local Option; Games of Chance. Amend RSA 287-D by inserting after section 287-D:31 the following new section:

287-D:32 Local Option; Games of Chance.

I. The lottery commission shall not grant a game operator employer license to operate games of chance in a municipality if that municipality has voted to prohibit games of chance to be held within its boundaries, or if there is a pending question on the municipality's warrant or official ballot for the next regular municipal election. Such vote shall be held in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days, but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality, on the website of the municipality, and by publication in a newspaper of general circulation at least 14 days before the hearing.

(c) In municipalities where games of chance are not currently in operation, the wording of the question shall be substantially as follows: "Shall we prohibit the operation of games of chance within the town or city?"

(d) In municipalities where games of chance are currently operating, the wording of the question shall be substantially as follows: "Shall we prohibit additional games of chance operations with a physical facility within the town or city?"

II. If a majority of those voting on the question vote "Yes," new games of chance may not be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I as early as the next annual town meeting or regular municipal election.

IV. A city or town may rescind its disapproval for operation of games of chance under RSA 287-D by following procedures in paragraph I in this section.

V. An unincorporated place may disallow the operation of games of chance by majority vote of the county delegation, after a public hearing is held, and may be rescinded in a similar fashion.

VI. The lottery commission shall maintain a list of municipalities where games of chance have been prohibited pursuant to this section.

VII. If the town, city, or unincorporated place has voted within this section to prohibit games of chance, that municipality may pass an ordinance allowing only a specified number of charitable gaming events per year, or certain number of dates per year to be determined by the town, hosted by local charitable organizations pursuant to RSA 287-D:4, and specifying how the municipality shall determine how charitable organizations register for a gaming event.

VIII. Notwithstanding any other provision of law, including paragraphs I and II, any vote by a municipality to prohibit games of chance within its boundaries shall not apply to any games of chance operator licensed by the lottery commission, or any applicant who has applied for a games of chance operator license prior to the date of the petition in subparagraph I(a) or the notice date in subparagraph I(b), except that any operator who ceases operation for a period exceeding 4 years, or an applicant who fails to commence operation within 6 years of application approval, shall be subject to any intervening vote by the municipality.

445 Keno; Administration and Enforcement. Amend RSA 284:42 to read as follows:

284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision ~~[in any town or city that has voted to allow such gaming].~~

446 Keno; License Applications. Amend RSA 284:45, VI(a)(10) and (b) to read as follows:

(10) A lottery retailer licensed pursuant to RSA 284:21-h, if the city, town or unincorporated place where the retailer is located has **not** voted pursuant to RSA 284:51, to ~~[allow]~~ **prohibit** the sale of keno. Lottery retailers licensed to sell keno under this subparagraph shall not display keno on an active screen at the retailer.

(b) Document that the keno games will only be operated in towns and cities that have **not** voted to ~~[allow]~~ **prohibit** the operation of keno games pursuant to RSA 284:51.

447 Keno; Local Option. RSA 284:51 is repealed and reenacted to read as follows:

I. Any town or city may prohibit the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we prohibit the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games shall not be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph II at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to prohibit the operation of keno games may consider rescinding its action in the manner described in paragraph II of this section.

V. An unincorporated place may prohibit the operation of keno games by majority vote of the county delegation, after a public hearing is held.

VI. The lottery commission shall maintain a list of municipalities where keno is prohibited.

448 New Section; Operation Permitted. Amend RSA 284 by inserting after section 51 the following new section:

284:51-a Operation Permitted. A licensee shall be permitted to operate keno games at its business pursuant to this subdivision, provided that no license shall be issued to an entity operating within a municipality which has voted to prohibit keno pursuant to RSA 284:51.

449 Facilities License Application; Specific Requirements. Amend RSA 287-D:7, III to read as follows:

III. Licenses shall expire 3 years after being issued~~[-, provided that the licensee shall annually file with the commission a statement disclosing any changes to the information required in the license application no later than December 31 of each year]~~. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

450 Game Operator Employer License Application; Specific Requirements. Amend RSA 287-D:8, VI to read as follows:

VI. Licenses shall expire 3 years after being issued~~[-, provided that the licensee shall annually file with the commission a statement disclosing any changes to the information required in the license application no later than December 31 of each year]~~. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

451 Primary Game Operator License Application; Specific Requirements. Amend RSA 287-D:9, VI to read as follows:

VI. The primary game operator license shall expire ~~[on the last day of the month of the licensee's birthday]~~ 3 years after it is issued~~[-, provided that the licensee shall annually file with the commission a statement disclosing any changes to the information required in paragraph I with the commission no later than the last day of the month of licensee's birthday]~~. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

452 Secondary Game Operator License Application; Specific Requirements. Amend RSA 287-D:10, III to read as follows:

III. A secondary game operator license shall expire ~~[on the last day of the month of the licensee's birthday]~~ 3 years after it is issued~~[-, provided that the licensee shall annually file with the commission a statement disclosing any changes to the information required in paragraph II with the commission no later than the last day of the month of the licensee's birthday]~~. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction for any criminal offense.

453 License Fees. Amend RSA 287-D:13, II-V to read as follows:

II. A facility license shall be ~~[\$250 per year]~~ ***\$750 per 3-year license period.***

III. A game operator employer license shall be ~~[\$750 per year]~~ ***\$2,250 per 3-year license period.***

IV. A primary game operator license shall be ~~[\$100 per year, to be paid with the application the first year and paid in the subsequent 2 years with the filing of the annual notice of changes form required under RSA 287-D:9, VI]~~ ***\$300 per 3-year license period.***

V. A secondary game operator license shall be ~~[\$30 per year, to be paid with the application the first year and paid in the subsequent 2 years with the filing of the annual notice of changes form required under RSA 287-D:10, HH]~~ ***\$90 per 3-year license period.***

454 Effective Date. Sections 445, 446, and 448 of this act shall take effect January 1, 2027.

455 New Section; Pari-Mutuel Pools, and Distribution of Tax Theron; Advanced Deposit Account Wagering. Amend RSA 284 by inserting after section 22-b the following new section:

284:22-c Advanced Deposit Account Wagering.

I. Advance deposit wagering is authorized for pari-mutuel betting on horse racing under this chapter if conducted in compliance with this section and the Interstate Horseracing Act of 1978, United States Code, Title 15, section 3001 et seq.

II. It is unlawful for any person or entity to accept an advance deposit wager from a New Hampshire resident unless the person or entity is a licensed advance deposit wagering provider in the state of New Hampshire.

III. Before accepting an advance deposit wager from a New Hampshire resident, a licensed advance deposit wagering provider shall demonstrate evidence of financial responsibility in a format prescribed by the commission through a surety bond executed and issued by an insurer authorized to issue surety bonds in this state, an irrevocable letter of credit, or other form of financial guarantee in an amount to be determined by the commission. The commission may also accept, as evidence of financial responsibility, a surety bond, an

irrevocable letter of credit, or other form of financial guarantee in accordance with this subdivision filed with one or more states where the applicant is licensed as an advance deposit wagering provider. The commission may ask for additional evidence of financial responsibility at any time the commission deems necessary. Any surety bond, an irrevocable letter of credit, or other form of financial guarantee issued under this subdivision shall be in favor of this state and shall specifically authorize recovery by the commission for the payment of all revenues required by this chapter.

IV. The commission shall not license or authorize a person or entity to conduct advance deposit wagering under this section unless the person or entity has submitted, and the commission approved, a plan of operation for advance deposit wagering. At a minimum, the plan of operation shall provide for:

- (a) Methods of resolving disputes with account holders;
- (b) Procedures to protect the security of account holders' accounts and information;
- (c) Methods to verify the identity of account holders and ensure that all account holders are natural persons who are at least 18 years of age;
- (d) Procedures to ensure that wagers are only accepted from account holders who have sufficient funds on deposit and that no credit is extended by the person to an account holder;
- (e) Procedures for keeping accurate records of all contests, wagers, and payouts;
- (f) Annually contracting with an independent third-party to conduct a financial audit and submit the results of the audit to the commission. If the licensed advanced deposit wagering provider is a wholly-owned subsidiary of a publicly traded company, submission of audited financial statements of the publicly-traded parent company contained in a public filing with the United States Securities and Exchange Commission shall satisfy this requirement;
- (g) Annually contracting with an independent third-party cyber security audit and submit the results of the audit to the commission; and
- (h) Other requirements established by the commission in rule.

V. The plan of operation may only be amended with the approval of the commission. The commission may withdraw approval of a plan of operation for cause.

VI. Advanced deposit wagers from New Hampshire residents shall be subject to a revenue sharing plan. Licensees shall provide the commission payment in the amount of 1.25 percent of all wagers accepted from New Hampshire residents in a manner prescribed by the commission. The revenues received from the commission pursuant to this section, less the administrative costs of the commission, shall be deposited in the education trust fund established in RSA 198:39.

VII. Persons or entities that offered advanced deposit wagering services to New Hampshire residents as of July 1, 2022 may request permission from the commission to continue offering these services during the pendency of the licensing process. Any such person or entity shall make the request to continue offering services in writing detailing how the person or entity will meet the protections set forth in this section during the interim period before licensure. The commission may grant such request for unlicensed operation for a period not to exceed six months where the requestor has adequately documented acceptable financial responsibility and patron protection standards. In no event shall this permission extend past January 1, 2026.

456 Rulemaking. Amend RSA 284:12, IV to read as follows:

IV. The sale of pari-mutuel pools as authorized under RSA 284:22, RSA 284:22-a, ~~and~~ RSA 284:22-b, **and RSA 284:22-c.**

457 Community College System of New Hampshire; Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program. Amend RSA 188-F:70 to read as follows:

188-F:70 Program Established.

I. There is hereby established in the community college system of New Hampshire the New Hampshire law enforcement officers, professional firefighters, **public safety telecommunicators and dispatchers**, and emergency medical technicians career development, recruitment, and retention program. To the extent of available funds, New Hampshire law enforcement officers, professional firefighters, **public safety tele-**

communicators and dispatchers, and emergency medical technicians may receive reimbursement, upon successful completion, for the cost of one [course] **or more courses** per semester, including required fees, in a degree program at an institution in the community college system as approved for that individual upon recommendation of the person's supervisor and the committee. Such courses may be in any field leading to a degree in an area of study approved by the commission. **Eligible individuals may receive reimbursement for non-credit or degree courses, upon successful completion, as approved for that individual upon recommendation of the person's supervisor and the committee.**

II. Upon employment by a New Hampshire fire [service] **or law enforcement department**, a graduate of the New Hampshire fire **or police** academy, or the entity that paid for the cost, with the recommendation of the employee's supervisor and the approval of the committee, shall receive full reimbursement for the cost of the academy not covered by other funding sources.

458 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program Committee. Amend the section heading and RSA 188-F:71, I to read as follows:

188-F:71 Law Enforcement Officers, Professional Firefighters, **Public Safety Telecommunicators and Dispatchers**, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program Committee Established.

I. There is hereby established the law enforcement officers, professional firefighters, **public safety telecommunicators and dispatchers**, and emergency medical technicians career development, recruitment, and retention program committee. The members of the committee shall be as follows:

(a) The commissioner of the New Hampshire department of safety, or designee. The commissioner, or designee, shall serve as chairperson of the committee.

(b) The chancellor of the community college system of New Hampshire, or designee.

(c) The director of the New Hampshire police standards and training council, or designee.

(d) The director of the New Hampshire Fire Academy, or designee.

(e) The president of the New Hampshire Association of Chiefs of Police, or designee.

(f) The president of the New Hampshire Police Association, or designee.

(g) The president of the New Hampshire state police union, or designee.

(h) The president of the Professional Firefighters of New Hampshire, or designee.

(i) The president of the New Hampshire Association of Emergency Medical Technicians, or designee.

(j) The president of the New Hampshire Association of Fire Chiefs, or designee.

(k) **The president of the New Hampshire Emergency Dispatchers Association, or designee.**

(l) Three educators from the community college system of New Hampshire, appointed by the chancellor of the community college system of New Hampshire.

459 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Fund. Amend RSA 188-F:72 to read as follows:

188-F:72 Law Enforcement Officers, Professional Firefighters, **Public Safety Telecommunicators and Dispatchers**, and Emergency Medical Technicians Career Development, Recruitment, and Retention Fund Established. There is hereby established in the state treasury a fund to be known as the law enforcement officers, professional firefighters, **public safety telecommunicators and dispatchers**, and emergency medical technicians career development, recruitment, and retention fund. The fund shall be administered by the community college system of New Hampshire. The fund shall be nonlapsing and continually appropriated to the community college system to support the program established in this subdivision. The community college system shall establish procedures for receiving and disbursing funds, and it shall report to the committee established in RSA 188-F:71 on the operation of the fund. The fund may accept state or federal appropriations or grants, or gifts, grants, or donations from any other source.

460 New Subdivision; Managed Care Law; Biomarker Testing. Amend RSA 420-J by inserting after section 19 the following new subdivision:

Biomarker Testing

420-J:20 Definitions. In this subdivision:

I. “Biomarker” means a characteristic that is objectively measured and evaluated as an indicator of normal biological processes, pathogenic processes, or pharmacologic responses to a specific therapeutic intervention, including known gene-drug interactions for medications being considered for use or already being administered. Biomarkers include but are not limited to gene mutations, characteristics of genes, or protein expression.

II. “Biomarker testing” means the analysis of a patient’s tissue, blood, or other biospecimen for the presence of a biomarker. Biomarker testing includes but is not limited to single-analyte tests, multi-plex panel tests, protein expression, and whole exome, whole genome, and whole transcriptome sequencing.

III. “Clinical utility” means a biomarker test result that provides information used in the formulation of a treatment or monitoring strategy that informs a covered person’s outcomes and impacts the treating provider’s clinical decisions. The most appropriate test may include both information that is actionable and some information that cannot be immediately used in the formulation of a clinical decision.

IV. “Consensus statements” mean statements developed by an independent, multidisciplinary panel of experts utilizing a transparent methodology and reporting structure and with a conflict of interest policy. These statements are aimed at specific clinical circumstances and base the statements on the best available evidence for the purpose of optimizing the outcomes of clinical care.

V. “Nationally recognized clinical practice guidelines” mean evidence-based clinical practice guidelines developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy. Clinical practice guidelines establish standards of care informed by a systematic review of evidence and an assessment of the benefits and risks of alternative care options and include recommendations intended to optimize patient care.

420-J:21 Biomarker Testing; Health Benefit Plan Coverage Requirements.

I. Each health carrier issuing, amending, delivering or renewing a health benefit plan on or after January 1, 2026 shall include coverage for biomarker testing as defined in RSA 420-J:20, II, pursuant to the criteria established in this section.

II. Biomarker testing shall be covered for the purposes of diagnosis, treatment, appropriate management, or ongoing monitoring of an enrollee’s disease or condition when the test provides clinical utility and is demonstrated by the following medical and scientific evidence, including but not limited to any of the following:

- (a) Labeled indications for an FDA-approved or -cleared test;
- (b) Indicated tests for an FDA-approved drug;
- (c) Warnings and precautions on FDA-approved drug labels;

(d) Centers for Medicare and Medicaid Services (CMS) National Coverage Determinations or Medicare Administrative Contractor (MAC) Local Coverage Determinations; or

- (e) Nationally recognized clinical practice guidelines and consensus statements.

III. A health carrier shall ensure that coverage as defined in paragraph II is provided in a manner that limits disruptions in care including the need for multiple biopsies or biospecimen samples.

IV. If utilization review, including but not limited to prior authorization, is required, the health carrier, utilization review entity, or any third party acting on behalf of an organization or entity subject to this subdivision shall approve or deny a prior authorization request and notify the enrollee, the enrollee’s health care provider, and any entity requesting authorization of the service within 14 days for non-urgent requests or within 72 hours for urgent requests.

V. The patient and prescribing practitioner shall have access to a clear, readily accessible, and convenient process to request an exception to a coverage policy or an adverse utilization review determination of a health carrier. The process shall be made readily accessible on the health carrier’s website.

461 New Section; Medicaid Coverage of Biomarker Testing. Amend RSA 167 by inserting after section 4-f the following new section:

167:4-g Biomarker Testing; Medicaid Coverage Requirements.

I. The state Medicaid plan shall cover biomarker testing as defined in RSA 420-J:20, II, in accordance with the requirements of this section.

II. Biomarker testing shall be covered for the purposes of diagnosis, treatment, appropriate management, or ongoing monitoring of an enrollee's disease or condition when the department of health and human services determines that the test provides clinical utility, as defined in RSA 420-J:20, III and is demonstrated by the following medical and scientific evidence, including but not limited to any of the following:

- (a) Labeled indications for an FDA-approved or -cleared test;
- (b) Indicated tests for an FDA-approved drug;
- (c) Warnings and precautions on FDA-approved drug labels;
- (d) Centers for Medicare and Medicaid Services (CMS) National Coverage Determinations or Medicare Administrative Contractor (MAC) Local Coverage Determinations; or
- (e) Nationally recognized clinical practice guidelines and consensus statements.

III. Risk-bearing entities contracted under the state Medicaid plan to deliver services to beneficiaries shall provide biomarker testing at the same scope, duration and frequency as the Medicaid program otherwise provides to enrollees.

IV. The state Medicaid plan shall ensure coverage as defined in paragraph II is provided in a manner that limits disruptions in care including the need for multiple biopsies or biospecimen samples.

V. If utilization review, including but not limited to prior authorization, is required, the state Medicaid plan, utilization review entity, or any third party acting on behalf of an organization or entity subject to this section shall approve or deny a prior authorization request and notify the enrollee, the enrollee's health care provider, and any entity requesting authorization of the service within 14 days for non-urgent requests or within 72 hours for urgent requests.

VI. The enrollee and participating provider shall have access to a clear, readily accessible, and convenient process to request an exception to a coverage policy of the state Medicaid plan or by risk-bearing entities contracted to the program. The process shall be made readily accessible to all participating providers and enrollees online.

VII. The department of health and human services shall submit to the Centers for Medicare and Medicaid Services any amendment to the state Medicaid plan required to provide coverage for biomarker testing in accordance with this section.

462 Home and Community Based Behavioral Health Services for Children; Adverse Childhood Experiences (ACEs) Prevention and Treatment Program. Amend RSA 167:3-1, IV to read as follows:

IV.(a) ~~[On or before January 1, 2023, the department shall develop a timeline, conduct a cost analysis plan, and provide a detailed report of the timeline and cost analysis plan to the senate health and human services committee and the house children and family law and health, human services and elderly affairs committees, to]~~ ***The department of health and human services shall establish the ACEs prevention and treatment program, to support children, birth to age 6, with exposure to adverse childhood experiences (ACEs) and severe emotional disturbances whose needs cannot be met through child-care, educational, and developmental services alone. The program shall be designed to provide prevention, assessment, diagnoses, and treatment services for such children and their families, by:***

(1) ~~[Increase]~~ ***Increasing*** Medicaid reimbursement for early childhood mental health care, including but not limited to child parent psychotherapy, to enhance services for Medicaid patients;

(2) ~~[Elevate]~~ ***Elevating*** the early childhood and family mental health credential statewide by requiring the credential for specific provider levels and/or associating the credential with an increased salary level or higher reimbursement rates; and

(3) ~~[Offer]~~ ***Offering continued funding, including*** scholarships or reimbursements, to cover costs associated with ~~[the training to incentivize providers to take part in the training]~~ ***ongoing training and professional development in early childhood mental health care, including but to limited to child parent psychotherapy, to ensure the highest levels of training and services to children and families.***

(b) Within one year of the effective date of this paragraph, the department shall develop and begin implementation of a 5-year plan to build the state's workforce capacity to provide child-parent psychotherapy (CPP), an intervention model for children from birth to age 6, who have experienced at least one traumatic event and/or are experiencing mental health, attachment, and/or behavioral problems, including posttraumatic stress disorder.

463 Appropriation; Department of Health and Human Services; Adverse Childhood Experiences (ACEs) Prevention and Treatment Program.

I. The sum of \$150,000 for the fiscal year ending June 30, 2026 is hereby appropriated to the department of health and human services to fund the adverse childhood experiences (ACEs) prevention and treatment program, and continue to expand and fund continued professional development for child-parent psychotherapy (CPP) services, as described in RSA 167:3-1, IV. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$150,000 for the fiscal year ending June 30, 2027 is hereby appropriated to the department of health and human services to fund the ACEs prevention and treatment program, and continue to expand and fund continued professional development for CPP services, as described in RSA 167:3-1, IV.

464 New Hampshire Granite Advantage Health Care Program 1115 Demonstration; Renewed Application to CMS.

I. On or before January 1, 2026, the department of health and human services shall resubmit to the Center for Medicare and Medicaid Services (CMS) a Section 1115 demonstration waiver to the state Medicaid plan relative to enforcing community engagement and work requirements as a condition of Granite Advantage eligibility. Prior to submitting the Section 1115 waiver to CMS, the department shall submit the proposed waiver to the fiscal committee of the general court for approval.

II. Beginning November 1, 2025 and annually thereafter, the department shall provide a report regarding the status of the waiver application and implementation of the community engagement requirements in RSA 126-AA:2, III, to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor.

465 Effective Date. Section 464 of this act shall take effect upon its passage.

466 Appropriation; New Hampshire Department of Health and Human Services; Positions to Support Public Assistance Applications. The sum of \$105,000 for the biennium ending June 30, 2027, is hereby appropriated to the department of health and human services for the purpose of establishing 2 positions to support the requirements of 2024, 358, relative to participation in the federal Summer EBT program and the elderly simplified application for SNAP. The department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The department shall work with the department of administrative services, division of personnel, to determine the appropriate classifications in accordance with the personnel classification system and applicable broad group specifications. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

467 New Section; Coverage for Hospital Stays under the State Medicaid Plan. Amend RSA 126-A by inserting after section 18-b the following new section:

126-A:18-c Coverage for Hospital Stays under the State Medicaid Plan.

Hospital stays shall be covered under the state Medicaid plan as follows:

I.(a) The department shall establish an administrative day rate for those days of hospital stay in which a client does not meet criteria for acute inpatient level of care, but is not discharged because:

(1) An appropriate placement outside the hospital is not available; and

(2) The postpartum parent's newborn remains on an inpatient claim for monitoring post-in utero exposure to substances that may lead to physiologic dependence and continuous care by the postpartum parent is the appropriate first-line treatment. "Postpartum parent" means the client who delivered the baby or babies.

(b) The department shall use the annual statewide weighted average nursing facility Medicaid payment rate to update the all-inclusive administrative day rate on November 1st of each year.

(c) The administrative day rate shall include pharmacy services, pharmaceuticals, and medically necessary ancillary services, as determined by the department, when these services are provided during administrative days.

(d) The department shall identify administrative days during the length of stay review process after the client's discharge from the hospital.

(e) The state Medicaid plan shall cover up to 5 newborn administrative days and may include additional days with expedited prior authorization (EPA). For EPA, the hospital shall establish that the clinically appropriate EPA criteria outlined in the department's published billing guides have been met, and the hospital shall use the appropriate EPA number for billing purposes.

(f) The department shall pay the administrative day rate starting with the date of hospital admission if the admission is solely for a no placement administrative day stay.

(g) The department shall pay the hospital the newborn administrative day rate only if:

(1) The postpartum parent rooms with their newborn and provides parental support/care; and

(2) The hospital provides all prescribed medications to the postpartum parent for the duration of the stay, including medications prescribed to treat substance use disorder.

II. The department shall establish a swing bed day rate for those days when a client is receiving department-approved nursing service level of care in a swing bed.

(a) The department shall not pay a hospital the rate applicable to the acute inpatient level of care for those days of a hospital stay when a client is receiving department-approved nursing service level of care in a swing bed.

(b) The department's allowed amount for those ancillary services not covered under the swing bed day rate shall be based on the payment methods provided in rules adopted under RSA 541-A. These ancillary services may be billed by the hospital on an outpatient hospital claim, except for pharmacy services and pharmaceuticals.

(c) The department shall allow pharmacy services and pharmaceuticals not covered under the swing bed day rate, that are provided to a client receiving department-approved nursing service level of care, to be billed directly by a pharmacy through the point of sale system. The department shall not allow those pharmacy services and pharmaceuticals to be paid to the hospital through submission of a hospital outpatient claim.

III. The department shall adopt rules under RSA 541-A to establish the rate setting methodology and criteria required under this section.

468 New Subdivision; System of Care for Children's Mental Health; New Hampshire Children's Behavioral Health Association. Amend RSA 135-F by inserting after section 9 the following new subdivision:

New Hampshire Children's Mental Health Association

135-F:10 Definitions. In this chapter:

I. "Assessable coverage" means:

(a) Health coverage as defined in RSA 420-G:2, IX;

(b) Stop loss coverage that conforms with RSA 415-H:3, or other group excess loss insurance purchased against the risk that any particular claim, or total liability, will exceed a specified dollar amount; or

(c) Group health plan, as defined by 42 U.S.C. section 300gg-91(a).

II. "Assessable entity" means any:

(a) Health maintenance organization, as defined by RSA 420-B:1, VI.

(b) Third party administrator, as defined by RSA 402-H:1, I.

(c) Entity providing administrator services and required to register with the insurance commissioner under RSA 402-H:11-a or RSA 402-H:11-b.

(d) Insurance company licensed pursuant to RSA 401:1, IV.

(e) Health service corporation, as defined by RSA 420-A:1, III.

III. "Assessable lives" means all children under 19 years of age residing in the state who have assessable coverage written or administered by an assessable entity, with the exception of children whose childhood behavioral health services are paid for under Medicaid.

IV. "Assessment" means the assessable entity's liability with respect to the childhood behavioral health services determined in accordance with this chapter. For purposes of rate setting and medical loss ratio calculations, all association assessments are considered pharmaceutical or medical benefit costs and not regulatory costs. In the event of any insolvency or similar proceeding affecting any payer, assessments shall be included in the highest priority of obligations to be paid by or on behalf of such payer.

V. "Association" means the New Hampshire children's behavioral health association.

VI. "Board" means the board of directors of the New Hampshire children's behavioral health association.

VII. "Care management entity" means an organizational entity that serves as a centralized entity to coordinate all care for youth with complex behavioral health challenges who are involved in multiple systems and their families, as defined in RSA 135-F:4.

VIII. "Childhood behavioral health services" mean any of the following services:

(a) Behavioral health intensive in-home services, which are therapeutic interventions delivered to children and families in their homes and other community settings to improve child and family functioning and prevent out-of-home placement. The components of intensive in-home services include, but are not limited to individual and family therapy, skills training and behavioral interventions, functional supports, and family support and training.

(b) Behavioral health intensive structured outpatient programs, which include short-term, clinically intensive, structured day or evening service for a child with a behavioral health disorder, and provides multidisciplinary treatment to address the subacute needs of children and youth, while allowing them to continue to work or attend school and be part of family life.

(c) Intensive care coordination, including but not limited to evidence based approaches like a high-fidelity wraparound for children and youth with significant behavioral health conditions, which includes assessment and service planning, accessing and arranging for services, coordinating multiple services, including access to crisis services. Assisting the child and family to meet basic needs, advocating for the child and family, and monitoring progress are also included. The wraparound "facilitator" is the intensive care coordinator who organizes, convenes, and coordinates this process.

(d) Parent and youth peer support services provided by trained peer support specialists.

IX. "Commissioner" means the commissioner of the department of health and human services.

X. "Estimated cost" means the estimated cost to the state over the course of a state fiscal year to reimburse the care management entities for provision of the childhood behavioral health services they provide to assessable lives.

XI. "Provider" means a person licensed or certified by this state, or otherwise qualified to provide health care services to persons or a partnership or corporation made up of those persons.

XII. "Total non-federal program cost" means the estimated childhood behavioral health services cost less the amount of federal revenue available to the state for the administration and provision of childhood behavioral health services.

135-F:11 New Hampshire Children's Behavioral Health Association Established. There is hereby created a nonprofit corporation to be known as the New Hampshire children's behavioral health association. The association is formed to assess assessable entities for the cost of childhood behavioral health services provided to certain children in New Hampshire.

135-F:12 Membership, Powers, and Duties of the New Hampshire Children's Behavioral Health Association.

I. The New Hampshire children's behavioral health association shall be comprised of all assessable entities.

II. The New Hampshire children's behavioral health association shall be a not-for-profit, voluntary corporation under RSA 292 and shall possess all general powers of a not-for-profit corporation.

III. The board of directors shall include:

(a) Three representatives selected from the assessable entities currently writing, maintaining, or administering assessable coverage through a voting process where votes are based on assessable lives. The plan of operation shall provide details for this selection process. One of these representatives shall represent self-insured entities.

(b) Two health care provider representatives appointed by the commissioner, one of whom shall be a mental health care provider.

(c) The commissioner of the department of health and human services, who shall serve as an ex officio member.

(d) The commissioner of the department of insurance who shall serve as an ex-officio member.

(e) One public member appointed by the governor and council.

(f) One public member appointed by the speaker of the house of representatives.

(g) One public member appointed by the president of the senate.

IV. The directors' terms and appointments shall be specified in the plan of operation adopted by the New Hampshire children's behavioral health association.

V. The board of directors of the association shall:

(a) Prepare and adopt articles of association and bylaws.

(b) Prepare and adopt a plan of operation.

(c) Submit the plan of operation to the commissioner of insurance for approval after the consultation with the commissioner.

(d) Conduct all activities in accordance with the approved plan of operation.

(e) On an annual basis, no later than November 1 of each year, establish the amount of the assessment for the succeeding year.

(f) Enter into contracts as necessary or proper to collect and disburse the assessment.

(g) Enter into contracts as necessary or proper to administer the plan of operation.

(h) Sue or be sued, including taking any legal action necessary or proper for the recovery of any assessment for, on behalf of, or against members of the association or other participating person.

(i) Appoint from among its directors, committees as necessary to provide technical assistance in the operation of the association, including the hiring of independent consultants as necessary.

(j) Determine an assessment amount and collect payments from assessed entities in accordance with RSA 135-F:13.

(k) Submit an annual report to the commissioner of insurance, in a manner and form determined by the commissioner, listing the association membership base, providing a count of assessable lives by assessable entity, identifying changes in assessable lives by assessable entity, describing the collection of assessments, listing payment delinquencies, and containing such other related information as the commissioner may require.

(l) Allow each assessable entity up to 45 days after the closing of each calendar quarter to report its assessable lives and remit its corresponding assessment amount as calculated pursuant to RSA 135-F:13.

(m) Collect assessments from assessable entities as calculated under RSA 135-F:13 and deposit said assessments less the association's administrative costs annually and reserves with the state treasurer to the credit of the childhood behavioral health services fund established pursuant to RSA 135-F:19. At the written request of the association following a majority vote of the board of directors, any funds forwarded to the state treasurer for the childhood behavioral health services fund remaining unexpended for childhood behavioral health services, shall promptly be returned to the association.

(n) Be authorized to enter into one or more agreements with other applicable authorities in surrounding states to reduce the risk of duplicate assessments and to assure provision of childhood behavioral health services for children who are residents of this state but who receive childhood behavioral health services in other states. Any costs relating to any such agreement shall be considered additional childhood behavioral health services costs of the program for purposes of determining the association's assessments.

(o) Adopt procedures by which affiliated assessable entities calculate their assessment on an aggregate basis and procedures to ensure that no assessable life is counted more than once. Unless otherwise determined by the board, the assessable entity responsible for the payment of the provider's administrative costs for childhood behavioral health services shall be the entity responsible for reporting assessable lives and payment of the corresponding assessment.

(p) Submit an annual report regarding the association's activities and its financial reports adopted by the department of health and human services to the president of the senate, the speaker of the house of representatives, and the governor.

(q) Perform any other functions as may be necessary or proper to carry out the plan of operation.

135-F:13 Assessment Determination.

I. The board shall determine an assessment for each assessable entity in accordance with this section. An assessment determination made pursuant to this section is a medical benefit cost and not a regulatory cost for purposes of calculating the carrier's medical loss ratio.

II. In determining the assessment amount, the board shall:

(a) Estimate the total non-federal program cost for the succeeding year;

(b) Add its anticipated operating costs for the succeeding year and such additional working capital reserves as may be established by the board from time to time;

(c) Add a reserve of up to 10 percent of the anticipated cost under subparagraph (a) for unanticipated costs associated with providing childhood behavioral health services to children covered; and

(d) Subtract the amount of any unexpended assessments collected in the preceding year along with any unexpended interest accrued to the fund during the preceding year.

III. The board shall include in its plan of operations, details regarding the timing for assessment collections, and the form and format assessable entities shall use to calculate assessments.

IV. The board shall include in its plan of operation details regarding payment due dates, grace periods, late payment fees, interest, and other details regarding the collection of assessments.

V. The board may determine an interim assessment for new childhood behavioral health services or unanticipated shortfalls in the association's ability to meet childhood behavioral health services funding needs. The board shall calculate the interim assessment in accordance with paragraph II, and the interim assessment is payable the calendar quarter that begins no less than 30 days following the establishment of the interim assessment. The board shall not impose more than one interim assessment per year.

VI. In the event that the association discontinues operation for any reason, any unexpended assessments, including unexpended funds from prior assessments in the children's behavioral health association, shall be refunded to payees in proportion to the respective assessment payments by payees over the most recent 8 quarters prior to discontinuation of association operations.

135-F:14 Powers and Duties. In addition to the duties and powers enumerated elsewhere in this chapter:

I. The commissioner of insurance shall, after notice from the association, issue a show cause order to any assessable entity that fails to comply with the association's plan of operation. In addition to late fees and other penalties imposed by the association, assessable entities may, after a finding of just cause, be subject to a minimum fine of \$5,000, a maximum fine of 25 percent of the total amount of delinquent assessments, and licensure suspension.

II. The insurance commissioner shall annually review the assessment report required under RSA 135-F:12, V(k) to ensure that all assessable entities are participating in the association and that all assessable entities have accurately reported assessable lives. The association shall remedy any problem identified by the commissioner with respect to assessable entities and assessable lives.

III. The commissioner of insurance may adopt rules, pursuant to RSA 541-A, as necessary to carry out the purposes of this subdivision.

135-F:15 Examinations and Annual Reports. The board of directors shall submit to the commissioner, no later than 120 days after the close of the association's fiscal year, a financial report in a form approved by the commissioner.

135-F:16 Exemption From Taxes. The association shall be exempt from payment of all fees and all taxes levied by this state or any of its subdivisions, except taxes levied on real property.

135-F:17 Immunity from Liability. There shall be no liability on the part of and no cause of action of any nature shall arise against any association member or its agents or employees, the association or its agents or employees, members of the board of directors, or the commissioner or the commissioner's representatives, for any action or omission by them in the performance of their powers and duties under this chapter.

135-F:18 Severability of Chapter. If any provisions of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

135-F:19 Childhood Behavioral Health Services Fund. There is hereby established in the office of the state treasury a fund to be known as the childhood behavioral health services fund that shall be kept distinct and separate from all other funds. The fund is established to pay the care management entities for the provision of childhood behavioral health services. Any funds provided to the department for this purpose and deposited in the fund shall not be used for any other purpose. All moneys in this fund shall be nonlapsing and continually appropriated to the department.

469 New Subparagraph; State Treasurer; Application of Receipts. Amended RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the childhood behavioral health services fund established in RSA 135-F:19.

470 Insurance; Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, V-a to read as follows:

V-a. The commissioner shall periodically require health insurers, health service corporations, and health maintenance organizations to submit the comparative analysis described in 42 U.S.C. section 300gg-26(a)(8)(A) for review to ensure compliance with this chapter and with the Act. ***These comparative analyses shall also include specific comparative data for medical/surgical benefits and mental health and substance use disorder benefits available to consumers by age group including ages 0-5 years and 18 years and younger, and including services available, coverage guidelines, denial rates, complaints about lack of services, network capacity data, provider qualifications and restrictions for comparable services, and other factors that indicate whether there are barriers to care that affect parity.*** To the extent allowable under state and federal law, such analysis shall be made public.

471 Effective Date. Sections 468-470 of this act shall take effect 60 days after its passage.

472 Appropriation; Intermediate Care for Children with Intellectual and Developmental Disabilities. The sums of \$70,105 for the fiscal year ending June 30, 2026 and \$141,613 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, account 05-95-048-482010-2154, for the purpose of providing a 2 percent rate increase in fiscal year 2026 and an additional 2 percent rate increase in fiscal year 2027 to facilities providing intermediate care for children with intellectual and developmental disabilities. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend any federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

473 New Hampshire Veterans' Home; Transfer Between and Among Accounts and Classes. Notwithstanding the provisions of RSA 9:16-a, RSA 9:16-b, and RSA 9:16-c, for the biennium ending June 30, 2027, the commandant of the New Hampshire veterans' home is authorized to transfer funds between and among all accounting units and expenditure classes within the home and to create accounting units and expenditure classes as required and as the commandant deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the home, including funding unfunded positions, provided that if a transfer does not include new accounting units or expenditure classes, only such transfers of \$100,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. The New Hampshire veterans' home shall remain subject to the transfer limitations in RSA 9:17-a and RSA 9:17-c.

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

I. New Hampshire is facing serious gaps in maternal health and wellness and continues to face threats to the fragile maternal health ecosystem.

II. The New Hampshire maternal mortality committee determined that 76.1 percent of New Hampshire pregnancy-related deaths were preventable.

III. Nationwide, data show that 53 percent of pregnancy-related deaths occurred between one day to one year after pregnancy.

IV. New Hampshire has a high prevalence of depression, anxiety, and behavioral health conditions, including substance overdose, a leading cause of maternal mortality.

V. The majority of maternal deaths as the result of an overdose have connections to prior mental health conditions.

VI. Seventy-eight percent of New Hampshire moms worked during pregnancy, and 62 percent of New Hampshire moms plan to return or return to the workforce after giving birth.

475 New Section; Maternal Mental Health Screening. Amend RSA 126-A by inserting after section 101 the following new section:

126-A:101-a Maternal Mental Health Screening.

I. The department of health and human services shall cover maternal depression screenings at well-child visits under the state Medicaid program. The department shall recommend that health care providers screen mothers for maternal depression at all well-child visits.

II. The department is authorized to use the following Medicaid coverage categories to reimburse depression screening:

- (a) Early and periodic screening, diagnostic, and treatment services.
- (b) As an assessment under the mother's Medicaid identification number.
- (c) As a risk assessment under the infant's Medicaid identification number.

III. As used in this section, "maternal depression screening" means screening tools for maternal mental health that are consistent with current standard of care and under the supervision of a certified health care provider.

476 New Section; Maternal Depression Screening Coverage. Amend RSA 417-D by inserting after section 2-c the following new section:

417-D:2-d Maternal Depression Screening Coverage.

I. Each health carrier that issues or renews any group policy, plan, or contract of accident or health insurance providing benefits for medical or hospital expenses, shall provide to certificate holders of such insurance coverage for maternal depression screening.

II. Covered benefits shall include:

- (a) Periodic prenatal and postpartum depression screening of the pregnant and postpartum patient under the patient's plan.
- (b) Periodic maternal depression screening for the mother of a child at the child's one month, 2 month, 4 month, and 6 month well-child visits under the child's plan.
- (c) Instruction to the mother on the results of screening and referral to mental health and/or community based resources.

III. In this section:

- (a) "Maternal depression screening" means any and all screening tools for maternal mental health that is consistent with current standard of care and under the supervision of a certified health care provider.
- (b) "Pregnant or postpartum patient" is defined as an individual who:
 - (1) Is pregnant or within 12 months of giving birth; or
 - (2) Has lost a pregnancy or relinquished an infant for adoption within the previous 12 months.

IV. This section shall not apply to plans available through the Small Business Health Options Program (SHOP).

477 Appropriation; Department of Health and Human Services; Perinatal Psychiatric Provider Consult Line. The sum of \$275,000 for the fiscal year ending June 30, 2028 is hereby appropriated to the department of health and human services to support the establishment of a perinatal psychiatric provider consult line. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

478 Appropriation; Rural Maternal Health EMS Services. The sum of \$75,000 for fiscal year ending June 30, 2026, and the sum of \$75,000 for the fiscal year ending June 30, 2027, is hereby appropriated to the department of safety to support rural maternal health EMS services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

479 Appropriation: Department of Health and Human Services; Reduction of Barriers for Independent Birth Centers; Agency Study and Report. The sum of \$30,000 for fiscal year ending June 30, 2026, is hereby appropriated to the department of health and human services to utilize existing contracts to additionally examine barriers to the sustainability of independent birth centers in New Hampshire and identify ways to reduce burdens and encourage their sustainability. The department shall report its findings and recommendations, including any necessary legislation and rulemaking changes, to the senate president, the speaker of the house of representatives, the governor, the house clerk, and the senate clerk on or before June 30, 2026.

480 New Sections; Women's Health Care. Amend RSA 417-D by inserting after section 2-d the following new sections:

417-D:2-e Coverage of Perinatal Mental Health and Substance Use Treatment.

I. Any group health plan or health insurance issuer offering group health insurance coverage, that provides benefits with respect to mental health and substance use disorders treatment furnished to a perinatal individual enrolled under such plan or coverage, may choose to waive copayment for such services.

II. For a health care contract that meets the definition of a "high deductible plan" set forth in 26 U.S.C. section 223(c)(2), this requirement shall apply only after the enrollee has satisfied the minimum deductible under section 223 for the year, except with respect to items or services that are preventive care pursuant to section 223(c)(2)(C) of the federal Internal Revenue Code, in which case paragraph I shall apply regardless of whether the minimum deductible under section 223 has been satisfied.

III. In this section:

(a) "Perinatal individual" shall refer to an individual who:

- (1) Is pregnant or is within 12 months of giving birth;
- (2) Is a biological parent or an adoptive or foster parent who is within 12 months from assuming custodial care of a child; or
- (3) Has lost a pregnancy or relinquished an infant for adoption within the previous 12 months.

(b) "Substance use treatment" and "substance use disorder services" mean health care services that are provided to a covered person as treatment for an addictive substance-related condition, not including treatment for any condition related to tobacco use.

417-D:2-f Coverage of Perinatal Home Visiting Services.

I. Each health carrier that issues or renews any group policy, plan, or contract of accident or health insurance providing benefits for medical or hospital expenses, shall provide certificate holders of such insurance coverage for home visiting services for pregnant and postpartum women who do not otherwise qualify.

II. Covered benefits shall include:

(a) Home visiting services for pregnant and postpartum women up to 12 months post birth of a child provided by a qualified health professional with maternal and pediatric health training.

(b) Instruction, resource referral, and materials necessary to home visiting care.

III. In this section, "home visiting services" includes evidence-based, voluntary home or community-based services for mothers and caregivers with newborns aimed at improving maternal and child health, including but limited to:

- (a) Screenings for unmet health needs;
- (b) Maternal and infant nutritional needs;
- (c) Emotional health supports, including postpartum depression supports; and
- (d) Resource and referral.

481 New Section; Expand Employee Protection to Attend Pregnancy Appointments to Postpartum and Fertility Appointments. Amend RSA 275 by inserting after section 37-e the following new section:

275:37-f Leave of Absence to Attend Medical Appointments for Childbirth, Postpartum Care, and Infant Pediatric Medical Appointments.

No employer with 20 employees or more, shall deny an employee leave from work up to a total of 25 hours to attend the employee's own medical appointments for childbirth, postpartum care, or the employee's child's pediatric medical appointments within the first year of the child's birth or adoption. In the case where both parents of a child are employees of the same employer, the parents collectively may take unpaid leave according to this section, for a total of 25 hours in their child's first year. An employer is not required to pay an employee for any time taken as leave pursuant to this section. However, an employee shall be permitted to substitute any accrued vacation time or other appropriate paid leave for any leave taken pursuant to this section. When the employee returns from their own or their child's health appointments, that employee's original job shall be made available to the employee by the employer. An employee who wishes to request leave under this section shall provide reasonable notice to the employer prior to the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the employer. An employer may ask for documentation from the employee to ensure the time is being used for its intended purpose.

482 Department of Health and Human Services; Perinatal Peer Support. The department of health and human services shall study how to operationalize a perinatal peer support certification program and determine best practices for perinatal peer support. The department shall provide a report of their findings to the senate president, speaker of the house of representatives, the senate clerk, house clerk, and governor no later than November 1, 2026.

483 Effective Date.

I. Sections 475, 476, 480, and 481 shall take effect January 1, 2026.

II. Section 477 shall take effect July 1, 2027.

484 Appropriation; Department of Health and Human Services; Supportive Housing Services. The commissioner of the department of health and human services shall submit a renewal of the state plan amendment as provided in Section 1915(i) of the Social Security Act or a waiver under other provisions of the Act to the Centers for Medicare and Medicaid Services to sustain a state Medicaid benefit for supportive housing services. The department of health and human services shall fully implement the new supportive housing Medicaid benefit and provide a report to the legislature on its implementation on November 1, 2025, and November 1, 2026.

485 Department of Health and Human Services; Appropriation; Funding for Community Residential Services for Individuals with Disabilities and Acquired Brain Disorders. There is hereby appropriated to the department of health and human services the sum of \$10,000,000 for the biennium ending June 30, 2027 for the purpose of financing room and board for individuals with disabilities and acquired brain disorders who live in a staffed community residence within the state of New Hampshire. The department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

486 Committee Established.

I. There is established a committee to study long-term managed care and other relevant considerations related to long-term managed care.

