

SB 13-FN - AS AMENDED BY THE SENATE

03/11/2021 0552s

2021 SESSION

21-0980

10/11

SENATE BILL ***13-FN***

AN ACT adopting omnibus legislation on state taxes and fees.

SPONSORS: Sen. Morse, Dist 22

COMMITTEE: Ways and Means

ANALYSIS

This bill adopts legislation relative to:

- I. The rates of the business profits tax and the business enterprise tax.
- II. Exemptions for the tax on interest and dividends.
- III. The property tax exemption for educational organizations.
- IV. The authority of the office of professional licensure and certification to establish fees.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through]~~.
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation on state taxes and fees.

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

1 1 Sponsorship. This act consists of the following proposed legislation:

2 Part I. LSR 21-0980, relative to the rates of business profits tax and the business enterprise
3 tax, sponsored by Sen. Morse, Prime/Dist 22; Sen. Daniels, Dist 11; Sen. Bradley, Dist 3; Sen.
4 Hennessey, Dist 1; Sen. Carson, Dist 14; Sen. Ricciardi, Dist 9.

5 Part II. LSR 21-0982, relative to exemptions for the tax on interest and dividends, sponsored
6 by Sen. Morse, Prime/Dist 22; Sen. Daniels, Dist 11; Sen. Hennessey, Dist 1; Sen. Carson, Dist 14.

7 Part III. LSR 21-0166, relative to the property tax exemption for educational organizations,
8 sponsored by Sen. Gray, Prime/Dist 6.

9 Part IV. LSR 21-0825 relative to the authority of the office of professional licensure and
10 certification to establish fees, sponsored by Sen. Giuda, Prime/Dist 2; Sen. Carson, Dist 14.

11 2 Legislation Enacted. The general court hereby enacts the following legislation:

12 PART I

13 Relative to the rates of business profits tax and the business enterprise tax.

14 1 Business Profits Tax; Rate Reduced; Contingency Deleted. Amend RSA 77-A:2 to read as
15 follows:

16 77-A:2 Imposition of Tax.

I. For all taxable periods ending on or after December 31, 2019, a tax is imposed at the rate of 7.7 percent upon the taxable business profits of every business organization.

19 II. For all taxable periods ending on or after December 31, 2021, a tax is imposed at the rate
20 of ~~[7.9]~~ **7.6** percent upon the taxable business profits of every business organization.

21 III. For all taxable periods ending on or after December 31, ~~[2021]~~ **2022**, a tax is imposed at
22 the rate of 7.5 percent upon the taxable business profits of every business organization.

~~IV.—Upon completion of the audited comprehensive annual report performed pursuant to RSA 21-I:8, II(a), the commissioner of the department of revenue administration shall report the total amount of combined unrestricted general and education trust fund revenue collected for the fiscal year ending June 30, 2020, as reported in the schedule of undesignated/unassigned fund balance for the general fund and education fund, to the secretary of state with copies to the governor, speaker of the house of representatives, the senate president, the fiscal committee of the general court, and the director of the office of legislative services. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is 6 percent or more below the~~

SB 13-FN - AS AMENDED BY THE SENATE

- Page 2 -

~~official revenue estimates for said fiscal year, the tax shall be imposed at the rate in paragraph II and the rate in paragraph III shall not take effect. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is 6 percent or more above the official revenue estimates for said fiscal year, the tax shall be imposed at the rate in paragraph III and the rate in paragraph II shall not take effect. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is not 6 percent or more below or above the official revenue estimates for said fiscal year, the tax shall continue to be imposed at the rate in paragraph I, and the rates in paragraphs II and III shall not take effect.]~~

2 Business Enterprise Tax; Rate Reduced; Contingency Deleted. Amend RSA 77-E:2 to read as follows:

77-E:2 Imposition of Tax.

I. For all taxable periods ending on or after December 31, 2019, a tax is imposed at the rate of 0.6 percent upon the taxable enterprise value tax base of every business enterprise.