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

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

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

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

IV. The committee shall:

(a) Solicit input regarding, and develop legislative proposals related to, the following:

(1) The integration of medicaid-funded long-term care services, including home and community based services waiver programs and nursing home benefits, into the department of health and human service's care management program, to be delivered by at least one managed care organization as defined in RSA 126-A:5, XIX(c)(3);

(2) Managed long-term care services and support programs run nationally;

(3) Waivers and nursing home benefits delivered through Medicaid managed care organizations, where managed care organizations are responsible for care coordination, service authorization, and payment administration for long-term support and services, as well as services supported under the choices for independence waiver under section 1902 (a)(30)(A) of the Social Security Act;

(4) Whether to include developmental disability waiver services into the Medicaid care management program;

(5) Ways in which the state and counties can obtain enhanced federal funding sources;

(6) Ways in which Medicaid eligibility can be streamlined to place priority on consumer choice and create a less restrictive environment;

(7) Ways in which nursing facility providers can be incentivized to accept Medicaid members with high acuity to reduce length of stay in hospitals;

(8) How managed care organizations collaborate with county governments, including delegating care coordination and service authorization functions;

(9) How to ensure nursing facilities are paid timely and utilize services consistent with the criteria established by the department of health and human services;

(10) How managed care organizations participate in discharge planning, transitional care, and other education programs for physicians, nurses, discharge planners and hospitals;

(11) How managed care organizations provide incentive payments to nursing facility providers, reward reductions in preventable acute care costs, and encourage transformative efforts in the delivery of nursing facility services, including efforts to promote transitions to community based settings and a resident-centered care culture through facility design and services provided;

(12) How a shared savings program with county governments and other nursing facility providers and active participants can ensure the delivery of quality services;

(13) How the department of health and human services can update its capitation payment plan to take into consideration payments to cover all managed long-term care support services;

(14) Issues relevant to ensure a seamless and effective transition to the integration of all long-term care services, including waiver services, to be managed through the care management program;

(15) The timeline and impact of a statewide program that aligns Medicare and Medicaid enrollment into a highly-integrated, special needs plan for all dually eligible Medicaid and Medicare beneficiaries;

(16) The benefits of dually eligible plans on meeting the needs of individuals who choose to remain in communities with appropriate services; and

(17) Other pertinent and relevant issues as deemed necessary by the committee.

(b) Solicit input from:

(1) The department of health and human services;

(2) County and private nursing home providers;

(3) Long-term service and support providers within the development and disability areas of state agencies;

(4) National Medicaid-managed care providers; and

(5) Other departments, groups, organizations, or individuals as deemed necessary by the committee.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee 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 October 1, 2025.

487 Effective Date. Section 486 of this act shall take effect upon its passage.

488 Department of Health and Human Services; Processing of Medical Assistance Applications; Hiring Consultant; Appropriation.

I. The sum of \$3,000,000 for the biennium ending June 30, 2027, is hereby appropriated to the department of health and human services for the purpose of hiring a contractor to provide staffing support to assist with eliminating the backlog in Medicaid long-term care eligibility determinations. The department shall begin a competitive bidding process on or before September 30, 2025, to hire a contractor to begin on or before December 31, 2025, subject to governor and executive council approval, for the purposes of this section. In addition to providing staffing support, the contractor shall develop a plan for the efficient processing of long-term care applications by or before June 30, 2026. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department may accept and expend additional federal funds without prior approval of the fiscal committee of the general court.

II. For the biennium ending June 30, 2027, the annual licensing fee set forth in RSA 151:5, IV for nursing homes shall be \$85 per licensed bed and \$60 of said fees collected by the department of health and human services during this period shall be deposited into the general fund of the state. The purpose of this is to partially offset the appropriation set forth in paragraph I in this section. The remaining \$25 per licensed bed will continue to go into account 05-95-95-952010-5146.

489 Directive; Department of Health and Human Services. The department of health and human services shall report by January 1, 2026 on the status of the backlog in Medicaid long-term care eligibility determinations to the speaker of the house of representatives, the president of the senate, and the chairs of the senate health and human services committee and the house of representatives health, human services, and elderly affairs committee. The department shall provide an updated report every 6 months until the department reports that there is no further backlog.

490 Accident and Health Insurance; Coverage for Prosthetic Devices. Amend RSA 415:18-ff to read as follows:

415:18-ff Coverage for Prosthetic Devices [~~for Children~~].

I. Each insurer that issues or renews a policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses shall provide coverage for prosthetic devices, including activity-specific prosthetic devices, for children under 19 years of age, who are residents of this state and covered by such insurance. The insurer may limit coverage for activity-specific prosthetic devices to one activity-specific prosthetic device per plan year. Medically necessary prosthetic devices shall not be subject to any annual limits. Coverage under this section shall be subject to such other terms and conditions of the policy that may apply.

II. *Each insurer that issues or renews a policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses shall provide coverage for prosthetic devices, including activity-specific prosthetic devices, for individuals over 19 years of age, who are residents of this state and covered by such insurance. The insurer may limit coverage for activity-specific prosthetic devices to one activity-specific prosthetic device every 5 years. Medically necessary prosthetic devices shall not be subject to any annual limits. Coverage under this section shall be subject to such other terms and conditions of the policy that may apply. The terms of this section do not apply to self-funded plans, including the State of NH's employee benefit plan.*

[F:] **III.** Covered benefits shall include:

- (a) All materials and components necessary to use the device;
- (b) Instruction to the enrollee on using the device; and

(c) The repair or replacement of a prosthetic device that is determined medically necessary or is necessary for maximizing the enrollee's ability to engage in the specific activity.

[H:] **IV.** In this section:

- (a) "Prosthetic" means an artificial substitute for a body part for functional or therapeutic purposes.

(b) “Activity-specific prosthetic device” means a prosthetic device designed to allow an individual to participate in a specific activity that could damage the residual limb or everyday prosthesis, or when the everyday prosthesis would not function effectively to perform that specified activity.

[HH:] V. This section shall not apply to plans available through the Small Business Health Options Program (SHOP).

491 Coverage for Certain Prosthetic Devices. Amend RSA 415:18-n, I to read as follows:

I. Each insurer that issues or renews any policy of group accident or health insurance providing benefits for medical or hospital expenses, except for supplemental policies covering a specified disease or other limited benefit, shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state and whose principal place of employment is in this state, coverage for benefits for prosthetic devices under the same terms and conditions that apply to other durable medical equipment covered under the policy, except as otherwise provided in this section ***and except as otherwise provided in RSA 415:18-ff.***

492 Effective Date. Sections 490 and 491 of this act shall take effect January 1, 2026.

493 Department of Health and Human Services; Division of Public Health Services; Public-Private Health Care Workforce Recruitment and Retention Hub; Infrastructure Contracts. The department of health and human services, division of public health services, rural health and primary care section shall amend its current contract with Bi-State Primary Care Association’s Recruitment Center to require the Recruitment Center to collaborate with a family medicine residency program in rural New Hampshire at a teaching health center program to support the training of family medicine residents in the north country. The teaching health center program shall be accredited or eligible for accreditation by a nationally recognized accreditation agency.

494 Appropriation; Bi-State Primary Care Association Sub-recipient Contract with a Rural Residency Training at a Teaching Health Center Program. The sum of \$500,000 for the fiscal year ending June 30, 2027 is hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purposes set forth in section 493 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

495 Personal Needs Allowance of Residents of Nursing Homes. Amend RSA 167:27-a, II to read as follows:

II. Every ~~[5-years]~~ ***year***, the commissioner shall make the adjustment for cost of living increases in the personal needs allowance to reflect social security increases.

496 Department of Health and Human Services; Hampstead Hospital and Residential Treatment Facility Staff Transitioning; Certain Leave Accrual and Supplemental Payments; Supplemental Appropriation. Notwithstanding any other law to the contrary, the sum of \$160,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health and human services for the purposes of making certain leave accrual payments to temporary classified positions and any applicable bonus or retention payments prorated to the time worked in state service as part of staff transition at Hampstead hospital and residential treatment facility. This appropriation shall be nonlapsing and limited to the purposes of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

498 Department of Health and Human Services; Carryforward. For the biennium ending June 30, 2025, all revenue collected by the department of health and human service derived from the operations transfer and asset purchase agreement, lease agreement, and transition services agreement, approved by the governor and executive council on December 18, 2024, shall be deposited into the Hampstead hospital and residential treatment fund.

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

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

500 Effective Date.

I. Section 495 of this act shall take effect January 1, 2026.

II. Sections 496 through 499 of this act shall take effect June 30, 2025.

501 Department of Health and Human Services; Appropriation; Tier-One Call Center. There is hereby appropriated to the department of health and human services the sum of \$3,825,000 for the biennium ending June 30, 2027, for the purpose of financing a tier-one call center. The department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

502 New Subparagraphs; New Hampshire Employment Program and Family Assistance Program; Rule-making. Amend RSA 167:83, II by inserting after subparagraph (r) the following new subparagraphs:

(s) Payments for child care providers. Such rules shall:

(1) Streamline data entry requirements for providers receiving child care scholarship payments by eliminating any requirement to report hourly attendance, to the extent that such reporting is not necessary for administering child care scholarship payments; and

(2) By December 2025, implement a system of prospective provider payments, through which child care providers shall receive scholarship program payments in advance of or at the beginning of each payment period. If a provider begins providing care to a child in the middle of a service period, the department may delay the first payment until the start of the next service period.

(t) Child care scholarship presumptive eligibility pilot program.

(1) The department shall develop and implement a presumptive eligibility pilot program, whereby applicants who meet threshold screening requirements established by the department will receive the benefit of child care scholarship funds while the application process is underway, from the date of the initial screening until the earliest of:

(A) 60 days after the initial screening;

(B) The date on which a final eligibility determination is made; or

(C) The expiration of a submission period, the length of which shall be identified by the department, if the applicant fails to submit the required information or documentation to establish eligibility during this period. The department shall provide both the applicant and the child care provider at least 10 days notice, and shall supply the applicant a list of the verification documents still required to determine eligibility, before terminating the presumptive eligibility period on this basis.

(2) Except in cases of fraud or intentional violation of program rules, no child care provider and no scholarship applicant shall be held responsible for the costs of care paid from scholarship funds during such period of presumptive eligibility, even if the child is ultimately determined ineligible for scholarship funds.

(3) The department shall establish criteria and parameters as needed to implement the program.

(4) The duration of this pilot program shall be 24 months, beginning January 1, 2026.

(5) The department may suspend this pilot program, with notice to providers and prospective applicants, if an active waitlist is maintained pursuant to N.H. Admin. Code section He-C 6910.11, and the department shall reinstate the pilot program if such a waitlist ends during the duration of the pilot program.

(6) On or before May 1, 2028, the department shall provide a detailed report of the presumptive eligibility pilot program to the house health and human services oversight committee and senate health and human services committee of the general court. The report shall include the following information:

(A) Information regarding family and provider interest and utilization of the program during the pilot period;

(B) Information regarding the costs and benefits of the program as implemented, and any suggestions for improvements;

(C) Funding levels necessary to sustain the program going forward; and

(D) Any other relevant information regarding the program.

(u) District office staff training. The department of health and human services shall develop and engage in training of all district office staff regarding changes to the child care scholarship program.

503 Department of Health and Human Services; Appropriation. There is hereby appropriated to the department of health and human services the sum of \$100,000, for the biennium ending June 30, 2027, to provide payments for child care providers, the child care scholarship presumptive eligibility pilot program, and the child care scholarship application process study. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

504 Prospective Repeal. RSA 167:83, II(t), related to the child care scholarship presumptive eligibility pilot program, is repealed.

505 Effective Date. Section 504 of this act shall take effect May 2, 2028.

506 Department of Health and Human Services. Appropriation; Child Care Programs.

I. The sums of \$7,500,000 for the fiscal year ending June 30, 2026 and \$7,500,000 for the fiscal year ending June 30, 2027 are hereby appropriated from federal TANF reserve funds to the department of health and human services for the purpose of financing recruitment and retention bonus and benefit grants for New Hampshire child care employers. The appropriation is contingent upon the department seeking formal approval from the federal Department of Health and Human Services to use the funds for the purposes specified in this section. If necessary, and if a waiver process is available, the department of health and human services shall seek a waiver to use the funds for these purposes. The department shall make the initial request no later than August 1, 2025, and upon receiving a determination, shall notify the fiscal committee of the general court of the decision received.

II. Eligible child care programs shall be programs operating in New Hampshire with an active child care license or that are license-exempt and enrolled in the department of health and human services child care scholarship program. These programs shall include those who serve children from birth through age 12 and are also referred to as center-based, family-based, early childhood education, early learning, outside of school time, before and after school, and summer camp programs, as well as non-profit and privately-owned center-based and family-based child care programs.

III. The department shall develop and implement a grant application process for eligible programs, and may consider additional grant amounts for child care programs enrolled in or in preparation to enroll in the granite steps for quality in recognition of their extra effort and commitment to continuous quality improvement. Grant amounts shall be determined by the department after all applications have been received and approved.

IV. Grants received by the programs may be used in the following ways:

- (a) Deposit into an eligible, tax-advantaged health savings account or flexible spending account;
- (b) Mentor credentialing and support networks for mentors;
- (c) Sign-on and/or retention incentives and/or wage increases;
- (d) Professional costs such as training hours, CPR, or memberships in professional organizations;
- (e) Child care tuition assistance;
- (f) Credit towards the employee's share of the cost of their health insurance plan;
- (g) Paid time off equivalent;
- (h) Child care tuition discount;
- (i) Student loan repayment;
- (j) Telemedicine coverage; or

(k) Payment towards a physical, first-aid certification, CPR certification, background check, or other credential required for the child care position.

V. If grant application requests exceed available funding, preference shall be given to eligible child care programs which are:

(a) Enrolled in New Hampshire's child care scholarship program; and

(b) Connected to the work of their related early childhood regional network, as determined by the department.

VI. The department of health and human services shall incorporate in its biennial appropriation request pursuant to RSA 9:4 an amount necessary to fully fund the child care workforce programs contained in this section.

507 New Subparagraph; State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the 988 trust fund as established in RSA 135-C:70.

508 New Paragraph; Public Health; New Hampshire Mental Health Services System; Definitions. Amend RSA 135-C:2 by inserting after paragraph X the following new paragraph:

X-a. "National Suicide Prevention Lifeline" or "988 Suicide and Crisis Lifeline" means the national network of local crisis hotline centers that provide free and confidential support to people in suicidal crisis or other behavioral health crisis 24 hours per day, 7 days per week, via a toll-free telephone hotline number that receives calls made through the 988 system.

509 New Paragraphs; Public Health; New Hampshire Mental Health Services System; Definitions. Amend RSA 135-C:2 by inserting after paragraph XVI the following new paragraphs:

XVII. "988" means the 3-digit telephone number designated by the Federal Communications Commission for the purpose of connecting individuals experiencing a behavioral health crisis with counselors trained in suicide prevention and behavioral health crisis and with the capacity to connect callers to behavioral health crisis services through the National Suicide Prevention Lifeline network.

XVIII. "988 Administrator" means the Administrator of the national 988 Suicide and Crisis Lifeline system maintained by the Assistant Secretary for Mental Health and Substance Use.

XIX. "988 center" means a center operating on a county or regional basis in New Hampshire and participating in the National Suicide Prevention Lifeline network to respond to statewide or regional 988 calls, chats, and texts.

510 New Sections; Public Health; New Hampshire Mental Health Services System. Amend RSA 135-C by inserting after section 69 the following new sections:

135-C:70 988 Trust Fund; Fund Established.

I. There is hereby established in the state treasury the 988 trust fund that shall be kept distinct and separate from all other funds. The 988 trust fund consists of:

(a) Revenues from the 988 coordinated crisis services telecommunications surcharge established under RSA 135-C:74;

(b) Gifts, grants, and donations to the fund from public and private sources; and

(c) Moneys deposited into the fund from other sources.

II. The state treasurer shall be the trustee of the trust fund, and shall invest the trust fund in accordance with RSA 6:8. Any earnings on trust fund moneys shall be added to the trust fund. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the state treasury. The state treasurer shall disburse funds from the trust fund solely for the purposes and in the manner set forth in RSA 135-C:71.

III. Moneys in the 988 trust fund may only be used for expenses that are not:

(a) Reimbursed through Medicaid, Medicare, federal or state-regulated health insurance plans, disability insurers, and programs or funding not otherwise covered by another entity, including municipal or county programs; and

(b) Covered because the service recipient's name and health coverage information cannot be obtained or billed.

III-a. Moneys in the 988 trust fund originating from the 988 coordinated crisis services telecommunications surcharge shall only be used to fund the equipment, communications services, and direct costs for crisis hotline center personnel for 988 call-taking and appropriate call routing for 988 centers.

IV. The department of health and human services shall provide an annual report of deposits into and expenditures from the 988 trust fund to the health and human services oversight committee, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and to the Federal Communications Commission. The report shall include all revenue generated by the 988 coordinated crisis services telecommunications surcharge established under RSA 135-C:74.

135-C:71 988 Trust Fund; Management and Distribution of Funds.

I. The commissioner of the department of health and human services, in consultation with the behavioral health crisis services advisory commission established in RSA 135-C:72, shall administer the 988 trust fund established in RSA 135-C:70. The commissioner shall draw from the 988 trust fund for qualifying purposes under paragraph II.

II. The purpose of the 988 trust fund shall be to establish, operate, maintain, promote awareness of, and improve 988 and the behavioral health crisis services system. The 988 trust fund shall be expended to offset costs that are or can be reasonably attributed to:

(a) Implementing, maintaining, and improving the National Suicide Prevention Lifeline including staffing and technological infrastructure enhancements necessary to achieve operational and clinical standards and best practices set forth by the National Suicide Prevention Lifeline;

(b) Provision of acute behavioral health, mobile crisis response teams, and receiving and stabilization services by directly responding to the National Suicide Prevention Lifeline;

(c) Personnel for the 988 centers and acute mental health, mobile crisis response teams, and stabilization services, which should include individuals that reflect the demographics of the community served and have specialized training to serve at risk communities, including culturally and linguistically competent services for LGBTQIA+ individuals, children, youth, and young people, and racially, ethnically, and linguistically diverse communities;

(d) Provision of data, reporting, participation in evaluations and related quality improvement activities as required by the 988 administrator, department of health and human services, and the general court; and

(e) Administration, oversight, and evaluation of the fund.

135-C:72 Behavioral Health Crisis Services Advisory Commission Established.

I. There is hereby established a behavioral health crisis services advisory commission.

II. Notwithstanding RSA 14:49, the commission shall consist of the following members:

(a) The state treasurer, or designee.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

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

(d) The commissioner of the department of health and human services, or designee.

(e) The director of the department of safety, division of emergency services and communications ("E911"), or designee.

(f) The commissioner of the insurance department, or designee.

(g) One representative from the National Alliance on Mental Illness of New Hampshire, appointed by that organization.

(h) One representative of the New Hampshire Community Behavioral Health Association, appointed by the association.

(i) One representative of the New Hampshire Hospital Association, appointed by the association.

(j) One representative of New Futures, appointed by the organization.

(k) One representative from each of New Hampshire's 2 centers participating in the National Suicide Prevention Lifeline network.

(l) One representative of America's Health Insurance Plans (AHIP), appointed by the association.

(m) One representative of community health centers appointed by the Bi-State Primary Care Association.

(n) One representative from the New Hampshire Psychological Association, appointed by that organization.

III. Members appointed under subparagraphs (b) through (c) shall serve a term coterminous with their term in office, or for 2 years, whichever is shorter. Members appointed under subparagraphs (g) through (n) shall serve 2 years, or until a successor is appointed and qualified in the case of a vacancy, and shall be eligible for reappointment at the end of their term. The term of office for all other members shall be coterminous with the term of office for the position that qualifies that member to serve on the advisory council. A vacancy shall be filled in the same manner, but only for the unexpired term. The advisory commission shall elect a chairperson every year with no person serving as chairperson for more than 2 consecutive one-year terms.

IV. Each member of the advisory commission shall have one vote, with all actions being taken by an affirmative vote of the majority of present members. Eight members shall constitute a quorum.

V. Legislative members shall receive the receive mileage at the legislative rate while attending to the duties of the commission.

VI. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A and take place no less than 4 times per year.

VII. The department of health and human services shall provide administrative support to the advisory commission.

135-C:73 Behavioral Health Crisis Services Advisory Commission; Duties. The behavioral health crisis services advisory commission established in RSA 135-C:72 shall be responsible for:

I. Consulting with and advising the commissioner of the department of health and human services on the administration and management of the 988 trust fund under RSA 135-C:70, and advise and make recommendations on expenditures from that fund under RSA 135-C:71.

II. Advising and making recommendations to the governor, general court, department of health and human services, and other necessary stakeholders on strategies to support and fund the behavioral health crisis system.

III. Overseeing and making recommendations about the provision of 988 and behavioral health crisis services throughout the state.

135-C:74 988 Coordinated Crisis Services Telecommunications Surcharge Established.

I. In compliance with the National Suicide Hotline Designation Act of 2020, and by recommendation of the commission on behavioral health crisis services, the equipment, communications services, and direct costs for crisis hotline center personnel for 988 call-taking and appropriate call routing for 988 centers shall be funded through a surcharge to be levied upon each residence and business telephone exchange line, including PBX trunks and Centrex lines, each individual commercial mobile radio service number and each VoIP service number with a place of primary use within New Hampshire, and each semi-public and public coin and public access line. For purposes of this paragraph, "place of primary use" shall have the same meaning as the definition contained in 4 U.S.C. section 124(8). No such surcharge shall be imposed upon more than 25 business telephone exchange lines, including PBX trunks and Centrex lines, or more than 25 commercial mobile radio service exchange lines or VoIP service lines or channels per customer billing account. No other services shall be funded using revenue from the 988 coordinated crisis services telecommunications surcharge.

II. In the case of local exchange telephone companies, the surcharge shall be contained within tariffs or rate schedules filed with the public utilities commission and shall be billed on a monthly basis by each local exchange telephone company. The public utilities commission may impose a tax, fee, or surcharge on telecommunications services for 988 services of no more than 75 cents per line per month.

III. In the case of an entity which provides commercial mobile radio service the surcharge shall be billed to each customer on a monthly basis and shall not be subject to any state or local tax; the surcharge shall be collected by the commercial mobile radio service provider, and may be identified on the customer's bill. For prepaid commercial mobile radio service, the provisions of paragraph VI of this section shall apply.

IV. In the case of a VoIP provider, the surcharge shall be billed to each customer on a monthly basis and shall not be subject to any state or local tax; the surcharge shall be collected by the VoIP provider, and may be identified on the customer's bill.

V. Each local exchange telephone company, VoIP service provider, or entity which provides commercial mobile radio service, including prepaid commercial mobile radio service except as otherwise provided in subparagraph VI (i), shall remit the surcharge amounts on a monthly basis to the department of health and human services, which shall be forwarded to the state treasurer for deposit in the 988 trust fund. The state treasurer shall disburse funds from the 988 trust fund solely for the purposes and in the manner set forth in RSA 135-C:71. 988 coordinated crisis services telecommunications surcharge revenue shall be used to supplement any federal, state or local funding for suicide prevention or behavioral health crisis services. Surcharge amounts shall be reviewed after the budget has been approved or modified, and if appropriate, new tariffs or rate schedules shall be filed with the public utilities commission reflecting the surcharge amount.

VI. Prepaid commercial mobile radio service.

(a) In this paragraph:

(1) "Consumer" means a natural person or any other person who purchases prepaid commercial mobile radio service in a retail transaction.

(2) "Commissioner" means the commissioner of the department of health and human services.

(3) "Division" means the division of behavioral health of the department of health and human services.

(4) "Entity" means a natural person or any other person, including any firm, corporation, partnership, or business organization.

(5) "Provider" means an entity that provides prepaid commercial mobile radio service pursuant to a license issued by the Federal Communications Commission.

(6) "Retail transaction" means the purchase of prepaid commercial mobile radio service from a seller for any purpose other than resale.

(7) "Seller" means an entity, including a provider, who sells prepaid commercial mobile radio service to a consumer.

(b) There is hereby imposed a prepaid commercial mobile radio service 988 coordinated crisis services telecommunications surcharge that shall be levied on each retail transaction sourced to New Hampshire. The amount of the surcharge levied for each retail transaction shall be the same as the surcharge imposed under RSA 135-C:74, I.

(c) For purposes of subparagraph (b), a retail transaction is sourced to New Hampshire:

(1) If the transaction occurs in person at a seller's location in New Hampshire; or

(2) If subparagraph (1) does not apply, the prepaid commercial mobile radio service is evidenced by a physical item, such as a card, and the purchaser provides a New Hampshire delivery address for such item; or

(3) If subparagraphs (1) and (2) do not apply, the consumer gives a New Hampshire address during the consummation of the sale, including the address associated with the consumer's payment instrument if no other address is available, and the address is not given in bad faith; or

(4) If subparagraphs (1)-(3) do not apply, the consumer's mobile telephone number is associated with a postal zip code, telephone area code, or location within New Hampshire.

(d) The prepaid commercial mobile radio service 988 coordinated crisis services telecommunications surcharge shall be collected by the seller from the consumer with respect to each retail transaction sourced to New Hampshire. The amount of the surcharge shall be either separately stated on an invoice, receipt, or other similar document that is provided by the seller to the consumer, or otherwise disclosed to the consumer.

(e) The seller shall be liable to remit all charges required by this paragraph that are collected from consumers, including all such charges that the seller is deemed to collect where the amount of the surcharge has not been separately stated on an invoice, receipt, or other similar document provided by the seller to the consumer.

(f) The prepaid commercial mobile radio service 988 coordinated crisis services telecommunications surcharge shall not be subject to any other state or local tax.

(g) If a minimal amount of prepaid commercial mobile radio service is sold with a prepaid mobile device for a single, non-itemized price, then the seller may elect not to apply the surcharge to such transaction. For purposes of this subparagraph, an amount of service denominated as 10 minutes or less, or \$5 or less, is minimal.

(h) A seller may deduct and retain 3 percent of the prepaid commercial mobile radio service 988 coordinated crisis services telecommunications surcharges that are collected by the seller from consumers.

(i) A seller having less than 150 retail transactions in a calendar quarter and who has not collected the surcharge on such transactions shall not be required to remit the surcharge on those transactions, provided that the seller:

(1) Submits a certification to the department of health and human services, not later than the 15th day following such quarter, that the seller had less than 150 retail transactions in such quarter and did not collect the surcharge; and

(2) Submits with such certification copies of invoices, receipts, or other similar documentation establishing the number of retail transactions in such quarter.

(j) Whenever lawful, providers and sellers of prepaid commercial mobile radio service shall put forth reasonable good faith efforts to cooperate with and provide timely and reasonable assistance to the division, its 988 centers, in connection with locating the source of any emergency 988 call. In such instances, providers and sellers of prepaid commercial mobile radio service shall not be liable for damages to any person resulting from or incurred in connection with the provision of such lawful assistance.

(k) Beginning on January 1, 2026, prepaid commercial mobile radio service providers shall report annually to the division the total number of active prepaid commercial mobile radio service customers in New Hampshire. For purposes of such report, "active prepaid commercial mobile radio service customers" shall include all prepaid commercial mobile radio service customers with a New Hampshire telephone number on the date of the report, or if account balance information is not available, otherwise determined not to be active by comparable data. All information submitted to the division by a provider shall be considered proprietary and confidential and shall not be considered a public record under RSA 91-A.

VII.(a) Notwithstanding any other provision of law, and except as otherwise provided in RSA 82-A, the records and files of the department, related to this section, are confidential and privileged. Neither the department of health and human services, nor any employee of the department, nor any other person charged with the custody of such records or files, nor any vendor or any of its employees to whom such information becomes available in the performance of any contractual services for the department shall disclose any information obtained from the department's records, files, or returns or from any examination, investigation, or hearing, nor may any such employee or person be required to produce any such information for the inspection of any person or for the use in any action or proceeding except as provided in this paragraph.

(b) The following exceptions shall apply to this paragraph:

(1) Delivery to the surcharge collector or its representative of a copy of any return or other papers filed by the surcharge collector.

(2) Disclosure of department records, files, returns, or information in a New Hampshire state judicial or administrative proceeding pertaining to administration of the surcharge where the information is directly related to an issue in the proceeding regarding the surcharge under this section, or the surcharge collector whom the information concerns is a party to such proceeding, or the information concerns a transactional relationship between a person who is a party to the proceeding and the taxpayer.

(3) Disclosure to the department of revenue administration of records, files, and information required by the department of revenue administration to administer the communications services tax pursuant to RSA 82-A and to assist the bureau in its administration of RSA 135-C:71.

(4) Disclosure of department records, files, and information to the legislative budget assistant, when requested by the legislative budget assistant pursuant to RSA 14:31, IV.

VIII. Any information or records compiled under this chapter shall not be considered a public record for the purposes of RSA 91-A regardless of the use of such information.

IX. The commissioner is authorized to charge a penalty not to exceed \$1,000, plus interest of 18 percent per year, on surcharge receipts that are more than 90 days in arrears, which penalty and interest shall be forwarded to the state treasurer for deposit in the 988 trust fund.

511 Effective Date. Section 510 of this act shall take effect 30 days after its passage.

512 New Section; Long-Term Care; Guardianship Contracted Services. Amend RSA 151-E by inserting after section 27 the following new section:

151-E:28 Guardianship Contracted Services.

I. When all other resources are exhausted, hospitals seeking to assist older adults or adults with a disability as defined in RSA 151-E:24 with discharge from a hospital setting to a less restrictive setting may seek to have a guardian or conservator appointed by the probate court, pursuant to RSA 464-A, for any older adult or adult with a disability who:

- (a) Requires an alternative decision maker to assist with discharge;
- (b) Is deemed incapacitated by a court of competent jurisdiction; and
- (c) Cannot secure guardianship services through any other alternative.

II. The department shall contract with office of the public guardian to provide publicly funded guardianship slots for individuals in need of guardianship pursuant to paragraph I.

III. Hospitals seeking to assist adults with discharge shall apply to the department for access to the publicly funded guardianship slots.

IV. Availability of publicly funded guardianship slots shall be subject to the availability of funding.

513 Appropriation; Department of Health and Human Services. The sum of \$550,000 for the biennium ending June 30, 2027 is hereby appropriated to the department of health and human services. Said appropriation shall be used by the department to fund services for individuals as set forth in RSA 151-E:28. In the event these funds are not fully expended for this population, the department shall have the authority to use said funds to fund services for individuals served under RSA 171-A, RSA 161-F:52, and RSA 135-C. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

514 Effective Date. Sections 512 and 513 of this act shall take effect September 30, 2025.

515 Directive; Department of Health and Human Services. For the fiscal year ending June 30, 2027, if the commissioner of the department of health and human services determines that there are insufficient funds in accounts 05-95-042-421010-2958, child and family services, and 05-95-092-921010-2053, system of care, to fund residential placements for youth, he or she may request, with prior authorization of the fiscal committee of the general court, that the governor and council authorize additional funding. The governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

516 Residential Care and Health Facility Licenses; Fees. Amend RSA 151:5 to read as follows:

151:5 Licenses.

Licenses issued hereunder shall expire one year after the date of issuance. Licenses shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable; provided that home health care providers, personal care providers, home health hospice providers, and case management agencies shall not be required to apply for and receive a new license if they change the physical location of their office within the one year licensing period. Licenses shall be posted in a conspicuous place on the licensed premises. Fees for an annual license shall be as follows:

- I. Hospitals; [\$25] **\$38** per licensed bed.
- II. Specialty hospital-psychiatric; [\$25] **\$38** per licensed bed.
- III. Specialty hospital-rehabilitation; [\$25] **\$38** per licensed bed.
- IV. Nursing homes; [\$25] **\$38** per licensed bed.
- V. Acute psychiatric residential treatment programs; [\$25] **\$38** per licensed bed.
- VI. Residential treatment and rehabilitation facilities; [\$25] **\$38** per licensed bed.
- VII. Hospice houses; [\$25] **\$38** per licensed bed.
- VIII. Adult family care homes; [\$25] **\$38** per licensed bed.

IX. Residential and supported residential care; [~~\$15~~] **\$23** per licensed bed.

X. Home health hospice providers; [~~\$250~~] **\$380**.

XI. Home health care providers:

(a) Registered individuals; [~~\$25~~] **\$38**.

(b) Agencies; [~~\$250~~] **\$380**.

XII. Personal care providers:

(a) Fewer than 10 clients; [~~\$25~~] **\$38**.

(b) Ten (10) or more clients; [~~\$250~~] **\$380**.

XIII. Outpatient clinics; [~~\$500~~] **\$758**.

XIV. End stage renal dialysis centers; [~~\$500~~] **\$758**.

XV. Ambulatory surgical centers; [~~\$500~~] **\$758**.

XVI. Educational health centers; [~~\$500~~] **\$758**.

XVII. Freestanding emergency rooms; [~~\$500~~] **\$758**.

XVIII. Health promotion clinics; [~~\$500~~] **\$758**.

XIX. Collecting stations; [~~\$250~~] **\$380**.

XX. Adult day care centers; [~~\$200~~] **\$304**.

XXI. Birthing centers; [~~\$150~~] **\$228**.

XXII. Case management agencies; [~~\$150~~] **\$228**.

XXIII. Laboratories; [~~\$150~~] **\$228** per year for each category of testing licensed.

517 Department of Health and Human Services; Public Health Fees. The department of health and human services is hereby directed to increase the following fees set by administrative rule by no less than the inflationary increases experienced since the year the fee was last established or increased:

I. Special health care license (mega voltage, cardiac) under He-P 4070.

II. Radioactive materials use license under He-P 4070.

III. Radiation-producing equipment use license under He-P 4071.

IV. Low-level radioactive waste disposal under He-P 4071.

V. Food service establishments and homestead operations under He-P 2300.

VI. Shellfish certificate fees under He-P 2151.

VII. Beverage and bottled water manufacturing registration under He-P 2100.

VIII. Milk plans, distributors, and dairy plants under He-P 2700.

IX. Clinical specimens chemistry under He-P 2205.01.

X. Clinical specimens, microbiology under He-P 2205.02.

XI. Occupation and environmental health samples under He-P 2205.03.

XII. Consumer protection samples under He-P 2205.04.

XIII. Therapeutic cannabis patient application fee under He-C 401.14.

518 Legislative Offices and Proceedings; Office Space and Parking Facilities. Amend RSA 14:14-b to read as follows:

14:14-b Office Space and Parking Facilities.

Notwithstanding any other provision of law to the contrary the following shall be assigned for use by the speaker of the house and the president of the senate:

I. ~~[The]~~ ***Any legislative parking facilities, including but not limited to the legislative parking garage on Storrs Street, the legislative office building parking garage, the legislative parking garage at 33 Capitol Street, the legislative parking lot at 33 Green Street, and 7 spaces in the parking lot on the north side of the state library at 20 Park Street;***

II. The legislative office building and Upham-Walker house; ~~[and]~~

III. All rooms and other spaces of the state house with the exception of those areas under the use and control of the executive branch, including the governor's offices, the executive council chamber and offices, and the secretary of state's offices;

IV. All rooms and other spaces of the state house annex designated and assigned for use by the speaker of the house and the president of the senate, including but not limited to the west wing of the second floor; and

V. All rooms and other spaces on the western side of the first and second floor of the legislative offices at Granite Place located at 1 Granite Place South.

519 Youth Development Center Claims Administrator. Amend RSA 21-M:11-a, III to read as follows:

III. There is further established in the ~~[judicial]~~ ***executive*** branch a temporary full-time or part-time position known as the youth development center claims administrator, to be appointed by the ~~[supreme court]~~ ***governor with the consent of the executive council***. A part-time administrator may maintain a private, unrelated mediation or legal practice apart from the duties as administrator notwithstanding any other provision of rule or law to the contrary. The ~~[supreme court]~~ ***governor, with the consent of the executive council***, shall appoint an administrator agreed to by the attorney general and counsel for claimants. If the attorney general and counsel for claimants are unable to agree upon an administrator, the ~~[supreme court]~~ ***governor, with the consent of the executive council***, shall select the administrator from the candidates submitted to the court by the attorney general and counsel for claimants, not later than 30 days following the court's receipt of the candidates. The attorney general and counsel for claimants shall each submit two candidates, not later than 30 days following the joint fiscal committee's approval of the claim process and guidelines as provided in paragraph IV. The administrator shall receive compensation at no more than the rate of salary of an active superior court justice and shall, if working full-time, receive the same benefits as other ~~[non-judicial employees of the judicial]~~ ***executive branch employees***. If working part-time, the administrator shall receive compensation at no more than the equivalent per diem rate of an active superior court justice, provided that in any calendar year, the administrator shall not receive more in total compensation than that received by an active superior court justice. The ~~[judicial]~~ ***executive*** branch shall provide the administrator and any necessary support staff with office space. The salary, benefits, and expenses of the administrator, and any necessary support staff, shall be paid from the fund. The administrator shall report to the ~~[chief justice of the supreme court or the chief justice's designee]~~ ***governor or the governor's designee*** for employment-related purposes, but the ~~[supreme court]~~ ***governor*** shall have no authority to review the administrator's decisions. At such time as the administrator's duties are concluded, or at such time as full-time service by the administrator is no longer needed to carry out the administrator's duties, the ~~[supreme court]~~ ***governor*** shall either eliminate the administrator's position or reduce it from a full-time to a part-time position as may be appropriate. The ~~[supreme court]~~ ***governor*** may remove the administrator ~~[if, after a request for removal received from the attorney general or claimants' counsel, or upon the court's own motion, the court determines that good cause for removal exists]~~ ***at any time, as the administrator serves at the pleasure of the governor***. Once appointed, the administrator shall process claims as provided herein and may settle claims at such amounts as may be agreed upon between the AG designee and each claimant, or at amounts which are determined by the administrator, giving due consideration to the guidelines adopted by the joint fiscal committee as provided in paragraph IV.

520 Youth Development Center Claims Administration and Settlement Fund; Attorney's Fees; Periodic Payment. Amend RSA 21-M:11-a, XV to read as follows:

XV. The administrator may approve all fees and costs of attorneys who represent claimants in proceedings before the administrator. The administrator shall not approve any request of an attorney for fees or costs which are not reasonable. The administrator shall not approve an attorney's fee in excess of 33.33 percent of the amount of the award. All costs and attorney's fees paid to a claimant's attorney shall be paid from the amount awarded to the claimant. ***Whenever the administrator determines that a claim shall be paid in periodic payments pursuant to subparagraph XII(a), the administrator shall require that any***

attorney's fee approved under this paragraph be paid in equal installments and over the same number of years as the periodic payment schedule that is applicable to the amount awarded to the claimant. The administrator shall add an interest assessment of 5 percent of the remaining unpaid amount of the fee per annum for each year of repayment, which shall be compounded annually.

521 Applicability; Re-retiring. Notwithstanding the provisions of RSA 100-A, any retiree who returns to active service shall only retain eligibility for the benefits applicable to their initial retirement and the calculation of average final compensation, or the calculation of other benefits resulting from the return to active service under RSA 100-A shall not apply.

522 New Section; Rate Setting Parity for Medicaid State Plan Case Management Services. Amend RSA 126-A by inserting after section 18-b the following new section:

126-A:18-c Rate Setting Parity for Medicaid State Plan Case Management Services.

I. Annually, on or before October 1, the department of health and human services shall establish unit rates for all case management services paid under the state Medicaid plan which better reflect the average cost to deliver services.

II. The department shall consider the factors of economy, efficiency, quality of care, and access to care, in accordance with guidelines in federal regulations.

III. The department shall ensure equitable rate parity by giving comprehensive consideration to factors which cause disparity, including but not limited to administrative payments of overhead costs made to certain providers, in the calculations to achieve parity.

IV. Annually, on or before October 31, the department shall file a report detailing their compliance with RSA 126-A:18-c with the senate president, speaker of the house, and chairs of the committees with jurisdiction.

523 Appropriation; Department of Health and Human Services; Rate Setting Parity for Medicaid State Plan Case Management Services. The sum of \$2,300,000 for the fiscal year ending June 30, 2027, is hereby appropriated to the department of health and human services for the purpose of ensuring equitable rate parity for all case management services paid under the state Medicaid plan. The department may accept and expend additional federal funds for this purpose without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

524 Effective Date.

I. Section 522 of this act shall take effect July 1, 2025.

II. Section 523 of this act shall take effect July 1, 2026.

525 Solid Waste Facility Site Evaluation Committee; Purpose and Findings. The general court hereby finds and declares that:

I. There is a compelling state interest in maintaining adequate, reasonably priced disposal capacity for solid waste generated in New Hampshire.

II. As a result of changes in federal and state law over the past 50 years and the economics of solid waste management, waste disposal facilities are sited regionally in New Hampshire, but they provide disposal capacity for municipalities throughout the state, often irrespective of whether a municipality is in close proximity to the disposal facility.

III. The siting of new disposal capacity is often locally controversial and the use of local land-use regulation to prevent siting of new capacity can result in the frustration of the state's interest in maintaining adequate capacity. The general court prefers that new landfill capacity be developed in expansions of existing permitted landfills instead of on greenfield sites because existing sites have already been carefully studied before being permitted and have been found suitable for landfilling by the department of environmental services.

IV. The department of environmental services typically has decades of familiarity with conditions at such sites and the expansion of an existing use is generally consistent with the overall objectives of land-use controls.

V. The state's preference for such expansions warrants that the state's regulatory and policy interests take precedence over local regulation and restrictions, particularly because the department's rules provide robust protection of human health and the environment.

VI. Because of the overriding state interest, the department already regulates virtually every aspect of landfill siting and development that would ordinarily be regulated under local zoning and planning ordinances.

VII. This legislation establishes a preference for siting of new landfill capacity on land adjacent to existing permitted landfill capacity and gives the department of environmental services comprehensive exclusive authority to approve the siting of such new capacity.

VIII. This legislation leaves unchanged current law regarding siting of new landfill capacity on land that is not adjacent to existing permitted landfill capacity.

526 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:4 by inserting after paragraph X-a the following new paragraph:

X-b. "Landfill expansion" means a landfill cell permitted under this chapter and located within 500 feet of an existing landfill that was permitted under this chapter but does not include a remedial landfill expansion. Subject to approval by the department, a landfill expansion may either be integrated into an existing landfill or be developed separately from the existing landfill.

527 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:4 by inserting after paragraph XX the following new paragraph:

XX-a. "Recycling facility" means a collection, storage, and transfer facility which collects, stores, and prepares recyclable materials for market and transfers both processed recyclable materials to markets for recycling and bypass waste for disposal.

528 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:4 by inserting after paragraph XXI the following new paragraph:

XXI-a. "Remedial landfill expansion" means an expansion of an existing landfill that has ceased operating, that is not in compliance with the department's then-current rules for the design and construction of landfills, and that is a source of ongoing contamination of soils, surface water, or groundwater, where there is no solvent person other than state, county, or municipal government that can be compelled by law to fully remediate the existing landfill site and where expansion will provide the permittee with revenue to effectuate a substantial reduction in such ongoing contamination and provide substantially greater protection of the environment during operation and upon closure of the expansion than would be the case if the expansion were not permitted.

529 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:9 by inserting after paragraph XV the following new paragraph:

XVI.(a) To implement the state's preference for landfill expansion over greenfield siting of new landfill capacity and notwithstanding any other provision in this section, landfill expansions shall be subject to approval solely by the department, and no municipal ordinance, bylaw, rule, regulation, agreement, or other restriction shall be effective to prevent the siting of a landfill expansion approved by the department. Nothing in this subparagraph shall be construed to limit the jurisdiction that any other state department may have over such landfill expansions.

(b) The owner of any landfill receiving an approval of a landfill expansion under this paragraph and who has an existing agreement with the host municipality to pay the municipality a fee for each ton of waste received at the landfill shall increase the fee by a minimum of 25 percent for all waste received in the landfill expansion.

530 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:11 by inserting after paragraph VII the following new paragraph:

VII-a. Any remedial landfill expansion or facility designed to manage food waste in accordance with RSA 149-M:27, V(b) shall be deemed to satisfy the requirements of paragraph III.

531 New Subdivision; Solid Waste Facility Site Evaluation Committee. Amend RSA 149-M by inserting after section 64 the following new subdivision:

Solid Waste Facility Site Evaluation Committee

149-M:65 Declaration of Purpose. The legislature and the executive branch recognize that the selection of sites for major solid waste disposal facilities may have significant statewide, regional and local impacts that are not fully evaluated through existing regulatory review. Accordingly, the legislature and the executive branch find

that it is in the public interest to establish a procedure to evaluate the suitability of the proposed site for a new major solid waste facility, considering criteria that are not captured by existing regulatory reviews, including local and in-state regional economic impacts, property value impacts, and impacts on tourism and recreation.

149-M:66 Definitions. In this subdivision:

I. "Acceptance" means a determination by the committee that it finds that the application is complete and ready for consideration.

II. "Administrator" means the administrator of the site evaluation committee established pursuant to RSA 162-H:3-a.

III. "Affected municipality" means any municipality or unincorporated place in which a major solid waste disposal facility is proposed to be located and any bordering municipality or unincorporated place from which any part of the proposed major solid waste disposal facility will be visible or audible.

IV. "Certificate" means the document issued by the committee, containing such reasonable terms and conditions as the committee deems appropriate, that authorizes the use of the site for the proposed facility.

V. "Committee" means the solid waste facility site evaluation committee established by this subdivision.

VI. "Major solid waste disposal facility" means a location, system, or physical structure for the collection, separation, storage, transfer, processing, treatment, or disposal of solid waste with a proposed waste acceptance rate greater than 100,000 tons per year and includes the real property on which such structure or system is sited. Major solid waste disposal facility does not include a facility designed to manage food waste in accordance with RSA 149-M:27, V(b)(1)-(5), an expansion of a recycling facility, a landfill expansion, or any facility proposed to be constructed by a New Hampshire municipal government.

VII. "Filing" means the date on which the application is first submitted to the committee.

VIII. "Person" means any individual or other jural entity.

IX. "Region" means the area of the state in which a major solid waste disposal facility is to be sited if a certificate is issued.

149-M:67 Solid Waste Facility Site Evaluation Committee Established.

I. There is hereby established a committee to be known as the New Hampshire solid waste facility site evaluation committee consisting of 5 members, as follows:

(a) The commissioner of the department of business and economic affairs, or designee, who shall serve as chairperson of the committee.

(b) The commissioner of the department of environmental services, or designee.

(c) Three members and, as provided by RSA 149-M:68, alternate members, appointed by the governor with the consent of the executive council, including a member with expertise in municipal planning, a member with expertise in achieving natural resource protection in the context of large project development, and a member who is representative of the business community.

II. All members, including those who sit for a member disqualified or recused under RSA 149-M:68, shall refrain from ex parte communications regarding any matter pending before the committee.

III. The committee shall be administratively attached to the department of environmental services.

IV. The chairperson shall serve as the chief executive of the committee and may:

(a) Serve as presiding officer.

(b) Delegate to other members the duties of the presiding officer, as appropriate.

(c) Establish, with the consent of the committee, the budgetary requirements of the committee.

(d) Engage personnel in accordance with this subdivision.

V. The presiding officer may appoint a retired justice of the supreme court, superior court, or circuit court or another person with similar experience adjudicating disputes as a hearing officer to perform the functions described in RSA 149-M:70, V.

149-M:68 Committee Members.

I. All members of the committee and any hearing officer appointed under RSA 149-M:67, V, shall meet the impartiality standard set forth in Part 1 Article 35 of the state constitution.

II. Members and alternate members appointed under RSA 149-M:67, I(c) shall serve 5-year terms and until their successors are appointed and qualified. Any member chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the member who is succeeded.

III. If at any time a member appointed by the governor with the consent of the executive council is recused or otherwise disqualified from participating in a matter before the committee or is not otherwise available for good reason, an alternate member shall replace such member.

IV. If at any time an ex officio member of the committee under RSA 149-M:67, I(a) and (b) or designee is recused or otherwise disqualified from participating in a matter before the committee or is not otherwise available for good reason, the ex officio member shall designate a replacement for such member.

V. Neither a member nor any spouse or domestic partner, parent, child, in-law, or sibling of a member shall receive income from entities that own or operate, or have applied to own or operate, major solid waste disposal facilities in New Hampshire. The members appointed by the governor with the consent of the executive council and their alternates shall comply with RSA 15-A and RSA 15-B.

VI. Any member appointed by the governor with the consent of the executive council may be removed from office in accordance with RSA 4:1 and shall be promptly replaced by the governor with the consent of the executive council.

149-M:69 Administrator and Other Committee Support. The administrator shall provide support to the committee. If the administrator is not available or the position is vacant, the committee may hire an independent contractor. The administrator shall be under the supervision of the chairperson when performing duties for the committee. The administrator shall be compensated for work performed for the committee as set forth in RSA 149-M:85. The administrator, or chairperson in the absence of an administrator, with committee approval, may engage additional technical, legal, or administrative support to fulfill the functions of the committee as necessary.

149-M:70 Powers and Duties of the Committee; Rules.

I. The committee shall:

(a) Evaluate an application on the merits after acceptance and timely grant or deny the application in accordance with this subdivision, incorporating in its decision such findings and rulings as are reasonably necessary to support its decision.

(b) Include with any decision the reasonable terms and conditions of any certificate issued under this subdivision, including, without limitation and if warranted, bonding or other form of security for performance.

(c) Assist the public in understanding the requirements of this subdivision.

II. The committee shall hold the hearings required by this subdivision and in addition to any other notice requirements provided by law it shall ensure public notice of such hearings of no less than 7 calendar days.

III. The department shall use its enforcement powers under this chapter, including its power to refer a matter to the department of justice, to enforce the terms and conditions the committee imposes on the issuance of a certificate.

IV. The committee shall not delegate its authority or duties except as provided under this subdivision.

V. In any matter before the committee, the presiding officer, or a hearing officer designated by the presiding officer, may hear and decide prehearing matters that are before the committee, including procedural schedules, consolidation of parties with substantially similar interests, discovery schedules and methods, motions, and conferences to identify witnesses and exhibits and otherwise plan for the hearing on the merits. Undisputed motions for intervention may be decided by the hearing officer and disputed motions for intervention shall be decided by the presiding officer. Any party aggrieved by a decision on a motion to intervene may within 10 calendar days request that the committee review such decision de novo. All prehearing decisions by the presiding officer or the hearing officer shall be provided promptly to the committee members, and any such decision shall be reviewed de novo by the full committee upon written request by any member to the presiding officer within 7 days of the member's receipt of the decision.

VI. On or before July 1, 2026, the committee shall adopt rules to implement and administer the requirements of this subdivision pursuant to RSA 541-A, after public notice and hearing, and may adopt further rules thereafter as may from time to time be required. The committee's failure to adopt rules under this paragraph shall not affect the committee's obligation to accept, process, and rule upon applications for a certificate under this subdivision.

VII. The committee shall hold its first organizational meeting on or before September 1, 2025. The department shall prepare an application form for the use of applicants for a certificate and shall present such application form to the committee at its first organizational meeting for the committee's review and approval.

149-M:71 Prohibitions and Restrictions.

I. No person shall commence construction of any major solid waste disposal facility within the state unless it has obtained a certificate pursuant to this subdivision. Such facilities shall be constructed, operated, and maintained in accordance with the terms and conditions of the certificate. Such a certificate shall not be transferred or assigned without approval of the committee as provided by RSA 149-M:73, VII. Unless otherwise specified in this subdivision or required by any other state or federal permit for the facility, any approved major solid waste facility shall not be constructed, operated, or closed in a manner materially different than the manner in which it was presented in the application for a certificate as modified and conditioned by such certificate.

II. Applications for certificates may at the election of the applicant be filed and evaluated by the committee concurrently with other state approvals and public hearings may be scheduled concurrently with hearings held by other state agencies as part of their permitting process for the same facility.

III. Notwithstanding paragraph II, for permit applications under this subdivision for major solid waste disposal facilities pending before the department on or prior to July 1, 2025, the applicant shall make a filing with the committee within one year of the effective date of this act.

149-M:72 Application for Certificate.

I. All applications for a certificate for a major solid waste disposal facility shall be filed with the administrator or the chair of the committee.

II. Within 30 days of the filing of an application, the committee shall notify the applicant in writing whether the application contains all of the information required by this subdivision and by rule for such applications. If the committee concludes that the application is not complete, it shall include in its notice the specific information the applicant must submit to render the application complete. The applicant's submission of additional information in response to any notice from the committee that the application is incomplete shall restart the 30-day period for the committee's determination whether the application is complete. If the committee concludes that the application is complete, it shall notify the applicant, and such notice shall constitute an acceptance. During any period between a notice that the application is incomplete and the applicant's response to such a notice, the committee shall suspend its consideration of the application.

III. To carry out the committee's duties in RSA 149-M:70, each application shall:

(a) Describe in reasonable detail the types and quantities of waste the applicant expects to accept and the proposed location and dimensions of each principal component of the proposed facility.

(b) Describe in reasonable detail the impact of the proposed facility on existing local, regional, and state land uses.

(c) Document that copies of the application have been hand-delivered or sent by certified mail to the governing body of each affected municipality. The application shall include a list of each affected municipality.

(d) Provide analysis on the visual impact of the proposed facility during construction, operation, and post-closure through a visual impact assessment prepared in accordance with professional standards by an expert in the field.

(e) Provide information in reasonable detail about the projected impacts of the proposed facility on state and regional business development, local, regional and state economies, property values, aesthetics, tourism, and outdoor recreation. These analyses shall be conducted in accordance with professional standards by an expert in these fields.

(f) Provide information in reasonable detail relative to the economic impacts of the proposed facility and potential infrastructure improvements associated with the proposed project on affected municipalities, the region, and the state.

(g) Provide information in reasonable detail about the projected impacts from noise, odor, or traffic associated with the transportation of waste to the facility over roads between the closest federal interstate highway and the facility site to the extent such noise, odor, or traffic is not regulated by the department. These analyses shall be conducted in accordance with professional standards by an expert in these fields.

(h) Provide such additional information regarding subjects not regulated by the department or any other state agency as the committee may require by rule to carry out the purpose of this subdivision.

IV. For all information submitted with the application that was prepared by a consultant or expert retained by the applicant, the applicant shall submit the qualifications of each such consultant or expert to prepare such information.

V. The committee may seek such additional information from the applicant or a consultant or expert retained by the applicant as may be necessary for the committee to conduct its assessment of the application and proposed project and to understand the basis for the analyses and conclusions prepared by such consultant or expert as part of the application. To the extent any such consultant or expert fails to respond to such a request for additional information to the reasonable satisfaction of the committee, the committee may hire another consultant or expert with expertise in the same discipline as the applicant's retained consultant or expert to assist the commission in its assessment of the application. The applicant shall bear the reasonable fees and expenses of any such consultant or expert hired by the committee.

VI. Public information sessions shall be held in accordance with RSA 149-M:76, I and II.

VII. Within 180 days of the acceptance of an application, the committee shall issue or deny a certificate for the proposed major solid waste disposal facility.

VIII. The committee may request that state agencies with relevant technical expertise participate in committee proceedings.

IX. The committee may deny a certificate based upon the criteria in RSA 149-M:9, IX.

X. A state agency may seek intervention as a party in any proceeding before the committee in accordance with RSA 541-A:32.

149-M:73 Disclosure of Ownership. Any application for a certificate, or for change in ownership and transfer of certificate, shall be signed and sworn to by or on behalf of the person making such application and shall contain the following information:

I. Full name and address of the applicant.

II. If the applicant is not an individual,

(a) The state in which the applicant was formed and the address of the applicant's principal place of business.

(b) The names and addresses of each person having an ownership interest in the applicant, provided that if the applicant is a subsidiary of a publicly traded company it shall provide, (1) the names and addresses of each intermediate subsidiary of the publicly traded company having an ownership interest in the applicant and the names and addresses of each person having an ownership interest in each intermediate subsidiary and (2) the names and addresses of the directors and officers and the states of formation and principal places of business of the publicly traded company and each such intermediate subsidiary.

III. A statement demonstrating that the applicant will have the financial resources to develop the major solid waste disposal facility as proposed in the application.

IV. The committee shall administratively approve changes of ownership and transfers of certificates within 90 days of a petition if it determines the new certificate holder has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.

149-M:74 Application and Filing Fees.

I. A person filing an application for a certificate for a major solid waste disposal facility under this subdivision shall pay to the committee at the time of filing the fee prescribed in paragraph II.

II. The committee shall charge the following fees for filings made pursuant to this subdivision and shall post such filing fees on its website:

(a) Application fee for a major solid waste disposal facility: \$20,000 base charge and \$1,000 per additional 10,000 tons/year throughput in excess of 100,000 tons per year.

(b) Filing fees for administrative proceedings:

(1) Petition for committee jurisdiction: \$500.

(2) Certificate transfer of ownership: \$1,000.

(3) Request to modify a certificate: \$1,000.

III. All fees charged shall be deposited in the solid waste evaluation committee fund established in RSA 149-M:84 and shall be nonlapsing and accounted for as a separate line item.

IV. Each year the committee may increase the fees prescribed in paragraph II by no more than the increase in the consumer price index from the prior year, provided that any such increase shall occur not more frequently than once during any 12-month period. Modifications to the fee schedule shall be posted on the committee website, with a link prominently displayed on the home page.

149-M:75 Counsel for the Public.

I. An application for a certificate under this subdivision shall be served contemporaneously by the applicant upon the attorney general. Upon receipt of such an application, the attorney general shall appoint an assistant attorney general as counsel for the public in connection with the committee's consideration of the application. Counsel for the public shall be deemed to represent the public as a party to the proceedings before the committee.

II. This section shall not be construed to prevent any person otherwise entitled to participate in any meeting or hearing under this subdivision from being heard or represented by counsel.

149-M:76 Public Hearing; Studies.

I. At least 30 days prior to filing an application for a certificate, an applicant shall hold at least one public information session in the affected municipality where the proposed facility is to be located. This session may be held concurrently with a public session held as a requirement of any other state or federal permit or approval.

II. Within 60 days after acceptance of an application for a certificate, the committee shall hold at least one public information session in the municipality where the major solid waste disposal facility is proposed to be located. Public information sessions under paragraphs I and II shall not be public hearings and shall be designed to reasonably explain and answer the public's questions about the proposed project and the committee's procedure for considering and deciding upon an application.

III. Public hearings on the application shall be in the nature of adjudicative proceedings under RSA 541-A and shall be held in the municipality in which the proposed major solid waste disposal facility is to be located or in Concord, New Hampshire, as determined by the committee.

IV. The committee shall adopt rules regarding the timing and method of notices for public information sessions and public hearings and any other requirements regarding such sessions and hearings, provided that such rules shall not provide less protection of the public's right to know than RSA 91-A provides.

V. The committee shall consider and weigh all evidence presented at public hearings. Members of the public may provide written comments, information, reports, arguments, analyses, and the like to counsel for the public who may present such comments, information, reports, arguments, analyses, and the like or a compilation or summary thereof in public hearings if they are relevant to the committee's jurisdiction and otherwise admissible under RSA 541-A:33. The committee shall provide an opportunity at one or more public hearings for testimony from the governing body of each affected municipality and the governing body of the county in which the proposed facility is proposed to be located. The committee shall consider, as appropriate, prior committee findings and rulings on the same or similar subject matters. The burden of establishing the existence of any adverse impacts from the proposed facility at the public hearing shall be upon the persons asserting their existence.

VI. The committee and counsel for the public shall conduct such reasonable studies and investigations as are necessary or appropriate to carry out the purposes of this subdivision and may employ one or more qualified experts to the extent necessary to enable them to carry out their duties under this subdivision, the reasonable cost of which shall be borne by the applicant or certificate holder in such amount as may be approved by the committee.

VII. Times for conducting public hearings and rendering a decision on the application may be extended for good cause upon written request of the applicant.

149-M:77 Judicial Review. Decisions made pursuant to this subdivision shall be reheard and appealed in accordance with RSA 541.

149-M:78 Monitoring and Enforcement.

I. The department shall monitor the construction and operation of any major solid waste disposal facility granted a certificate under this subdivision to ensure compliance with the terms and conditions of such certificate. With the exception of the authority retained by the state agencies in accordance with paragraph V, the department may delegate the authority to monitor the construction or operation of any major solid waste disposal facility granted a certificate under this subdivision to such state agency or official as it deems appropriate but shall ensure that the terms and conditions of the certificate are met. Any authorized representative or delegate of the department shall have a right of entry onto the premises of any part of the facility to ascertain if it is being constructed or operated in continuing compliance with the terms and conditions of the certificate. During normal hours of business, such a representative or delegate shall also have a right to inspect such records of the certificate-holder as are relevant to the terms or conditions of the certificate.

II. Whenever the department administratively determines, on its own or in response to a complaint, that any term or condition of any certificate issued under this subdivision or prior law is being violated, it shall, in writing, notify the certificate holder of the specific violation and order the person to immediately terminate the violation. If, 15 days after receipt of the order, the person has failed or neglected to terminate the violation, the department shall notify the committee which may suspend the person's certificate. Except for emergencies posing an imminent threat to human health or the environment, prior to any suspension the committee shall give written notice of its consideration of suspension and of its reasons therefor and shall provide reasonable notice and an opportunity for a hearing before a suspension is ordered. In addition to suspension, if, after 15 days of receipt of the order, the person has failed or neglected to terminate the violation, after notice and a hearing the committee may impose a fine not to exceed \$5,000 per day until the violation is corrected.

III. In addition to other remedies provided in this subdivision, upon petition of the department, the committee may suspend a certificate if the committee determines that a person has made a material misrepresentation in the application, or in supplemental or additional statements of fact, or studies required of the applicant, or if the committee determines that the person has violated the provisions of this subdivision, or any rule adopted under this subdivision. Except for emergencies, prior to any suspension, the committee shall give written notice of its consideration of suspension and of its reasons therefor and shall provide an opportunity for a prompt hearing before a suspension is ordered.

IV. Upon petition of the department, the committee may revoke any certificate that is suspended after the person holding the suspended certificate has been given at least 90 days' written notice of the committee's consideration of revocation and of its reasons therefor and has been provided an opportunity for a full hearing before a revocation is ordered.

V. Notwithstanding any other provision of this subdivision, each state agency having permitting or other regulatory authority shall retain all of its powers and duties of enforcement.

VI. The full amount of actual costs and expenses incurred by the department and committee in connection with any enforcement action against a person holding a certificate, in which the person is determined to have violated any provision of this subdivision, any rule adopted by the committee, or any of the terms and conditions of the issued certificate, shall be assessed to the person and shall be paid by the person to the committee. Any amounts paid by a person to the committee pursuant to this paragraph shall be deposited in the state's general fund.

VII. The department may adopt rules in furtherance of its monitoring and enforcement responsibilities under this subdivision.

149-M:79 Records. Complete verbatim records shall be kept by the committee of all hearings, and records of all other actions, proceedings, and correspondence of the committee, including submittals of information and reports by members of the public, shall be maintained, all of which records shall be open to the public inspection and copying as provided for under RSA 91-A and made available on the committee's website unless such records were submitted under seal and are exempt from public disclosure under RSA 91-A.

149-M:80 Findings and Certificate Issuance.

I. The decision to issue or deny a certificate shall be based on the hearing record and made by a majority of the committee.

II. In order to issue a certificate, the committee shall find that:

(a) The applicant has adequate financial, technical, and managerial capability to assure construction, operation, and closure of the facility in continuing compliance with the terms and conditions of the certificate.

(b) The facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.

(c) The public benefit of the facility outweighs any adverse impact of the facility on aesthetics, historic preservation, economic impacts to the region, tourism, outdoor recreation, regional and statewide business development, existing land uses, and property values and from noise, odor, or traffic associated with the transportation of waste to the facility over roads between the closest federal interstate highway and the facility site to the extent such noise, odor, or traffic is not otherwise regulated by the department.

III. The committee shall issue a written order granting or denying a certificate. Within 90 days of an order granting a certificate the committee shall issue a written summary and analysis of each issue raised in the public hearing in opposition to issuance of the certificate unless such issue addresses a subject matter regulated by a division of the department created by RSA 21-O or any other state agency, in which case the committee shall refer such issue in writing to such division or agency for analysis and response as part of the division or agency's consideration of an application for a permit for such facility. Motions for rehearing of an order granting a certificate under RSA 541:3 shall not be due until 30 days after the committee has issued such written summary and analysis.

IV. A certificate, when issued, shall be final and subject only to rehearing and judicial review.

V. The committee shall condition the certificate upon the applicant's obtaining the requisite federal and state approvals.

149-M:82 Penalties.

I. Any construction or operation of major solid waste disposal facilities without first obtaining a certificate from the committee, or any material violation of the terms and conditions of a certificate issued by the committee, shall be subject to a civil penalty not to exceed \$10,000 for each violation or for each day of a continuing violation. Such violation may also be enjoined by the superior court upon application of the attorney general.

II. Whoever purposely or knowingly commits any violation of any provision of this section shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

149-M:83 Severability. If any provision of this subdivision, or application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the subdivision which can be given effect without the invalid provisions or applications, and to this end, the provisions of this subdivision are severable.

149-M:84 Fund Established; Funding Plan; Fines and Penalties.

I. There is hereby established in the office of the state treasurer a nonlapsing, special fund to be known as the solid waste facility site evaluation committee fund. All application and other filing fees received by the committee under this subdivision shall be deposited in the fund. All moneys in the fund shall be continually appropriated to the committee and shall be used to pay for operating costs of the committee and the partial salary of the administrator. If the administrator position is vacant, the fund may be used to pay an independent contractor to perform the duties of the administrator for the committee. Notwithstanding any other provision of law, the committee may engage the department for technical, legal, or administrative support to fulfill the requirements of this subdivision. Any cost incurred by the committee for such support shall be charged directly to the applicant.

II. In the event lawful expenditures by the committee in a fiscal year are greater than the total monies held in the solid waste evaluation committee fund, the chair of the committee may request, with prior approval of the legislative fiscal committee, that the governor and council authorize additional funding from general funds not otherwise appropriated.

III. All fines and civil penalties recovered by the committee, the department, or the department of justice from the enforcement of the provisions of this subdivision shall be deposited into the state's general fund.

149-M:85 Compensation and Reimbursement.

I. The public members of the committee shall be compensated for all time spent on committee business, including compensation and reimbursement for major solid waste disposal facility proceeding time and expenses. Compensation shall be provided on a pro rata basis, based upon the daily salary rate of an unclassified position at the initial step in grade FF under RSA 94:1-a, I(a).

II. State agencies represented on the committee shall be reimbursed for major solid waste disposal facility proceeding time and expenses incurred by their respective members or designees, except that time spent for the first 5 full days of their participation with respect to any application or other proceeding concerning a major solid waste disposal facility shall not be subject to reimbursement. The rate of reimbursement to each respective agency shall be based on a pro rata share of the employee's salary, benefits, and related costs.

III. The department of justice shall be reimbursed in the same manner as described in paragraph II for major solid waste disposal facility proceeding time and expenses that are incurred by the counsel for the public.

IV. All persons or agencies seeking compensation or reimbursement under this section shall keep detailed time and expense records which shall be submitted to the chairperson or administrator and used to determine the amount of compensation or reimbursement. The chairperson or administrator shall develop a recordkeeping system and accounting and payment procedures.

V. Compensation shall not be provided to members of the committee for initial meetings conducted prior to acceptance of application fees. The department shall provide support for the adoption of rules established by the committee.

149-M:86 Solid Waste Permit Applications Suspended. Except for an application for a landfill expansion or a remedial landfill expansion, the department shall not issue any permit approvals that authorize new capacity for major solid waste disposal facilities until July 1, 2026. During the period that the department's authority to issue such permit approvals is suspended under this section, the department shall accept applications for new capacity at such facilities, evaluate such applications for completeness, request more information to make such applications complete, and, if warranted under the department's rules, find such applications to be complete, but shall not further evaluate or process any such complete applications, notwithstanding RSA 149-M:9, VIII.

532 New Subparagraph; The State and Its Government; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the solid waste facility site evaluation committee fund as established in RSA 149-M:84.

533 New Paragraph; Definition; Vested; 2026 Change. Amend RSA 100-A:1 by inserting after paragraph XXXVII the following new paragraph:

XXXVIII. «Vested» means that a member is eligible for a benefit after 10 years of service. The calculations of earnable compensation under RSA 100-A:1, XVII, and average final compensation under RSA 100-A:1, XVIII, shall not be reduced after 3 years of service.

534 Earnable Compensation; 2026 Change. Amend RSA 100-A:1, XVII to read as follows:

XVII. «Earnable compensation» shall mean:

(a) For **group I** members who have attained vested status prior to January 1, 2012 the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but

excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. ~~[Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII.]~~ However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees~~;~~ **and** teachers~~;~~ ~~permanent firemen, and permanent policemen~~ who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b)(1) For **group I** members who have not attained vested status prior to January 1, 2012, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2)~~;~~ ~~(3); and (4);~~ **and (3)**, any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system~~;~~ ~~compensation for extra and special duty;~~ and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation and teacher development pay that is not part of the contracted annual salary.

(2) Compensation over base pay shall be limited during the highest 5 years of creditable service as provided in paragraph XVIII.

~~[(3) Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.]~~

~~[(4)] (3)~~ Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 11/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees~~;~~ **and** teachers~~;~~ ~~permanent firemen, and permanent policemen~~ who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

(c) For group II members who attained vested status prior to September 1, 2013, the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for instructional activities, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or liv-

ing quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation. Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement-eligible position, with the limited exceptions of disability-related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(d)(1) For group II members who have not attained vested status prior to September 1, 2013, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include, as applicable and subject to subparagraphs (2) and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, compensation for extra and special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to or on behalf of the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation that is not part of the contracted annual salary.

(2) Earnable compensation shall not include compensation for extra and special duty for members who began service on or after July 1, 2011.

(3) Earnable compensation shall not include incentives to encourage members to retire, severance pay, end-of-career additional longevity payments, or pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement-eligible position.

535 Average Final Compensation; 2026 Change. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For **group I** members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of

the years in his or her creditable service if less than 3 years. ~~[For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009, if less than 7 years.]~~

(b) For group II members who attained vested status prior to September 1, 2013, the average annual earnable compensation shall be calculated based on the member's highest 3 years of creditable service, or during all years of creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in the member's creditable service on or after July 1, 2009, if less than 7 years.

~~[(b)]~~ **(c)** For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

~~[(c)(1)]~~ **(d)(1)** For group II members ~~[who commenced service prior to July 1, 2011 and]~~ who have not attained vested status prior to ~~[January 1, 2012,]~~ **September 1, 2013**, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after ~~[January 1, 2012]~~ **September 1, 2013**.

(2) For group II members who commenced service on or after July 1, 2011, ~~[and who have not attained vested status prior to January 1, 2012,]~~ the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

536 Group II Service Retirement Benefits; 2026 Change. Amend RSA 100-A:5, II(a) to read as follows:

II. Group II Members.

(a) Any group II member in service, who is in vested status before ~~[January 1, 2012]~~ **September 1, 2013**, who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011, who has attained age 50 and completed 25 years of creditable service, and group II members who have not attained vested status prior to ~~[January 1, 2012]~~ **September 1, 2013**, as provided in the transition provisions in RSA 100-A:5, II(d), or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

537 Group II Service Retirement Benefits; 2026 Change. Amend RSA 100-A:5, II(b)(2) to read as follows:

(2) For members who are in vested status before ~~[January 1, 2012]~~ **September 1, 2013**, a state annuity which, together with his or her member annuity, shall be equal to 2-1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years,

or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years, and group II members who have not attained vested status prior to ~~[January 1, 2012]~~ **September 1, 2013**, shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of the limits under RSA 100-A:6-a, but only for group II members in service who have attained age 60 regardless of the number of years of creditable service, or who work up to their full age and service requirements and retire under service retirement. If a member retires prior to reaching full age and service requirements, then their annuity multiplier remains the same as their first 15 years of creditable service.

538 Group II Service Retirement Benefits; 2026 Change. Amend RSA 100-A:5, II(c)(1) to read as follows:

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before ~~[January 1, 2012]~~ **September 1, 2013**, and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011, and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to ~~[January 1, 2012]~~ **September 1, 2013**, who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of \$10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the \$10,000.

539 Group II Service Retirement Benefits; 2026 Change. Amend RSA 100-A:5, II(d) to read as follows:

(d) Active group II members who commenced service prior to July 1, 2011, and who have not attained vested status prior to ~~[January 1, 2012]~~ **September 1, 2013**, shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and for the first 15 years of creditable service, the multiplier used to calculate the retirement annuity ~~[which shall be applicable on, or after January 1, 2012]~~ according to the following table:

Creditable service on	Minimum years	Minimum	Annuity
January 1, 2012	of service	age attained	multiplier
[(1) Less than 4 years	24 age	49	2.1%
(2) At least 4 years	23 age	48	2.2%
but less than 6 years			
(3) At least 6 years	22 age	47	2.3%
but less than 8 years			
(4) At least 8 years	21 age	46	2.4%
but less than 10 years]			
(1) Less than 1 year	24	age 49	2.1%*
(2) At least 1 years	24	age 49	2.1%*
but less than 2 years			
(3) At least 2 years but	24	age 49	2.1%*
less than 3 years			
(4) At least 3 years but	24	age 49	2.1%*
less than 4 years			
(5) At least 4 years	23	age 48	2.2%*
but less than 5 years			
(6) At least 5 years	23	age 48	2.2%*
but less than 6 years			
(7) At least 6 years but	22	age 47	2.3%*
less than 7 years			
(8) At least 7 years but	22	age 47	2.3%*
less than 8 years			
(9) At least 8 years but	21	age 46	2.4%*
less than 9 years			

* The annuity multiplier applied to creditable service earned beyond 15 years of creditable service, shall be 2.5 percent, but only for group II members in service who have attained age 60 regardless of the number of years of creditable service, or who work up to their full age and service requirements and retire under service retirement. If a member retires prior to reaching full age and service requirements, then their annuity multiplier remains the same as their first 15 years of creditable service.

540 Retirement System; 2026 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2012” with “September 1, 2013”: 21-I:30, VIII; 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

541 Retirement System; 2026 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “September 1, 2013” with “January 1, 2014”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

542 Retirement System; 2027 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2014” with “January 1, 2015”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

543 Retirement System; 2028 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2015” with “January 1, 2016”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

544 Retirement System; 2029 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2016” with “January 1, 2017”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

545 Retirement System; 2030 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2017” with “January 1, 2018”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

546 Retirement System; 2031 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2018” with “January 1, 2019”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

547 Retirement System; 2032 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2019” with “January 1, 2020”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

548 Retirement System; 2033 Change; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing “January 1, 2020” with “January 1, 2021”: 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII(b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) (except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); and 100-A:19-d.

549 Medical and Surgical Benefits; 2034 Change. Amend RSA 21-I:30, VIII to read as follows:

VIII. Any vested deferred state retiree may receive medical and surgical benefits under this section if the vested deferred state retiree is eligible. To be eligible, a group I vested deferred state retiree shall have at least 10 years of creditable service with the state if the employee’s service began prior to July 1, 2003 or 20 years of creditable service with the state if the employee’s service began on or after July 1, 2003 and a group II vested deferred state retiree shall have at least 20 years of creditable service with the state if the employee’s service with the state began on or after July 1, 2010. In addition, if the vested deferred state retiree is a member of group I, such retiree shall be at least 60 years of age to be eligible. If the vested deferred state retiree is a member of group II who is in vested status before January 1, 2012, such retiree shall not be eligible until 20 years from the date of becoming a member of group II and shall be at least 45 years of age, and any group II member who commenced service on or after July 1, 2011 shall not be eligible until 25 years from the date of becoming a member of group II and shall be at least 52.5 years of age~~], and group II members who have not attained vested status prior to January 1, 2012 shall be as provided in the transition provisions in RSA 100-A:5, II(d)].~~

550 Definitions; 2034 Change. Amend RSA 100-A:1, XVII(d)(1) to read as follows:

(d)(1) For group II members ~~[who have not attained vested status prior to January 1, 2021]~~ who commenced service on or after July 1, 2011, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include, as applicable and subject to subparagraphs (2) and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, compensation for extra and special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to or on behalf of the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers’ compensation that is not part of the contracted annual salary.

551 Definitions; 2034 Change. Amend RSA 100-A:1, XXXVII(b)(1) through (3) to read as follows:

(b)(1) For a group II member who is ~~[in vested status before January 1, 2012]~~ **who commenced service prior to July 1, 2011**, the later of the date that the member has both attained age 45 and completed 20 years of creditable service; **or**

(2) For a group II member who commenced service on or after July 1, 2011, the later of the date that the member has both attained age 52.5 and completed 25 years of creditable service.[]

~~[(3) For a group II member who commenced service prior to July 1, 2011, and who has not attained vested status prior to January 1, 2012, as provided in the transition provisions in RSA 100-A:5, II(d); or]~~

552 Service Retirement Benefits; 2034 Change. Amend RSA 100-A:5, II(a) to read as follows:

(a) Any group II member in service, ~~[who is in vested status before January 1, 2021]~~ **who commenced service prior to July 1, 2011**, who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25 years of creditable service~~], and group II members who have not attained vested status prior to January 1, 2021, as provided in the transition provisions in RSA 100-A:5, II(d)], or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.~~

553 Service Retirement Benefits; 2034 Change. Amend RSA 100-A:5, II(b)(2) to read as follows:

(2) For members ~~[who are in vested status before January 1, 2021]~~ ***who commenced service prior to July 1, 2011***, a state annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years~~;~~ ~~and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of 40.5 years].~~

554 Service Retirement Benefits; 2034 Change. Amend RSA 100-A:5, II(c)(1) to read as follows:

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who ~~[is in vested status before January 1, 2021 and]~~ ***commenced service prior to July 1, 2011***, has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, ~~[and group II members who have not attained vested status prior to January 1, 2021 who qualify as provided in the transition provisions in RSA 100-A:5, II(d).]~~ shall receive a minimum annual service retirement allowance of \$10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the \$10,000.

555 Disability Retirement Benefit; 2034 Changes. Amend RSA 100-A:6, II(b) to read as follows:

(b) Upon ordinary disability retirement, the group II member shall receive an ordinary disability retirement allowance which shall consist of: a member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of his or her ordinary disability retirement; and a state annuity which, together with his or her member annuity, for members who ~~[are in vested status before January 1, 2012]~~ ***commenced service before July 1, 2011***, shall be equal to 2 1/2 percent of his or her average final compensation at the time of ordinary disability retirement multiplied by the number of years of his or her creditable service not in excess of 40 at the time of ordinary disability retirement, or for members who commenced service on or after July 1, 2011, shall be equal to 2 percent of his or her average final compensation at the time of ordinary disability retirement multiplied by the number of years of his or her creditable service not in excess of 42.5 at the time of ordinary disability retirement, ~~[and group II members who have not attained vested status prior to January 1, 2012, shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of the limits under RSA 100-A:6-a provided]~~, however, that such allowance shall not be less than 25 percent of the member's final compensation at the time of his or her disability retirement. Members who retire upon ordinary disability or qualify for accidental death benefits as outlined in RSA 100-A:8 shall not be subject to the full age and service requirements listed under RSA 100-A:5, II(d).

556 Disability Retirement Benefits; 2034 Change. Amend RSA 100-A:6, II(d)(1) through (3) to read as follows:

(1) For members ~~[who are in vested status before January 1, 2021]~~ ***who commenced service before July 1, 2011***, any group II member who has more than 262/3 years of service, a supplemental disability retirement allowance shall be paid. Such supplement shall be equal to 21/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service in excess of 262/3 but not in excess of 40 years.

(2) For members who commenced service on or after July 1, 2011, any group II member who has more than 331/3 years of service, a supplemental disability retirement allowance shall be paid. Such supplement shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service in excess of 331/3 but not in excess of 42.5 years.

~~[(3) For group II members who have not attained vested status prior to January 1, 2012, calculation of the supplemental allowance shall use the percentage multipliers for the corresponding years of creditable service on January 1, 2012 in the transition provisions in RSA 100-A:5, II(d) with the range for the number of excess years for the supplement adjusted proportionally.]~~

557 Vested Deferred Retirement Benefit; 2034 Change. Amend RSA 100-A:10, II(b) to read as follows:

(b) For members ~~[who are in vested status before January 1, 2021]~~ ***who commenced service before July 1, 2011***, upon the member's attainment of age 45, provided the member would then have completed 20 years of creditable service, otherwise the subsequent date on which such 20 years would have been completed, or for members who commenced service on or after July 1, 2011, upon the member's attainment of age 50, provided the member would then have completed 25 years of creditable service, otherwise the subsequent date on which such 25 years would have been completed, ~~[and group II members who have not attained vested status prior to January 1, 2012 shall be as provided in the transition provisions in RSA 100-A:5, II(d),]~~ or at any time after age 60, a group II member who meets the requirement of subparagraph (a) may make application on a form prescribed by the board of trustees and receive a vested deferred retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of accumulated contributions on the date the member's retirement allowance commences; and (2) A state annuity which, together with the member annuity, shall be equal to a service retirement allowance based on the member's average final compensation and creditable service at the time the member's service is terminated. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a vested deferred retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

558 Method of Financing; 2034 Change. Amend RSA 100-A:16, I(aa) to read as follows:

(aa) The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, except group II members who are in vested status before January 1, 2012 with creditable service in excess of 40 years, and group II members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012 with creditable service in excess of 42.5 years as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), on each and every payroll of such employer for each and every payroll period, the percentage of earnable compensation applicable to such member. No deduction from earnable compensation under this paragraph shall apply to any group II member ~~[who is in vested status before January 1, 2021]~~ ***who commenced service prior to July 1, 2011***, with creditable service in excess of 40 years, and any group II member who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012 with creditable service in excess of 42.5 years as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), and this provision for such members shall not affect the method of determining average final compensation as provided in RSA 100-A:1, XVIII. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if such person was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed 1/10 of one percent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the member annuity savings fund, of the member from whose compensation the deduction was made.

559 Minimum Age; 2034 Change. Amend RSA 100-A:19-b, II to read as follows:

II.(a) For a member ~~[who is in vested status before January 1, 2021]~~ ***who commenced service prior to July 1, 2011***, and, who has completed 20 or more years of combined creditable service, one year shall be deducted from age 60 for each year of creditable group II service, provided that the age shall not be less than 45 years.

(b) For a member who commenced service on or after July 1, 2011 and who has completed 25 or more years of combined creditable service, one year shall be deducted from age 60 for each year of creditable group II service, provided that the age shall not be less than 50 years, and provided that a the member shall not be eligible to receive a retirement allowance until attaining the age of 52.5.

~~[(c) For members who have not attained vested status prior to January 1, 2012, minimum age shall be as provided in the transition provisions in RSA 100-A:5, II(d) with one year deducted from age 60 to not less than the adjusted minimum age.]~~

560 Reduced Early Retirement; 2034 Change. Amend RSA 100-A:19-d to read as follows:

100-A:19-d Reduced Early Retirement. Notwithstanding any other provision of law, any retirement system member who has creditable service in both group I and group II with at least 10 years combined creditable service, and who has attained an age which is at least 45 ~~[for members who are in vested status with group II service before January 1, 2012]~~ **for members who commenced service before July 1, 2011**, or at least 50 for members who commenced group II service on or after July 1, 2011, and group II members who have not attained vested status prior to January 1, 2012 shall be as provided in the transition provisions in RSA 100-A:5, II(d), and is within 10 years of the minimum age set forth in RSA 100-A:19-b, may elect to retire and have benefits commence immediately as a reduced split-benefit service retirement allowance. Application shall be as provided in RSA 100-A:5, I(c). The allowance shall be determined as a split-benefit service retirement allowance in accordance with RSA 100-A:19-c, and the total combined split-benefit service allowance shall be reduced by the percentages shown in RSA 100-A:5, I(c), based on the total combined length of creditable service, for each month by which the date on which benefits commence precedes the month after which the member attains the minimum age set forth in RSA 100-A:19-b.

561 Public Officers and Employees; Method of Financing; 2027 Change. Amend RSA 100-A:16, II(b) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution," provided that beginning with state fiscal year ~~[2013]~~ **2028** and for each state fiscal year thereafter, ***the state shall pay the normal contribution and accrued liability contributions attributable to this act, and any employer [shall pay the full amount of such total contributions] other than the state, shall pay the remaining percentage, thereof; and provided further that, in the case of group II members employed by the state, the state shall pay both normal and accrued liability contributions.*** The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraph (i). ***The board of trustees of the retirement system shall certify the amount required for each such state payment and each biennium thereafter, and the total amount of the state grants, to the treasurer. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.***

562 Funding; Appropriations. The sum of \$14,500,000 for fiscal year ending June 30, 2026, and \$27,500,000 per state fiscal year every year thereafter is hereby appropriated to the retirement system to fund the cost of benefits under this act. Such sums shall be transferred on July 1 each year until 2034. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

563 Repeal. RSA 100-A:5, II(d)(9), relative to group II service retirement benefits.

564 Repeal. RSA 100-A:5, II(d)(8), relative to group II service retirement benefits.

565 Repeal. RSA 100-A:5, II(d)(7), relative to group II service retirement benefits.

566 Repeal. RSA 100-A:5, II(d)(6), relative to group II service retirement benefits.

567 Repeal. RSA 100-A:5, II(d)(5), relative to group II service retirement benefits.

568 Repeal. RSA 100-A:5, II(d)(4), relative to group II service retirement benefits.

569 Repeal. RSA 100-A:5, II(d)(3), relative to group II service retirement benefits.

570 Repeal. RSA 100-A:5, II(d)(2), relative to group II service retirement benefits.

571 Repeal. RSA 100-A:5, II(d), relative to group II service retirement benefits.

572 Repeal. RSA 100-A:1, XXXVII(d)(1) relative to group II service retirement definition.

573 Effective Date.

I. Sections 533 through 540 and 572 of this act shall take effect January 1, 2026.

II. Sections 541 and 563 of this act shall take effect July 1, 2026.

III. Sections 542, 561, and 564 of this act shall take effect July 1, 2027.

IV. Sections 543 and 565 of this act shall take effect July 1, 2028.

V. Sections 544 and 566 of this act shall take effect July 1, 2029.

VI. Sections 545 and 567 of this act shall take effect July 1, 2030.

VII. Sections 546 and 568 of this act shall take effect July 1, 2031.

VIII. Sections 547 and 569 of this act shall take effect July 1, 2032.

IX. Sections 548 and 570 of this act shall take effect July 1, 2033.

X. Sections 549 through 560, and 571 of this act shall take effect July 1, 2034.

574 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2025.

2025-2637s

AMENDED ANALYSIS

This bill:

1. Adds new definitions to the endangered species conservation act.
2. Requires the department of environmental services to adopt rules and review procedures such that actions of state agencies do not jeopardize the existence or habitats of species protected under the endangered species conservation act.
3. Establishes an environmental scientist position within the department of environmental services to ensure that state agencies do not jeopardize the existence or habitats of species protected under the endangered species conservation act.
4. Requires that rules established by the executive director of the fish and game department establish an administrative fee that the executive director may collect from payments made to the threatened and endangered species compensatory mitigation fund.
5. Requires the department of environmental services to adopt rules regarding when mitigation payments to the threatened and endangered species compensatory mitigation fund are required.
6. Modifies the definition of “environmental review” as it relates to native plant protection.
7. Requires the department of environmental services to build and maintain a database for providing environmental reviews and cataloging protected species for the purpose of assisting state agencies and departments that require environmental reviews.
8. Requires the department of environmental services to adopt rules to establish a process for requesting a screening and environmental review process.
9. Prevents the commissioner of the department of natural and cultural resources from charging a fee for screening department records for instances of protected species or environmental reviews.
10. Prevents the commissioner of the department of natural and cultural resources from using money collected under the natural heritage bureau fund to conduct environmental reviews.
11. Defines “boathouse” and “structural height” in the context of fill and dredge in wetlands statutes.
12. Raises the fees associated with shoreline terrain alteration applications and raising fees annually to coincide with inflation.
13. Prevents the department of environmental services from issuing 40-day extension periods on excavation or dredging permit applications.
14. Establishes fees for applications for terrain alteration and requires the department of environmental services to adopt rules to establish a permit by notification for certain projects with plans encompassing an area less than 150,000 square feet.
15. Establishes structural requirements for existing and new boathouses located over public waters and penalties for violation thereof.

16. Defines “eligible student” for the purposes of enrollment in the education freedom account program and adds definitions for “priority guidelines” and “enrollment cap.”

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

18. Establishes an elderly, disabled, blind, and deaf exemption reimbursement fund.

19. Authorizes the creation of a centralized voluntary statewide self-exclusion database for all forms of legal gambling in New Hampshire.

20. Changes the name of the state lottery commission to the state lottery and gaming commission.

21. Allows the operation of video lottery terminals and high-stakes tournaments.

22. Authorizes the substance abuse enforcement program to make grants available for law enforcement agencies in Coos, Grafton, Carroll, and Sullivan counties for the costs for hiring additional officers to carry out law enforcement activities aimed at preventing or reducing opioid-related deaths and harms.

23. Repeals the requirement that the board of tax and land appeals have at least one review appraiser on staff.

24. Establishes the division of planning and community development in the department of business and economic affairs.

25. Updates references to the state workforce innovation fund administered by the department of business and economic affairs and the statute authorizing state workforce innovation grants for job training through the department of economic security.

26. Extends the time period for which members of the state commission on aging may serve; directs the commission on aging to establish an advisory council on the system of care for healthy aging in New Hampshire; and establishes the New Hampshire commission on aging fund and makes an appropriation to the fund.

27. Provides budget transfer authority to the department of corrections.

28. Makes an appropriation to the department of health and human services from the opioid abatement trust fund for the purpose of providing year-round emergency shelter services to individuals with an opioid use disorder.

29. Extends the prospective repeals for exemption from certain transfer procedures and certain eligibility criteria for mental health services.

30. Suspends graduate medical eligibility payments for the biennium.

31. Directs the department of health and human services to submit a Medicaid state plan amendment to suspend catastrophic aid payments to hospitals for the biennium.

32. Categorizes certain funding appropriated to the department of health and human services as restricted revenue and authorizes the department to accept and expend federal funds for that purpose.

33. Appropriates funds to the department of health and human services for the purpose of funding the WIC farmers’ market nutrition program.

34. Permits the department of health and human services to accept gifts for the benefit of the department.

35. Establishes certain unclassified positions within the department of health and human services.

36. Makes an appropriation to the department of health and human services for congregate housing.

37. Revises the appointment procedure for certain unclassified positions in the department of health and human services and repeals a mental health medical supervisor position.

38. Revises criteria for pharmacists filling name brand and generic drug prescriptions under the Medicaid program.

39. Allows the department of health and human services’ chief medical officer to place standing orders for certain Medicaid covered over-the-counter (non-legend) medications, medical supplies, and laboratory tests.

40. Limits the developmental services pilot program for young adults to current enrollees and makes an appropriation therefor.

41. Extends the effective date for expanded access to court-appointed counsel for children in dependency proceedings.

42. Directs the department of health and human services to file an amendment to the state Medicaid plan regarding prescription drug copayments.

43. Directs the department of health and human services to file no more than one Medicaid rate filing with the CMS in each fiscal year of the biennium.

44. Directs the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for individuals participating in the granite advantage health care program.

45. Directs the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for households with children participating in the Medicaid program.

46. Requires the department of health and human services to submit a report regarding its success in collecting certain premiums.

47. Directs the department of health and human services to restore income verification for Medicaid redetermination to pre-public health emergency income verification standards.

48. Authorizes an additional appropriation to department of health and human services if such funds are required to prevent a waitlist for child care scholarships.

49. Amends the title of certain positions in the department of information technology.

50. Revises the organizational structure of the bureaus within the department of justice, division of legal counsel.

51. Provides for payment of special education costs associated with out of home placements, grants from the public school infrastructure fund, and department of education operating costs from the education trust fund.

52. Clarifies the means of calculating average daily membership in attendance for the Virtual Learning Academy Charter School.

53. Authorizes the state board of education to modify determinations of education adequacy grant amounts.

54. Changes the process through which counsel for indigent defendants may apply for reimbursement for services necessary to an adequate defense.

55. Establishes the wage claim settlement fund.

56. Changes the number of members on the workers' compensation appeals board and makes changes in the proceedings.

57. Implements a fee for unit owners to obtain a certificate of successful inspection of an elevator or accessibility lift.

58. Provides that a civil penalty of greater than \$2,500 for violations of certain unfair labor practices may be levied only if specifically authorized by law and allows the imposition of civil penalties for violations of workers compensation laws and youth labor laws.

59. Provides that the funds in accounting unit 1051 shall not lapse until June 30, 2027.

60. Lapses certain unspent funds appropriated to the fire safety administration to the fire standards and training and emergency medical services fund.

61. Allows the director of the division of motor vehicles to authorize certain actions regarding a fictitious, facsimile or simulated license to drive a motor vehicle.

62. Allows the department of safety to disseminate driver history records to federal entities or their authorized agents in certain circumstances.

63. Designates the hazardous materials incident response coordinator as group II retirement-eligible during full-time service.

64. Clarifies the division of fire standards and training and emergency medical services policy regarding the use of properly equipped vehicles to transport sick or injured individuals; removes a reference to licensing of wheelchair vans and emergency medical dispatchers by the division; and repeals a requirement that the division establish an emergency communications network as such responsibility is handled by other state entities.

65. Makes membership in the retirement system optional for the department of safety's chief of policy and planning.

66. Repeals the Benjamin Thompson trust fund.

67. Prevents the lapse of two revolving fund class lines in the operating budget.

68. Suspends revenue sharing with cities and towns under RSA 31-A.

69. Repeals certain wastewater state aid grants.

70. Further specifies information required for well monitoring reports.

71. Eliminates certain fees for the construction of sewerage systems.

72. Repeals the aquatic invasive species decal.

73. Allows the department of environmental services to accept an easement from the abutting property owners of all rights necessary for access, and to store equipment during repair, reconstruction, maintaining, and operation of Pequawket Dam, Horn Pond Dam, and Souhegan Site #35 for the consideration of \$1.

74. Expands the type of educational degree a person may have to serve as a division director for the department of environmental services.

75. Varies the types of experience in public health members of the air resources council may have.

76. Reconfigures some criteria to serve on the waste management council.

77. Reconfigures some criteria to serve on the water council and the wetlands council.

78. Increases dam registration fees and sewage disposal fees.

79. Allows all such moneys in excess of \$100,000 made available, after designation by the governor and council, to be expended by the proper persons or agencies in the state government only with the prior approval of the joint legislative fiscal committee.

80. In certain circumstances, allows every department as defined in RSA 9:1 to transfer funds within and among all accounting units within said department, with the approval of the commissioner of the department of administrative service.

81. Allows the governor to accept public funds, gifts, grants, donations or any other source of funds, for the care, maintenance, repair of, and additions to, the bridges house.

82. Changes the duties of the capital project overview committee to capital projects instead of capital budget projects.

83. Provides for the continual and non-lapsing surplus distribution section administrative assessments fund.

84. Allows state agencies to use funds in appropriate budget classes to pay any penalties, fines, interest or other costs imposed on the state of New Hampshire by the NH retirement system or by the IRS after exhausting any relevant appeal process.

85. Increases the maximum ticket price for lottery drawings.

86. Delineates the criteria for distribution and transfers of certain tax revenues and other fund proceeds.

87. Lapses funds for continued operation of the Cannon Mountain tramway.

88. Adds an additional one percent to the annual increase on the cap on county billings for each year of the biennium ending June 30, 2027.

89. Requires the state comptroller to notify the fiscal committee and the governor if there is a general fund operating budget deficit at the close of fiscal year 2025 and to request approval to transfer funds from the revenue stabilization reserve account.

90. Establishes a renewable energy fund and sets standards governing its use.

91. Transfers authority for the appointment of certain inspectors from the office of professional licensure and certification to the department of safety.

92. Makes various changes regarding the regulation of barbering, cosmetology, esthetics, and related shops and schools.

93. Increases fees for assorted pesticide product applications, registrations, licenses, and permits.
94. Increases fees for assorted agricultural-services product applications, registrations, licenses, and permits.
95. Increasing fees relative to certain agricultural product permits, goods, and licenses.
96. Changes the weights and measures device license fees and requires certain registered service agencies to pay a \$250 registration fee.
97. Increases certain registration and construction/reconstruction fees for dams.
98. Increases the import fee for automotive oil.
99. Raises fees for the hazardous waste generator self-certification program.
100. Increases fees for certain hazardous waste generators.
101. Creates a solid waste disposal surcharge at landfills, incinerators, and waste-to-energy facilities and creates civil penalties for violations of solid waste management fund statutes.
102. Increases the fee for the application for initial or renewal of a hazardous waste coordinators certification.
103. Increases the boat decal fee.
104. Raises the per diem rate for the public employee labor relations board.
105. Eliminates mandatory surcharges for civil case filings and allows the supreme court to establish rules regarding equitable fee schedules for imposed fines and service charges on credit card payments.
106. Adds a requirement that until the Sununu Youth Services Center is relinquished, the department of administrative services shall request an appropriation, subject to the approval from the fiscal committee and the governor and executive council, funds necessary to maintain the property.
107. Allows general or federal discretionary funds to be used to support activities and infrastructure at a facility that replaces the Sununu Youth Services Center.
108. Makes appropriations to the youth development center settlement fund. Sets aside \$10 million pursuant to the state's settlement agreement with plaintiff Michael Gilpatrick in Michael Gilpatrick v. N.H. D.H.H.S, et al.
109. Creates tax credits for donations made to the granite patron of the arts fund.
110. Replaces the state art fund with the granite patron of the arts fund.
111. Establishes limitations on the percentages of grant-in-aid funds administered by the department of natural and cultural resources, division of parks and recreation, bureau of trails, and the rivers council for the development and maintenance of OHRV (off-highway recreational vehicle) trails on private, municipal, state, or federal lands.
112. Includes operations and initiatives of the Hampton Beach commission as permissible expenses to be paid from the Hampton Beach master plan fund.
113. Authorizes the state treasurer to appoint assistant state treasurers.
114. Transfers any uncommitted moneys from the governor's scholarship fund to the general fund.
115. Requires the child advocate to provide non-partisan information; clarifies procedures for the child advocate's nomination, interim replacement, and out-of-state travel expenses; and authorizes additional funding for staffing costs with the approval of the fiscal committee.
116. Allows any magistrate appointed before January 31, 2025, to continue to exercise the duties of a magistrate until the end of their term of employment, but no later than January 1, 2030, provided that such magistrate shall not conduct bail hearings or make bail determinations.
117. Creates the office of state and public sector labor relations.
118. Repeals the repeal of certain provisions related to the right-to-know ombudsman and administratively attaches the ombudsman to the office of state and public sector labor relations.
119. Creates the "partners in housing" program, an initiative under the housing champions fund to assist municipalities, counties, and developers in building modestly priced housing on municipally or county-owned land that is suitable for development.

120. Abolishes the repayment requirement and recoupment procedures for indigent criminal defendants who are appointed counsel.

121. Changes the calculation of costs of an opportunity for an adequate education, extraordinary need grants, and determination of education grants.

122. Establishes fiscal capacity disparity aid grants.

123. Requires schools to use the state's assessment portal when implementing the competency assessment of United States government and civics.

124. Lapses funding appropriated to computer science professional development.

125. Amends various motor vehicle fees.

126. Increases the vanity plate service and renewal fees to \$60.

127. Require nonresident drivers who establish residency in New Hampshire to notify the department of safety if they then cease to become residents within 60 days, or if their out of state driver's license expires or is relinquished.

128. Specifies when the division of motor vehicles shall send certain violation notices.

129. Allows 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.

130. Amends the standards governing vehicle inspections including exemption certain issues from triggering failed inspections.

131. Requires the department of environmental services to submit amendments to the state implementation plan that reduces the scope of the emissions testing program by January 1, 2026

132. Requiring public-private transportation partnership agreements utilizing state or federal funds to be approved in the 10-year transportation plan and directing that state revenue and proceeds obtained from any partnership be credited to the department of transportation.

133. Allows the fish and game department to conduct raffles, increases the fisheries habitat fee, and directs certain moneys into the fish and game fund.

134. Clarifies group II membership for certain positions with the division of fire safety.

135. Removes the requirement to get approval from the fiscal committee of the general court for public school infrastructure grants.

136. Allows the state board of education to use office of legislative budget assistant audits to satisfy statutory audit and reporting requirements.

137. Removes the requirement that catastrophic special education funds be prorated among the school districts entitled to such aid and requires that disbursements for special education to a school district shall be at least 80 percent of the district's entitlement in the fiscal year.

138. Amends the appropriation regarding special education aid.

139. Allocates certain monies from assessments collected under the excellence in higher education endowment trust fund to the general fund.

140. Directs the department of health and human services not to use general funds to enroll any new participants into the state loan repayment program or the biennium ending June 30, 2027.

141. Requires the department of health and human services to include references to the patients' bill of rights in contracts and contract addenda.

142. Increases the cap on county reimbursement for nursing home services for fiscal years 2026 and 2027; and makes additional payments to counties as reimbursement for overpayment of certain nursing home costs in fiscal years 2020 and 2021.

143. Suspends for the biennium the reimbursements to the foster grandparent program through the senior volunteer grant program.

144. Renames the governor's commission on alcohol and drug abuse, prevention, treatment, and recovery to the governor's commission on addiction, treatment, and prevention.

145. Renames the alcohol abuse prevention and treatment fund to the addiction, treatment, and prevention fund.

146. Expands the governor's commission on addiction, treatment, and prevention's purview to include problem gambling prevention.

147. Defines "harm reduction" with respect to addiction, treatment, and prevention.

148. Repeals the council for responsible gambling.

149. Requires the department of health and human services to accelerate the implementation of home dialysis.

150. Removes the reallocation of unused funds education freedom account funds to help fund other education freedom accounts.

151. Requires with the availability of sufficient federal funding, the department of health and human services to establish and administer statewide access points for delivery of substance use services and support.

152. Requires the commissioner of the department of health and human services to submit a report to the general court that contains a clinical and financial research study concerning adult dental benefits.

153. Modifies the definition of "interchangeable biological product" and allows for interchangeable biological products to be provided by pharmacists subject to certain restrictions.

154. Provides for deposit of revenue from premiums received from granite advantage health care program enrollees in the granite advantage health care trust fund.

155. Directs the department of health and human services to rename the office of health equity as the office of health access and directs the office to comply with the hiring freeze in Executive Order 2025-02 for the biennium ending June 30, 2027.

156. Provides for the termination of the Medicaid to schools program under certain circumstances.

157. Extends a prior appropriation to the department of health and human services for administration of a substance use disorder recovery initiative by Granite United Way.

158. Mandates that the department of health and human services seek all available Title IV-E, Administration for Children and Families funds to maximize benefits for children in its care.

159. Directs the department of health and human services to serve every person with equal dignity and respect and to not contract with or pay vendors who fail to serve every person with equal dignity and respect.

160. Repeals the prescription drug affordability board.

161. Removes the department of health and human services' executive director as a role on the prescription drug affordability board.

162. Directs the department of health and human services to use TANF funds to cover any shortfall in funding for employment-related child care services in order to prevent a waitlist.

163. Directs the department of health and human services to seek to implement an outpatient procedure incentive program under Medicaid managed care, to encourage Medicaid beneficiaries to choose to receive outpatient procedures, including ambulatory surgical care, from the lower cost provider when clinically appropriate.

164. Requires the sale of the Tirrell House property in Manchester, New Hampshire.

165. Requires the sale of the Anna Philbrook Center in Concord, NH.

166. Requires the subdivision and sale of portions of the Hampstead Hospital property in Hampstead, New Hampshire, excluding those portions used as the replacement facility for the Sununu Youth Services Center and Hampstead Hospital and Residential Treatment Facility, and those used for any state operations.

167. Delays the June 2027 capitation payments to Medicaid managed care organizations until fiscal year 2028 and directs the department of health and human services to use the resulting savings to reduce department appropriations by a specified amount for the fiscal year ending June 30, 2027.

168. Requires the governor to increase state general fund revenues or decrease state general fund appropriations through the biennium ending June 30, 2027.

169. Makes the administrator of the recreational and socialization services fund and persons or entities with historic horse racing operations licenses charitable organizations.

170. Prohibits all public entities from implementing, promoting, or otherwise engaging in any diversity, equity, and inclusion DEI-related initiatives, programs, training, or policies; requires each agency to report such contracts to the department of administrative services, which shall compile a consolidated report for submission to the governor, speaker of the house of representatives, and senate president; and provides for the amendment (i.e., removing DEI-related provisions) of non-compliant contracts.

171. Prohibits all public schools from implementing, promoting, or otherwise engaging in any DEI-related initiatives, programs, training, or policies and provides processes for the review and termination or amendment of noncompliant contracts and provides for funding halts in the event of a violation.

172. Creates the position of chief privacy officer within the department of information technology.

173. Applies the proceeds of the sale of the former Laconia state school campus property to any subsequent purchase of land, building, or other improvements at 1 Granite Place Concord.

174. Makes the payment and procurement card fund a lapsing fund when the balance reaches a specified amount, and makes a one-time transfer from the payment and procurement card fund to the general fund.

175. Raises various filing fees for the board of tax and land appeals and allows certain matters before the board of tax and land appeals to be removed to superior court.

176. Allows any state agency subject to a state general fund appropriation reductions to request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding.

177. Removes the reference to mentally incapacitated for purposes of disability retirement benefits for group II.

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

179. Delays reduction-in-force notices for certain executive branch employees, establishes funding reserves for final payments, and ensures unused funds revert to the state's revenue stabilization reserve.

180. Transfers oversight of the housing appeals board to the board of tax and land appeals, modifies board membership, lowers the number of members from 3 to 2, and introduces a procedure for tie votes where a temporary third member is selected from the board of tax and land appeals.

181. Modifies the terms of the members of the board of tax and land appeals and allows for the board to use a member of the housing appeals board in certain circumstances.

182. Increases the fees and modifies to whom the fees are owed for certain work performed by the office of the chief medical examiner.

183. Requires large customer-generators participating in net energy metering to consume at least 33 percent of their own generation.

184. Increases the fee that must be forwarded to the office of the chief medical examiner along with a copy of the cremation certificate.

185. Appropriates money into the New Hampshire-Ireland trade council fund.

186. Repeals the use of criminal records in employment decisions.

187. Provides for payment of court-appointed attorneys in involuntary emergency admission hearings from indigent defense funds under RSA 604-A.

188. Increases the maximum total compensation paid to all claimants for first responder's critical injury benefits from \$500,000 to \$750,000 per biennium.

189. Restricts foreign principals from countries of concern, or their agents, from acquiring ownership, controlling, or occupancy interests in real property within 10 miles of a protected facility.

190. Establishes an affidavit filing requirement to confirm eligibility for acquiring such property interests and introduces criminal penalties and a forfeiture procedure for violations.

191. Provides that funded probation and parole officer positions that become vacant due to attrition shall remain vacant for the biennium ending June 30, 2027.

192. Establishing a committee to study the creation of the New Hampshire office of film and creative media.

193. Extends a prior appropriation to the housing champion designation and grant program fund.

194. Directs the sale and lease of the Sununu youth services property.

195. Raises funds for the division of travel and tourism through from the meals and rooms tax.

196. Establishes a tax amnesty program.

197. Delays the veterans treatment court and judicial training coordinator enactment dates.

198. Updates language governing the location of courthouses to reflect where courthouses have been built.

199. Establishes a study committee to review study, monitor, and support implementation of corrective measures identified in the 2025 legislative budget assistant audit.

200. Requires that the director of the state commission for human rights be a licensed state attorney.

201. Requires the state commission for human rights to publish an annual report to the governor and state legislature and requires the state commission for human rights to keep its rules current.

202. Requires the department of environmental services to establish an application and approval process to determine the prorated compensation amount for each public water system with PFAS detections based upon certain factors.

203. Expands the type of health plan loss information available to certain large employers.

204. Allows the New Hampshire drinking water and groundwater advisory commission to issue grants, loans, or reimbursements to water systems for impacts related to PFAS contamination.

205. Makes an appropriation to the department of environmental services from the drinking water and groundwater trust fund for the purpose of funding regional drinking water infrastructure as part of Phase 2B of the southern New Hampshire regional water project.

206. Appropriates funds to the department of environmental services for the purpose of making payments to communities for projects that have previously been awarded state aid grant funding for eligible and completed wastewater infrastructure projects.

207. Appropriates money to the department of environmental services to address loan costs associated with upgrades in the Pillsbury Lake Village District.

208. Assigns the director of emergency services and communications to oversee the state radio communications system and specifies the funding source for maintenance of the system.

209. Transfers administration of the International Fuel Tax Plan (IFTA) from the department of safety, division of administration to the division of motor vehicles.

210. Provides that the department of safety shall receive funds from the department of safety's inventory fund for the purpose of manufacturing number plates and transfers the responsibility of number plate manufacturing from the state prison to the department of safety.

211. Directs the division of motor vehicles to create mobile drivers' licenses and non-driver identification cards, as well as an electronic management system to manage all aspects of their utilization.

212. Appropriates funds to the department of safety for funding overtime patrols and related training activities, purchasing equipment in support of the northern border alliance program by state police, and disbursing grants to other state, county, and local law enforcement agencies.

213. Proclaims that the legislature is the only branch of state government able to make final determinations over the state's educational policies.

214. Administratively attaches the land conservation investment program to the fish and game department.

215. Authorizes the department of transportation to remove unauthorized vehicles from park-and-ride lots and recover the costs for doing so.

216. Adds protections for state-owned railroad corridors.

217. Provides that upon passage of the law creating an expedited driveway permitting process, the permit fees shall be credited to the highway fund.

218. Requires the state board of education to promote education programs for students to earn a high school diploma and charge tuition to student resident districts when resident districts receive state adequacy funds.

219. Appropriates funds to the department of education to be distributed for certain approved education programs.

220. Prevents the department of education from collecting or maintaining data on student workforces and removes a prohibition on data related to out-of-state colleges.

221. Requires the department of education and the department of revenue administration to develop and maintain school accounting standards for financial reporting purposes.

222. Modifies the duties of the deputy commissioner of the department of education.

223. Appropriates money to the department of education to provide a learning platform that provides instructional materials across content areas to ensure students have access to evidence-based and content-rich learning outcomes.

224. Expands permitted keno hours of operation.

225. Gives municipalities a local option to vote to prohibit the operation of games of chance within their boundaries.

226. Automatically permits Keno unless a municipality votes to prohibit it, giving local governments the option to ban games of chance within their boundaries.

227. Makes changes to charitable gaming licensing fees and reporting requirements.

228. Allows advanced deposit wagering on pari-mutuel betting on horse racing and authorizes the lottery commission to adopt rules governing the license and regulation of such wagers.

229. Expands the law enforcement, firefighter, and EMT recruitment and retention program in the community college system to include public safety communicators and dispatchers.

230. Requires health insurance coverage for biomarker testing and requires the state Medicaid plan to include coverage for biomarker testing.

231. Establishes the adverse childhood experiences (ACEs) prevention and treatment program as an on-going program rather than as a pilot within the department of health and human services and makes an appropriation therefor.

232. Directs the department of health and human services to resubmit the 1115 demonstration waiver to CMS regarding community engagement and work requirements under the state Medicaid program and directs the department to provide an annual report to the legislature regarding the status of implementation.

233. Appropriates money to the department of health and human services to establish 2 new positions to support public assistance applications.

234. Directs the department of health and human services to establish an administrative day rate and swing bed rate under the state Medicaid plan for certain hospital stays for parents of newborns.

235. Establishes the New Hampshire children's behavioral health association.

236. Makes an appropriation to the department of health and human services for intermediate care for children with disabilities.

237. Authorizes the commandant of the New Hampshire veterans' home to transfer funds between and among accounting units and expenditure classes within the home and to create accounting units and expenditure classes.

238. Provides maternal depression screening for new mothers; makes an appropriation to the department of health and human services for a perinatal psychiatric provider consult line in FY 2028 and to the department

of safety for rural maternal health EMS services; directs the department of health and human services to study barriers to independent birth centers; requires insurance coverage for perinatal home visiting services; expands employee protection to attend medical appointments for postpartum care and an infants medical appointments; and directs the department of health and human services to develop a plan for a perinatal peer support certification program.

239. Directs the renewal of the 1915(i) Medicaid state plan amendment for supportive housing services.

240. Makes an appropriation to the department of health and human services to provide residential services for individuals with disabilities and acquired brain disorders.

241. Establishes a committee to study long-term managed care and other relevant considerations related to long-term managed care.

242. Appropriates funds to the department of health and human services for the purpose of hiring a contractor to provide staffing support to assist with Medicaid long-term care eligibility, and requires a report on the status of the backlog of determinations.

243. Requires health insurance policies to provide coverage for adult prosthetics, including activity-specific prosthetic devices.

244. Directs the department of health and human services to amend its contract with the Bi-State Primary Care Association's Recruitment Center.

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

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

247. Establishes the Hampstead hospital and residential treatment facility capital investment fund and provides that all revenue collected by the department of health and human services from the operations transfer and asset purchase agreements approved by the governor and council on December 18, 2024 be deposited in the fund.

248. Makes an appropriation to the department of health and human services to fund a tier-one call center.

249. Requires the commissioner of the department of health and human services to adopt administrative rules regarding payments for child care providers, the child care scholarship presumptive eligibility pilot program, and the child care scholarship application process study.

250. Appropriates funds to provide payments for child care providers, the child care scholarship presumptive eligibility pilot program, and the child care scholarship application process study.

251. Directs the department of health and human services to seek federal approval to use a portion of TANF funds to develop a grant program to support the child care workforce.

252. Creates a trust fund to promote awareness of behavioral health crisis service systems, establishes a commission to oversee the behavioral health crisis service system trust fund, and establishes a crisis services telecommunications surcharge.

253. Authorizes hospitals seeking to assist older adults or adults with a disability with discharge from a hospital setting to a less restrictive setting to seek to have a guardian or conservator appointed by the probate court, and makes an appropriation to the department of health and human services.

254. Authorizes the commissioner of the department of health and human services to request additional funding, with prior authorization of the fiscal committee of the general court, to fund residential placements for youth, if certain accounts have insufficient funds in fiscal year ending June 30, 2027.

255. Raises residential care and health facility license fees and directs the department of health and human services to raise certain fees related to public health established by administrative rule.

256. Adds additional locations that shall be assigned for use by the speaker of the house and the president of the senate.

257. Establishes the youth development center administration and settlement fund administrator under the governor and executive council instead of the judicial branch.

258. Requires that any attorney's fee approved for a claim that is to be paid according to a periodic payment schedule also be paid according to that periodic payment schedule.

259. Clarifies that any retiree who returns to active service shall only retain eligibility for the benefits applicable to their initial retirement and the calculation of average final compensation.

260. 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 and makes an appropriation therefor.

261. Creates a subcommittee and rules regarding solid waste facility sites and their evaluation.

262. Makes significant changes to the NH retirement system, including modifying the maximum retirement benefits for certain public employees, adjusting the dates and percentages related to the calculation of retirement benefit, and adjusting the definition of "earnable compensation."

The Chair ruled the question divisible.

Senator Birdsell objects to dividing the questions.

Recess. Out of recess.

The Question is shall the decision of the Chair stand.

A roll call was requested by Senator Rosenwald, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

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

Senator Birdsell offered a Floor Amendment.

Sen. Carson, Dist 14

Sen. Birdsell, Dist 19

June 3, 2025

2025-2670s

09/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 210 with the following:

210 Office of the Child Advocate, Access to Information and Facilities. Amend RSA 21-V:4 to read as follows:

21-V:4 Access to Information and Facilities.

I. The office shall have access to the following information, ***for children who are or have been involved with the division for children, youth, and families or who are receiving services in a residential treatment facility licensed by the state:***

(a) All case records, all third party records, including the healthcare records of any child receiving services from an executive agency, and all records submitted to the courts.

(b) Executive agencies' policies and procedures, including draft policies and procedures.

(c) Executive agencies' records or reports, including draft records and reports.

(d) Autopsy reports from the chief medical examiner, which shall be provided in a timely manner upon the request of the child advocate.

II. The office shall be entitled to prompt electronic access to division records within the scope of its mission.

III. The office, in performance of its duties under this chapter, may communicate privately with any child or person who has received, is receiving, or should have received services from the state. Such communications shall be confidential and not be subject to disclosure except as provided in RSA 21-V:5.

IV. The office may have access to the records of other children when such records are directly relevant to the review of a case involving a child within the office's jurisdiction, as allowable by state and federal law.

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

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6

June 4, 2025

2025-2697s

09/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 573 the following:

574 Appropriation; Department of Education. There is hereby appropriated to the department of education the sum of \$460,000, for the fiscal year ending June 30, 2026, for facility related expenditures, including but not limited to repairs, improvements, maintenance, technology, safety, security, and facility improvements. The funds shall not lapse until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

575 Department of Health and Human Services; Summer EBT. For the fiscal year ending June 30, 2026, the department of health and human services is authorized to accept and expend federal funds for the purposes of administering payments for the 2025 summer EBT program, in accordance with RSA 161:2, without prior approval of the fiscal committee of the general court.

2025-2697s

AMENDED ANALYSIS

ADD:

263. Makes an appropriation to the department of education for facility related expenditures.

264. For the fiscal year ending June 30, 2026, authorizes the department of health and human services to accept and expend federal funds for the purposes of administering payments for the 2025 summer EBT program, without prior approval of the fiscal committee of the general court.

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

Senator Rochefort offered a Floor Amendment.

Sen. Rochefort, Dist 1

June 3, 2025

2025-2647s

06/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 529 with the following:

529 New Paragraph; Public Health; Solid Waste Management; Definitions. Amend RSA 149-M:9 by inserting after paragraph XV the following new paragraph:

XVI. The owner of any landfill receiving an approval of a landfill expansion under this paragraph and who has an existing agreement with the host municipality to pay the municipality a fee for each ton of waste received at the landfill shall increase the fee by a minimum of 25 percent for all waste received in the landfill expansion.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator McGough, seconded by Senator Rochefort.

The following Senators voted Yes: Rochefort, Prentiss, Ricciardi, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Lang, McConkey, Watters, Gray, Innis, Ward, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 9 - Nays: 15. Failed.

Senator McGough offered a Floor Amendment.

Sen. McGough, Dist 11
June 4, 2025
2025-2705s
07/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 317 and 318, relative to biological products.

2025-2705s

AMENDED ANALYSIS

DELETE:

153. Modifies the definition of “interchangeable biological product” and allows for interchangeable biological products to be provided by pharmacists subject to certain restrictions.

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

Senator Rosenwald offered a Floor Amendment.

Sen. Rosenwald, Dist 13
Sen. Watters, Dist 4
Sen. Prentiss, Dist 5
Sen. Perkins Kwoka, Dist 21
Sen. Fenton, Dist 10
Sen. Reardon, Dist 15
Sen. Long, Dist 20
Sen. Altschiller, Dist 24
June 3, 2025
2025-2660s
09/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16-23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by deleting section 74, relative to pharmacy copays and the medicaid program.

Amend the bill by deleting sections 76-78, relative to the granite advantage health care program.

Amend the bill by replacing sections 139-142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

2025-2660s

AMENDED ANALYSIS

REPLACE:

16. Reduces certain education trust fund appropriations to the department of education for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

42. Directs the department of health and human services to file an amendment to the state Medicaid plan regarding prescription drug copayments.

44. Directs the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for individuals participating in the granite advantage health care program.

45. Directs the department of health and human services to file a Medicaid waiver and state plan amendment to institute premiums based on income for households with children participating in the Medicaid program.

46. Requires the department of health and human services to submit a report regarding its success in collecting certain premiums.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Rosenwald, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5

Sen. Perkins Kwoka, Dist 21

Sen. Long, Dist 20

Sen. Rosenwald, Dist 13

Sen. Altschiller, Dist 24

Sen. Fenton, Dist 10

Sen. Watters, Dist 4

Sen. Reardon, Dist 15

June 4, 2025

2025-2679s

09/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 464 and 465, relative to the Medicaid work requirement.

2025-2679s

AMENDED ANALYSIS

DELETE:

232. Directs the department of health and human services to resubmit the 1115 demonstration waiver to CMS regarding community engagement and work requirements under the state Medicaid program and directs the department to provide an annual report to the legislature regarding the status of implementation.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Fenton, seconded by Senator Rosenwald.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Perkins Kwoka, Dist 21

Sen. Watters, Dist 4

Sen. Fenton, Dist 10

Sen. Altschiller, Dist 24

Sen. Long, Dist 20

Sen. Prentiss, Dist 5

Sen. Reardon, Dist 15

Sen. Rosenwald, Dist 13

June 3, 2025

2025-2664s

08/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16 through 23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139 through 142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[[41]]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[[41]]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by inserting after section 573 the following:

574 Appropriations; Housing Champion Designation and Grant Program Fund. The sum of \$5,150,000 for the fiscal year ending June 30, 2026 and the sum of \$5,150,000 for the fiscal year ending June 30, 2027, which shall not lapse until June 30, 2027, is hereby appropriated to the New Hampshire housing champion designation and grant program fund. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated

575 Appropriation; Affordable Housing Fund. The sum of \$23,000,000 for the biennium ending June 30, 2027, is hereby appropriated to the housing finance authority for deposit into the affordable housing fund, established by RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2025-2664s

AMENDED ANALYSIS

REPLACE:

16. Reduces funding for education freedom accounts.

ADD:

262. Makes an appropriation for the housing champion designation and grant program fund.

263. Makes an appropriation for the affordable housing fund.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Carson, Murphy, Pearl, Sullivan, Birdsell, Gannon, Abbas.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Reardon offered a Floor Amendment.

Sen. Reardon, Dist 15

Sen. Rosenwald, Dist 13

Sen. Watters, Dist 4

Sen. Prentiss, Dist 5

Sen. Perkins Kwoka, Dist 21

Sen. Long, Dist 20

Sen. Fenton, Dist 10

Sen. Altschiller, Dist 24

June 4, 2025

2025-2683s

08/09

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16 through 23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139 through 142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine [41] **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[[41]]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by inserting after section 573 the following:

574 New Subdivision; Impact of Tariffs. Amend RSA 12-O by inserting after section 76 the following new subdivision:

Impact of Tariffs

12-O:77 Annual Report on the Impacts of Tariffs.

I. This section shall be known as the “Tariffs Are a Tax Act”.

II. The general court hereby finds that:

(a) President Donald J. Trump announced sweeping tariffs against Canada and Canada has since announced retaliatory tariffs against the United States.

(b) Canada is New Hampshire’s number one export market, totaling \$1.4 billion in annual goods.

(c) New Hampshire imports \$2 billion in goods from Canada annually, including \$444 million in fuel oil, \$111 million in fish and crustaceans, and \$78 million in wood products.

(d) Officials from the Canadian government have said that a tariff on these imports from Canada will directly result in higher costs for New Hampshire residents for goods such as gas, seafood, groceries, fresh fruit and vegetables like blueberries and potatoes, durable goods, and housing production.

(e) 182,000 New Hampshire jobs rely on international trade.

III. The commissioner shall prepare a report to be presented no later than October 1, 2025, to the governor, executive council, the fiscal committee of the general court, the president of the senate, the speaker of the house of representatives, and the state library. The report shall be posted online on the website of the department. The report shall detail:

(a) The specific cost increases, both direct and indirect, broken down by the specific good or service sold in New Hampshire, as a result of the tariffs outlined in paragraph II.

(b) The number of jobs impacted by the tariffs outlined in paragraph II, including the number of jobs lost, if applicable.

(c) The lost revenue to New Hampshire businesses as a result of the tariffs in paragraph II.

IV. There is hereby established a special fund for tariff relief for small businesses. Such fund shall be administered by the department of business and economic affairs. The department shall use moneys in the fund following the completion of their report under paragraph III to assist small businesses in New Hampshire that have been affected by tariffs as outlined in paragraph II by distributing grants only to businesses whose primary place of business is in New Hampshire and are considered small businesses under the United States

Small Business Administration's definition under 13 C.F.R. Section 121.105. Such grants shall be used by the small business to address economic hardships including but not limited to temporary supply chain disruptions and preservation of small businesses with low capital reserves, as detailed by the report completed under section III. The department of business and economic affairs shall adopt rules under RSA 541-A relative to the application process, selection criteria and process, and distribution of moneys under the fund. The fund shall be nonlapsing.

575 New Subparagraph; Tariff Relief For Small Businesses Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the tariff relief for small businesses fund as established in 12-O:77.

576 Appropriation; Tariff Relief for Small Businesses. The tariff relief for small businesses fund established in 12-O:77 is hereby appropriated \$10,000,000 for the fiscal year ending June 30, 2026. This appropriation shall be used by the department of business and economic affairs to administer grants from the tariff relief for small businesses fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. This appropriation shall not lapse.

2025-2683s

AMENDED ANALYSIS

REPLACE:

16. Reduces certain education trust fund appropriations to the department of education for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

ADD:

263. Requires an annual report on the effect that the tariffs imposed on Canada and the subsequent retaliatory tariffs imposed by Canada on the United States have on New Hampshire; establishes a special fund for tariff relief for small businesses in New Hampshire impacted by the tariffs; and makes an appropriation to the fund.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Reardon, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Fenton offered a Floor Amendment.

Sen. Fenton, Dist 10

Sen. Altschiller, Dist 24

Sen. Perkins Kwoka, Dist 21

Sen. Long, Dist 20

Sen. Prentiss, Dist 5

Sen. Reardon, Dist 15

Sen. Rosenwald, Dist 13

Sen. Watters, Dist 4

June 3, 2025

2025-2662s

05/09

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16-23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139-142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by inserting after section 573 the following:

574 Appropriation; Department of Health and Human Services; Child Care Employers; Recruitment and Retention Bonus and Benefit Grants. In addition to any other sums appropriated, the sum of \$10,000,000 for the biennium ending June 30, 2027 is hereby appropriated to the department of health and human services for the purpose of funding recruitment and retention bonus and benefit grants for New Hampshire child care employers, as established in section 506 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2025-2662s

AMENDED ANALYSIS

Replace:

16. Reduces appropriations to education freedom accounts from the education trust fund and reduces the percentage of business tax revenue deposited in the education trust fund.

Delete:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

Add:

1. Makes an appropriation to the department of health and human services to support child care employers by providing recruitment and benefit grants.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Fenton, seconded by Senator Altschiller.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Rosenwald offered a Floor Amendment.

Sen. Watters, Dist 4

Sen. Rosenwald, Dist 13

Sen. Reardon, Dist 15

Sen. Prentiss, Dist 5

Sen. Perkins Kwoka, Dist 21

Sen. Long, Dist 20

Sen. Fenton, Dist 10

Sen. Altschiller, Dist 24

June 3, 2025

2025-2671s

09/09

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16-23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139-142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by deleting sections 147-150, relative to the renewable energy fund.

2025-2671s

AMENDED ANALYSIS

REPLACE:

16. Reduces certain education trust fund appropriations to the department of education for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

90. Establishes a renewable energy fund and sets standards governing its use.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Rosenwald, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Recess. Out of recess.

Senator Rosenwald offered a Floor Amendment.

Sen. Rosenwald, Dist 13

June 3, 2025

2025-2648s

09/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 192 with the following:

192 Youth Development Center Settlement Fund; Appropriations. The sum of \$70,000,000 for fiscal year ending June 30, 2026, is hereby appropriated to the youth development center settlement fund established in RSA 21-M:11-a, II. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Rosenwald, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5

Sen. Perkins Kwoka, Dist 21

Sen. Long, Dist 20

Sen. Rosenwald, Dist 13

Sen. Altschiller, Dist 24

Sen. Fenton, Dist 10

Sen. Watters, Dist 4

Sen. Reardon, Dist 15

June 3, 2025

2025-2672s

06/09

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16-23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committees of the general court on such reductions.

Amend the bill by replacing sections 139-142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by inserting after section 573 the following:

574 Appropriations; Department of Correction. Notwithstanding the provisions of HB 1-A, there is hereby appropriated to the department of corrections the sums of \$9,771,903 for the fiscal year ending June 30, 2026, and \$12,252,068 for the fiscal year ending June 30, 2027. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. In addition to authorization of general funds, the department of corrections is hereby authorized to expend an additional \$281,762 for the fiscal year ending June 30, 2026, and \$288,245 for the fiscal year ending June 30, 2027, in other funds for accounting unit 02-46-46-462010-5731.

575 Nullification of HB 1-A Section Relative to Positions Abolished in the Department of Corrections. If HB 1-A of the 2025 general legislative session becomes law, section 5, paragraph XIII of HB 1-A, relative to abolishing certain positions in the department of corrections, shall not take effect.

576 New Section; Recruitment and Retention Program. Amend RSA 21-P by inserting after section 21-P:4 the following new section:

21-P:4-a Recruitment and Retention Program.

I. The department is authorized to develop a recruitment and retention incentive program, as well as request that the joint fiscal committee transfer funds from the highway fund or other available funds for recruitment, selection, placement, and retention of qualified applicants. The program may include expenditures for recruitment and retention incentives including but not limited to:

(a) Bonuses for newly hired applicants who have not been employed by the state for a period of time to be determined by the commissioner, but no less than one year, immediately preceding the date of hire; and

(b) Referral fees for active employees of the state in good standing, excluding those employed in human resources jobs within their own agencies and hiring manager positions.

II. Any recruitment or retention incentives received by a state employee pursuant to paragraph I shall not be considered gifts under RSA 15-B.

III. Referral of applicants by current employees of the state for the purpose of receiving a referral fee pursuant to this paragraph shall not be considered a misuse of position.

IV. Any expenditure made for recruitment or retention incentives pursuant to this section shall be considered a matter of legislatively enacted public policy that is designed to benefit employees and the state, and that is confined exclusively to the public employee and shall not be subject to collective bargaining. Nothing in this section shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

V. Any requested expenditure for recruitment, retention incentives, or bonuses shall require the approval of the joint fiscal committee of the general court.

577 Appropriation; Department of Safety.

The sum of \$900,000 for the biennium ending June 30, 2027 is appropriated to the department of safety for the purpose of funding recruitment incentives in accordance with RSA 21-P:4-a. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

578 Contingency. Section 577 of this act shall take effect if it is determined that highway funds are not available to be transferred under RSA 21-P:4-a, I, as certified by the comptroller to the director of legislative services.

579 Effective Date. Section 577 shall take effect as provided in section 578.

2025-2672s

AMENDED ANALYSIS

REPLACE:

16. Reduces certain education trust fund appropriations to the department of education for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

Add:

1. Makes an appropriation to the department of corrections and retains positions within the department proposed to be abolished in HB 1.

2. Creates and enumerates the parameters for a new recruitment and retention program for new New Hampshire state troopers.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Fenton, seconded by Senator Long.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Long offered a Floor Amendment.

Sen. Long, Dist 20

Sen. Perkins Kwoka, Dist 21

Sen. Rosenwald, Dist 13

Sen. Altschiller, Dist 24

Sen. Fenton, Dist 10

Sen. Watters, Dist 4

Sen. Prentiss, Dist 5

Sen. Reardon, Dist 15
 June 3, 2025
 2025-2669s
 06/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16-23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committees of the general court on such reductions.

Amend the bill by replacing sections 139-142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by replacing section 561 with the following:

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

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that beginning with state fiscal year ~~[2013]~~ **2027** and for each state fiscal year thereafter, any employer ~~[shall pay the full amount of such total contributions]~~ **other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case of group II members employed by the state, the state shall pay both normal and accrued liability contributions.** The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraph (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that

beginning with state fiscal year [2013] **2027** and for each state fiscal year thereafter, ***in the case of teachers, any employer **other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case of teacher members employed by the state, the state***** shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraph (i).

562 Effective Date. Section 561 of this act shall take effect July 1, 2026.

2025-2669s

AMENDED ANALYSIS

REPLACE:

16. Reduces certain education trust fund appropriations to the department of education for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

INSERT:

1. Provides that the state shall pay 7.5 percent of contributions of retirement system employers other than the state for group I teachers and group II members.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Long, seconded by Senator Altschiller.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Long offered a Floor Amendment.

Sen. Long, Dist 20

June 4, 2025

2025-2714s

09/06

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 235 with the following:

235 Education; Adequate Education; Education Trust Fund; Determination of Education Grants. Amend RSA 198:41, I(a)-(c) to read as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; ~~and~~

(c) Add the municipality's extraordinary need grant pursuant to RSA 198:40-f[-]; ***and***

(d) Add the municipality's fiscal capacity disparity aid grant pursuant to RSA 198:40-g.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Altschiller.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Sullivan, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 9 - Nays: 15. Failed.

Senator Altschiller offered a Floor Amendment.

Sen. Watters, Dist 4

Sen. Prentiss, Dist 5

Sen. Fenton, Dist 10

Sen. Rosenwald, Dist 13

Sen. Reardon, Dist 15

Sen. Long, Dist 20

Sen. Perkins Kwoka, Dist 21

Sen. Altschiller, Dist 24

June 4, 2025

2025-2675s

08/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16 through 23 with the following:

16. Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139 to 142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by deleting sections 203-211, relative to the office of the child advocate.

Amend the bill by inserting after section 573 the following:

574 Appropriation; University System of New Hampshire. There is hereby appropriated to the university system of New Hampshire the sums of \$10,000,000 for the fiscal year ending June 30, 2026, and \$10,000,000 for the fiscal year ending June 30, 2027. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

575 Appropriation; Community College System of New Hampshire. There is hereby appropriated to the community college system of New Hampshire the sums of \$709,092 for the fiscal year ending June 30, 2026, and \$2,359,092 for the fiscal year ending June 30, 2027. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

576 Appropriation; Office of the Child Advocate. There is hereby appropriated to the office of the child advocate the sums of \$328,635 for the fiscal year ending June 30, 2026, and \$277,804 for the fiscal year ending June 30, 2027. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

577 Nullification of HB 1-A Section Relative to Positions Abolished in the Office of the Child Advocate. If HB 1-A of the 2025 general legislative session becomes law, section 5, paragraph IV of HB 1-A, relative to abolishing certain positions in the office of the child advocate, shall not take effect.

2025-2675s

AMENDED ANALYSIS

REPLACE:

16. Reduces funding for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

115. Requires the child advocate to provide non-partisan information; clarifies procedures for the child advocate's nomination, interim replacement, and out-of-state travel expenses; and authorizes additional funding for staffing costs with the approval of the fiscal committee.

ADD:

262. Makes an appropriation to the university system of New Hampshire and the community college system of New Hampshire.

263. Makes an appropriation to the office of the child advocate and retains positions in the office of the child advocate proposed to be abolished in HB 1-A.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Altschiller, seconded by Senator Perkins Kwoka.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Rosenwald offered a Floor Amendment.

Sen. Rosenwald, Dist 13

Sen. Watters, Dist 4

Sen. Prentiss, Dist 5

Sen. Reardon, Dist 15

Sen. Perkins Kwoka, Dist 21

Sen. Fenton, Dist 10

Sen. Altschiller, Dist 24

Sen. Long, Dist 20

June 4, 2025

2025-2703s

09/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing sections 16 through 23 with the following:

16 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56560040-3446, class line 102, for education freedom accounts, shall be reduced by \$9,844,091 for the fiscal year ending June 30, 2026, and by \$18,344,091 for the fiscal year ending June 30, 2027. The department shall report to the fiscal committee of the general court on such reductions.

Amend the bill by replacing sections 139 to 142 with the following:

139 Business Profits Tax; Distribution of Funds. Amend RSA 77-A:20-a, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

140 Business Enterprise Tax; Distribution of Funds. Amend RSA 77-E:14, I to read as follows:

I. The commissioner shall determine ~~[41]~~ **34.5** percent of the revenue produced by the tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

141 Tobacco Tax; Distribution of Funds. RSA 78:24 is repealed and reenacted to read as follows:

78:24 Distribution of Funds.

I. Tax revenue on all tobacco products sold at retail in this state imposed by RSA 78:2 shall be divided with 34.5 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.

II. The commissioner shall certify such amount to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

142 Tax on Transfer of Real Property; Distribution of Funds. RSA 78-B:13, I, is repealed and reenacted to read as follows:

I. Tax revenue collected by RSA 78-B:1 shall be divided, with 34.5 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.

Amend the bill by replacing sections 326 and 327 with the following:

326 Lapse Extension; Prescription Drug Affordability Board. All funds appropriated to account 05-95-95-952010-6273, the prescription drug affordability board, in the fiscal year ending June 30, 2025, shall be nonlapsing until June 30, 2027.

327 Effective Date. Section 326 of this act shall take effect June 30, 2025.

328 Prescription Drug Affordability Board; Funding; Registration Fees. Amend RSA 126-BB:8 to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by **registration fees**, general funds, or by voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription drug affordability board administration fund, which shall be kept distinct and separate from all other funds. The fund shall be appropriated to and administered by the board. Voluntary contributions under this section shall be deposited in the fund. The board shall use the fund, consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the board. The fund may be used to pay administrative, technical, legal support, or other costs incurred by the board under this chapter. The state treasurer may invest moneys in the fund as provided by law, and all interest received on such investment shall be credited to the fund. The dedicated fund shall be subject to the provisions of RSA 6:12-j.

III. Manufacturers, wholesalers, and distributors of prescription drugs intended for sale in New Hampshire shall register with the board and pay a biennial registration fee of not more than \$1000.

IV. The office of professional licensure and certification or other state agencies shall provide the board with data requested to determine which entities are subject to the provisions of this section.

V. The aggregate level of all registration fees collected under this section by the board or other agency authorized by the board to collect said fees shall be an amount sufficient to meet the board's expenditures, provided that such an amount shall not exceed 125 percent of the board's biennial operating costs. The board may waive a registration fee under this section when a waiver is determined to be in the best interests of the board and the registering entity. The board's biennial operating cost shall not exceed \$500,000, excluding funds drawn from the dedicated prescription drug affordability board administration fund.

VI. If the total amount of registration fees collected in a state fiscal biennium exceeds 125 percent of the board's operational costs, the board shall have the authority to adjust future registration fees downward.

VII. Any entity subject to this section that does not pay the registration fee within 30 days of payment due date may be subject to an interest penalty to be determined and collected by the board or other state agency authorized by the board to collect registration fees. Such interest shall not exceed 1.5 percent per month.

VIII. The board may refer an entity's delinquent account to either the attorney general, the office of professional licensure and certification, or both for appropriate action.

IX. In the event of a shortfall during any state fiscal year, the governor is authorized to draw a warrant from funds not otherwise appropriated to fund the remaining amount of the board's operating expenses, subject to the annual limitation on operating costs established in paragraph V. By June 30 of any fiscal year in which such shortfall occurs, the board shall reimburse the general fund for any such appropriation by lapsing an equivalent amount of registration fee revenue collected under this section.

Amend the bill by replacing section 493-494 with the following:

493 Department of Health and Human Services; Division of Public Health Services; Public-Private Health Care Workforce Recruitment and Retention Hub; Infrastructure Contracts.

I. The department of health and human services, division of public health services, rural health and primary care section shall amend its current contract with Bi-State Primary Care Association's Recruitment Center to require the Recruitment Center to strengthen the infrastructure needed to sustain and transform community-based primary care services through the creation of a Public-Private Health Care Workforce Recruitment and Retention Hub that promotes collaboration across the continuum of care. Bi-State Primary Care Association shall administer the Public-Private Health Care Workforce Recruitment and Retention Hub and manage the sub-recipient contracts, and leverage federal, state, and private funding, and seek new funding opportunities when appropriate.

II. Bi-State Primary Care Association shall design the sub-recipient contracts to facilitate health care workforce development, recruitment, retention, support nursing preceptor and mentoring programs, provide training and technical assistance, and loan repayment opportunities. Bi-State Primary Care Association shall:

(a) Expand and implement its national outreach and marketing campaign designed to recruit qualified clinicians to New Hampshire;

(b) Collaborate with an area health education center for the purpose of creating and expanding graduate level nursing mentoring and precepting programs. The area health education center shall provide the necessary support to graduate level nursing preceptors and the health care organizations that act as training sites;

(c) Collaborate with an area health education center for the purpose of supporting the New Hampshire Needs Caregivers Program. This program shall promote, recruit, and fund training of up to 500 individuals interested in a career in health care as a licensed nursing assistant. The New Hampshire Needs Caregivers Program shall create scholarship opportunities to cover the cost of tuition for licensed nursing assistant training up to \$2,600; supportive services; and assist individuals in finding courses and employment;

(d) Expand student loan repayment opportunities for clinicians with bachelors' degrees employed by non-profit health care organizations in exchange for the agreement to work for the non-profit health care organization for 24 months for part-time employees to 36 months for full-time employees; and

(e) Collaborate with a family medicine residency program in rural New Hampshire at a teaching health center program to support the training of family medicine residents in the north country. The teaching health center program shall be accredited or eligible for accreditation by a nationally recognized accreditation agency.

494 Department of Health and Human Services; Rural Health and Primary Care Section; Appropriations.

I. Appropriation; Public-Private Health Care Workforce Recruitment and Retention Hub. The sum of \$580,000 for the fiscal year ending June 30, 2026 and the sum of \$580,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purpose set forth in paragraph I of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. Appropriation; Workforce Recruitment, Advertising, and Marketing. The sum of \$250,000 for the fiscal year ending June 30, 2026 and \$250,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purpose described in paragraph II(a) of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

III. Appropriation; Bi-State Primary Care Association Sub-Recipient Contract with an Area Health Education Center; Graduate Nursing Student Preceptors and Financial Support for Host Organizations. The sum of \$300,000 for the fiscal year ending June 30, 2026 and the sum of \$300,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purpose set forth in paragraph II(b) of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. Appropriation; Bi-State Primary Care Association sub-recipient contract with an area health education center; New Hampshire Needs Caregivers. The sum of \$500,000 for the fiscal year ending June 30, 2026 and the sum of \$750,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purpose set forth in paragraph II(c) of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

V. Appropriation; Bi-State Primary Care Association sub-recipient contracts; Public-Private Health Care Workforce Recruitment and Retention Hub Loan Repayment Programs. The sum of \$300,000 for the fiscal year ending June 30, 2026 and the sum of \$300,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purpose set forth in paragraph II(d) of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

VI. Appropriation; Bi-State Primary Care Association sub-recipient contract with a rural residency training at a teaching health center program. The sum of \$500,000 for the fiscal year ending June 30, 2026 and the sum of \$500,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section for the purposes set forth in paragraph II(e) of section 3 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

VII. Appropriation; Early Childhood and Family Mental Health Credential. The sum of \$203,500 for the fiscal year ending June 30, 2026 and the sum of \$203,500 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, bureau of children's behavioral health for the purpose set forth in RSA 167:3-1, IV(a)(2). The bureau shall use the funding to support the training of up to 60 clinicians per year of the biennium. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

VIII. Appropriation; Primary Care Workforce Program. The sum of \$115,000 for the fiscal year ending June 30, 2026 and the sum of \$115,000 for the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section, for an administrator I position for the purpose of administering paragraph I of section 3 of this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

495 Department of Health and Human Services; Medicaid Rates Paid to Opioid Treatment Providers; Appropriation.

There is hereby appropriated to the department of health and human services the sum of \$2,000,000 for the fiscal year ending June 30, 2026 and the sum of \$2,000,000 for the fiscal year ending June 30, 2027, for

the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population. The department may accept and expend any federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Amend the bill by inserting after section 573 the following:

574 Appropriation; Department of Health and Human Services; Family Planning Programs. In addition to any other sums appropriated, the sums of \$339,219 in the fiscal year ending June 30, 2026 and \$339,942 in the fiscal year ending June 30, 2027 are hereby appropriated to the department of health and human services, account 05-95-090-902010-5530, for the purpose of funding family planning programs. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

575 New Section; Financial Eligibility for Medicare Savings Program. Amend RSA 167 by inserting after section 4-f the following new section:

167:4-g Medicare Savings Program. The department shall administer the Medicare savings program as described in 42 U.S.C. section 1396a(a)(10)(E) in accordance with federal law and this section.

I. Financial eligibility for the Medicare savings program shall include:

(a) A resource disregard, thereby eliminating the resource test; and

(b) Income disregards so that a person with income that is no more than 185 percent of the federal poverty level is qualified as a qualified Medicare beneficiary and a person with income that is more than 185 percent and no more than 250 percent of the federal poverty level is qualified as a qualified individual.

II. The commissioner of the department of health and human services shall adopt rules under RSA 541-A relative to the Medicare savings program in accordance with the requirements of this section.

III. On or before November 1, 2026, the department of health and human services shall prepare and submit to the Centers for Medicare and Medicaid Services any amendments to the state Medicaid plan necessary for implementation of the Medicare savings program, including eliminating the financial eligibility resource test and increasing the financial eligibility income limits as provided in paragraph I.

576 Effective Date. Section 575 of this act shall take effect July 1, 2026.

2025-2703s

AMENDED ANALYSIS

REPLACE:

16. Reduces funding for education freedom accounts.

DELETE:

17. Requires scholarship organizations to accept and approve education freedom account applications on a rolling basis and sets an enrollment cap, excepting out priority guideline students from the cap.

REPLACE:

160. Requires manufacturers of certain prescription drugs to pay a registration fee and register with the prescription drug affordability board.

244. Expands access to primary health care services by directing the department of health and human services to amend its contract with the Bi-State Primary Care Association's Recruitment Center in order to expand health care workforce recruitment and retention efforts and increases funding for such programs and making an appropriation to the department of health and human services to increase Medicaid reimbursement rates for opioid treatment providers.

ADD:

263. Makes an appropriation to the department of health and human services for family planning services.

264. Directs the department of health and human services to remove asset limits and increase income thresholds for the Medicare savings program and to submit any amendment to the state Medicaid plan required for implementation.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Rosenwald, seconded by Senator Fenton.

The following Senators voted Yes: Watters, Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

Roll Call, Yeas: 8 - Nays: 16. Failed.

President Pro Tempore Abbas presiding.

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

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Fenton.

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

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

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

President Carson presiding.

Senator Watters is excused.

Recess. Out of recess.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks concurrence of the Senate:

SB 295-FN, relative to education freedom accounts.

Senator Murphy moved Concurrence. Adopted.

CAPITAL BUDGET

HB 25-A, making appropriations for capital improvements.

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

Senate Capital Budget

May 9, 2025

2025-2039s

07/05

Amendment to HB 25-A

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

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Department of Administrative Services

1. Statewide Emergency Fund	1,500,000
2. State House Annex Renovation - Phase 2	12,250,000
3. Sprinkler Replacement	550,000
4. Main Building Elevator Replacement	1,100,000
Total state appropriation paragraph I	\$15,400,000

II. Community College System of New Hampshire

1. Great Bay Community College: Workforce Capacity Building in Welding	700,000
2. IT Infrastructure	150,487
3. Critical Maintenance	1,300,000
4. Energy Management Systems	500,000
Total state appropriation paragraph II	\$2,650,487

III. Department of Corrections

1. NHSP/M - Electronic Controls and Camera Installations	2,000,000
2. NHSP/M - Replace HVAC Units Using R-22 Refrigerant	7,700,000
3. NHSP/M - Boiler, Surge and Deaerator Tank Replacements	2,300,000
4. NHSP/M - Kitchen Fixtures and Equipment	200,000
Total state appropriation paragraph III	\$12,200,000

IV. Department of Education

1. Milford Applied Technology Center	1
2. Lakes Region CTE - Marine Trades Program	110,000
3. Mount Washington Valley Career Tech Center – equipment and machinery for various trades programs	99,000
4. RW Creteau Regional Technology Center – equipment and machinery for various trades programs	59,000
5. Dover Career Technical Center - CAT Full Simulator	55,000
Total state appropriation paragraph IV	\$323,001

V. Department of Environmental Services

1. Dam Repairs and Reconstruction	10,810,000
2. Drinking Water State Revolving Fund State Match	8,846,360
3. Superfund State Match	829,217
4. Clean Water State Revolving Fund State Match	9,467,496
5. Winnepesaukee River Basin Program Infrastructure Upgrades	19,700,000
Less Other Funds (Revolving Loan Fund)*	<u>(19,700,000)</u>
Net State	0
6. Southern NH Regional Water Interconnection Project, Phase 2B	5,000,000
Total state appropriation paragraph V	\$34,953,073

*To provide funds for the appropriations made in paragraph V, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$19,700,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the Winnepesaukee river basin control account established in RSA 485-A:50.

VI. Fish and Game Department

1. Hatchery Predator Control	2,200,000
Less Other Funds (Fish and Game Fund)*	<u>(2,200,000)</u>
Net State	0
2. Replace 50-Foot 25-Ton Trailer	65,000
Less Other Funds (Fish and Game Fund)*	<u>(65,000)</u>
Net State	0
3. Inland Fisheries Equipment	114,000
Less Other Funds (Fish and Game Fund)*	<u>(114,000)</u>
Net State	0

*To provide funds for the appropriations made in paragraph VI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,379,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fish and game fund established in RSA 206:33.

VII. Department of Health and Human Services

1. Medicaid Enterprise Modular Strategy	33,750,000
Less Federal Funds	<u>(30,375,000)</u>
Net State	3,375,000
2. Modernize Eligibility Services	1,875,878
Less Federal Funds	<u>(1,219,321)</u>
Net State	656,557
3. Glencliff Home Warehouse Elevator Repair	450,000
Total state appropriation paragraph VII	\$4,481,557

VIII. Department of Information Technology	
1. Cybersecurity Enhancements	2,380,000
Total state appropriation paragraph VIII	\$2,380,000
IX. Department of Justice	
1. Replacement of Case Management System	2,231,696
Total state appropriation paragraph IX	\$2,231,696
X. Department of Military Affairs and Veterans Services	
1. Milford Readiness Center Addition and Renovation	4,000,000
Less Federal Funds	<u>(3,000,000)</u>
Net State	1,000,000
2. Military and Veterans Services Centers	5,000,000
3. Statewide Readiness Center Roof Replacement	5,100,000
Less Federal Funds	<u>(2,550,000)</u>
Net State	2,550,000
4. Plymouth Readiness Center Design and Construction	4,000,000
Less Federal Funds	<u>(3,000,000)</u>
Net State	1,000,000
5. Pembroke Readiness Center Addition	8,000,000
Less Federal Funds	<u>(8,000,000)</u>
Net State	0
6. Aviation Hangar Addition/Alteration	9,000,000
Less Federal Funds	<u>(9,000,000)</u>
Net State	0
Total state appropriation paragraph X	\$9,550,000
XI. Department of Natural and Cultural Resources	
1. Cannon Mountain Aerial Tramway	27,225,000
2. Connecticut Lakes Headwaters Road Repairs	650,000
3. State Library Security Upgrades/Changes	35,000
Total state appropriation paragraph XI	\$27,910,000
XII. Pease Development Authority	
1. Market Street Terminal Main Wharf Dredging	1,417,000
2. Rye Harbor and Hampton Harbor RipRap Repair	765,000
3. Market Street Marine Terminal Warehouse Removal/Office Replacement	1,973,300
Total state appropriation paragraph XII	\$4,155,300
XIII. Police Standards and Training Council	
1. Main Entrance Security Improvements	480,000
Total state appropriation paragraph XIII	\$480,000
XIV. Department of Safety	
1. Software - Automated Fuel Tax System	2,862,000
2. Gun Range Training Facility	2,300,000
3. Modernization of Plate Production Equipment	1,302,950
Less Other Funds (Plate Fund)*	<u>(1,302,950)</u>
Net State	0
Total state appropriation paragraph XIV	\$5,162,000

*To provide funds for the appropriations made in subparagraph XIV, 3, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,302,950 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the reflectorized plate fund established in RSA 228:25.

XV. University System of New Hampshire	
1. Academic Building Deferred Maintenance Projects*	8,000,000
Total state appropriation paragraph XV	\$8,000,000

*The university system board of trustees will determine the timing of the projects and the specific dollar allocation to each from the above sum available, while ensuring priorities are addressed. The board of trustees shall report on the progress of the projects to the capital project overview committee in October and April.

XVI. Veterans Home

1. Replace Three (3) Air Handlers	1,300,000
2. Diesel Tank Replacement	60,000
3. Replace Seven (7) Tubs and One (1) Bariatric Stretcher Shower Trolley	140,000
4. Replace Fifty (50) Veteran Resident Beds	155,000
5. Twenty (20) Medical Lifts and Installation	180,000
6. Tarr South/Tarr North ASA and IPC Compliance	1,500,000
Total state appropriation paragraph XVI	\$3,335,000

XVII. Department of Transportation

1. Matching Funds for Transit Vehicles	390,000
2. Federal State Match for FAA Projects	68,589,812
Less Federal Funds	(64,962,906)
Net State	3,626,831
3. Carroll and Strafford Freight Rail Improvement*	450,000
Total state appropriation paragraph XVII	\$4,466,831

*The sum appropriated in subparagraph XVII, 3 shall be matched to private funds of an equal amount for each project. The department of transportation shall report on the use of the appropriation and matching private funds for each project to the capital project overview committee in October and April for each year of the biennium.

Total state appropriation section 1 \$137,678,945

2 Appropriation; Highway Funds; Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Transportation

1. Statewide - Salt and Sand Shed Replacements	3,000,000
2. Statewide - Underground Storage Tank Replacement	2,000,000
3. Mechanical Services - Twin Mountain Garage Roof Replacement	1,206,668
4. Lempster 215 - Patrol Facility Replacement	3,580,380
5. Pinkham 109 - Patrol Facility Replacement	212,952
Total state appropriation paragraph I	10,000,000
Total state appropriation section 2	10,000,000

3 Expenditures; General. The appropriations made for the purposes mentioned in sections 1 and 2 of this act, with the exception of appropriations in paragraphs II and XV of section 1, and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

4 Expenditures; Community College System of New Hampshire.

I. The appropriations made for the community college system in paragraph II of section 1 and the sums available for this project shall be expended by the trustees of the community college system of New Hampshire.

II. The appropriations made to the community college system in paragraph II of section 1 are available for all costs incidental to the completion of the project enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the community college system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies shall be spent under the direction of the community college system board of trustees and pursuant to the policies adopted by the board of trustees.

III. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of federal law and regulations.

5 Expenditures; University System of New Hampshire.

I. The appropriations made for the university system in paragraph XV of section 1 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire.

II. The appropriations made to the university system in paragraph XV of section 1 are available for all costs incidental to the completion of the projects enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the university system

board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies shall be spent under the direction of the university system board of trustees and pursuant to the policies adopted by the board of trustees.

III. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of federal law and regulations.

6 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 of this act, if any, as may be acquired under the appropriation shall be purchased by the commissioner of the department of administrative services or the department of transportation with the approval of governor and council.

7 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1 and 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$171,060,895 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds are as follows: General Fund \$137,678,945, Highway Funds \$10,000,000, and Other Funds \$23,381,950.

8 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in section 1 shall be made when due from the general fund of the state.

II. The payment of principal and interest on bonds issued for the projects in:

(a) The highway fund portion of the appropriations made in section 2 shall be made from the highway fund and the general fund portion from the general fund.

(b) The fish and game fund portion of the appropriations made in paragraph V of section 1 shall be made from the fish and game fund.

9 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1 and 2 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 7 shall be reduced by the same amount.

III. For any federal funds accepted under this section by the governor and council, the agency shall provide, within 60 days, the approved governor and council item as an informational item to the capital project overview committee and to the treasury department.

10 Transfers. The individual project appropriations provided in sections 1 and 2 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital project overview committee is obtained.

11 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 7 shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

12 Division of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. The appropriations for those projects which are managed by the division of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act.

13 Lapse of Prior Capital Balance; Capital Appropriations for the Community College System of New Hampshire.

I. The amount of \$649,513 is hereby lapsed from the unencumbered balances from the following state capital projects:

(a) The appropriation made to the Department of Administrative Services in 2017, 228:1, II, B,3, extended by 2019, 146:20, 15, extended by 2021, 107:16, 25, extended by 2023, 113:24, 44 for Spaulding - Roof Replacement.

(b) The appropriation made to the Department of Corrections in 2021, 107:1, III, 2, extended by 2023, 113:24, 57 for NNHCF Roof Replacement.

(c) The appropriation made to the Department of Corrections in 2021, 107:1, III, 3, extended by 2023, 113:24, 58 for Construction of Training Center for Bldg. Trades NHCF/W.

(d) The appropriation made to the Department of Corrections in 2021, 107:1, III, 5, extended by 2023, 113:24, 60 for Door Controller Upgrade.

(e) The appropriation made to the Department of Corrections in 2021, 107:1, III, 9, extended by 2023, 113:24, 64 for Replace Steam Lines and Traps.

(f) The appropriation made to the Department of Corrections in 2019, 146:1, IV, A, extended by 2021, 107:16, 44, extended by 2023, 113:24, 68 for Perimeter Security and Fence Detection Systems.

(g) The appropriation made to the Department of Corrections in 2019, 146:1, IV, C, extended by 2021, 107:16, 46, extended by 2023, 113:24, 70 for Replace Electrical Services.

(h) The appropriation made to the Department of Corrections in 2017, 228:1, IV, A, extended by 2019, 146:20, 43, extended by 2021, 107:16, 50, extended by 2023, 113:24, 71 for Transitional Work Center - Complete Bathroom Replace.

(i) The appropriation made to the Department of Corrections in 2017, 228:1, IV, G, extended by 2019, 146:20, 49, extended by 2021, 107:16, 54, extended by 2023, 113:24, 72 for Body Alarm/Man Down System (NHSP-Men).

(j) The appropriation made to the Department of Education in 2021, 107:1, IV, 2, extended by 2023:24, 74 for Pre-Engineering Technology.

(k) The appropriation made to the Department of Environmental Services in 2015, 220:1, VI, F, extended by 2017, 228:22, 53, extended by 2019, 146:20, 69, extended by 2021, 107:16, 71, extended by 2023, 113:24, 93 for permitting, environmental monitoring and flood forecasting.

(l) The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 8, extended by 2023, 113:24, 103 for BEAS Systems Modernization.

(m) The appropriation made to the Department of Information Technology in 2019, 146:1, IX, C, extended by 2021, 107:16,99, extended by 2023, 113:24, 120 for Cybersecurity - Program Enhancements.

(n) The appropriation made to the Department of Natural and Cultural Resources in 2017, 228:1, XVIII, D, extended by 2019, 146:20, 127, extended by 2021, 107:16, 136, extended by 2023, 113:24, 157 for Restorations at Historic Sites.

(o) The appropriation made to the Judicial Branch in 2021, 107:1, VIII, 2, extended by 2023, 113:24, 122 for Courts Digitization Project.

II. The sum of \$649,513 is hereby appropriated for the biennium ending June 30, 2027 to the Community College System of New Hampshire for IT Infrastructure.

III. To provide funds for the appropriations made in paragraph II, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$649,513 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

IV. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

14 Lapse of Prior Capital Balance; Capital Appropriations for Department of Transportation.

I. The amount of \$825,895.97 is hereby lapsed from the unencumbered balances from the following state capital projects:

(a) The appropriation made to the Department of Transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 extended by 2013, 195:47, 110, extended by 2015, 220:23, 120, extended by 2017, 228:22, 142, extended by 2019, 146:20, 157, extended by 2021, 107:16, 181, extended by 2023, 113:24, 204 for railroad acquisition right of first refusal rail match.

(b) The appropriation made to the Department of Transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28, XXXIII, and 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 extended by 2013, 195:47, 111 extended by 2015, 220:23, 121, extended by 2017, 228:22, 143, extended by 2019, 146:20, 158, extended by 2021, 107:16, 182, extended by 2023, 113:24, 205 for acquisition for railroad and airport properties.

II. The sum of \$825,895.97 is hereby appropriated for the biennium ending June 30, 2027, to the Department of Transportation for replacement of rails and ties on state-owned active railroad lines.

III. To provide funds for the appropriation made in paragraph II, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$825,895.97 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

IV. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

15 Project Purpose Amended; Judicial Branch. Amend 2021, 107:1, VIII to read as follows:

VIII. Judicial Branch

1. NH e-Court <i>and Associated Critical Infrastructure</i>	1,100,000
2. Courts Digitization Project*	50,000
Total state appropriation paragraph VIII	\$1,150,000

*The general court intends that funding to complete the Supreme Court digitization project will be included in the state capital budget for the biennium ending June 30, 2025.

16 Project Purpose Amended; Judicial Branch. Amend 2019, 146:1, X to read as follows:

X. Judicial Branch

A. [New Hampshire e-Court] <i>NH e-Court and Associated Critical Infrastructure</i>	1,710,000
Total state appropriation paragraph X	\$1,710,000

17 Project Purpose Amended; Department of Military Affairs and Veterans Services. Amend 2021, 107:1, X to read as follows:

X. Military Affairs and Veterans Services

1. [Anti-Terrorism/Force Protection - Merrimack County] <i>Pembroke Regional Training Institute Upgrades</i>	1,660,000
Less Federal Funds	<u>(1,660,000)</u>
Net State	0
2. [Energy Resiliency And Efficiency Improvements Statewide] <i>Pembroke Regional Training Institute Upgrades</i>	3,500,000
Less Federal Funds	<u>(3,500,000)</u>
Net State	0
3. Grafton County Field Maintenance Shop	13,700,000
Less Federal Funds	<u>(13,700,000)</u>
Net State	0
4. Minor Military Construction - Coos County	9,000,000
Less Federal Funds	<u>(9,000,000)</u>
Net State	0
5. Minor Military Construction - Strafford County	7,000,000
Less Federal Funds	<u>(7,000,000)</u>
Net State	0

6. [Warehouse Facility Upgrades - Merrimack County] Minor Military Construction- Strafford County	2,600,000
Less Federal Funds	<u>(2,600,000)</u>
Net State	0
7. Readiness Center Renovation Statewide	1,200,000
Less Federal Funds	<u>(600,000)</u>
Net State	600,000
8. Land	500,000
9. Energy Resiliency and Efficiency Improvements Statewide 50/50	800,000
Less Federal Funds	<u>(400,000)</u>
Net State	400,000
Total state appropriation paragraph X	\$1,500,000

18 Lapse Dates Extended to June 30, 2027. The following appropriations are hereby extended to June 30, 2027:

1. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, A, 1 for Court-house Generators.

2. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, A, 2 for Rochester Courthouse.

3. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, B, 1 for Emergency Operations Center (EOC) Mechanical Replacements and Repairs.

4. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, B, 2 for Thayer Building Heating Zone Expansion.

5. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, B, 3 for Two Chillers for 29 Hazen Dr.

6. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, B, 4 for Parking Lot Repairs and Paving - Statewide.

7. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, B, 5 for Acquire Building at 25 Hall Street.

8. The appropriation made to the Department of Administrative Services in 2023, 113:1, I, C, 1 for State-wide Emergency Fund.

9. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, A, 2, extended by 2023, 113:24, 2 for Lebanon Circuit Courthouse - Remove and Replace Underground Fuel Storage Tank.

10. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, A, 3, extended by 2023, 113:24, 3 for Portsmouth and Dover Circuit Court Boilers.

11. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, A, 4, extended by 2023, 113:24, 4 for Statewide Courthouse Roof Replacements.

12. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, B, 1, extended by 2023, 113:24, 5 for Life Safety Upgrades.

13. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, B, 2, extended by 2023, 113:24, 6 for Main Building Rewiring Phase 1.

14. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, B, 4, extended by 2023, 113:24, 8 for Thayer Building - Replace Roof.

15. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, B, 5, extended by 2023, 113:24, 9 for Tunnel System: Repair and Abandonment Plan.

16. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, C, 1, extended by 2023, 113:24, 10 for NH First Migration To Information Cloud Environment.

17. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 1, extended by 2023, 113:24, 11 for HHS Roof Replacement.

18. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 2, extended by 2023, 113:24, 12 for HHS/DES Mechanical Replacements and Controls.

19. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 3, extended by 2023, 113:24, 13 for Morton, Johnson, HHS Underground Tank Removal.

20. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 4, extended by 2023, 113:24, 14 for Safety Mechanical Replacements and Repairs.

21. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 5, extended by 2023, 113:24, 15 for Coos County New Parking Lot and Concrete Plaza Entrance.

22. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 6, extended by 2023, 113:24, 16 for Hillsborough County Courthouse North Cooling Tower.

23. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 7, extended by 2023, 113:24, 17 for Annex 1 - Bancroft ADA Connector.

24. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 8, extended by 2023, 113:24, 18 for Discovery Center Mechanical Replacement and Controls.

25. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 9, extended by 2023, 113:24, 19 for Hillsborough County South Walkway Repairs.

26. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 10, extended by 2023, 113:24, 20 for Dolloff Building Elevator Replacement.

27. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 11, extended by 2023, 113:24, 21 for Phase II - Statehouse Annex Renovation.

28. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 12, extended by 2023, 113:24, 22 for New Fire Panels-Installation at 11 Locations.

29. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 13, extended by 2023, 113:24, 23 for Main Building Stair Tower Roofs and Repointing.

30. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, D, 14, extended by 2023, 113:24, 24 for Rochester Circuit Court Replacement Engineering.

31. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, E, extended by 2023, 113:24, 25 for Statewide Emergency Fund.

32. The appropriation made to the Department of Administrative Services in 2021, 107:1, I, F, extended by 2023, 113:24, 26 for Statewide Energy Efficiency Improvements Projects.

33. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, A, extended by 2021, 107:16, 1, extended by 2023, 113:24, 27 for Statewide Projects, Statewide Emergency Funding.

34. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, B, 3, extended by 2021, 107:16, 4, extended by 2023, 113:24, 29 for Storrs Street Parking Garage Repairs.

35. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, B, 4, extended by 2021, 107:16, 5, extended by 2023, 113:24, 30 for State House Annex Renovations.

36. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, B, 5, extended by 2021, 107:16, 6, extended by 2023, 113:24, 31 for State House Annex Elevator Upgrades.

37. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, B, 6, extended by 2021, 107:16, 7, extended by 2023, 113:24, 32 for Roof Replacements and Exterior Repairs.

38. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, B, 8, extended by 2021, 107:16, 9, extended by 2023, 113:24, 33 for HHS and DES Mechanical Replacements.

39. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, C, 1, extended by 2021, 107:16, 10, extended by 2023, 113:24, 34 for Concord Steam - Raze Structurally Deficient Building.

40. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, C, 2, extended by 2021, 107:16, 11, extended by 2023, 113:24, 35 for Emergency Back-Up Generator Power To New Boilers.

41. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, C, 3, extended by 2021, 107:16, 12, extended by 2023, 113:24, 36 for Annex 1 - Life Safety/ADA Improvements.

42. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, C, 4, extended by 2021, 107:16, 13, extended by 2023, 113:24, 37 for Thayer Building - Relocate and Upgrade Electrical Service.

43. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, D, 1, extended by 2021, 107:16, 15, extended by 2023, 113:24, 38 for Rockingham County and Hillsborough County South Courthouses - New Chiller, Variable Frequency Drives and Controls.

44. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, D, 3, extended by 2021, 107:16, 17, extended by 2023, 113:24, 39 for Coos County Courthouse - New Boilers.

45. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, D, 5, extended by 2021, 107:16, 19, extended by 2023, 113:24, 40 for Generators - Conway, Coos, Jaffrey, Lebanon, Plymouth.

46. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, D, 6, extended by 2021, 107:16, 20, extended by 2023, 113:24, 41 for Hillsborough County South - Cellblock Renovation.

47. The appropriation made to the Department of Administrative Services in 2019, 146:1, II, E, extended by 2021, 107:16, 21, extended by 2023, 113:24, 42 for Financial Data Management, ERP Sustainability and Advancement.

48. The appropriation made to the Department of Administrative Services in 2017, 228:1, II, A, 1, extended by 2019, 146:20, 11, extended by 2021, 107:16, 23, extended by 2023, 113:24, 43 for Statewide Emergency Funding.

49. The appropriation made to the Department of Administrative Services in 2017, 228:1, II, B, 4, extended by 2019, 146:20, 16, extended by 2021, 107:16, 26, extended by 2023, 113:24, 45 for State Owned Buildings - Security Upgrades.

50. The appropriation made to the Department of Administrative Services in 2017, 228:1, II, C, 1, extended by 2019, 146:20, 22, extended by 2021, 107:16, 30, extended by 2023, 113:24, 46 for Main Bldg Lodge Roof Replacement/brick/trim repairs.

51. The appropriation made to the Department of Administrative Services in 2017, 228:1, II, C, 3, extended by 2019, 146:20, 24, extended by 2021, 107:16, 32, as amended by 2023, 113:15, extended by 2023, 113:24, 47 for Main Bldg, North Pavilion Wing Roof Replacement.

52. The appropriation made to the Department of Administrative Services in 2017, 228:1, II, D, 3, extended by 2019, 146:20, 26, extended by 2021, 107:16, 33, extended by 2023, 113:24, 48 for Milford Circuit Court - New Courthouse.

53. The appropriation made to the Department of Administrative Services in 2015, 220:1, II, B, 8, extended by 2017, 228:22, 21, extended by 2019, 146:20, 35, extended by 2021, 107:16, 38, extended by 2023, 113:24, 49 for state house and Upham Walker house repairs.

54. The appropriation made to the Department of Administrative Services in 2011, 253:1, II, C, 1 extended by 2013, 195:47, 13 extended by 2015, 220:23, 18, extended by 2017, 228:22, 29, extended by 2019, 146:20, 37, extended by 2021, 107:16, 39, extended by 2023, 113:24, 50 for critical IT infrastructure.

55. The appropriation made to the Department of Agriculture, Markets and Food in 2021, 107:1, II, 1, extended by 2023, 113:24, 51 for Repairs to NH Building At Eastern States Exposition.

56. The appropriation made to the Community College System of New Hampshire in 2023, 113:1, XVI, 1 for Critical Maintenance.

57. The appropriation made to the Community College System of New Hampshire in 2023, 113:1, XVI, 3 for NCC Respiratory Therapy Program Teaching Equipment and Teaching Space Renovations.

58. The appropriation made to the Community College System of New Hampshire in 2021, 107:1, XIII, 1, extended by 2023, 113:24, 52 for Critical Maintenance.

59. The appropriation made to the Community College System of New Hampshire in 2019, 146:1, III, A, extended by 2021, 107:16, 41, extended by 2023, 113:24, 53 for Critical Maintenance and Safety, Master Plans.

60. The appropriation made to the Department of Corrections in 2023, 113:1, II, 1 for Replace Sewer Lines and Grinder.

61. The appropriation made to the Department of Corrections in 2023, 113:1, II, 2 for Radio System Upgrade.

62. The appropriation made to the Department of Corrections in 2021, 107:1, III, 1, extended by 2023, 113:24, 56 for NHSP/M Roof Replacement.

63. The appropriation made to the Department of Corrections in 2021, 107:1, III, 7, extended by 2023, 113:24, 62 for Perimeter Security and Fence Detection Systems.

64. The appropriation made to the Department of Corrections in 2021, 107:1, III, 8, extended by 2023, 113:24, 63 for Rebuild Sewer Line and Grinder.

65. The appropriation made to the Department of Corrections in 2021, 107:1, III, 10, extended by 2023, 113:24, 65 for Roof Replacement - Hancock and Industries Buildings.

66. The appropriation made to the Department of Corrections in 2021, 107:1, III, 11, extended by 2023, 113:24, 66 for NH State Prison/M Door Replacement.

67. The appropriation made to the Department of Corrections in 2021, 107:14, III, extended by 2023, 113:24, 67 for NHSPM Door and Ceiling Replace/Repair - Close Custody Unit.

68. The appropriation made to the Department of Corrections in 2019, 146:1, IV, B, extended by 2021, 107:16, 45, extended by 2023, 113:24, 69 for Kitchen Renovation.

69. The appropriation made to the Department of Education in 2021, 107:1, IV, 3, extended by 2023, 113:24, 75 for Bathrooms-All Floors, Renovation and ADA Modifications.

70. The appropriation made to the Department of Energy in 2023, 113:1, IV, 1 for Fuel Assistance Program (FAP)/Weatherization Assistance Program (WAP) Database and Program Management.

71. The appropriation made to the Department of Energy in 2017, 228:1, VII, A, extended by 2019, 146:20, 59, extended by 2021, 107:16, 57, extended by 2023, 113:24, 76 for Fuel Assistance Program/Weatherization Assistance Program.

72. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 1 for Dam Repairs and Reconstruction.

73. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 2 for IT Infrastructure.

74. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 3 for Drinking Water SRF State Match.

75. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 4 for Clean Water SRF State Match.

76. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 5 for Ground Water Monitoring.

77. The appropriation made to the Department of Environmental Services in 2023, 113:1, V, 6 for Winnetonka River Basin Upgrade.

78. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 1, extended by 2023, 113:24, 77 for Clean Water State Revolving Fund State Match.

79. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 2, extended by 2023, 113:24, 78 for Dam Repairs and Reconstruction.

80. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 3, extended by 2023, 113:24, 79 for Drinking Water State Revolving Fund State Match.

81. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 4, extended by 2023, 113:24, 80 for One-Stop/ IT Systems Upgrades.

82. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 5, extended by 2023, 113:24, 81 for Coastal Flooding Modeling.

83. The appropriation made to the Department of Environmental Services in 2021, 107:1, V, 6, extended by 2023, 113:24, 82 for Winnetonka River Basin Program (WRBP) Collection System Upgrade.

84. The appropriation made to the Department of Environmental Services in 2021, 107:14, IV, extended by 2023, 113:24, 83 for Coastal Flood Modeling.

85. The appropriation made to the Department of Environmental Services in 2019, 146:1, VI, A, extended by 2021, 107:16, 58, extended by 2023, 113:24, 84 for Dam Repairs and Reconstruction.

86. The appropriation made to the Department of Environmental Services in 2019, 146:1, VI, B, extended by 2021, 107:16, 59, extended by 2023, 113:24, 85 for Construction and Operations Facility.

87. The appropriation made to the Department of Environmental Services in 2019, 146:1, VI, E, extended by 2021, 107:16, 62, extended by 2023, 113:24, 87 for IT Upgrades For E-Permitting and Automation.

88. The appropriation made to the Department of Environmental Services in 2017, 228:1, VIII, F, extended by 2019, 146:20, 63, extended by 2021, 107:16, 65, extended by 2023, 113:24, 88 for Hazardous Waste Superfund Match.

89. The appropriation made to the Department of Environmental Services in 2017, 228:1, VIII, H, extended by 2019, 146:20, 65, extended by 2021, 107:16, 67, extended by 2023, 113:24, 90 for Ossipee Lake Dam Reconstruction.

90. The appropriation made to the Department of Environmental Services in 2015, 220:1, VI, B, extended by 2017, 228:22, 50, extended by 2019, 146:20, 66, extended by 2021, 107:16, 68, extended by 2023, 113:24, 91 for hazardous waste superfund state match.

91. The appropriation made to the Department of Environmental Services in 2015, 220:1, VI, C, extended by 2017, 228:22, 51, extended by 2019, 146:20, 67, extended by 2021, 107:16, 69, extended by 2023, 113:24, 92 for Suncook river infrastructure protection project.

92. The appropriation made to the Department of Environmental Services in 2011, 253:1, VI, E extended by 2013 195:47, 47 extended by 2015, 220:23, 48, extended by 2017, 228:22, 59, extended by 2019, 146:20, 71, extended by 2021, 107:16, 72, extended by 2023, 113:24, 94 for WRBP infrastructure capital improvements.

93. The appropriation made to the Fish and Game Commission in 2023, 113:1, VI, 1 for Roof Replacement.

94. The appropriation made to the Fish and Game Commission in 2021, 107:1, VI, 1, amended by 2023, 113:22, as extended by 2023, 113:24, 95 for Fish Hatchery Statewide Construction/Renovation.

95. The appropriation made to the Fish and Game Department in 2019, 146:1, VII, A, extended by 2021, 107:16, 73, extended by 2023, 113:24, 96 for Building Security and Fire Safety Improvements.

96. The appropriation made to the Department of Health and Human Services in 2023, 113:1, VII, 1 for Division for Children, Youth and Families (DCYF) Comprehensive Child Welfare Information System (CCWIS) Bridges Replacement.

97. The appropriation made to the Department of Health and Human Services in 2023, 113:1, VII, 2 for Electronic Health Records.

98. The appropriation made to the Department of Health and Human Services in 2023, 113:23, II for the Glencliff Wastewater Treatment Improvements.

99. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 1, extended by 2023, 113:24, 97 for Beneficiary Service Improvement.

100. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 2, extended by 2023, 113:24, 98 for DCYF Comprehensive Child Welfare Information System (CCWIS).

101. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 3, extended by 2023, 113:24, 99 for Developmental Services Information Technology Remediation.

102. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 4, extended by 2023, 113:24, 209 for Electronic Visit Verification System.

103. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 5, extended by 2023, 113:24, 100 for Federal Reporting Integrity and Compliance.

104. The appropriation made to the Department of Health and Human Services in 2021, 107:1, VII, 7, extended by 2023, 113:24, 102 for Medicaid Management Information System (MMIS) Lifecycle Management and Re-procurement.

105. The appropriation made to the Department of Health and Human Services in 2019, 146:1, VIII, A, extended by 2021, 107:16, 75, extended by 2023, 113:24, 106 for DCYF Comprehensive Child Welfare Information System.

106. The appropriation made to the Department of Health and Human Services in 2019, 146:14, IV, extended by 2021, 107:16, 77, extended by 2023, 113:24, 108 for Glencliff Home Electrical System Enhancement.

107. The appropriation made to the Department of Health and Human Services in 2015, 220:1, VII, B, extended by 2017, 228:22, 64, extended by 2019, 146:20, 86, extended by 2021, 107:16, 86, extended by 2023, 113:24, 111 for campus security Glencliff.

108. The appropriation made to the Department of Health and Human Services in 2015, 220:1, VII, F, extended by 2017, 228:22, 68, extended by 2019, 146:20, 89, extended by 2021, 107:16, 89, extended by 2023, 113:24, 112 for chillers and associated components replacement.

109. The appropriation made to the Department of Information Technology in 2023, 113:1, VIII, 1 for Cybersecurity Program Enhancements.

110. The appropriation made to the Department of Information Technology in 2023, 113:1, VIII, 2 for Financial Systems Modernization.

111. The appropriation made to the Department of Information Technology in 2023, 113:1, VIII, 3 for IT Services Management System.

112. The appropriation made to the Department of Information Technology in 2019, 146:1, IX, A, extended by 2021, 107:16, 97, extended by 2023, 113:24, 116 for Digital Government Transformation (Enterprise).

113. The appropriation made to the Department of Information Technology in 2019, 146:1, IX, B, extended by 2021, 107:16, 98, extended by 2023, 113:24, 117 for Continuity of Operation and Disaster Planning.

114. The appropriation made to the Department of Information Technology in 2017, 228:1, XII, B, extended by 2019, 146:20, 105, extended by 2021, 107:16, 100, extended by 2023, 113:24, 118 for Enterprise Workflow/Document Mgmt (All - Enterprise).

115. The appropriation made to the Judicial Branch in 2021, 107:1, VIII, 1, extended by 2023, 113:24, 121 for NH e-Court and Associated Critical Infrastructure.

116. The appropriation made to the Judicial Branch in 2019, 146:1, X, A, extended by 2021, 107:16, 103, extended by 2023, 113:24, 123 for NH e-Court and Associated Critical Infrastructure.

117. The appropriation made to the Liquor Commission in 2023, 113:1, IX, 1 for Hampton North and South New Stores.

118. The appropriation made to the Liquor Commission in 2023, 113:1, IX, 2 for HQ Life Safety Improvements, Parking Lot, Renovation, and Roof.

119. The appropriation made to the Liquor Commission in 2023, 113:1, IX, 3 for Roof Replacement.

120. The appropriation made to the Liquor Commission in 2017, 228:1, XV, D, extended by 2019, 146:20, 117, extended by 2021, 107:16, 111, extended by 2023, 113:24, 128 for Hampton North and South New Liquor Stores.

121. The appropriation made to the Liquor Commission in 2017, 228:14, III, extended by 2019, 146:20, 118, extended by 2021, 107:16, 109, extended by 2023, 113:24, 126 for the Concord headquarters roof replacement and parking lot.

122. The appropriation made to the Department of Military Affairs and Veterans Services in 2023, 113:1, X, 1 for Nashua Readiness Center Minor Military Construction.

123. The appropriation made to the Department of Military Affairs and Veterans Services in 2023, 113:1, X, 2 for Plymouth Readiness Center Minor Military Construction.

124. The appropriation made to the Department of Military Affairs and Veterans Services in 2023, 113:1, X, 3 for Statewide Building Improvements.

125. The appropriation made to the Department of Military Affairs and Veterans Services in 2023, 113:1, X, 4 for Nashua Hazardous Material Remediation.

126. The appropriation made to the Department of Military Affairs and Veterans Services in 2023, 113:1, X, 5 for Land Purchase - Pembroke.

127. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 1, extended by 2023, 113:24, 129 for Pembroke Regional Training Institute Upgrades.

128. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 2, extended by 2023, 113:24, 130 for Pembroke Regional Training Institute Upgrades.

129. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 3, extended by 2023, 113:24, 131 for Grafton County Field Maintenance Shop.

130. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 4, extended by 2023, 113:24, 132 for Minor Military Construction - Coos County.

131. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 5, extended by 2023, 113:24, 133 for Minor Military Construction - Strafford County.

132. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 6, extended by 2023, 113:24, 134 for Minor Military Construction - Strafford County.

133. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 7, extended by 2023, 113:24, 135 for Readiness Center Renovation Statewide.

134. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 8, extended by 2023, 113:24, 136 for Land.

135. The appropriation made to the Department of Military Affairs and Veterans Services in 2021, 107:1, X, 9, extended by 2023, 113:24, 137 for Energy Resiliency and Efficiency Improvements Statewide 50/50.

136. The appropriation made to the Military Affairs and Veterans Services in 2019, 146:1, I, B, extended by 2021, 107:16, 113, extended by 2023, 113:24, 139 for Federal Statewide Repairs and Upgrades.

137. The appropriation made to the Military Affairs and Veterans Services in 2019, 146:1, I, C, extended by 2021, 107:16, 114, extended by 2023, 113:24, 140 for Minor Military Construction Statewide.

138. The appropriation made to the Military Affairs and Veterans Services in 2019, 146:1, I, D, extended by 2021, 107:16, 115, as amended by 2023, 113:16, extended by 2023, 113:24, 141 for Manchester Readiness Center and Concord Anti-Terrorism Force Protection Renovations.

139. The appropriation made to the Military Affairs and Veterans Services in 2019, 146:1, I, E, extended by 2021, 107:16, 116, extended by 2023, 113:24, 142 for Grafton County Readiness Center Design.

140. The appropriation made to the Military Affairs and Veterans Services in 2019, 146:14, II, extended by 2021, 107:16, 118, extended by 2023, 113:24, 143 for Environmental Hazard Remediation and Land Acquisition.

141. The appropriation made to the Military Affairs and Veterans Services in 2015, 220:1, I, D extended by 2017, 228:22, 4, extended by 2019, 146:20, 7, extended by 2021, 107:16, 122, extended by 2023, 113:24, 144 for land for military construction.

142. The appropriation made to the Department of Natural and Cultural Resources in 2023, 113:1, XI, 1 for Roofing and Repair.

143. The appropriation made to the Department of Natural and Cultural Resources in 2023, 113:1, XI, 2 for Forest and Lands Facilities.

144. The appropriation made to the Department of Natural and Cultural Resources in 2023, 113:1, XI, 4 for Mount Washington Summit Infrastructure and Ecology Study.

145. The appropriation made to the Department of Natural and Cultural Resources in 2023, 113:1, XI, 5 for Connecticut Lakes Headwaters Road Repairs and Paving.

146. The appropriation made to the Department of Natural and Cultural Resources in 2023, 113:23, III, for the Connecticut Lakes Headwaters Road Repairs and Paving.

147. The appropriation made to the Department of Natural and Cultural Resources in 2021, 107:1, XI, 1, extended by 2023, 113:24, 145 for Communication System Replacement.

148. The appropriation made to the Department of Natural and Cultural Resources in 2021, 107:1, XI, 2, extended by 2023, 113:24, 146 for Toilet Building Upgrades.

149. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, A, extended by 2021, 107:16, 125, extended by 2023, 113:24, 147 for Roofing and Repair.

150. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, B, extended by 2021, 107:16, 126, extended by 2023, 113:24, 148 for Mount Washington Sewage Treatment Expansion.

151. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, D, extended by 2021, 107:16, 128, extended by 2023, 113:24, 150 for Campground Toilet Buildings.

152. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, E, extended by 2021, 107:16, 129, extended by 2023, 113:24, 151 for Day-Use Toilet Buildings.

153. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, F, extended by 2021, 107:16, 130, extended by 2023, 113:24, 152 for Mount Sunapee State Park Beach Boat Ramp.

154. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, H, extended by 2021, 107:16, 132, extended by 2023, 113:24, 153 for Climate Controlled Storage Area - State Library.

155. The appropriation made to the Department of Natural and Cultural Resources in 2019, 146:1, XII, I, extended by 2021, 107:16, 133, extended by 2023, 113:24, 154 for Design and Engineering Services; Archaeology Lab; Office, Lab, and Storage Space Needs.

156. The appropriation made to the Department of Natural and Cultural Resources in 2017, 228:1, XVIII, C, extended by 2019, 146:20, 126, extended by 2021, 107:16, 135, extended by 2023, 113:24, 156 for Dams and Retaining Walls.

157. The appropriation made to the Pease Development Authority in 2021, 107:14, II, extended by 2023, 113:24, 159 for Piscataqua River Turning Basin.

158. The appropriation made to the Pease Development Authority in 2017, 228:1, XVI, A, extended by 2019, 146:20, 122, extended by 2021, 107:16, 138, extended by 2023, 113:24, 160 for Piscataqua River Turning Basin.

159. The appropriation made to the Pease development authority in 2015, 220:1, XII, extended by 2017, 228:22, 102, extended by 2019, 146:20, 123, extended by 2021, 107:16, 139, extended by 2023, 113:24, 161 for the Piscataqua River Turning Basin.

160. The appropriation made to the Department of Revenue Administration in 2017, 228:1, XIX, A, extended by 2019, 146:20, 130, extended by 2021, 107:16, 140, extended by 2023, 113:24, 162 for Revenue Information Management System (RIMS).

161. The appropriation made to the Department of Safety in 2023, 113:1, XIV, 1 for New Hampshire State Police (NHSP) Message Switch Replacement.

162. The appropriation made to the Department of Safety in 2023, 113:1, XIV, 2 for New Hampshire State Police (NHSP) Helicopter Improvement.

163. The appropriation made to the Department of Safety in 2023, 113:2, I, 1 for New Hampshire State Police (NHSP) Message Switch Replacement.

164. The appropriation made to the Department of Safety in 2023, 113:2, I, 2 for New Hampshire State Police (NHSP) Helicopter Improvement.

165. The appropriation made to the Department of Safety in 2021, 107:12, II and 13, II, as amended by 2023, 113:18, extended by 2023, 113:24, 164 for State Police Hangar Construction/Renovation.

166. The appropriation made to the Department of Safety in 2019, 146:1, XV, E, as amended by 2022, 47:2, as amended by 2023, 113:20, extended by 2023, 113:24, 163 for Aviation Hangar Bay Construction/Renovation.

167. The appropriation made to the Department of Safety in 2019, 146:2, I, B, extended by 2021, 107:16, 147, extended by 2023, 113:24, 167 for DMV Online Customer Portal.

168. The appropriation made to the Department of Safety in 2017, 228:1, XX, C, extended by 2019, 146:20, 132, extended by 2021, 107:16, 148, extended by 2023, 113:24, 168 for State Police Records Management System.

169. The appropriation made to the Department of Transportation in 2023, 113:1, XV, 1 for Federal State Match for FAA Projects.

170. The appropriation made to the Department of Transportation in 2023, 113:1, XV, 2 for Matching Funds for Transit Buses and Passenger Amenities.

171. The appropriation made to the Department of Transportation in 2023, 113:1, XV, 4 for Coos County Freight Rail Improvements.

172. The appropriation made to the Department of Transportation in 2023, 113:2, II, 1 for Statewide – Construct Salt and Sand Shed.

173. The appropriation made to the Department of Transportation in 2023, 113:2, II, 2 for Statewide – Underground Fuel Tank Replacement.

174. The appropriation made to the Department of Transportation in 2023, 113:2, II, 3 for Statewide – Crew Quarters.

175. The appropriation made to the Department of Transportation in 2023, 113:23, V, for repairs to railroad bridges on state-owned active railroad lines.

176. The appropriation made to the Department of Transportation in 2023, 113:23, VI, for repairs to culverts on active state-owned railroad lines.

177. The appropriation made to the Department of Transportation in 2023, 113:23, VII, for railroad ties and installation on active state-owned railroad lines.

178. The appropriation made to the Department of Transportation in 2021, 107:1, XIV, 1, extended by 2023, 113:24, 169 for 5% Match For Federal Aviation Administration Projects.

179. The appropriation made to the Department of Transportation in 2021, 107:1, XIV, 3, extended by 2023, 113:24, 171 for Public Transit Bus and Facility Matching Funds.

180. The appropriation made to the Department of Transportation in 2021, 107:1, XIV, 6, as amended by 2023, 113:21, extended by 2023, 113:24, 174 for Market Street Marine Terminal Project State Match/ Discretionary Grants.

181. The appropriation made to the Department of Transportation in 2021, 107:2, I, 1, extended by 2023, 113:24, 175 for Fuel Management System Replacement.

182. The appropriation made to the Department of Transportation in 2021, 107:2, I, 2, extended by 2023, 113:24, 176 for Lancaster 701 - Storage Building Replacement.

183. The appropriation made to the Department of Transportation in 2021, 107:2, I, 3, extended by 2023, 113:24, 177 for Londonderry 512 - Patrol and Salt Shed Replacements.

184. The appropriation made to the Department of Transportation in 2021, 107:2, I, 5, extended by 2023, 113:24, 179 for Statewide - Construct Salt and Sand Sheds.

185. The appropriation made to the Department of Transportation in 2021, 107:2, I, 6, extended by 2023, 113:24, 180 for Delayed Projects - Patrol Sheds, District Office.

186. The appropriation made to the Department of Transportation, General Funds in 2019, 146:1, XVI, A, extended by 2021, 107:16, 151, extended by 2023, 113:24, 181 for Aeronautics, Rail, and Transit, 5% match for Federal Aviation Administration Projects.

187. The appropriation made to the Department of Transportation, General Funds in 2019, 146:1, XVI, C, extended by 2021, 107:16, 152, extended by 2023, 113:24, 182 for Repairs to State-Owned Active Railroad Bridges.

188. The appropriation made to the Department of Transportation, General Funds in 2019, 146:1, XVI, F, extended by 2021, 107:16, 155, extended by 2023, 113:24, 184 for Public Transit Bus and Facility Matching Funds.

189. The appropriation made to the Department of Transportation in 2019, 146:2, II, D, extended by 2021, 107:16, 159, extended by 2023, 113:24, 186 for Statewide - Life Safety Code Improvements.

190. The appropriation made to the Department of Transportation in 2019, 146:2, II, H, extended by 2021, 107:16, 163, extended by 2023, 113:24, 190 for NHDOT Document Management Software.

191. The appropriation made to the Department of Transportation in 2015, 220:1, XVI, A, 1, extended by 2017, 228:22, 116, extended by 2019, 146:20, 148, extended by 2021, 107:16, 174, extended by 2023, 113:24, 199 for 5% match for federal aviation administration project.

192. The appropriation made to the Department of Transportation in 2013, 195:XVI, A, 1 extended by 2015, 220:23, 106, extended by 2017, 228:22, 134, extended by 2019, 146:20, 155, extended by 2021, 107:16, 180, extended by 2023, 113:24, 203 for 5% match for FAA projects.

193. The appropriation made to the Police Standards and Training Council in 2023, 113:1, XII, 1 for Move VirTra Simulator to Reclaim Classroom Spaces.

194. The appropriation made to the Police Standards and Training Council in 2023, 113:1, XII, 2 for Convert Existing Breakroom to Classroom.

195. The appropriation made to the Police Standards and Training Council in 2019, 146:1, XIV, A, extended by 2021, 107:16, 141, extended by 2023, 113:24, 206, as amended by 2024, 101:2, XIV, A for Police Standards and Training Council facility improvements (boilers, controllers, a/c replacements, range ventilation and filtration and tactical center floor replacement).

196. The appropriation made to the Veterans Home in 2023, 113:1, XIII, 1 for Sitewide Drainage and Water Life Safety Improvements.

197. The appropriation made to the Veterans Home in 2023, 113:1, XIII, 2 for Entry Life Safety Improvements.

198. The appropriation made to the Veterans Home in 2021, 107:1, XII, 1, extended by 2023, 113:24, 207 for Parking Lot Repairs and Improvements.

199. The appropriation made to the Veterans Home in 2015, 220:1, XVII, A, extended by 2017, 228:22, 144, extended by 2019, 146:20, 161, extended by 2021, 107:16, 185, extended by 2023, 113:24, 208 for third floor addition to the LEDU building - vets home.

200. The appropriation made to the Department of Transportation in 2023, 113:1, XV, 3 for Carroll and Strafford Freight Rail Improvements.

19 Effective Date.

I. Section 18 of this act shall take effect June 30, 2025.

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

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, bill ordered to Third Reading.

CHILDREN AND FAMILY LAW

HB 243-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

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

Senate Children and Family Law

May 9, 2025

2025-2049s

11/05

Amendment to HB 243-FN

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

AN ACT relative to actions and penalties for false reports of suspected abuse and neglect made to the division for children, youth, and families.

Amend RSA 169-C:30 as inserted by section 1 of the bill by replacing it with the following:

169-C:30 Nature and Content of Report. An oral report shall be made immediately by telephone or otherwise, and followed within 48 hours by a report in writing, if so requested, to the department. Such report shall, if known, contain the name and address of the child suspected of being neglected or abused and the person responsible for the child's welfare, the specific information indicating neglect or the nature and extent of the child's injuries (including any evidence of previous injuries), the identity of the person or persons suspected of being responsible for such neglect or abuse, and any other information that might be helpful in establishing neglect or abuse or that may be required by the department. ***Reports made to the department may include the name, address, or phone number of the person or persons making the report of suspected abuse or neglect of a child under this chapter.***

Amend RSA 169-C:31, II as inserted by section 1 of the bill by replacing it with the following:

II. Nothing in this section shall provide civil or criminal immunity for a professional mandatory reporter who knowingly fails to make a report of suspected abuse or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or neglect.

Amend RSA 169-C:31-a as inserted by section 2 of the bill by replacing it with the following:

169-C:31-a Intentional False Report of Abuse or Neglect. A person is guilty of a misdemeanor if he or she knowingly provides false information or causes another to provide false information of suspected child abuse or neglect as defined by RSA 169-C:3 to the department or to any professional mandatory reporter of suspected child abuse identified in RSA 169-C:29.

Amend RSA 169-C:31-b as inserted by section 2 of the bill by replacing it with the following:

169-C:31-b Civil Liability. Any person harmed by the intentional submission of a false report of abuse or neglect under RSA 169-C:31-a may bring a civil action against the responsible party for monetary damages and other appropriate relief.

2025-2049s

AMENDED ANALYSIS

This bill provides that reports of suspected abuse and neglect may include the name of the person making the report and that a person who makes a false report maliciously or with the intent to cause harm shall be guilty of a misdemeanor. This bill also creates a private right of action for civil damages against a person who makes a false report of suspected abuse or neglect.

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

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Perkins Kwoka, Dist 21

May 30, 2025

2025-2589s

07/08

Floor Amendment to HB 243-FN

Amend RSA 169-C:31 as inserted by section 1 of the bill by replacing it with the following:

169-C:31 Immunity From Liability.

I. Anyone participating in good faith in the making of a report pursuant to this chapter or who provides information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect, is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant has the same immunity with respect to participation in any investigation by the department or judicial proceeding resulting from such report.

II. Nothing in this section shall be construed as discouraging or criminalizing professional mandatory reporters, including school employees and officials, from reporting suspected abuse or neglect of a child, even if the reporter has no proof of abuse or neglect or has reason to question the veracity of a child's report of abuse or neglect. Good faith reporting shall not be subject to criminal or civil liability.

III. Nothing in this section shall provide civil or criminal immunity for a professional mandatory reporter who knowingly fails to make a report of suspected abuse or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or neglect with malice or the intent to harm under RSA 169-C:31-a.

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

Senator Prentiss offered a Floor Amendment.

Sen. Birdsell, Dist 19

Sen. Prentiss, Dist 5

May 27, 2025

2025-2487s

07/09

Floor Amendment to HB 243-FN

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

AN ACT relative to relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, and relative to the maternal mortality review committee.

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

3 Public Health; Maternal Mortality Review Committee. Amend the subdivision heading preceding RSA 132:29 to read as follows:

Maternal Mortality Review [Panel] **Committee**

4 Public Health; Maternal Mortality Review Committee; Definitions. Amend RSA 132:29, I to read as follows:

I. "Pregnancy-related" means the death of a woman while pregnant or within one year of the end of pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to or aggravated by her pregnancy or its management~~[-but not from accidental or incidental causes]~~.

5 Public Health; Maternal Mortality Review Committee Established. Amend RSA 132:30 to read as follows:

132:30 Maternal Mortality Review [Panel] **Committee** Established.

I. There is established a maternal mortality review [panel] **committee** to conduct comprehensive, multidisciplinary reviews of maternal deaths in New Hampshire for the purpose of identifying factors associated with the deaths and to make recommendations for system changes to improve services for women in the state. ***The committee shall be administered by the department of health and human services and facilitated jointly with the New Hampshire perinatal quality collaborative (NHPQC) affiliated with Dartmouth Health.*** The [panel] **committee** shall consist of:

(a) Two members from the New Hampshire chapter of the American College of Obstetricians and Gynecologists, one of whom shall be a generalist obstetrician, and one of whom shall be a maternal fetal medicine specialist.

(b) One member from the New Hampshire chapter of the American Academy of Pediatrics, specializing in neonatology.

(c) One member from the New Hampshire chapter of the American College of Nurse-Midwives.

(d) One member from the New Hampshire section of the Association for Women's Health, Obstetric and Neonatal Nurses.

(e) The administrator of maternal and child health who also is the Title V director, division of public health services, department of health and human services.

(f) An epidemiologist from the department of health and human services with experience analyzing perinatal data, or designee.

(g) A representative of the community mental health centers.

(h) A public member.

(i) The chief medical examiner, or designee.

(j) A representative of the division for children, youth and families, appointed by the commissioner of the department of health and human services.

(k) A representative of the department of corrections, appointed by the commissioner of the department of corrections.

II. Each member in subparagraphs I(a)-(h) shall be appointed by the commissioner of health and human services, or designee, in collaboration with the organizations listed in paragraph I.

III. ~~[The term of each member shall be 3 years and the terms shall be staggered.]~~ The **committee** chair shall be appointed by the commissioner **or designee**. ~~[The initially appointed chair shall call the meeting and panel together and shall serve as chair for 6 months, after which time, the panel shall elect its chair. Members of the panel shall receive no compensation.]~~

IV. The commissioner may delegate to ~~[the Northern New England Perinatal Quality Improvement Network (NNEPQIN)]~~ **NHPQC** the functions of collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the [panel] **committee**, and other substantive and administrative tasks as may be incident to these activities. The activities of ~~[NNEPQIN]~~ **NHPQC** and its employees or agents shall be subject to the same confidentiality provisions as those that apply to the [panel] **committee**.

V. The commissioner shall submit an annual report ~~[beginning on June 1, 2011]~~ to the oversight committee on health and human services describing adverse events reviewed by the ~~[panel]~~ **committee**, including statistics and causes, and outlining, in aggregate, corrective action plans, and making recommendations for system change and legislation relative to state health care operations.

VI.(a) The ~~[panel, in collaboration with the commissioner of the department of health and human services, or designee,]~~ **committee** shall conduct comprehensive multidisciplinary reviews of the maternal mortality deaths, as defined in RSA 132:29, I-III~~[- in New Hampshire]~~.

(b) Each ~~[member of the panel]~~ **committee meeting** shall ~~[be responsible for the dissemination of panel recommendations to his or her respective institutions and professional organizations]~~ **conclude with the development of committee recommendations with members responsible for the dissemination of recommendations to his or her respective institutions or professional organizations**. All such information shall be disseminated through each participant's quality assurance program in order to protect the confidentiality of all participants and patients involved in any incident.

(c) The ~~[panel]~~ **committee** shall not:

(1) Call witnesses or take testimony from individuals involved in the investigation of a maternal death.

(2) Enforce any public health standard or criminal law or otherwise participate in any legal proceeding, except if a member of the team is involved in the investigation of the death or resulting prosecution and must participate in a legal proceeding in the course of performing in his or her duties outside the team.

(d) Proceedings, records, and opinions of the maternal mortality review ~~[panel]~~ **committee** are confidential, not subject to RSA 91-A, and not subject to discovery, subpoena, or introduction into evidence in any civil or criminal proceeding. Nothing in this subparagraph shall be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the proceedings of the ~~[panel]~~ **committee**.

(e) Members of the ~~[panel]~~ **committee** shall not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a meeting of the team. Nothing in this subparagraph shall be construed to prevent a member of the ~~[panel]~~ **committee** from testifying to information obtained independently of the team or which is public information.

VII. The commissioner of the department of health and human services, with the advice and recommendation of a majority of members of the ~~[panel]~~ **committee**, shall adopt rules, pursuant to RSA 541-A, relative to the following:

(a) The system for identifying and reporting maternal ~~[deaths]~~ **mortalities** to the commissioner, or designee.

(b) The form and manner through which the program may acquire information under RSA 132:31.

(c) The protocol to be used in carefully and sensitively contacting ~~[a] family [member]~~ **members and close contacts** of the deceased ~~[woman]~~ **individual** for a discussion of the events surrounding the death, allowing grieving family members to refuse such an interview.

(d) Assuring de-identification of all individuals and facilities involved in the ~~[panel]~~ **committee** review of cases.

6 Public Health; Maternal Mortality Review Committee; Acquisition of Information Related to Maternal Mortality. Amend RSA 132:31 to read as follows:

132:31 Acquisition of Information Related to Maternal Mortality.

I. ~~[If a root cause analysis of a maternal mortality event has been completed, such findings shall be included in the records supplied to the review panel]~~ **All case findings shall be included in the case narrative supplied to the committee.**

II. Health care providers, health care facilities, clinics, laboratories, medical records departments, and state offices, agencies and departments shall report all maternal mortality deaths as defined in RSA 132:29, I-III to ~~[the chair of the panel and]~~ the commissioner, or designee. The commissioner **or designee** shall have access to

individually identifiable information relating to the occurrence of maternal ~~[deaths only on a case-by-case basis where public health is at risk]~~ **mortality**. This information includes, but is not limited to: vital records, hospital discharge data, prenatal, fetal, pediatric, or infant medical records, hospital or clinic records, laboratory reports, records of fetal deaths or induced terminations of pregnancies, and autopsy reports. The same case information may be acquired from health care facilities, maternal mortality review programs, and other sources in other states to ensure that its records of New Hampshire maternal mortality cases are accurate and complete. ~~[The chair shall not acquire and retain any individually identifiable information.]~~

III. The commissioner, or designee, may retain identifiable information regarding facilities where maternal deaths occur and geographical information on each case solely for the purposes of trending and analysis over time. Pursuant to RSA 132:30, VII(d), **personally** identifiable information on all individuals and facilities shall be removed prior to any case review by the ~~[panel]~~ **committee**.

7 Effective Date.

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

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

2025-2487s

AMENDED ANALYSIS

This bill:

I. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a person who makes a false report maliciously or with the intent to cause harm shall be guilty of a misdemeanor.

II. Creates a private right of action for civil damages against a person who makes a false report of suspected abuse or neglect.

III. Renames the maternal mortality review panel as the maternal mortality review committee, revises its membership, and provides for the committee to be administered by the department of health and human services and facilitated by the New Hampshire perinatal quality collaborative (NHPQC) affiliated with Dartmouth Health.

IV. Revises the definition of “pregnancy-related death” by removing the exclusion of accidental or incidental causes.

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

Senator Fenton offered a Floor Amendment.

Sen. Watters, Dist 4

Sen. Birdsell, Dist 19

June 3, 2025

2025-2665s

06/08

Floor Amendment to HB 243-FN

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

AN ACT relative to relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, and electric vehicle charging stations and fees for annual testing by the division of weights and measures.

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

3 New Paragraph; Agriculture, Horticulture and Animal Husbandry; Standards for Weights and Measures; Definitions. Amend RSA 438:1 by inserting after paragraph XV the following new paragraph:

XVI. “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment, which means a device or system designed and used specifically to transfer electrical energy to an electric vehicle, either as charge transferred via physical or wireless connection, by loading a fully

charged battery, or by other means, that is designed and built in compliance with the requirements of the National Institute of Standards and Technology Handbook 44, as amended, and is approved by the National Type Evaluation Program, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

4 New Paragraph; Agriculture, Horticulture and Animal Husbandry; Standards for Weights and Measures; Fee for Licensing Commercial Devices. Amend RSA 438:10-a by inserting after paragraph XVI the following new paragraph:

XVII. Electric Vehicle Charging Meter, \$175 per meter to include annual testing by means of a weights and measures official. Electric vehicle charging stations in place prior to the effective date of this section shall be licensed and certified by January 1, 2027. Electric vehicle charging stations installed after the effective date of this section shall be licensed with the division before use and certified by a division official within 30 days of installation. Direct current devices installed prior to January 1, 2025 are exempt from NIST Handbook 44, 2025 edition requirements until January 1, 2035 and shall meet a +/- 5 percent tolerance.

5 Registered Service Technician; Duties. Amend RSA 438:14-a to read as follows:

438:14-a Registered Service Technician. A registered service technician who **tests, adjusts, repairs, certifies, rejects, adds, removes, or replaces** [installs, services, repairs, reconditions, tests, or calibrates] a commercial weighing or measuring device shall **state certify** [seal] said device in a manner approved by the commissioner, **except that electric vehicle charging stations shall only be state certified by a weights and measures official**. This **certification** [seal] shall authorize the device owner to use a licensed device unless rejected pursuant to RSA 438:14.

6 Department of Agriculture, Markets, and Food; Positions Created. There is created within the department of agriculture, markets, and food the classified full-time position of registered electric vehicle service technician, who shall be under the direction of the commissioner of the department of agriculture, markets, and food pursuant to RSA 426:6-b. The certifier shall be responsible for certifying electric vehicle charging stations in this state in accordance with RSA 4438:10-a and RSA 438:14-a.

7 Agricultural Products Regulatory Fund; Withdrawal. The commissioner shall withdraw \$413,301 for the fiscal year ending June 30, 2026 from the agricultural products regulatory fund established in RSA 435:20 to cover the costs associated with establishing the position of registered electric vehicle charging station service technician. Such funds shall be non-lapsing. For 2 years after such withdrawal completed, if needed, the commissioner may continue to withdraw additional funds from the agricultural products regulatory fund to cover such costs.

8 Effective Date.

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

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

2025-2665s

AMENDED ANALYSIS

This bill:

I. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a report made maliciously or with the intent to cause harm may be subject to civil and criminal penalties.

II. Provides that a person who in their professional capacity is a mandatory reporter of suspected abuse and neglect may be subject to civil liability for the failure to report.

III. Defines electric vehicle charging station.

IV. Charges a fee for annual testing by the division of weights and measures.

V. Authorizes the department of agriculture, markets, and food to appropriate funds for electric vehicle charging station testing and certification.

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

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Perkins Kwoka, Dist 21
 Sen. Birdsell, Dist 19
 June 4, 2025
 2025-2710s
 05/09

Floor Amendment to HB 243-FN

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

AN ACT relative to actions and penalties for false reports of suspected abuse and neglect made to the division for children, youth, and families and relative to the acceptance of portraits of Senator Sylvia Larsen and Senator Jeb Bradley for the state house.

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

3 Joint Legislative Historical Committee; Sylvia Larsen Portrait. The joint legislative historical committee established under RSA 17-I:1 may accept a gift of a portrait of Sylvia Larsen and oversee the hanging of the portrait in the state house.

4 Joint Legislative Historical Committee; Senator Jeb Bradley Portrait. The joint legislative historical committee may accept a gift of a portrait of Senator Jeb Bradley and oversee the hanging of the portrait in the state house.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2025.

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

2025-2710s

AMENDED ANALYSIS

This bill:

I. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a person who makes a false report maliciously or with the intent to cause harm shall be guilty of a misdemeanor; and creates a private right of action for civil damages against a person who makes a false report of suspected abuse or neglect.

II. Authorizes the joint legislative historical committee to accept portraits of Sylvia Larsen and Jeb Bradley for the New Hampshire state house.

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.

HB 560, relative to parental access to a minor child's medical records.

Ought to Pass, Vote 2-1. Senator Sullivan for the committee.

Senator Abbas offered a Floor Amendment.

Sen. Abbas, Dist 22
 May 15, 2025
 2025-2213s
 09/08

Floor Amendment to HB 560

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

2 New Section; Parental Access to a Minor Child's Medical Records. Amend RSA 332-I by inserting after section 1 the following new section:

332-I:1-a Parental Access to a Minor Child's Medical Records.

I. For the purposes of this section, "medical records" means physical medical records and electronic medical records, including records available via online patient portals.

II. A parent or legal guardian of a minor child shall be entitled to have full access to the medical records of their minor child or ward, except:

(a) When the records are records of treatment that a minor may consent to pursuant to a specific statute under state or federal law without parental consent or the consent of a legal guardian;

(b) When the parent or legal guardian is the subject of a protective order involving the minor child or one of the minor child's siblings issued pursuant to RSA 173-B including any protective order issued by any other state, tribal, or territorial court related to domestic or family violence as provided for in RSA 173-B:13, RSA 461-A, or RSA 633:3-a, or when a court of competent jurisdiction has determined that the release of the records to a parent or legal guardian is not in the child's best interest; or

(c) When a health care provider has determined by evidence based upon his or her professional judgment that disclosure of the records to a parent or legal guardian of a minor child is likely to result in abuse or neglect. A health care provider who makes this determination shall document in the medical record of the minor child all facts upon which he or she relied in making the determination.

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

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

Senator Gannon offered a Floor Amendment.

Sen. Gannon, Dist 23

Sen. Birdsell, Dist 19

June 2, 2025

2025-2630s

05/09

Floor Amendment to HB 560

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

AN ACT relative to parental access to a minor child's medical records and relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated.

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

3 Driving or Operating Under the Influence of Drugs or Liquor; Refusal of Consent. Amend RSA 265-A:14, I-II to read as follows:

I. If a person under arrest for any violation or misdemeanor under RSA 265 or RSA 215-A refuses upon the request of a law enforcement officer, authorized agent, or peace officer to submit to physical tests or to a test of blood, urine, or breath designated by the law enforcement officer, authorized agent, or peace officer to as provided in RSA 265-A:4, none shall be given, but:

(a) If this is the first refusal with no prior driving or operating while intoxicated or aggravated driving or operating while intoxicated convictions:

(1) The director shall suspend his or her license to drive or nonresident driving privilege for a period of ~~[180 days]~~ **one year**; or

(2) If the person is a resident without a license or permit to drive a motor vehicle in this state, the director shall deny to the person the privilege to drive and the issuance of a license for a period of ~~[180 days]~~ **one year** after the date of the alleged violation.

(b) If the person has ~~[a prior driving or operating while intoxicated or aggravated driving or operating while intoxicated conviction]~~ **one or more prior convictions under RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, or under a reasonably equivalent offense in an out-of-state jurisdiction as defined in RSA 265-A:18, VI(b) or a prior refusal of consent under this section or under a reasonably equivalent law in an out-of-state jurisdiction as defined in RSA 265-A:18, VI(b):**

(1) The director shall suspend his or her license to drive or nonresident driving privilege for a period of ~~[2]~~ **3** years; or

(2) If the person is a resident without a license or permit to drive a motor vehicle in this state, the director shall deny to the person the privilege to drive and the issuance of a license for a period of ~~[2]~~ **3** years after the date of the alleged violation.

II. Except as provided in paragraph VI, the ~~[180-day]~~ **one-year** or ~~[2-year]~~ **3-year** suspension period or denial of issuance period imposed pursuant to this section shall not run concurrently with any other penalty imposed under the provision of this title. Any such suspension or denial of a license or privilege to drive shall be imposed in addition to any other penalty provided by law, subject to review as provided in RSA 265-A:31.

4 New Paragraph; Driving or Operating Under the Influence of Drugs or Liquor; Refusal of Consent. Amend RSA 265-A:14 by inserting after paragraph VI the following new paragraph:

VII. In conjunction with a plea of guilty or nolo contendere to an offense resulting in a conviction under RSA 265-A:2 or RSA 265-A:3, the court may suspend up to 180 days of the license suspension imposed pursuant to this section.

5 Driving or Operating Under the Influence of Drugs or Liquor; Penalties for Intoxication or Under Influence of Drugs Offenses. Amend the introductory paragraph in RSA 265-A:18, I(b) to read as follows:

(b) Any person who is convicted of any aggravated DWI offense under RSA 265-A:3, except as provided in subparagraph (c) **or (d)**, shall be:

6 New Subparagraph; Driving or Operating Under the Influence of Drugs or Liquor; Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, I by inserting after subparagraph (c) the following new subparagraph:

(d) Any person who is convicted of aggravated DWI under RSA 265-A:3, III shall be:

(1) Guilty of a class A misdemeanor;

(2) Fined not less than \$750;

(3) Sentenced to a mandatory sentence of not less than 17 consecutive days in the county correctional facility, all of which may be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving any sentence in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes non-compliant with the service plan during the suspension period;

(4) Ordered to install an interlock device in accordance with RSA 265-A:36; and

(5) Subject to the following:

(A) The person's driver's license or privilege to drive shall be revoked for not less than 18 months and, at the discretion of the court, such revocation may be extended for a period not to exceed 2 years. Upon confirmation from the IDCMP that the person is in full compliance with the service plan, the court may suspend up to 6 months of this sentence, with the condition that an interlock device be installed for the period of the suspended sentence in addition to any period required in accordance with RSA 265-A:36 and provided that all fees have been paid; and

(B) The sentencing court may require the person to submit to random urinalysis or such other tests as the court may deem appropriate.

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

2025-2630s

AMENDED ANALYSIS

This bill:

I. Provides parents of minor children full access to their minor children's medical record except under certain circumstances.

II. Modifies periods of license suspension under different circumstances stemming from a refusal of consent to testing to determine alcohol concentration.

III. Modifies the penalties for aggravated driving while intoxicated.

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

Senator Rochefort offered a Floor Amendment.

Sen. Rochefort, Dist 1
June 3, 2025
2025-2661s
05/08

Floor Amendment to HB 560

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

AN ACT relative to parental access to a minor child's medical records and defining pre-sequestration timber tax revenue, establishing a moratorium on carbon sequestration and establishing a commission to study the effects of carbon sequestration in New Hampshire forests upon state and local tax revenue, effective forest management, and the health of New Hampshire's logging industry.

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

3 New Paragraph; Taxation; Forest Conservation and Taxation; Definitions. Amend RSA 79:1 by inserting after paragraph VIII the following new paragraph:

IX. "Pre-sequestration timber tax revenue" means the average of the amounts any municipality received in timber tax revenue from the owner of a parcel of land for the 5 full tax years preceding the tax year in which the owner or the owner's predecessor in interest entered into a legally binding commitment to enroll or register the timber on such land in a carbon sequestration program or to otherwise dedicate the timber on such land to carbon sequestration.

4 Taxation; Forest Conservation and Taxation. RSA 79:5 is repealed and reenacted to read as follows:

79:5 General Tax; Credits in Certain Cases.

I. Whenever it shall appear to the assessing officials that a town or city is unreasonably deprived of revenue because of the failure of an owner to cut standing wood or timber when it shall have arrived at the degree of maturity most suitable for its use, such standing wood or timber shall be taxed in the same manner as general property and be subject to the same rights of appeal, the intent being to prevent the holding of standing wood or timber indefinitely without the payment of any taxes. If such standing wood or timber is taxed under the provision of this section, such taxes shall be a credit against any yield tax later imposed.

II. As an alternative to the imposition of the tax provided for in paragraph I, in any tax year the owner may make a payment in lieu of taxes to the town or city equal to the difference between the pre-sequestration timber tax revenue and the actual timber tax paid by the landowner in that year. For any tax year for which the owner elects to make a payment in lieu of taxes under this paragraph, the owner shall notify the town or city in writing of the owner's election on or before December 31 preceding such tax year.

5 New Subdivision; Carbon Sequestration Programs Study Commission. Amend RSA 79 by inserting after section 31 the following new subdivision:

Carbon Sequestration Programs Study Commission

79:32 Carbon Sequestration Programs Study Commission. There is established a commission to study the impacts of the growing practice of dedicating tracts of New Hampshire forests to sequestration of carbon emissions.

79:33 Membership and Compensation.

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

(a) Two members of the house of representatives, one of whom shall be from the ways and means committee and one of whom shall be at large, appointed by the speaker of the house of representatives.

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

(c) The commissioner of the department of revenue administration, or designee.

(d) The commissioner of the department of natural and cultural resources, or designee.

(e) One Coos county commissioner, or designee.

(f) One municipal official with experience in administration of the timber yield tax, appointed by the New Hampshire Municipal Association.

(g) One public member with experience owning and operating a family-owned tree farm, appointed by the Governor.

(h) One public member, designated by the current Fee Owner as that term is defined in that certain Grant of Conservation Easement, dated as of October 9, 2003, applicable to approximately 146,400 acres located in Coos County.

(i) One public member with experience owning and operating forest land, designated by the New Hampshire timberland owner's association.

(j) One public member, designated by the New Hampshire Retail Lumber Association.

(k) One public member, designated by the New Hampshire Home Builders Association.

(l) One licensed forester, appointed by the president of the senate.

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

79:34 Duties. The commission shall study:

I. For existing agreements or other arrangements under which New Hampshire landowners have committed any standing timber on their property to the sequestration of carbon emissions through registration with a carbon credit offset registry or similar program, the length of such commitment and any restrictions on or disincentives against logging of such timber.

II. The state and local tax impact of committing New Hampshire forest tracts to carbon sequestration.

III. Whether the state's current system of taxation fairly and proportionally taxes the transactions by which New Hampshire forest tracts are committed to carbon sequestration and the fair market value of those tracts.

IV. Whether other statutory provisions interfere with the power of cities and towns under RSA 79:5 to tax standing timber that has been committed to carbon sequestration.

V. Whether the purchasers of carbon credits generated by carbon sequestration in New Hampshire forests should be taxed by the state for the benefit those credits confer.

VI. The impact on sound forest management practices, including minimization of forest fire risk.

VII. The impact on New Hampshire's logging industry.

VIII. The effect carbon sequestration has on the state and national timber industry and its competitiveness with the timber industries of other states and countries.

79:35 Chairperson; Quorum. 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 senate member. The first meeting of the commission shall be held before September 15, 2025. Six members of the commission shall constitute a quorum.

79:36 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library before November 1, 2027. The commission shall inform the secretary of state and the director of the office of legislative services when its report has been submitted.

79:37 Moratorium. Between July 1, 2025, and the date upon which the carbon sequestration programs study commission submits its report pursuant to RSA 79:36, no owner of standing timber in New Hampshire on a parcel of more than 500 acres shall enter into, or exercise any unexercised right pursuant to, any agreement or other arrangement to commit any part of such timber or its annual growth to the sequestration of carbon emissions through enrollment or registration with a carbon credit offset program or otherwise. Any such exercise, agreement, or other arrangement shall be void. Any subdivision of an owner's land of 500 acres or less after the effective date of this act shall be subject to the prohibitions in this paragraph. Nothing in this section shall be construed to impair any such owner's existing, legally binding commitment of such timber or annual growth to the sequestration of carbon emissions. If an owner reports, enrolls, registers, or otherwise commits any annual growth to or with a carbon credit offset program the owner shall report such report, enrollment, registration, or other commitment to the department of revenue administration and the tax assessor of the

town or city in which the annual growth took place and shall provide documentation establishing that such commitment of annual growth is not subject to the prohibitions in this paragraph. In the application of this paragraph, the owner shall have the burden of establishing that such timber or annual growth is the subject of such a legally binding commitment as of the effective date of this section.

6 Repeal.

I. RSA 79:5, II, relative to payments in lieu of taxes is repealed.

II. RSA 79:32 through 79:37, relative to the carbon sequestration programs study commission, is repealed.

7 Effective Date.

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

II. Section 6 of this act shall take effect November 1, 2027.

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

2025-2661s

AMENDED ANALYSIS

This bill:

I. Provides parents of minor children full access to their minor children's medical record except under certain circumstances.

II. Defines pre-sequestration timber tax revenue and allows for payment in lieu of taxes on such revenue.

III. Establishes a moratorium on carbon sequestration contracts.

IV. Establishes a commission to study carbon sequestration programs.

Recess. Out of recess.

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

SPECIAL ORDER

Without objection, HB 560 is Special Ordered to the end of the calendar. Adopted.

COMMERCE

HB 60, relative to the termination of tenancy at the expiration of the tenancy or lease term. Ought to Pass with Amendment, Vote 4-2. Senator Ricciardi for the committee.

Senate Commerce

May 13, 2025

2025-2153s

09/08

Amendment to HB 60

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

1 New Subparagraph; Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2, II by inserting after subparagraph (h) the following new subparagraph:

(i) For a lease the original term of which is 12 months or longer, or for a lease the term of which is less than 12 months, but which has been renewed for a total period of 12 months or longer, the expiration of the term of the lease, provided that:

(1) The landlord has provided the tenant with written notice at least 60 days in advance of the termination date of the lease term that the lease will not be renewed and that the tenant must vacate the rental property at the end of the lease term; and

(2) The landlord has filed a possessory action within 6 months of the lease expiring.

2 New Paragraph; Termination of Tenancy; Expiration of Term. Amend RSA 540:2 by inserting after paragraph VII the following new paragraph:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, “no fault termination of tenancy” shall mean any termination of tenancy under RSA 540:2, II(e), and RSA 540:2, II(f), when “other good cause” is not based on the action or inaction of the tenant, members of their family, or guests. The court handling any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

3 Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2 to read as follows:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, “no fault termination of tenancy” shall mean any termination of tenancy under RSA 540:2, II(e), **RSA 540:2, II(i)**, and RSA 540:2, II(f), when “other good cause” is not based on the action or inaction of the tenant, members of their family, or guests. The court handling any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

4 Department of Health and Human Services; Report Required. The department of health and human services shall provide a written report to the judicial branch when officially published data on the rental vacancy rate from the United States Federal Reserve demonstrates New Hampshire has had a rental vacancy rate of 5 percent or higher each quarter for that calendar year. The department of health and human services and the judicial branch shall make this report available on their websites. The department of health and human services shall notify the senate president, the speaker of the house, and the governor when this report is filed.

5 Contingency on Filing of Report. Sections 1 and 3 of this act shall take effect upon certification by the department of health and human services to the director of the office of legislative services that the report required by section 4 of this act has been provided to the judicial branch.

6 Effective Date.

I. Sections 1 and 3 of this act shall take effect as provided in section 5 of this act.

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

2025-2153s

AMENDED ANALYSIS

This bill establishes that the expiration of a lease or tenancy exceeding 12 months constitutes grounds for eviction while clarifying that a no-fault termination of tenancy is not considered an eviction for rental applications or tenant screening, with courts being required to document the tenant’s lack of fault. This bill further requires the department of health and human services to provide a written report to the judicial branch when officially published data on housing vacancies and homeownership from the United States census bureau demonstrates New Hampshire has had a rental vacancy rate of 5 percent or higher each quarter for that calendar year.

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

Senator Murphy offered a Floor Amendment.

Sen. Murphy, Dist 16

June 4, 2025

2025-2711s

06/05

Floor Amendment to HB 60

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

1 New Subparagraph; Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2, II by inserting after subparagraph (h) the following new subparagraph:

(i)(1) For a lease the original term of which is 12 months or longer, or for a lease the term of which is less than 12 months, but which has been renewed for a total period of 12 months or longer, the expiration of the term of the lease, provided that:

(A) The landlord has provided the tenant with written notice at least 60 days in advance of the termination date of the lease term that the lease will not be renewed and that the tenant must vacate the rental property at the end of the lease term; and

(B) The landlord has filed a possessory action within 6 months of the lease expiring.

(2) Nothing in this subparagraph shall affect a tenant's defense of retaliatory eviction as set forth in RSA 540:13-a or a tenant's protections from discrimination as defined by RSA 354:10.

2 New Paragraph; Termination of Tenancy; Expiration of Term. Amend RSA 540:2 by inserting after paragraph VII the following new paragraph:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, "no fault termination of tenancy" shall mean any termination of tenancy under RSA 540:2, II(e), and RSA 540:2, II(f), when "other good cause" is not based on the action or inaction of the tenant, members of their family, or guests. The court handling any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

3 Termination of Tenancy; Expiration of Term; Effective on Submission of Report of the Department of Health and Human Services. Amend RSA 540:2 to read as follows:

VIII. No fault termination of tenancy shall not be considered an eviction for the purposes of rental applications and tenant screening reports by the lessor or the lessee. For the purposes of this section, "no fault termination of tenancy" shall mean any termination of tenancy under RSA 540:2, II(e), **RSA 540:2, II(i)**, and RSA 540:2, II(f), when "other good cause" is not based on the action or inaction of the tenant, members of their family, or guests. The court handling any no fault termination of tenancy shall make note in court documentation of the termination of tenancy proceeding that the termination of tenancy was at no fault of the tenant.

4 Department of Health and Human Services; Report Required. The department of health and human services shall provide a written report to the judicial branch when officially published data on the rental vacancy rate from the United States Federal Reserve demonstrates New Hampshire has had a rental vacancy rate of 4 percent or higher each quarter for that calendar year. The department of health and human services and the judicial branch shall make this report available on their websites. The department of health and human services shall notify the senate president, the speaker of the house, and the governor when this report is filed.

5 Contingency on Filing of Report. Sections 1 and 3 of this act shall take effect upon certification by the department of health and human services to the secretary of state and director of the office of legislative services that the report required by section 4 of this act has been provided to the judicial branch.

6 Effective Date.

I. Sections 1 and 3 of this act shall take effect as provided in section 5 of this act.

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

2025-2711s

AMENDED ANALYSIS

This bill establishes that the expiration of a lease or tenancy exceeding 12 months constitutes grounds for eviction while clarifying that a no-fault termination of tenancy is not considered an eviction for rental applications or tenant screening, with courts being required to document the tenant's lack of fault. This bill further requires the department of health and human services to provide a written report to the judicial branch when officially published data on housing vacancies and homeownership from the United States census bureau demonstrates New Hampshire has had a rental vacancy rate of 4 percent or higher each quarter for that calendar year.

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.

EDUCATION

HB 115-FN, relative to universal eligibility for the education freedom account program.

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

Senate Education
May 13, 2025
2025-2147s
07/06

Amendment to HB 115-FN

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

AN ACT relative to education freedom accounts.

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

1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

VI. "Eligible student" means a resident of this state who is eligible to enroll in a public elementary or secondary school ~~[and whose annual household income at the time the student applies for the program is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the student otherwise qualifies]~~. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new paragraphs:

I-a. For the 2025-2026 fiscal year, and each fiscal year thereafter, total enrollment for the education freedom account program shall be capped at 10,000. However, in any fiscal year when student applications for the education freedom account program are equal to or greater than 90 percent of the total enrollment cap applicable to that fiscal year, the total enrollment cap shall increase by 25 percent. The department shall publish on its website information identifying the total enrollment cap when it is increased pursuant to this paragraph.

I-b. In the event that applications for the education freedom account program exceed 90 percent of the annual enrollment cap in a given fiscal year, as established in paragraph I-a, priority for the program shall be determined in the following order:

- (a) A student currently enrolled in the EFA program;
- (b) A sibling of a student currently enrolled in the EFA program;
- (c) A child with disabilities as defined by RSA 186-C:2;

(d) A student whose family income is less than or equal to 350 percent of the federal poverty guidelines as updated annually by the United States Department of Health and Human Services under 42 U.S.C. section 9902 (2).

I-c. In any fiscal year, for students applying after June 30 during the fall application window, only students who meet the priority categories as defined by RSA 194-F:3, I-b(b)-(d) are eligible for pro-rated accounts. The scholarship organization shall prioritize current EFA students for renewal in the spring by reserving space for them under that year's enrollment cap before awarding new EFA accounts for fall applicants.

3 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, III(b) to read as follows:

(b) The student on whose behalf the parent is applying is an eligible student ***and meets the priority guidelines when applications exceed the enrollment cap.***

4 New Paragraph; Education; Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization. Amend RSA 194-F:4 by inserting after paragraph IV the following new paragraph:

IV-a. The scholarship organization shall establish and publicize no less than 2 deadlines by which application forms must be submitted.

5 Education Freedom Accounts; Application Acceptance Directive. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications ***on a rolling basis*** for the fall and spring semesters each year and shall establish procedures for approving applications in an expeditious manner.

6 Education; Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization
RSA 194-F:3, III(b) is repealed and reenacted to read as follows:

(b) The student on whose behalf the parent is applying is an eligible student.

7 Repeal. The following are repealed:

I. RSA 194-F:3, I-a, I-b, and I-c, relative to education freedom account eligibility.

II. RSA 194-F:4, IV-a, relative to scholarship organization deadlines.

8 Contingency. Sections 5 through 7 of this act shall take effect on the date the department of education certifies to the secretary of state and the director of the office of legislative services that student applications for the education freedom account program have not exceeded 90 percent of the total enrollment cap for 2 consecutive fiscal years.

9 Effective Dates.

I. Sections 5 through 7 of this act shall take effect as provided in section 8 of this act.

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

2025-2147s

AMENDED ANALYSIS

This bill:

I. Increases the number of students eligible for education freedom accounts by removing household income thresholds.

II. Removes certain conditions tied to education freedom account funds.

Senator Abbas moved to Lay on the Table. Adopted.

HB 361, prohibiting mandatory mask policies in schools.

Ought to Pass, Vote 3-1. Senator Ward 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 Sullivan.

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: Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators were excused: Watters.

Roll Call, Yeas: 16 - Nays: 7. Adopted, bill ordered to Third Reading.

EDUCATION FINANCE

HB 718, requiring the state board of education to report the unfunded financial impact to school districts for rules adopted by the board which exceed state or federal minimum standards.

Ought to Pass with Amendment, Vote 4-2. Senator Murphy for the committee.

(Committee Amendment #2025-1880s was previously adopted on 05-15-2025)

Senator Innis offered a Floor Amendment.

Sen. Innis, Dist 7

May 9, 2025

2025-2080s

06/08

Floor Amendment to HB 718

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraphs; Session Law 2023, Chapter 109. Amend RSA 2023, 109 by inserting after paragraph X the following new paragraphs:

XI. Session law 2023, Chapter 190, authorized the creation of the Bridgewater-Hebron Groton Special Purpose School District. The district was created by vote of the 3 towns at their 2024 annual meetings and the first operating budget for the new school district was adopted at the March 2025 annual meeting for the district, which is now known as the Pasquaney School District.

XII. Notwithstanding the provisions of RSA 76:15-a and any other provision of law, the Pasquaney School District and its member towns are hereby granted an exception to the requirement that the July 1 taxes by the member towns be limited to the prior year's tax assessed valuation times 1/2 of the previous year's tax rate in setting the tax assessment for the Pasquaney School District. Instead, for the 2025 partial payment tax bill, each of the member towns may apply to the commissioner of revenue administration to adjust the 1/2 of the previous year's local school tax rate by an amount sufficient to collect 1/2 of their individual responsibility of the net assessment as calculated on the school district's 2025 MS-26. The department of revenue administration shall expedite the adjusted rate applications.

XIII. The member towns and the Pasquaney School District are hereby granted such relief from the limitations and deadlines set forth in RSA 76:15-a as is necessary to effectuate paragraph XII.

The Chair ruled sections of the Floor Amendment non-germane.

Without objection, Senate Rule 3-17 is suspended to allow consideration of the non-germane amendment.

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

HB 71-FN, prohibiting the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States and relative to department of health and human services contracts.

Ought to Pass, Vote 5-2. Senator Lang for the committee.

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

May 27, 2025

2025-2494s

07/08

Floor Amendment to HB 71-FN

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

AN ACT prohibiting school facilities from sheltering aliens, relative to department of health and human services contracts, and requiring the use of public notices before re-assessment of property values for tax purposes.

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

3 Appraisal of Taxable Property; Annual Appraisal; Municipalities Over 10,000; 45-Day Notice of Revaluation. Amend RSA 75:8-b to read as follows:

75:8-b Annual Appraisal; Municipalities Over 10,000. Except when assessing real estate under RSA 75:8-a, any municipality with a population over 10,000 as determined pursuant to RSA 78-A:25 intending to appraise real estate annually at market value, as defined in RSA 75:1, shall authorize such annual appraisal by a majority vote of the governing body. The governing body shall hold 2 public hearings regarding the annual appraisal process at least 15 days, but not more than 60 days, prior to the governing body's authorization vote. Any municipality with a population over 10,000 as determined pursuant to RSA 78-A:25 annually appraising real estate at market value shall provide notification of changes to the assessed valuation **at least 45 days** prior to the issuance of the final tax bill[~~either~~]. **Such notice shall be** by individual notice to the property owner, by public notice in a **local** newspaper of general circulation, **by public notice on the municipalities' main website or any social media accounts utilized by the municipality, and public notice posted in the 2 places where the municipality regularly posts notices of its governing body meetings,** [or] **and** by any other means deemed appropriate by the governing body.

4 New Section; Five-Year Valuation Notice. Amend RSA 75 by inserting after section 8-b the following new section:

75:8-c Five Year Valuation Notice. Any municipality that conducts a reappraisal of property pursuant to RSA 75:8-a shall provide notification of changes to the assessed valuation at least 45 days prior to the issuance of the final tax bill. Such notice shall be by individual notice to the property owner, by public notice in a local newspaper of general circulation, by public notice on the municipalities' main website and any social media accounts utilized by the municipality, by public notice posted in the 2 places where the municipality regularly posts notices of its governing body meetings, and by any other means deemed appropriate by the governing body.

5 Applicability. Section 2 of this act shall apply to contracts or contract amendments entered into on or after the effective date of that section.

6 Repeal. Section 2 of this act, relative to department of health and human services contracts, is repealed.

7 Effective Date.

I. Section 6 of this act shall take effect November 30, 2026.

II. Sections 3 and 4 of this act shall take effect July 1, 2026.

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

2025-2494s

AMENDED ANALYSIS

This bill:

I. Prohibits the use of public schools or institutions of higher learning from providing shelter for specified aliens who have not been admitted to the United States, absent a specified disaster.

II. Requires the department of health and human services to include references to the patients' bill of rights in contracts and contract addenda.

III. Requires municipalities to post a public notice prior to conducting any annual or 5-year revaluation of property.

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

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

May 27, 2025

2025-2495s

07/08

Floor Amendment to HB 71-FN

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

AN ACT prohibiting the school facilities to be used to provide shelter for aliens, relative to department of health and human services contracts, and relative to construction of a public pier on Hampton Beach and making an appropriation therefor.

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

3 New Section; Hampton Beach State Park Pier Fund. Amend RSA 216-J by inserting after section 5 the following new section:

216-J:6 Hampton Beach State Park Pier Fund. There is hereby established in the state treasury a fund to be known as the Hampton Beach State Park pier fund, which shall be kept separate and distinct from all other funds. The fund shall be continually appropriated to the department of natural and cultural resources, division of parks and recreation, for the purpose of obtaining engineering services, siting, permitting, final design, construction, and ongoing maintenance of an accessible pier at Hampton Beach State Park. The division shall take into consideration the recommendations and findings in the October 28, 2022, Hampton Beach New Pier Feasibility Study, conducted by the Hampton Area Chamber of Commerce and the depart-

ment of natural and cultural resources, and the needs of persons with disabilities when designing and constructing the pier. The division may accept appropriations, gifts, grants, and bequests from individuals, corporations, foundations, government agencies, and public and private organizations and institutions for deposit into the fund. On July 1, 2035, the balance of fund shall be transferred to the state park gifts and donations account established under RSA 216-A:3-o, and used by the division for the purpose of expanding access to state parks for the disabled.

4 New Subparagraph; State Treasurer; Application of Receipts; Hampton Beach State Park Pier Fund. Amend RSA 6:12, II(b) by inserting after subparagraph 399 the following new subparagraph:

(400) Moneys deposited in the Hampton Beach State Park pier fund as established in RSA 216-J:6.

5 Division of Parks and Recreation; Hampton Beach State Park Pier; Appropriation. The sum of \$1 for the biennium ending June 30, 2027, is hereby appropriated to division of parks and recreation for deposit in the Hampton Beach State Park pier fund, established in RSA 216-J:6, for the purposes of constructing an accessible public pier at Hampton Beach. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Applicability. Section 2 of this act shall apply to contracts or contract amendments entered into on or after the effective date of that section.

7 Repeal. Section 2 of this act, relative to department of health and human services contracts, is repealed.

8 Effective Date.

I. Section 7 of this act shall take effect November 30, 2026.

II. Sections 3-5 of this act shall take effect July 1, 2025.

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

2025-2495s

AMENDED ANALYSIS

This bill:

I. Prohibits the use of public schools or institutions of higher learning from providing shelter for specified aliens who have not been admitted to the United States, absent a specified disaster.

II. Requires the department of health and human services to include references to the patients' bill of rights in contracts and contract addenda.

III. Establishes and makes an appropriation to the Hampton Beach State Park pier fund, a dedicated fund to be administered by the division of parks and recreation for the purpose of siting, permitting, designing, and constructing a public pier at Hampton Beach.

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 Altschiller, 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: Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators were excused: Watters.

Roll Call, Yeas: 16 - Nays: 7. Adopted, bill ordered to Third Reading.

HEALTH AND HUMAN SERVICES

HB 316-FN, relative to reimbursement for ground ambulance services.

Re-refer to Committee, Vote 5-0. Senator Prentiss for the committee.

The question is on the adoption of the motion of Re-refer to Committee. Failed.

Senator Prentiss moved Ought to Pass.

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5
Sen. Rochefort, Dist 1
June 3, 2025
2025-2643s
05/08

Floor Amendment to HB 316-FN

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

1 New Subdivision; Managed Care Law; Reimbursement for Ground Ambulance Services. Amend RSA 420-J by adding a new subdivision and new sections as follows:

Reimbursement for Ground Ambulance Services

420-J:20 Definitions. In this subdivision:

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

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

II. "Ground ambulance services" means:

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

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

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

IV. "Participating ground ambulance provider" means a ground ambulance provider that is a participating provider as defined in RSA 420-J:3.

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

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

(a) Beginning January 1, 2026, through December 31, 2027, participating and enrolling ground ambulance providers shall be reimbursed for ground ambulance services at a temporary rate schedule of 325 percent of the date of service published allowed rate for New Hampshire ground ambulance services established under the Medicare law for ground ambulance service provided in the geographic area where the transport originated.

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

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

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

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

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

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

420-J:22 Rate Schedule Established for Nonparticipating Ground Ambulance Providers. Beginning on January 1, 2026, nonparticipating ground ambulance providers shall be reimbursed by health carriers at the carrier's nonparticipating rate or at the date of service published allowed rate for ground ambulance services established under the Medicare law for New Hampshire ground ambulance service provided in the geographic area where the transport originated; whichever is higher.

420-J:23 Standardized Ground Ambulance Provider Contract.

I. The commissioner shall issue a bulletin no later than December 31, 2025, establishing a standardized ground ambulance provider contract template that includes a standardized format and language for contracts between health carriers and ground ambulance providers, including the rates set forth in RSA 420-J:21, I(a).

II. Once published by bulletin, all health carriers shall offer ground ambulance providers a standardized ground ambulance contract that incorporates the template established by the commissioner. The health carrier's standardized contract shall be offered to any ground ambulance provider that is qualified and willing to meet the terms and conditions of the standardized ground ambulance provider contract including the rates set forth in RSA 420-J:21, I(a).

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

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

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

II. If a ground ambulance provider fails to actively engage in the contracting process for a period of 60 days, without a written explanation directed to and accepted by the department of insurance, the ambulance provider shall no longer be considered an enrolling ground ambulance provider. Failure to actively engage in the contracting process shall include, but is not limited to, failure to respond to requests by the health carrier for information and failure to sign necessary documents.

III. Health carriers shall act upon and finalize the contracting process within 45 calendar days of receipt of all reasonably necessary documents and information required to execute the contract and process claims in accordance with RSA 420 J:8-a.

IV. Health carriers shall be required to negotiate with ground ambulance providers in good faith in accordance with RSA 420-J:21, I(a). If a health carrier fails to actively engage in the contracting process in a timely fashion or makes unreasonable requests for information, the ambulance provider shall be entitled to the provider rate specified in RSA 420-J:21, I(a).

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

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

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

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

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

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

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

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

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

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

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

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

imbursement schedule for participating ground ambulance providers and which shall detail the methodology used to calculate ground ambulance costs in the state and such other supplemental information as shall be directed by the commissioner. The commissioner shall assist the independent expert as necessary to complete the study, the rate schedule, and the report in a timely manner.

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

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

2 Repeal. The following are repealed:

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

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

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

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

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

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

V-b. "Ground ambulance services" means:

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

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

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

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

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

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

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

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

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

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

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

(a) Six members of the house of representatives, appointed by the speaker of the house of representatives, 3 of whom shall be nominated by the leader of the minority party. Two members shall be from the commerce committee, 2 members from the health and human services committee, 1 member from the municipal and county government committee, and 1 member from the criminal justice and public safety committee.

(b) Two members of the senate, appointed by the president of the senate, 1 of whom shall be nominated by the leader of the minority party. One member shall be from the health and human services committee, and 1 member shall be from the commerce committee.

(c) The commissioner of the department of safety, or designee.

(d) The commissioner of the department of insurance, or designee.

(e) The commissioner of the department of health and human services, or designee.

(f) A representative from the New Hampshire Ambulance Association, nominated by the association and appointed by the governor.

(g) A representative from the New Hampshire Association of Fire Chiefs, nominated by the association and appointed by the governor.

(h) A representative from the New Hampshire Hospital Association, nominated by the association and appointed by the governor.

(i) A representative from America's Health Insurance Plans (AHIP), nominated by the association and appointed by the governor.

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

III. The commission shall:

(a) Review the history and operation of ground ambulance services delivery in New Hampshire and the current financing and delivery models adopted by municipal, hospital-based, and commercial ground ambulance providers in the state.

(b) Identify areas in which the ground ambulance financing and delivery system in the state is not meeting the needs of citizens of this state or is in jeopardy of failing to meet the needs of citizens of this state and requires reform.

(c) Make recommendations for systemic reforms to support a viable ground ambulance financing and delivery system that will improve sustainability, efficiency, and quality of care while controlling costs.

IV. The commission shall determine the feasibility and advisability of applying for a waiver under Section 1115A of the Social Security Act to enter into an all-payer model agreement for ground ambulance services in the state to implement a uniform, cost-based reimbursement schedule for ground ambulance services that includes Medicare, Medicaid, and all commercial payers and that builds upon the mandatory in-network rate schedule and the cost study conducted under RSA 420-J:26. To determine the feasibility and advisability of applying for the federal waiver, the commission shall determine the most appropriate design of an all-payer model program that could form the basis of an application for a federal waiver.

V. The proposed all-payer program design shall include measures to align payment policies across public and commercial payers to promote ground ambulance financing and delivery system reforms to improve sustainability, efficiency, and quality of care while controlling costs. The commission shall study the feasibility and advisability of at least the following public policy options for improving the ground ambulance financing and delivery system and such other options as would help meet the requirements for federal approval of the Section 1115A waiver application:

(a) Expanding mobile integrated health services in the state as appropriate to improve health system efficiency and quality of care and promote efficiently delivered “treatment in place” where appropriate.

(b) Further strengthening regional services coordination systems or regional EMS networks for the rural areas of the state to share the cost of readiness and disperse workloads.

(c) Implementing an improved system for delivering and compensating facility-to-facility or scheduled transfers of patients with consideration of supply shortages that have occurred and of the differing nature of emergency and scheduled transports.

(d) Implementing a system for compensating care provided in the treat-no-transport context.

(e) Developing an improved education program for ambulance providers relating to billing and reimbursement of ambulance services by third party payers.

(f) Evaluating options for improving recruitment and retention of emergency medical services staff.

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

VII. The commission shall produce a report on November 1 of each year that the commission is in operation detailing the progress made to date carrying out its mandates and including such recommendations for legislative or administrative reforms or initiatives as are timely and appropriate. The commission shall submit its assessment of the feasibility and advisability of applying for a waiver under Section 1115A of the Social Security Act to enter into an all-payer model agreement for ground ambulance services in the state to create a uniform, cost-based reimbursement schedule for ground ambulance services that includes Medicare, Medicaid and all commercial payers no later than its November 1, 2027 report. If this report finds the waiver application not feasible or advisable, then the commission shall continue to report on the feasibility and advisability of at least the public policy options for improving the ground ambulance financing and delivery system listed in RSA 153-A:38, III and V and any other policy options the commission deems would serve the needs of New Hampshire citizens. The commission shall issue its report and any recommendations for proposed legislation or administrative actions to the president of the senate, the speaker of the house of representatives, the chairs of commerce, municipal and county government, health and human services, and criminal justice and public safety in the house of representatives, the chairs of commerce and health and human services in the senate, the president of the senate, the speaker of the house of representatives, the house clerk, the senate clerk, the governor, and the state library.

7 Repeal. RSA 153-A:38 and the section heading preceding RSA 153-A:38, relative to the commission on improving the ground ambulance services financing and delivery system, are repealed.

8 New Paragraph; Insurance Department; Statutes, Rules, and Regulations; Violation. Amend RSA 400-A:15 by inserting after paragraph III the following new paragraph:

IV. For state fiscal years ending June 30, 2026 and June 30, 2027, fines collected against an insurer or any other regulated entity or person for violation of any of the provisions of Title XXXVII or rules adopted thereunder or for any violation of a duly authorized order of the commissioner over this period shall be deposited by the commissioner in the insurance department administration fund established under RSA 400-A:39 in an amount not to exceed \$400,000 and shall be utilized for the purpose of contracting for the independent accounting and actuarial study required under RSA 420-J:26. Any fines collected during this period in excess of this \$400,000 amount shall be deposited by the commissioner in the general fund. If there is any portion of the \$400,000 amount that remains unused after the purposes of RSA 420-J:26 are accomplished, then the commissioner shall notify the state treasurer that such amount is to be transferred to the general fund under this paragraph.

9 Repeal. RSA 400-A:15, IV, relative to the deposit of fines in the insurance department administration fund for the purpose of an independent accounting and actuarial study of ground ambulance services financing and delivery system, is repealed.

10 Effective Date.

I. Section 2 of this act shall take effect January 1, 2028.

II. Section 3, 4, and 5 of this act shall take effect January 1, 2026.

III. Section 7 of this act shall take effect June 30, 2030.

IV. Section 9 of this act shall take effect July 1, 2027.

V. The remainder of this act shall take effect upon passage.

2025-2643s

AMENDED ANALYSIS

This bill:

I. Regulates reimbursement for ground ambulance services under the managed care law and prohibits balance billing for ground ambulance services.

II. Establishes a commission on improving the ground ambulance services financing and delivery system and provides for use of funds from the insurance department administration fund to be used for an accounting and actuarial study of ground ambulance costs in the state of New Hampshire.

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.

HB 377-FN, relative to health care professionals administering hormone treatments and puberty blockers. Ought to Pass with Amendment, Vote 3-2. Senator Birdsell for the committee.

Senate Health and Human Services

May 21, 2025

2025-2354s

11/09

Amendment to HB 377-FN

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

2 New Chapter; Prohibiting Medical Procedures and Treatments Intended to Alter a Minor's Gender. Amend RSA by inserting after chapter 332-M the following new chapter:

CHAPTER 332-N PROHIBITING MEDICAL PROCEDURES AND TREATMENTS INTENDED TO ALTER A MINOR'S GENDER

332-N:1 Definitions. As used in this chapter:

I. "Biological sex" shall mean the male and female biological sexes.

II. "Minor" means a person under 18 years of age.

III. "Person" includes any of the following:

(a) Any individual.

(b) Any agent, employee, official, or contractor of any legal entity.

(c) Any agent, employee, official, or contractor of a school district or the state or any of its political subdivisions or agencies.

332-N:2 Prohibitions for Health Care Providers.

I. Except as provided in paragraphs II and III, a person shall not knowingly perform or offer to perform on a minor, or administer or offer to administer to a minor, a medical procedure, including but not limited to a puberty-blocking or cross-sex hormone medication, if the performance or administration of the procedure or medication is for the purpose of altering or attempting to alter the appearance of or affirm the minor's perception of his or her gender or sex, if that perception is inconsistent with the minor's biological sex as defined in this chapter:

(a) Enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's biological sex; or

(b) Treating purported discomfort or distress from a discordance between the minor's biological sex and asserted identity.

II. Paragraph I shall not apply to a procedure undertaken to treat a minor born with a medically verifiable disorder of sex development as defined in RSA 332-M:2, II.

III. Paragraph I shall not apply to health care providers who, prior to January 1, 2026, performed a procedure or prescribed a medication or treatment consistent with paragraph I, and whose further direction or administration of medication or treatment to the minor after January 1, 2026 is related to the original procedure, prescription, or treatment.

IV. A person who is found to have violated this section by the board of medicine shall be subject to administrative disciplinary action under RSA 310 and shall not be subject to criminal liability.

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

2025-2354s

AMENDED ANALYSIS

This bill prohibits the performance of a medical procedure or the prescription or issuance of medication, upon or to a minor child, that is intended to alter the minor child's gender.

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

Senator Rochefort offered a Floor Amendment.

Sen. Rochefort, Dist 1

Sen. Innis, Dist 7

May 28, 2025

2025-2514s

07/05

Floor Amendment to HB 377-FN

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

AN ACT relative to health care professionals administering hormone treatments and puberty blockers and creating a private right of action for violation of the chapter.

Amend RSA 332-N as inserted by section 2 of the bill by inserting after 332-N:2 the following new section:

332-N:3 Private Right of Action.

I. A minor aggrieved by a violation of this chapter may bring an action in the superior court for damages and injunctive relief against any person who has committed a violation of this chapter.

II. An individual under 18 years of age may bring an action during their minority through a parent or next friend, or may bring an action in their own name upon reaching majority. A person shall bring a claim for a violation of this chapter no later than 2 years after the minor aggrieved by violation of this chapter reaches the age of majority.

III. Notwithstanding any other provision of law, an action under this chapter may be commenced, and relief may be granted, in a judicial proceeding without regard to whether the person commencing the action has sought or exhausted available administrative remedies.

IV. Notwithstanding RSA 507-E or any other provision of law, the plaintiff may recover damages for all injuries, including but not limited to any costs incurred for any subsequent procedures, therapies, prescriptions, or other treatments related to the unlawful medical procedure or treatment.

V. In any action or proceeding to enforce a provision of this chapter, a prevailing party who establishes a violation of this chapter shall recover reasonable attorneys' fees.

VI.(a) The attorney general shall have authority to bring suit to enforce compliance with this chapter.

(b) This chapter shall not be construed to deny, impair, or otherwise affect any right or authority of the attorney general, the State of New Hampshire, or any agency, officer, or employee of the state, acting under any law other than this chapter, to institute or intervene in any proceeding.

2025-2514s

AMENDED ANALYSIS

This bill prohibits the performance of a medical procedure or the prescription or issuance of medication, upon or to a minor child, that is intended to alter the minor child's gender. The bill also creates a private right of action against a person who commits a violation of the chapter.

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

Senator Ricciardi offered a Floor Amendment.

Sen. Ricciardi, Dist 9

June 2, 2025

2025-2621s

09/08

Floor Amendment to HB 377-FN

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

AN ACT relative to health care professionals administering hormone treatments and puberty blockers and relative to recognizing the second Thursday in October as children's environmental health day.

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

3 New Section; Children's Environmental Health Day. Amend RSA 4:13 by inserting after section 4:13-dd the following new section:

4:13-ee Children's Environmental Health Day. The governor shall annually issue a proclamation declaring the second Thursday of October as children's environmental health day and shall encourage all cities and towns to properly observe the day in an appropriate manner to raise awareness and educate citizens about the importance of clean air, clean water, safe food, and safe consumer products.

4 Effective Date.

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

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

2025-2621s

AMENDED ANALYSIS

This bill:

I. Prohibits the performance of a medical procedure or the prescription or issuance of medication, upon or to a minor child, that is intended to alter the minor child's gender.

II. Establishes the second Thursday in October as children's environmental health day.

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 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: Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators were excused: Watters.

Roll Call, Yeas: 16 - Nays: 7. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

President Pro Tempore Abbas presiding.

HB 701-FN, relative to a health care patient's right to try certain emergency health care treatment options. Ought to Pass with Amendment, Vote 5-0. Senator Avar for the committee.

Senate Health and Human Services
May 7, 2025
2025-1986s
05/06

Amendment to HB 701-FN

Amend the bill by replacing section 3 with the following:

3 New Paragraph; Terminal Patients' Right to Try Act; Liability of Physician. Amend RSA 126-Z:3 by inserting after paragraph II the following new paragraph:

III. Notwithstanding any provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device is immune from suit for any harm done to a patient resulting from the drug, biologic, or device if:

(a) The person has a life-threatening disease as determined by the person's physician and a consulting physician;

(b) The person's physician has determined that the person has no comparable or satisfactory United States Food and Drug Administration (FDA) approved treatment options available to treat the disease or condition involved;

(c) The patient has given written informed consent for the use of the drug, biologic, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient's behalf and, if the patient is a legal adult, the consent is not contrary to the prior documented wishes of the patient;

(d) The manufacturer, pharmacist, facility, provider, or other person or entity has not engaged in willful misconduct. "Willful misconduct" shall include any conduct intended to hasten the death of the patient; and

(e) If the drug, biologic, or device is an individualized investigational treatment, it is administered by a health care provider in cooperation with an eligible facility.

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19
Sen. Rochefort, Dist 1
Sen. Lang, Dist 2
Sen. McConkey, Dist 3
Sen. Watters, Dist 4
Sen. Prentiss, Dist 5
Sen. Gray, Dist 6
Sen. Innis, Dist 7
Sen. Ward, Dist 8
Sen. Ricciardi, Dist 9
Sen. Fenton, Dist 10
Sen. McGough, Dist 11
Sen. Avard, Dist 12
Sen. Rosenwald, Dist 13
Sen. Carson, Dist 14
Sen. Reardon, Dist 15
Sen. Murphy, Dist 16
Sen. Pearl, Dist 17
Sen. Sullivan, Dist 18
Sen. Long, Dist 20
Sen. Perkins Kwoka, Dist 21
Sen. Abbas, Dist 22
Sen. Gannon, Dist 23

Sen. Altschiller, Dist 24
May 30, 2025
2025-2579s
05/08

Floor Amendment to HB 701-FN

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

AN ACT relative to the terminal patients' right to try act.

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

1 Terminal Patients' Right to Try Act; Definitions. Amend RSA 126-Z:1 to read as follows:

126-Z:1 Definitions.

In this chapter:

I. "Eligible patient" means a person to whom all of the following apply:

(a) The person has been diagnosed by the person's physician with a ~~[life-threatening disease or condition]~~ **terminal illness**.

(b) The person has already tried or is not a candidate for eligible United States Food and Drug Administration (FDA) approved treatment options for their disease or condition.

(c) The person is unable to participate in a clinical trial involving the eligible investigational drug, biologic or device.

(d) The person has given written informed consent for the use of the investigational drug, biological product, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient's behalf.

(e) The physician providing access to an investigational drug, biologic, or device will not be compensated directly by the manufacturer for providing access to this therapy.

II. "Investigational drug, biologic, or device" means a drug, biologic, or device that has successfully completed phase one of a clinical trial, but has not been approved for general use by the FDA and remains under investigation in a clinical trial.

II-a. ~~["Life-threatening disease" means:~~

~~(a) Diseases or conditions where the likelihood of death is high unless the course of the disease is interrupted; and~~

~~(b) Diseases or conditions with potentially fatal outcomes, where the end point of clinical trial analysis for new drugs, biologics, or devices for that disease or condition is survival.~~

~~H-b.] "Other protected access" includes:~~

~~(a) "Expanded access" whereby the treating physician requests access to an investigational drug, biologic, or device from the FDA and is subject to oversight from an Institutional Review Board; and~~

~~(b) "Off-label use" means prescribing an FDA approved drug, biologic, or device for a use not approved for that specific indication consistent with RSA 329:17, VI-b.~~

III. "Physician" means the licensed **allopathic or osteopathic** physician who is providing medical care or treatment to the eligible patient for the terminal illness.

IV. "Telehealth prescreening" means any remote, real-time discussion intended, in part, to determine whether a person with a terminal illness may be:

(a) Ineligible for or not selected to participate in a clinical trial; or

(b) Ineligible to receive or not be offered a drug, biologic, or device.

V. "Terminal illness" means a disease that, without life-sustaining procedures, will result in death in the near future or a state of permanent unconsciousness from which recovery is unlikely.

VI. “Remote signing” means the signing of any form, witnessed by a notary public or a licensed health care provider, providing written informed consent for a person diagnosed by a physician with a terminal illness to participate in a clinical trial or receive a drug, biologic, or device, by the patient or, if the patient is a minor or lacks the mental capacity to provide consent, by a parent or legal guardian on the patient’s behalf.

VII. “Individualized investigational treatment” means drugs, biologics, or devices unique to and produced exclusively for use for an individual patient, based on their own genetic profile, including but not limited to individualized gene therapy antisense oligonucleotides (ASO), individualized neoantigen vaccines, and any other individualized treatment.

VIII. “Eligible facility” means an institution that is operating under a Federalwide Assurance (“FWA”) for the Protection of Human Subjects under 42 U.S.C. section 289(a) and 45 C.F.R. part 46. Any eligible facility is subject to the FWA laws, regulations, policies, and guidelines including renewals or updates.

2 New Paragraph; Terminal Patients’ Right to Try Act; Liability of Physician. Amend RSA 126-Z:3 by inserting after paragraph II the following new paragraph:

III. Notwithstanding any provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device is immune from suit for any harm done to a patient resulting from the drug, biologic, or device if:

- (a) The person has a terminal illness as determined by the person’s physician and a consulting physician;
- (b) The person’s physician has determined that the person has no comparable or satisfactory United States Food and Drug Administration (FDA) approved treatment options available to treat the disease or condition involved;
- (c) The patient has given written informed consent for the use of the drug, biologic, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient’s behalf and, if the patient is a legal adult, the consent is not contrary to the prior documented wishes of the patient;
- (d) The manufacturer, pharmacist, facility, provider, or other person or entity has not engaged in willful misconduct or other bad faith conduct. “Willful misconduct” shall include, but is not limited to, any conduct intended to hasten the death of the patient; and
- (e) If the drug, biologic, or device is an individualized investigational treatment, it is administered by a health care provider in cooperation with an eligible facility.

3 Private Cause of Action. Amend RSA 126-Z:4 to read as follows:

126-Z:4 Private Cause of Action.

I. Nothing in this chapter shall be construed to create a private cause of action against ~~a manufacturer of an investigational drug, biologic, or device or against any other person or entity involved in the care of an eligible patient using the investigational drug, biologic, or device for any harm done to the eligible patient resulting from the investigational drug, biologic, or device, if the manufacturer or other person or entity is complying in good faith with the terms of this chapter and has exercised reasonable care~~ any person or entity except as specified in paragraph II.

II. Notwithstanding any provision of law to the contrary, any patient diagnosed by a physician with a terminal illness, and who has been treated, is being treated, or otherwise could be treated in New Hampshire with a drug, biologic, or device, and is affected by a violation of this chapter, or a health care facility or a health care provider involved in the treatment of the patient, shall be entitled to petition the superior court for injunctive relief and reasonable attorney’s fees against any regulatory or law enforcement authority that violates this chapter.

4 New Sections; Telehealth Prescreening and Remote Signing. Amend RSA 126-Z by inserting after section 5 the following new sections:

126-Z:6 Telehealth Prescreening.

I. Notwithstanding any regulation or provision of law to the contrary, any health care provider, while physically located in New Hampshire, may conduct a telehealth prescreening with any patient, in any state or jurisdiction, who has been diagnosed by a physician with a terminal illness.

II. No regulatory or law enforcement agency or subdivision shall take action against a health care facility, a health care provider, or a person or entity involved in the care of a patient for conducting a telehealth prescreening as defined in this chapter and pursuant to paragraph I.

III. A health care facility, a health care provider, or a person or entity involved in the care of a patient shall be immune from suit to the extent that the suit is based upon a telehealth prescreening.

126-Z:7 Remote Signing.

I. Notwithstanding any regulation or provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device may obtain consent to treat a patient using remote signing as defined in this chapter, provided that the manufacturer, pharmacist, facility, provider, or other person or entity has an office in the state of New Hampshire and has conducted a telehealth prescreening pursuant to RSA 126-Z:1, IV. The remote signing shall amount to full and effective consent for treatment under all applicable laws and regulations.

II. No regulatory or law enforcement agency or subdivision shall take action against a health care facility, a health care provider, or a person or entity involved in the care of a patient for obtaining patient consent through remote signing, as defined in this chapter, if the provider or facility has complied with paragraph I.

III. A health care facility, a health care provider, or a person or entity involved in the care of a patient shall be immune from suit to the extent that the suit challenges the validity of a remote signing to effect lawful consent, provided that the person or entity is complying in good faith with the terms of this chapter and has not engaged in willful misconduct.

126-Z:8 Statutory Construction. The general court enacts this chapter to promote maximum access by removing barriers in state law and indemnifying those involved in providing potentially life-saving treatments and treatments to improve the quality of patients' remaining life, to incentivize health care facilities, health care providers, manufacturers of drugs, biologics and/or devices, and other persons and entities involved in the care of patients, to treat terminal illness, whether through company-sponsored clinical trial, single-patient protocol, compassionate use protocol, or any other means of access to drugs, biologics, and/or devices which gathers information on patient outcomes, and to make New Hampshire a jurisdiction that attracts and fosters clinical trials and the development of drugs, biologics, and devices intended to treat terminal illness. This chapter shall be construed consistently with the general court's stated purpose.

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

2025-2579s

AMENDED ANALYSIS

This bill allows for telehealth screening and remote signing in order to facilitate participation under the right to try act. The bill also narrows the scope of the act to terminal illness rather than life-threatening conditions.

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.

HB 712-FN, limiting breast surgeries for minors.

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

Senate Health and Human Services

May 7, 2025

2025-1987s

05/09

Amendment to HB 712-FN

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

1 New Subdivision; Limitations on Breast Surgeries for Minors. Amend RSA 329 by inserting after section 50 the following new subdivision:

Limitations on Breast Surgeries for Minors

329:51 Limitations on Breast Surgery for Minors. This subdivision is intended to limit permissible breast surgeries on people under the age of 18 to only those procedures needed to treat malignancy, injury, infection, or malformation and those needed to reconstruct the breasts after such procedures.

329:52 Definitions. In this subdivision:

I. "Abnormal development" means:

- (a) "Gynecomastia" which is the abnormal development of breast tissue in biological males;
- (b) "Macromastia" which is excessive development of breast tissue in biological females and includes juvenile hypertrophy of the breast and gigantomastia; or
- (c) "Symptomatic macromastia" is macromastia which causes pain, deformity and/or recurrent skin infection.

II. "Breast surgery" includes:

- (a) "Mammaplasty" which means surgery to reshape or reside the breasts by removing or transplanting tissue or inserting implants;
- (b) "Mastectomy" which means surgery to remove all breast tissue; and/or
- (c) "Mastopexy" which means surgery to lift the breast.

III. "Malignant" means cancerous or otherwise dangerous to the physical health of the person including physiology compromised by infection, lack of blood flow, or physical injury.

VI. "Margin" means the healthy tissue removed around malignant tissue to ensure that all malignancy has been removed, and any additional tissue as recommended by relevant medical guidelines.

VI. "Transgender chest surgery" means surgery to remove the breasts of a biological female through mastectomy or to increase the size of breasts of a biological male through augmentation mammaplasty, only in such cases where there is no medical diagnosis recommending such surgery to remove the breasts or increase the size of breasts.

329:53 Prohibitions and Enforcement.

I. Pursuant to this subdivision and RSA 332-M, no physician shall perform transgender chest surgery on a person under 18 years of age.

II. No physician shall perform breast surgery on a person under 18 years of age unless one or more of the following conditions are met:

- (a) The procedure is subsequent to a diagnosis of cancer which necessitates such a procedure as part of a treatment plan;
- (b) The procedure is needed to remove malignant tissue and an appropriate margin, and lymph nodes as indicated;
- (c) Reconstruction of breast tissue to restore the breasts after injury or infection which requires the removal of breast tissue to restore the physical health of the person;
- (d) The procedure is needed to correct gynecomastia and symptomatic macromastia; or
- (e) Treatment of congenital deformities of the breast and/or chest wall.

III. A violation of this subdivision is unprofessional conduct and is subject to discipline by the board of medicine under RSA 329, in conjunction with the office of professional licensure and certification under RSA 310. A violation of this subdivision shall not be grounds for additional civil or criminal liability.

2 Title Change. Amend the title of RSA 332-M to read as follows:

CHAPTER 332-M

PROHIBITING [GENITAL] GENDER [REASSIGNMENT] SURGERY ON MINORS

3 Definition of Gender Reassignment Surgery Added. Amend RSA 332-M:2 by inserting after paragraph III the following new paragraph:

III-a. "Gender surgery" includes genital gender reassignment surgery, transgender chest surgery as defined in RSA 329:52, VI, facial feminization or masculinization surgery, and/or removal of the reproductive organs for the purposes of gender identity including hysterectomy, oophorectomy, salpingo-oophorectomy, and/or orchiectomy.

4 Prohibition of Gender Surgery on Minors. Amend RSA 332-M:3 to read as follows:

332-M:3 Prohibition of [Genital] Gender [Reassignment] Surgery on Minors.

I. A physician shall not perform [genital] gender [reassignment] surgery on minors in the state of New Hampshire.

II. Physicians are not prohibited from performing:

(a) Reconstructive surgeries on ~~[the genitalia of]~~ minors to correct malformation, malignancy, injury or physical disease;

(b) Removal of malignant, malformed, or otherwise damaged [genitalia] **tissue**;

(c) Genital surgeries on minors with disorders of sex development; or

(d) Male circumcision; **or**

(e) Breast surgery subject to the conditions of RSA 329:53, II.

5 Enforcement. Amend RSA 332-M:4, I to read as follows:

I. Any ~~[referral for or]~~ provision of [genital] gender [reassignment] surgery to an individual under 18 years of age is unprofessional conduct and is subject to discipline by the appropriate licensing entity or disciplinary review board with competent jurisdiction in this state.

6 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

May 28, 2025

2025-2506s

05/08

Floor Amendment to HB 712-FN

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

AN ACT limiting breast surgeries for minors and relative to residential care and health facility licensing.

Amend the bill by replacing all after section 5 with the following:

6 Residential Care and Health Facility Licensing; Proceedings of Residential Care Facility Quality Assurance Program; Confidentiality. Amend RSA 151:5-c, I to read as follows:

I. To help assure quality care of residents in licensed residential care facilities, such facilities ~~[may voluntarily]~~ **shall** maintain a quality assurance program for its residents as set forth in this section.

7 Residential Care and Health Facility Licensing; Investigations and Consultations. Amend RSA 151:6, I to read as follows:

I. The department of health and human services may investigate, in response to a complaint alleging a violation of this chapter or when it has good reason to believe that the provisions of this chapter or rules adopted under this chapter have been violated by any facility licensed under this chapter **or agency required**

to be licensed in accordance to RSA 151:2, I or any facility providing services beyond room and board to 2 or more individuals unrelated to the owner or manager. Such investigations shall be conducted in accordance with rules adopted by the commissioner of the department of health and human services under RSA 151:9. The commissioner of the department of health and human services shall, when necessary, seek the assistance of local and state law enforcement authorities in order to complete its investigation. Investigation results shall be provided as a written report that identifies any noncompliance with this chapter and applicable rules adopted under this chapter. The results of investigations shall be posted on the department's website in the manner determined by the commissioner of the department of health and human services. The results so posted shall indicate the facilities and services investigated and the results for each such facility or service. Investigation results shall not be subject to RSA 151:13.

8 Residential Care and Health Facility Licensing; Annual Inspection. Amend RSA 151:6-a, II(c) to read as follows:

(c) Facilities shall ~~[not]~~ be required to post notices to correct issued under subparagraph (a) of this paragraph.

9 New Subparagraph; Residential Care and Health Facility Licensing; Annual Inspection. Amend RSA 151:6-a, II by inserting after subparagraph (e) the following new subparagraph:

(f) The results of all inspections under this paragraph shall be posted to the department's website in the manner determined by the commissioner of the department of health and human services. The results so posted shall indicate the facilities and services inspected and the results for each such facility or service. Inspection results shall not be subject to RSA 151:13.

10 Residential Care and Health Facility Licensing; Civil Fines. Amend RSA 151:16-b to read as follows:

151:16-b Civil Fines. All ~~[administrative fines and other]~~ civil monetary penalties collected by the department from facilities licensed under this chapter shall be kept by the state treasurer in a separate, non-lapsing, interest bearing account. Interest earned on moneys deposited in the account shall be deposited into the account. The moneys in the account shall be used by the department for the protection of the health and property of residents of facilities licensed under this chapter.

11 Residential Care and Health Facility Licensing; Patients' Bill of Rights. Amend RSA 151:21, XXIII(b) (1)(D) to read as follows:

(D) Visitors are noncompliant with written ~~[hospital]~~ **facility** policy.

12 Residential Care and Health Facility Licensing; Patients' Bill of Rights. Amend RSA 151:21, XXIII(f) (3) to read as follows:

(3) ~~[Hospital]~~ **Facility** visitation policy detailing the rights and responsibilities specified in this paragraph, and the limitations placed upon those rights by written ~~[hospital]~~ **facility** policy on its website.

13 Residential Care and Health Facility Licensing; Dementia Training for Direct Care Staff in Residential Facilities; Continuing Education. Amend RSA 151:50 to read as follows:

151:50 Continuing Education. The commissioner shall adopt rules to require at least 6 hours of initial ~~[continuing]~~ education for covered administrative staff members and covered direct service staff members and shall require at least 4 hours of ~~[ongoing training]~~ **continuing education** each calendar year. Such continuing education shall include new information on best practices in the treatment and care of persons with dementia.

14 Effective Date.

I. Sections 10, 11, 12, and 13 of this act shall take effect July 1, 2025.

II. Sections 1, 6, 7, 8, and 9 of this act shall take effect 60 days after its passage.

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

2025-2506s

AMENDED ANALYSIS

This bill:

I. Limits breast surgeries for minors to only those procedures needed to treat malignancy, injury, infection, or malformation and those needed to reconstruct the breasts after such procedures.

II. Revises residential care and health facility licensing requirements by (1) requiring licensed residential care facilities to have quality assurance programs; (2) requiring the results of investigations and inspections to be posted on the department of health and human services website; (3) removing a redundant reference to administrative fines; (4) changing the term “hospital” to the term “facility;” and (5) removing the word “continuing” from the initial education requirements and replacing the term “ongoing training” with continuing education in the annual training requirement.

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

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

Sen. Birdsell, Dist 19

May 28, 2025

2025-2508s

05/08

Floor Amendment to HB 712-FN

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

AN ACT limiting breast surgeries for minors and relative to the collection and reporting of abortion statistics by health care providers and medical facilities.

Amend the bill by replacing all after section 5 with the following:

6 Collection and Reporting of Abortion Statistics. RSA 329:49 is repealed and reenacted to read as follows:

329:49 Collection and Reporting of Abortion Statistics.

I. Any health care provider who performs an abortion as defined in RSA 132:32, I, shall report the following information in writing to the medical facility in which the abortion is performed:

- (a) Date when the abortion was performed;
- (b) County where the abortion was performed;
- (c) Age group of the pregnant patient when the abortion was performed;
- (d) Residence of patient as “in-state” or “out-of-state” when the abortion was performed;
- (e) Method used to perform the abortion; and
- (f) Estimated gestational age when the abortion was performed.

II. The aggregated report containing the information and data required by this section shall be transmitted by the medical facility to the department of health and human services. These reports shall not identify the patient or health care provider by name or include other personally identifiable information.

III. The commissioner of the department of health and human services shall prepare from these data such aggregated statistical trends and tables with respect to maternal health, abortion methods, and estimated gestational age, and shall make an annual aggregated report thereof to the general court.

IV. The commissioner of health and human services shall adopt rules, pursuant to RSA 541-A, relative to:

- (a) The form in which data shall be filed under paragraph I.
- (b) The cadence of reporting from medical facilities.
- (c) Confidentiality of data collected and disclosed under this section subject to the provisions of this section.
- (d) Procedures and written requirements for obtaining, using, and protecting data provided by the department of health and human services under this section.

V. Any medical facility that willfully fails to comply with the provisions of this section shall be subject to an administrative fine of \$100 for each business day of noncompliance.

7 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

II. Section 6 of this act shall take effect January 1, 2027.

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

2025-2508s

AMENDED ANALYSIS

This bill:

I. Limits breast surgeries for minors to only those procedures needed to treat malignancy, injury, infection, or malformation and those needed to reconstruct the breasts after such procedures.

II. Requires the collection and reporting of certain abortion statistics by health care providers, medical facilities, and the department of health and human services. The reporting requirement replaces a provision in the fetal life protection act stating that nothing in the subdivision shall be construed as creating or recognizing a right to abortion.

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 Rosenwald, seconded by Senator Avarad.

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

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

The following Senators were excused: Watters.

Roll Call, Yeas: 16 - Nays: 7. Adopted, bill ordered to Third Reading.

President Carson presiding.

JUDICIARY

HB 143, relative to the issuance of no trespass orders on municipal or school district property. Ought to Pass, Vote 3-2. Senator Gannon for the committee.

Senator Abbas offered a Floor Amendment.

Sen. Abbas, Dist 22

June 2, 2025

2025-2608s

07/08

Floor Amendment to HB 143

Amend RSA 635:2-a, I (a) and (b) as inserted by section 2 of the bill by replacing it with the following:

(a) A no trespass order (NTO) issued to a person which commands such person to leave or not to enter any municipal or school property, shall not be issued to any person unless approved by unanimous vote of the governing body taken in a duly noticed public meeting unless the person that is the subject of the proposed NTO requests that the question be decided in non-public session.

(b) An NTO shall be written and shall include the following information:

(1) The date of issuance;

(2) The specific public property to which the order applies;

(3) A clear explanation of the reason for the NTO;

(4) The duration of the NTO, not to exceed 90 days;

(5) A statement informing the individual of the right to request a hearing, and if he or she requests a hearing, the right to appear at a hearing to contest the NTO;

(6) Instructions on how to request a hearing; and

(7) A statement informing the individual of his or her right to ultimately appeal the order to the superior court following the hearing.

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

Senator Fenton offered a Floor Amendment.

Sen. Fenton, Dist 10

May 30, 2025

2025-2581s

07/08

Floor Amendment to HB 143

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

AN ACT relative to the issuance of no trespass orders on municipal or school district property, the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost.

Amend the bill by replacing section 1 with the following:

1 Short Title. Sections 1 and 2 of this act may be cited to and known as the “No Trespass Orders on Public Property Act.”

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

3 New Paragraphs; Food and Nutrition Programs. Amend RSA 189:11-a by inserting after paragraph VIII the following new paragraphs:

IX. Each school board may vote to raise eligibility for free meals to 200 percent of the federal poverty level. Meals served to students who meet the federal income eligibility guidelines shall continue to be reimbursed in accordance with federal law and regulations. Meals not reimbursed in accordance with federal law and regulations shall be reimbursed by the state of New Hampshire at a rate that covers 50 percent of the difference between the federal rate for a free meal and a reduced-price meal, or the difference between a free meal and a paid meal. The remainder of the costs shall be covered by the local district.

X.(a) The department of education shall adopt rules under RSA 541-A requiring school districts that opt into the optional program pursuant to paragraph IX to offer both online and physical applications for free school meals.

(b) The department of education shall provide administrative or technical assistance to school districts establishing an online application for free or reduced-price school meals, and whose school meal programs are approved to operate through the United States Department of Agriculture.

(c) School districts eligible for administrative or technical assistance or funding under this section shall be those approved to operate federal school meal programs through the United States Department of Agriculture and accepted by the department of education to participate in this expansion of free and reduced lunch benefits.

4 Appropriation; Department of Education; Food and Nutrition Program.

I. The amount of \$107,000 is appropriated to the department of education for the biennium ending June 30, 2026, for administrative costs related to providing administrative or technical assistance to school districts establishing an online application for free or reduced-price school meals. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. The amount of \$250,000 is appropriated to the department of education for the biennium ending June 30, 2026, for disbursement to school districts to be reimbursed at a 50 percent rate pursuant to RSA 189:11-a, X(a) and to purchase software related to the establishment of an online application for free or reduced-price school meals. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

5 Effective Date.

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

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

2025-2581s

AMENDED ANALYSIS

This bill:

1. Establishes the process for issuing, extending, and appealing no trespass orders for public properties, including but not limited to municipal and school properties.
2. Establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.
3. Authorizes school boards to raise eligibility for free meals, requires the department of education to reimburse schools who raise eligibility, and provides an appropriation therefor.

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

Senator Long offered a Floor Amendment.

Sen. Birdsell, Dist 19

Sen. Long, Dist 20

May 30, 2025

2025-2583s

09/08

Floor Amendment to HB 143

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

AN ACT relative to the issuance of no trespass orders on municipal or school district property and relative to expanding the crime of endangering the welfare of a child.

Amend the bill by replacing section 1 with the following:

1 Short Title. Sections 1 and 2 of this act may be cited to and known as the “No Trespass Orders on Public Property Act.”

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

3 Endangering the Welfare of a Child; Additional Violative Conduct. Amend RSA 639:3 to read as follows:

639:3 Endangering Welfare of Child or Incompetent.

I. A person is guilty of endangering the welfare of a child or incompetent if he knowingly endangers the welfare of a child under 18 years of age or of an incompetent person by [purposely] violating a duty of care, protection or support he owes to such child or incompetent, or by inducing such child or incompetent to engage in conduct that endangers his health or safety.

II. In the prosecution of any person under this section, the tattooing or branding by any person of a child under the age of 18 constitutes endangering the welfare of such child.

II-a. In the prosecution of any person under this section, the placement of a child for adoption or the attempt to place a child for adoption in violation of RSA 170-B:33 constitutes endangering the welfare of such child.

III. In the prosecution of any person under this section, the solicitation by any person of a child under the age of 16 to engage in sexual activity as defined by RSA 649-A:2, III for the purpose of creating a visual representation as defined in RSA 649-A:2, IV, or to engage in sexual penetration as defined by RSA 632-A:1, V, constitutes endangering the welfare of such child.

IV. A person who pursuant to the tenets of a recognized religion fails to conform to an otherwise existing duty of care or protection is not guilty of an offense under this section.

IV-a. In the prosecution of any person under this section, engaging in unreasonable conduct that places a child under the age of 18 in danger of substantial risk of serious bodily injury or death constitutes endangering the welfare of such child. This paragraph shall not apply to reasonably causing or permitting a child to engage in athletic activities and other lawful recreational activities regardless of whether that participation creates a risk of bodily injury or death.

IV-b. In the prosecution of any person under this section, engaging in unreasonable conduct that results in serious bodily injury or death to a child under the age of 18 constitutes endangering the welfare of such child. This paragraph shall not apply to reasonably causing or permitting a child to engage in athletic activities and other lawful recreational activities regardless of whether that participation results in serious bodily injury or death.

V. A person who endangers the welfare of a child or incompetent by violating paragraph ***IV-b of this section shall be guilty of a class A felony. A person who endangers the welfare of a child or incompetent by violating paragraph III or IV-a of this section, or who engages in a pattern of violating paragraph I of this section,*** is guilty of a class B felony. All other violations of this section are misdemeanors. ***For the purposes of this section, “pattern” means committing more than one act under paragraph I over a period of 2 months or more and within a period of 5 years.***

VI. No person acting in accordance with the provisions of RSA 132-A shall be guilty of an offense under this section.

4 Effective Date.

I. Section 3 of this act shall take effect January 1, 2026.

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

2025-2583s

AMENDED ANALYSIS

This bill establishes the process for issuing, extending, and appealing no trespass orders for public properties, including but not limited to municipal and school properties. This bill further establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.

This bill also expands what constitutes endangering the welfare of a child by adding additional violative conduct.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Altschiller.

The following Senators voted Yes: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, Fenton, McGough, Avar, Rosenwald, Reardon, Murphy, Pearl, Sullivan, Birdsell, Long, Perkins Kwoka, Abbas, Gannon, Altschiller, Carson.

The following Senators voted No: Prentiss.

The following Senators were excused: Watters.

Roll Call, Yeas: 22 - Nays: 1. Adopted.

MOTION OF RECONSIDERATION

Senator Lang, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 143, relative to the issuance of no trespass orders on municipal or school district property, the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost, and relative to expanding the crime of endangering the welfare of a child. Reconsider the vote on the adoption of Floor Amendment #2025-2583s. Adopted.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Perkins Kwoka, seconded by Senator Altschiller.

The following Senators voted Yes: Rochefort, Lang, McConkey, Prentiss, Gray, Innis, Ward, Ricciardi, Fenton, McGough, Avar, Rosenwald, Reardon, Murphy, Pearl, Sullivan, Birdsell, Long, Perkins Kwoka, Abbas, Gannon, Altschiller, Carson.

The following Senators voted No: (None)

The following Senators were excused: Watters.

Roll Call, Yeas: 23 - Nays: 0. Adopted.

Senator Birdsell offered a Floor Amendment.

Sen. Carson, Dist 14
May 28, 2025
2025-2510s
09/08

Floor Amendment to HB 143

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

AN ACT relative to the issuance of no trespass orders on municipal or school district property and relative to criminalizing and creating a private right of action for the facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child.

Amend the bill by replacing section 1 with the following:

1 Short Title. Sections 1 and 2 of this act may be cited to and known as the “No Trespass Orders on Public Property Act.”

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

3 New Paragraph; Endangering Welfare of a Child; Responsive Generative Communication. Amend RSA 639:3 by inserting after paragraph III the following new paragraph:

III-a.(a) In the prosecution of any person under this section, an owner or operator of a computer online service, internet service, or bulletin board service, including a provider of an artificial intelligence (AI) chat program, large language model artificial intelligence bot, chat bot, character AI, or other computer application whose sole purpose is to provide responsive open-ended generative communication through the use of artificial intelligence, constitutes endangering the welfare of a child if the communication is made with the intent to facilitate, encourage, offer, solicit, or recommend that the child imminently engage in:

- (1) Sexually explicit conduct.
- (2) The production or participation in the production of a visual depiction of such conduct.
- (3) The illegal use or drugs or alcohol.
- (4) Acts of self-harm or suicide.
- (5) Any crime of violence against another person.

(b) This paragraph shall not apply to:

(1) A provider of a telecommunications service or an information service, as defined in 47 U.S.C. section 153, for the provision of content created by or supplied on behalf of another person; or

(2) Any product, service, website, or application that provides an AI chat program or character that is integral or incidental to a video game, television, streaming, movie, or other similar interactive experience.

4 New Section; Private Right of Action; Responsive Generative Communication with Children. Amend RSA 507 by inserting after section 8-j the following new section:

507:8-k Private Right of Action for Solicitation of Children Through Responsive Generative Communication.

I. Any owner or operator of a computer online service, internet service, or bulletin board service, including a provider of an artificial intelligence (AI) chat program, large language model artificial intelligence bot, chat bot, character AI, or other computer application whose sole purpose is to provide responsive open-ended generative communication through the use of artificial intelligence, shall be liable to a child, parent of such child, or next friend of such child, for any communication made with the intent to facilitate, encourage, offer, solicit, or recommend that the child imminently engage in:

- (1) Sexually explicit conduct.
- (2) The production or participation in the production of a visual depiction of such conduct.
- (3) The illegal use or drugs or alcohol.
- (4) Acts of self-harm or suicide.
- (5) Any crime of violence against another person.

II. The owner or operator of such service shall be liable to the child, the child's parent, or the child's next friend for damages proximately caused thereby, but in no instance liable for an amount less than liquidated damages in the amount of \$1,000 per violation.

III. In addition to any damages set forth in this section, the owner or operator of a computer service described in this chapter shall be liable for the attorney's fees of any plaintiff prevailing in an action brought pursuant to this section.

IV. This section shall not apply to:

(1) A provider of a telecommunications service or an information service, as defined in 47 U.S.C. section 153, for the provision of content created by or supplied on behalf of another person; or

(2) Any product, service, website, or application that provides an AI chat program or character that is integral or incidental to a video game, television, streaming, movie, or other similar interactive experience.

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect January 1, 2026.

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

2025-2510s

AMENDED ANALYSIS

This bill establishes the process for issuing, extending, and appealing no trespass orders for public properties, including but not limited to municipal and school properties. This bill further establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.

This bill also criminalizes and creates a private right of action for the facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child.

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.

HB 188-FN, relative to contempt of the general court.

Ought to Pass, Vote 3-2. Senator Gannon for the committee.

Senator Gannon moved to Lay on the Table. Adopted.

HB 506-FN, relative to background checks during motions to return firearms and ammunition.

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

Senate Judiciary

May 13, 2025

2025-2166s

09/11

Amendment to HB 506-FN

Amend RSA 159-D:4, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The department of safety shall initiate a NICS check and shall provide a conclusive response to the court within 10 business days of receiving the court's request stating either "proceed" or "deny." A "deny" response shall only be provided if the NICS check depicts that the individual is prohibited from possessing a firearm pursuant to state or federal law or it is known to the department of safety that such individual is explicitly prohibited from possessing said property by a state or federal statute. If the NICS check is inconclusive and the department of safety cannot explicitly demonstrate that the individual is prohibited from possessing a firearm within 10 business days of the court's request, the department of safety may provide a "proceed" response to the requesting court.

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

Senator Altschiller offered a Floor Amendment.

Sen. Altschiller, Dist 24
June 3, 2025
2025-2650s
09/05

Floor Amendment to HB 506-FN

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

AN ACT relative to background checks during motions to return firearms and ammunition and relative to authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

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

2 Short Title. Sections 2 through 10 of this act shall be known as “The Chief Bradley Haas Mental Health Firearms Reporting Act”.

3 Sale of Firearms; Criminal History Record Check, Mental Health Record Check, and Protective Order Check. Amend RSA 159-D:1 to read as follows:

159-D:1 Sale of Firearms; Criminal History Record **Check, Mental Health Record Check**, and Protective Order Check. The department of safety may become the point of contact for the federal government for the purposes of the National Instant Criminal Background Check System (NICS).

4 New Chapter; Mental Health Reporting for Firearm Background Checks. Amend RSA by inserting after chapter 159-F the following new chapter:

CHAPTER 159-G
MENTAL HEALTH REPORTING FOR FIREARM BACKGROUND CHECKS

159-G:1 Short Title. This chapter shall be known as “Bradley’s Law” in honor of retired Police Chief Bradley Haas who was shot and killed while defending the lives and safety of the patients and staff of the New Hampshire Hospital.

159-G:2 Mental Health Reporting Authorized. In compliance with the federal NICS Improvement Amendments Act of 2007, Public Law 110-180 and the Brady Handgun Violence Prevention Act of 1993, Public Law 103-159, the New Hampshire judicial branch and the department of safety are authorized to report to the National Instant Criminal Background Check System (NICS) records concerning persons who have been disqualified from possessing or receiving a firearm under 18 U.S.C. section 922(g)(4) because they have been:

- I. Adjudicated as not guilty of a crime by reason of insanity;
- II. Adjudicated as incompetent to stand trial and found by the court to be a danger to themselves or others pursuant to RSA 171-B:2, 135-E:5 or 135:17-a; or
- III. Involuntarily committed to a mental health facility pursuant to RSA 135-C:34-54.

159-G:3 Entry Into the National Instant Criminal Background Check System.

I. Notwithstanding any other provision of law, including the requirement of a closed hearing and file under RSA 135-C:43, when a judge orders a nonemergency involuntary admission pursuant to RSA 135-C:34-54 or a commitment pursuant to RSA 171-B:2, and the order is one that qualifies under 18 U.S.C. section 922(g)(4), the court shall retain a record of the court order and promptly cause the disposition to be entered in the NICS Indices. When a person is found not guilty by reason of insanity, or incompetent to stand trial and found by the court to be a danger to himself or herself or others pursuant to RSA 135-E or 135:17-a, as provided in this section, the department of safety shall promptly cause that disposition to be entered in the NICS Indices, in accordance with paragraph II.

II. The court or the department of safety shall report only the person’s name, an identifier signifying the applicable prohibition under 18 U.S.C. section 922(g), the person’s social security number, and date of birth.

III. If a court determines that a person is not competent to stand trial and finds that the person is also a danger to themselves or others, but, after 90 days, the person is not committed pursuant to RSA 171-B:2, 135-C:34-54, or 135-E:5, upon the motion of any party or sua sponte, the court may transmit that finding to the department of safety for entry into the NICS Indices.

159-G:4 Notifications; Confiscation of Firearms.

I. Before the close of the hearing conducted pursuant to RSA 135:17-a, RSA 135-C:34-54, RSA 135-E:5, or RSA 171-B:2, the court shall inquire of the person if he or she currently owns any firearms, and if so, where they are located. If the person answers affirmatively, the court shall inform the person that the court may order law enforcement to confiscate those firearms or ammunition. In addition, the court shall offer the opportunity for the person to make voluntary arrangements to relinquish possession of his or her firearms or ammunition to law enforcement or to another individual in accordance with paragraph III.

II. On the conclusion of a proceeding under RSA 135:17-a establishing dangerousness under RSA 159-G:3, or on an order of commitment under RSA 135-C:34-54, 135-E:5, or 171-B:2, or upon the entry of a judgment of not guilty by reason of insanity, the court shall notify the person that such person is prohibited under federal law from purchasing, possessing, carrying, or transporting a firearm unless a petition for relief from disability is subsequently granted pursuant to RSA 159-H.

III. The court may simultaneously with any order of commitment issue an order:

(a) Directing the person to make arrangements to voluntarily relinquish possession of any firearms or ammunition he or she owns to law enforcement;

(b) Directing the person to transfer any firearms to another person with whom the person committed does not cohabitate, who is not himself or herself a prohibited person, and to whom the court determines such transfer should be permitted; or

(c) Directing law enforcement to confiscate any firearms or ammunition owned by the person no later than 48 hours after the order is issued.

IV. Firearms voluntarily relinquished or confiscated by law enforcement may be transferred to a federally licensed firearms dealer, at the person's own expense, for further disposition at the request of the owner and upon order of the court. Retrieval and disposal of any firearms not transferred to an individual or federally licensed firearms dealer shall be through the process as set forth in RSA 595-A:6.

159-G:5 Notifications; Confiscation of Firearms.

I. On the conclusion of a proceeding under RSA 135:17-a establishing dangerousness under RSA 159-G:3, or on an order of commitment under RSA 135-C:34-54, 135-E:5, or 171-B:2, or upon the entry of a judgment of not guilty by reason of insanity, the court shall notify the person that such person is prohibited under federal law from purchasing, possessing, carrying, or transporting a firearm unless a petition for relief from disability is subsequently granted pursuant to RSA 159-H. The court shall inquire of the person if they currently own any firearms, and if so, where they are located.

II. The court may simultaneously with any order of commitment issue an order to law enforcement to confiscate any firearms or ammunition owned by the person. Law enforcement shall carry out the order of the court as soon as possible, but in no case later than 48 hours after the order is issued. The person may transfer any firearms to another person with whom the person committed does not cohabitate and who is not themselves a prohibited person, and upon an order of the court permitting such transfer. The department of safety shall provide the court with the information necessary to make this notification. Alternatively, the firearms may be transferred to a federally licensed firearms dealer, at the person's own expense, for further disposition at the request of the owner and upon order of the court. Retrieval and disposal of any firearms not transferred to an individual or federally licensed firearms dealer shall be through the process as set forth in RSA 595-A:6.

159-G:6 Exclusions.

I. Neither the court nor the department of safety shall transmit information on persons seeking voluntary treatment or on persons involuntarily hospitalized for assessment or evaluation.

II. Information the court or the department of safety causes to be transmitted to NICS pursuant to this chapter shall not be considered as public records pursuant to RSA 91-A.

III. The records entered into the NICS Indices pursuant to this chapter shall only be used for purposes of determining eligibility to purchase, possess, carry, or transfer a firearm or ammunition. Information furnished shall not include confidential medical or treatment records, confidential tax or financial data, or library records.

IV. Neither the court nor the department of safety shall submit the name of any person to NICS signifying a prohibition under 18 U.S.C. section 922(g) except pursuant to the processes outlined in this chapter.

159-G:7 Appointment of Attorney. Unless otherwise provided in statute, a person may be appointed an attorney by the court for the purposes of any hearing referred to in this chapter.

5 New Paragraph; Access to Governmental Records and Meetings; Exemptions. Amend RSA 91-A:5 by inserting after paragraph I-a the following new paragraph:

I-b. Information caused to be transmitted by the court to the National Instant Criminal Background Check System pursuant to RSA 159-G:5, II.

6 New Chapter; Relief from Disabilities. Amend RSA by inserting after chapter 159-G the following new chapter:

CHAPTER 159-H RELIEF FROM DISABILITIES

159-H:1 Relief from Disabilities Petition. Any person who has a non-emergency involuntary commitment under RSA 135-C:34-54 or has been found not guilty by reason of insanity or incompetent to stand trial and found by the court to be a danger to himself or herself or others pursuant to RSA 171-B:2, 135-E:5 or 135:17-a, as outlined in RSA 159-G, and who is subject to the firearm disabilities of 18 U.S.C. section 922(g)(4), may petition for a review of the person's mental capacity to possess or purchase a firearm no sooner than the following time frames. Individuals found not guilty by reason of insanity may file for relief with the court 6 months after the finding of not guilty by reason of insanity status, unless the person was committed to an institution pursuant to RSA 651:8-b, in which case the person may file for relief 15 days after absolute discharge. Individuals found incompetent to stand trial and found by the court to be a danger to themselves or others under RSA 135:17-a, as outlined in RSA 159-G, may file for relief with the court 6 months after the finding of incompetency, unless the person was committed to an institution pursuant to RSA 171-B:2 or RSA 135-C:34-54, in which case the person may file for relief 15 days from when an absolute discharge order has been filed with the probate court. A person committed under RSA 135-E:5 may petition for relief 15 days after absolute discharge.

159-H:2 Psychiatric Examination. Upon receipt of a petition for relief, the court shall schedule a hearing no later than 60 days after the date the petition was filed. Simultaneously, the court shall order an independent psychiatric examination be completed no more than 45 days from the date of the court's order. The independent psychiatrist shall provide the court with an opinion as to whether the person is disabled by a mental illness and is likely to act in a manner dangerous to public safety.

159-H:3 Hearing; Order; Appeals.

I. The petitioner may present evidence and call witnesses at the hearing on the petition. The court shall make written findings of fact and conclusions of law on the issues before it and issue a final order. The court may only consider applications for relief due to mental health adjudications or commitments that occurred in New Hampshire. The court shall review the circumstances regarding the firearms disabilities imposed by 18 U.S.C. section 922(g)(4), and records consisting of at minimum mental health and any criminal record, if applicable, and the person's reputation developed through character witness testimony, witness statements, or other character evidence.

II. The court shall grant the relief requested in the petition if the judge finds by clear and convincing evidence that the petitioner will not be likely to act in a manner that is dangerous to public safety and that granting the relief would not be contrary to the public interest. If the final order grants relief, the court shall, as soon as possible, request that the NICS entry be redacted and shall notify the United States Attorney General that the basis for the record being made available no longer applies. The petitioner may appeal a final order denying relief within 30 days of the order to the New Hampshire supreme court. The supreme court shall review the case de novo and has discretion to review additional evidence.

III. If the motion for relief is denied, unless a court finds good cause for considering a petition for relief sooner, the person may petition the court for relief again after 2 years have elapsed.

7 Application Required. The attorney general shall make application for approval of section 6 of this act to the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, or other such agency as may be required by federal law in order to ensure New Hampshire citizens are provided with the ability to have their rights restored. RSA 159-G shall not take effect until the attorney general receives federal approval of the restoration of rights process.

8 Contingency. Sections 3 - 6 of this act shall take effect on the date the attorney general certifies to the secretary of state and director of the office of legislative services that the state has received approval from the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, pursuant to section 7 of this act. If the attorney general does not receive such approval, sections 3 - 6 of this act shall not take effect.

9 Appropriation; New Hampshire Judicial Branch. The sum of \$1 for the fiscal year ending June 30, 2025, is hereby appropriated to the New Hampshire judicial branch for the cost of independent psychiatrist evaluations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

10 Repeal. RSA 126-AA:2, VI, relative to submission of information to NICS, is repealed.

11 Effective Date.

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

II. Sections 3 - 6 of this act shall take effect as provided in section 8 of this act.

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

2025-2650s

AMENDED ANALYSIS

This bill:

I. Provides a procedure for conducting a discretionary background check prior to the return of firearms and/or ammunition in a court proceeding.

II. Authorizes the state to report mental health data for firearms background check purposes and provides processes for the confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Altschiller, seconded by Senator Fenton.

The following Senators voted Yes: Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators voted No: Rochefort, Lang, McConkey, Gray, Innis, Ward, Ricciardi, McGough, Avard, Murphy, Pearl, Sullivan, Birdsell, Abbas, Gannon, Carson.

The following Senators were excused: Watters.

Roll Call, Yeas: 7 - Nays: 16. Failed.

Senator Gannon offered a Floor Amendment.

Sen. Gannon, Dist 23

June 4, 2025

2025-2685s

09/05

Floor Amendment to HB 506-FN

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

AN ACT relative to background checks during motions to return firearms and ammunition and relative to invalidating out-of-state driver's licenses issued to undocumented immigrants.

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

2 New Paragraph; Driver's License Penalty; Undocumented Immigrants; Invalid License. Amend RSA 263:1 by inserting after paragraph III the following new paragraph:

IV. If a driver's license is of a class of licenses issued by another state exclusively to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued, the driver's license, or other permit purporting to authorize the holder to operate a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to operate a motor vehicle in this state. Such classes of licenses include licenses that are issued exclusively to undocumented immigrants or licenses that are substantially the same as licenses issued to citizens, residents, or those lawfully present in the United States but have markings establishing that the license holder is not lawfully present in the United States.

(a) Law enforcement officers or other authorized representatives of the department shall not initiate a traffic stop solely on suspicion of a violation of RSA 263:1, IV.

(b) The department, to facilitate the enforcement of this paragraph and to aid in providing notice to the public and visitors of invalid licenses, shall maintain on its website a list of out-of-state classes of driver's licenses that are invalid in this state. The department shall update this list no later than annually. Any state on this list may contact the department to have themselves removed from the list if the state can demonstrate in that state's laws or regulations that the type of license listed on the department's website is not issued exclusively to undocumented immigrants.

(c) Any person in violation of this statute shall be guilty of a violation. For a second or subsequent offense, the person shall be guilty of a class B misdemeanor.

3 Driver's License Compact; Undocumented Foreign State Licenses Invalid. Amend RSA 263:77, I(b)(2) to read as follows:

(2) ***Except as specified in RSA 263:1, IV***, make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

4 Effective Date.

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

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

2025-2685s

AMENDED ANALYSIS

This bill:

I. Provides a procedure for conducting a discretionary background check prior to the return of firearms and/or ammunition in a court proceeding.

II. Invalidates out-of-state driver's licenses issued specifically to undocumented immigrants.

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

Senator Abbas offered a Floor Amendment.

Sen. Abbas, Dist 22

May 30, 2025

2025-2591s

09/05

Floor Amendment to HB 506-FN

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

AN ACT relative to background checks during motions to return firearms and ammunition and relative to requiring schools to engage an owner's project manager for construction of school building aid projects at the time of application.

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

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

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

3 Effective Date.

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

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

2025-2591s

AMENDED ANALYSIS

This bill:

I. Provides a procedure for conducting a discretionary background check prior to the return of firearms and/or ammunition in a court proceeding.

II. Requires schools to have engaged the services of an owner's project manager at the time they apply for school building aid.

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 Altschiller, 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: Prentiss, Fenton, Rosenwald, Reardon, Long, Perkins Kwoka, Altschiller.

The following Senators were excused: Watters.

Roll Call, Yeas: 16 - Nays: 7. Adopted, bill ordered to Third Reading.

HB 528-FN, amending the penalties for the possession and use of psilocybin for persons 18 years of age or older. Ought to Pass with Amendment, Vote 3-2. Senator Gannon for the committee.

Senate Judiciary

May 13, 2025

2025-2167s

09/11

Amendment to HB 528-FN

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

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

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

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

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

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

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

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

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

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

(3) Heroin or its analog, crack cocaine, or a fentanyl class drug in a quantity of 5 grams or more, including any adulterants or dilutants. ***A fentanyl class drug in a quantity of 20 grams or more, including any adulterants or dilutants, shall carry a minimum term of imprisonment of not less than 1 year and 6 months incarceration. A fentanyl class drug in a quantity of 50 grams or more, including any adulterants or dilutants, shall carry a minimum term of imprisonment of not less than 4 years incarceration. If a defendant charged under this subparagraph cooperates with a law enforcement investigation which results in an arrest or conviction, the defendant shall not be subject to the minimum term of imprisonment outlined in this subparagraph. The court may not defer, combine, or run concurrently with any other sentence the mandatory minimum unless:***

(A) The offender was less than 18 years of age at the time of the commission of the offense for which the offender is to be sentenced;

(B) The offender's mental capacity, at the time of the commission of the offense for which the offender is to be sentenced, was significantly impaired to the extent that the defendant was deemed incompetent. However, a voluntarily induced intoxicated or drugged condition may not be considered an impairment for the purposes of this subparagraph; or

(C) The offender was an accomplice, the conduct constituting the offense was principally the conduct of another, and the offender's participation was relatively minor.

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

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

IX. Any person who manufactures, sells, or dispenses methamphetamine, lysergic acid[?] diethylamide (***LSD***), phencyclidine (PCP) or any other controlled drug classified in schedules I or II, or any controlled drug analog thereof, in violation of RSA 318-B:2, I or I-a, ***excluding any fentanyl class drug, including any adulterants or dilutants***, is strictly liable for a death which results from the injection, inhalation, or ingestion of that substance, and may be sentenced to imprisonment for life or for such term as the court may order. ***Any person who manufactures, sells, or dispenses a fentanyl class drug, including any adulterants or dilutants, in violation of RSA 318-B:2, I or I-a, is strictly liable for a death which results from the injection, inhalation, or ingestion of that substance, and may be sentenced to imprisonment for life or for such term as the court may order, except that such term shall not be less than 5 years of imprisonment if the person knew or should have reasonably known the substance contained fentanyl, including any adulterants or dilutants.*** For purposes of this section, the person's act of manufacturing, dispensing, or selling a substance is the cause of a death when:

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

(b) The death was not:

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

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

2025-2167s

AMENDED ANALYSIS

This bill:

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

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

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

Senator Gannon moved to Lay on the Table. Adopted.

TRANSPORTATION

HB 612-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, Vote 5-0. Senator Fenton for the committee.

Senator Rosenwald offered a Floor Amendment.

Sen. Rosenwald, Dist 13

May 30, 2025

2025-2573s

09/05

Floor Amendment to HB 612-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 requiring employers to provide certain information regarding cost sharing to employees receiving workers' compensation benefit.

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

2 Workers' Compensation; Memorandum of Payment. Amend RSA 281-A:40 to read as follows:

281-A:40 Memorandum of Payment.

I. An employer or the employer's insurance carrier shall make payment of compensation in the amount and manner provided by this chapter. Payment shall be made by direct deposit 6 weeks from the date of disability if the injured worker elects this payment method. The employer or the employer's insurance carrier shall notify the injured worker in writing of his or her right to payment by direct deposit. If no election is made, payment shall be made by paper check mailed to the injured worker. The employer shall file memoranda of payments with the commissioner in accordance with rules adopted by the commissioner under RSA 281-A:60.

II. An employer who provides supplemental pay to the employee while the employee is receiving workers' compensation benefits shall issue to the employee notification which includes a breakdown of payments and anticipated financial adjustments, including employee cost of withholdings and method of payment options. Such notice shall be made to the employee within 30 days of injury and subsequent notice shall be provided to the employee every 30 days thereafter.

3 Effective Date.

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

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

2025-2573s

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. Requires employers who provide supplemental pay to employees receiving workers' compensation benefits to notify the employee with a breakdown of payments, anticipated financial adjustments, employee costs of withholdings, and method of payment options.

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

Senator Birdsell offered a Floor Amendment.

Sen. Watters, Dist 4

Sen. Birdsell, Dist 19

May 30, 2025

2025-2572s

09/05

Floor Amendment to HB 612-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 declaring the third week in September to be New Hampshire service dog week.

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

2 New Section; Service Dog Week. Amend RSA 4 by inserting after section 13-dd the following new section:

4:13-ee Service Dog Week. In recognition of the profound impact that service dogs have on the lives of individuals with disabilities enhancing their independence, mobility, and overall quality of life, and inviting the governments, communities, and people of this state to observe such week with appropriate ceremonies and activities, the governor shall proclaim the third week of September of each year as service dog week to honor the incredible contributions of service dogs, to honor the dedicated individuals who train and care for these remarkable animals, and to celebrate the profound bond between service dogs and the individuals they serve.

3 Effective Date.

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

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

2025-2572s

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. Declares the third week in September to be New Hampshire service dog week.

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.

MOTION TO REMOVE FROM THE TABLE

Senator Birdsell moved to remove the following bills from the Table. Adopted.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 107, relative to political advertising printed in newspapers, periodicals, or billboards.

HB 613, relative to use of accessible voting systems.

JUDICIARY

HB 468, establishing the crime of and penalties for unlawful use of unmanned aircraft systems and changing the reckless driving minimum penalties.

HB 776, relative to the crime of aggravated driving while intoxicated and relative to proclaiming the Virginia opossum the state marsupial of New Hampshire

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 107, relative to political advertising printed in newspapers, periodicals, or billboards.

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

Senate Election Law and Municipal Affairs

April 15, 2025

2025-1616s

05/11

Amendment to HB 107

Amend the bill by replacing section 1 with the following:

1 Identification of Political Advertising; Rates. Amend RSA 664:16 to read as follows:

664:16 Identification of Political Advertising; Rates.

I. Political advertising printed in newspapers[;] **or** periodicals[~~;-or-billboards~~] shall be marked at the beginning [~~or-at-the-end~~] thereof "Political Advertising." No person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space shall charge an advertising rate to any candidate, political committee, party, or cause that is different from that charged to any other candidate, political committee, party, or cause.

II. Notwithstanding RSA 664:21, whoever violates paragraph I shall be guilty of a violation and the fine shall be no more than \$50. Any subsequent violation within a 5-year period of the first violation shall be subject to a \$1,000 civil penalty.

2025-1616s

AMENDED ANALYSIS

This bill removes the requirement to mark political advertising printed in billboards as "Political Advertising." It also provides for the issuance of fines for violations of such requirements.

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, bill ordered to Third Reading.

HB 613, relative to enabling local political subdivisions to vote and set a reduced default budget option. Ought to Pass, Vote 3-2. Senator Gray for the committee.

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6

May 30, 2025

2025-2580s

07/08

Floor Amendment to HB 613

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

AN ACT relative to use of accessible voting systems.

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

1 New Subparagraphs; Elections; Voting Procedure; Accessible Voting Systems. Amend RSA 659:20-b by inserting after subparagraph (a) the following new subparagraphs:

(1) If a city, town, or school district believes the accessible voting system will not be used by a registered voter at an election, the clerk shall post a notice on the website and one other public location between 90 and 180 days prior to the election stating that the accessible voting system will not be available for use on election day unless a registered voter notifies the clerk of their intent to use the system in writing at least 60 days before the election.

(2) If the clerk does not receive notice from a registered voter of their intent to use the system at least 60 days before the election, the clerk must notify the secretary of state's office in writing that the accessible voting system will not be used in the city, town, or school election.

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

2025-2580s

AMENDED ANALYSIS

This bill requires city or town clerks to make specific notices to the public or secretary of state regarding the use of accessible voting machines.

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.

JUDICIARY

HB 468-FN, establishing the crime of and penalties for unlawful use of unmanned aircraft systems.

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19
May 27, 2025
2025-2484s
09/08

Floor Amendment to HB 468-FN

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

AN ACT establishing the crime of and penalties for unlawful use of unmanned aircraft systems and changing the reckless driving minimum penalties.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Serious Traffic Offenses; Reckless Driving. Amend RSA 265:79 to read as follows:

265:79 Reckless Driving; Minimum Penalty.

I. Whoever upon any way drives a vehicle recklessly, or causes a vehicle to be driven recklessly, as defined in RSA 626:2, II(c), or so that the lives or safety of the public shall be endangered, or upon a bet, wager, or race, or who drives a vehicle for the purpose of making a record, ~~[or who drives a vehicle at a speed of 100 miles per hour or greater,]~~ and thereby violates any of the provisions of this title or any rules adopted by the director, shall be, notwithstanding the provisions of title LXII, guilty of a violation and fined not less than \$500 plus penalty assessment for the first offense and \$750 plus penalty assessment for the ~~[second]~~ **subsequent** offense nor more than \$1,000 plus penalty assessment and his or her license or operating privilege shall be revoked for a period of 60 days for the first offense and from 60 days to one year for the ~~[second]~~ **subsequent** offense.

II. Whoever upon any way drives a vehicle at a speed of 100 miles per hour or greater and thereby violates any of the provisions of this title or any rules adopted by the director, shall be, notwithstanding the provisions of title LXII, guilty of a violation and fined not less than \$750 plus penalty assessment for the first offense and \$1000 plus penalty assessment for the subsequent offense and his or her license or operating privilege shall be revoked for a period of 90 days for the first offense and from 90 days to one year for the subsequent offense.

2025-2484s

AMENDED ANALYSIS

This bill establishes the crime of and penalties for unlawful use of small unmanned aircraft systems. This bill further enhances the penalties for driving a vehicle in excess of 100 miles per hour.

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.

HB 776-FN, relative to the crime of aggravated driving while intoxicated.

Ought to Pass, Vote 4-0. Senator Gannon for the committee.

Recess. Out of recess.

Senator Fenton offered a Floor Amendment.

Sen. Fenton, Dist 10
Sen. Birdsell, Dist 19
May 27, 2025
2025-2485s
08/09

Floor Amendment to HB 776-FN

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

AN ACT relative to the crime of aggravated driving while intoxicated and relative to proclaiming the Virginia opossum the state marsupial of New Hampshire.

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

3 New Section; State Marsupial. Amend RSA 3 by inserting after section 31 the following new section:

3:32 State Marsupial. The Virginia opossum (*Didelphis virginiana*) is hereby designated as the official state marsupial of New Hampshire and such opossums found within our borders shall be known as “New Hampshire opossums.”

4 Effective Date.

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

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

2025-2485s

AMENDED ANALYSIS

This bill adds wrong-way driving to the list of aggravating factors that can elevate a driving while intoxicated offense to an aggravated driving while intoxicated offense.

This bill also proclaims the Virginia opossum the state marsupial of New Hampshire and renames such opossums within the borders of the state as “New Hampshire opossums.”

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.

CHILDREN AND FAMILY LAW

HB 560, relative to parental access to a minor child’s medical records.
Ought to Pass, Vote 2-1. Senator Sullivan for the committee.

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Perkins Kwoka, Dist 21

May 30, 2025

2025-2570s

05/06

Floor Amendment to HB 560

Amend RSA 332-I:1-a as inserted by section 2 of the bill by inserting after paragraph II the following new paragraph:

III. Nothing in this section shall require disclosure of information provided to any counselor, school psychologist, school nurse, or other certified health care provider where the information provided was reasonably expected to be confidential.

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.

LIST OF IN FAVOR/OPPOSITION FORMS FOR THE DAY

Senator Altschiller: HB 506, In opposition to Floor Amendment #2685s.

Senator Altschiller: HB 613, In opposition to the motion of Ought to Pass with Amendment.

Senator Altschiller: HB 712, In opposition to the committee amendment.

Senator Ricciardi: HB 60, In opposition to the motion of Ought to Pass.

Senator Sullivan: HB 560, In opposition to Floor Amendment #2570s.

Senator Ward: HB 60, 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: Thank you, Madam President. Unanimous consent. Just briefly colleagues, thank you for the opportunity at the beginning of our session day to light a candle in memory of former State Senator Dave Bradley of Hanover, New Hampshire.

Senator Bradley passed away earlier in the month of May. He was a retired naval officer, an attorney, and served as an admissions official at Dartmouth College. He had a deep commitment to public service, which he demonstrated early on in his life and in his career but continued with that commitment to public service by serving one term in the New Hampshire House, and then he served from 1970-72, and then in the State Senate from 72 to 1980. Somebody that I actually got to meet, former Senator Bradley and his wife Anne, as they're residents, have been residents of Kendall at Hanover. I know that Anne is still a resident at Kendall and I got an opportunity to speak to her just a few months ago and she had let me know that Senator Bradley had been in ill health. So let's keep Anne and the Bradley family in our thoughts and forever be grateful for Senator Dave Bradley's service to the state of New Hampshire. Thank you, Madam President.

(The Chair recognized Senator Innis.)

SENATOR INNIS: Thank you, Madam President. I have just a little personal privilege and an announcement of sorts. My family flew in from Georgia today. My daughter gets married on Saturday. So the third one is married off. And with your permission, Madam President, I would like to go greet my family.

(The Chair recognized Senator Sullivan.)

SENATOR SULLIVAN: Thank you, Madam President. I also have a point of personal privilege. I would like to announce that our two pages that were here a month or so ago, Seamus Sullivan and Wolf Hieronymus, graduated from Holy Family Academy on Friday night with the other twelve members. They had a whole graduating class of fourteen people. It was a wonderful event. I just want to say congratulations to those graduates and all of the graduates across the state. Thank you.

(The Chair recognized Senator Gannon.)

SENATOR GANNON: As a good father, I have to embarrass my daughter. Kerry's up in the balcony, my number one door knocker, and she's working in the Governor's office for the summer on her break from Trinity. Hi, Kerry. Don't be embarrassed.

(The Chair recognized Senator Avard.)

SENATOR AVARD: Let's give our Clerk a hand!

PRESIDENT CARSON: I'd like just to take a few moments just to thank all of you for all your help and your hard work getting us to this point here this evening. We had a lot of work ahead of us in January, the bills came out late, you all rose to the occasion, worked hard and got the work done and I just want to thank all of you. You've made it a lot easier for me and I really, really appreciate everything that you all have done. So thank you all.

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 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2026 and June 30, 2027.

HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures.

HB 10-FN, establishing a parental bill of rights.

HB 25-A, making appropriations for capital improvements.

HB 60, relative to the termination of tenancy at the expiration of the tenancy or lease term.

HB 71-FN, prohibiting the school facilities to be used to provide shelter for aliens, relative to department of health and human services contracts, requiring the use of public notices before re-assessment of property values for tax purposes, and relative to construction of a public pier on Hampton Beach and making an appropriation therefor.

HB 107, relative to political advertising printed in newspapers, periodicals, or billboards.

HB 117, relative to the substitution of biological products.

HB 143, relative to the issuance of no trespass orders on municipal or school district property, the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost, and relative to expanding the crime of endangering the welfare of a child.

HB 243-FN, relative to relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, and relative to the maternal mortality review committee, electric vehicle charging stations and fees for annual testing by the division of weights and measures, and relative to the acceptance of portraits of Senator Sylvia Larsen and Senator Jeb Bradley for the state house.

HB 316-FN, relative to reimbursement for ground ambulance services.

HB 361, prohibiting mandatory mask policies in schools.

HB 377-FN, relative to health care professionals administering hormone treatments and puberty blockers and relative to recognizing the second Thursday in October as children's environmental health day.

HB 468-FN, establishing the crime of and penalties for unlawful use of unmanned aircraft systems and changing the reckless driving minimum penalties.

HB 499-FN, making technical corrections to certain insurance laws.

HB 506-FN, relative to background checks during motions to return firearms and ammunition and relative to invalidating out-of-state driver's licenses issued to undocumented immigrants and relative to requiring schools to engage an owner's project manager for construction of school building aid projects at the time of application.

HB 560, relative to parental access to a minor child's medical records, relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated, defining pre-sequestration timber tax revenue, establishing a moratorium on carbon sequestration and establishing a commission to study the effects of carbon sequestration in New Hampshire forests upon state and local tax revenue, effective forest management, and the health of New Hampshire's logging industry.

HB 612-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 requiring employers to provide certain information regarding cost sharing to employees receiving workers' compensation benefit and relative to declaring the third week in September to be New Hampshire service dog week.

HB 613, relative to use of accessible voting systems.

HB 701-FN, relative to the terminal patients' right to try act.

HB 712-FN, limiting breast surgeries for minors, relative to residential care and health facility licensing, and relative to the collection and reporting of abortion statistics by health care providers and medical facilities.

HB 718, requiring the state board of education to report the unfunded financial impact to school districts for rules adopted by the board which exceed state or federal minimum standards.

HB 776-FN, relative to the crime of aggravated driving while intoxicated and relative to proclaiming the Virginia opossum the state marsupial of New Hampshire.

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 sending and receiving messages, 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.