II. For all taxable periods ending on or after December 31, 2021, a tax is imposed at the rate of ~~[0.675]~~ **0.55** percent upon the taxable enterprise value tax base of every business enterprise.

III. For all taxable periods ending on or after December 31, ~~[2021]~~ **2022**, a tax is imposed at the rate of 0.5 percent upon the taxable enterprise value tax base of every business enterprise.

~~[IV. Upon completion of the audited comprehensive annual report performed pursuant to RSA 21-I:8, II(a), the commissioner of the department of revenue administration shall report the total amount of combined unrestricted general and education trust fund revenue collected for the fiscal year ending June 30, 2020, as reported in the schedule of undesignated/unassigned fund balance for the general fund and education fund, to the secretary of state with copies to the governor, speaker of the house of representatives, the senate president, the fiscal committee of the general court, and the director of the office of legislative services. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is 6 percent or more below the official revenue estimates for said fiscal year, the tax shall be imposed at the rate in paragraph II and the rate in paragraph III shall not take effect. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is 6 percent or more above the official revenue estimates for said fiscal year, the tax shall be imposed at the rate in paragraph III and the rate in paragraph II shall not take effect. If the combined amount of general and education trust fund revenue collected, not including sums appropriated to the education trust fund in section 386 of this act, for the fiscal year ending June 30, 2020 is not 6 percent or more below or above the official~~

SB 13-FN - AS AMENDED BY THE SENATE

- Page 3 -

~~revenue estimates for said fiscal year, the tax shall continue to be imposed at the rate in paragraph I, and the rates in paragraphs II and III shall not take effect.]~~

3 Effective Date. Part I of this act shall take effect upon its passage.

PART II

Relative to exemptions for the tax on interest and dividends.

1 Tax on Interest and Dividends; Additional Exemptions Increased. Amend RSA 77:5, II-IV to read as follows:

II. An additional ~~[\$1,200]~~ **\$2,400** if either or both taxpayers are 65 years of age or older on the last day of the tax year.

III. An additional ~~[\$1,200]~~ **\$2,400** if either or both taxpayers are blind.

IV. An additional ~~[\$1,200]~~ **\$2,400** if either or both taxpayers are disabled, unable to work, and have not yet reached their sixty-fifth birthday.

2 Application. Section 1 of this act shall apply to tax years ending on and after December 31, 2021.

3 Effective Date. Part II of this act shall take effect July 1, 2021.

PART III

Relative to the property tax exemption for educational organizations.

1 Property Taxes; Real Estate and Personal Property Tax Exemption; Statements of Financial Condition. Amend RSA 72:23, VI to read as follows:

VI. Every charitable organization, ***educational organization***, or society, except those religious ~~[and educational]~~ organizations ~~[and societies]~~ whose real estate is exempt under the provisions of paragraphs III ~~[and IV]~~, shall annually before June 1 file with the municipality in which the property is located upon a form prescribed and provided by the board of tax and land appeals a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemption. ***The requirements of this paragraph shall not apply to real estate owned by the university system of New Hampshire, the community college system of New Hampshire, or their component institutions. The university system and community college system shall provide, on request of any municipality within which it has real estate holdings, the property value of those holdings.***

2 Appraisal of Taxable Property; Revised Inventory; Rules of the Assessing Standards Board. Amend RSA 75:8, I to read as follows:

I. Annually, and in accordance with ~~[state assessing guidelines]~~ ***rules adopted by the assessing standards board***, the assessors and selectmen shall adjust assessments to reflect changes so that all assessments are reasonably proportional within that municipality. All adjusted assessments shall be included in the inventory of that municipality and shall be sworn to in accordance with RSA 75:7.

3 Effective Date. Part III of this act shall take effect 60 days after its passage.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 4 -

PART IV

Relative to the authority of the office of professional licensure and certification to establish fees.

1 Acupuncture; Rulemaking. Amend RSA 328-G:7, II to read as follows:

II. Scope of practice [~~and fees for applications~~].

2 Acupuncture; Licensure. Amend RSA 328-G:9, II(d) to read as follows:

(d) Has paid the [~~\$110~~] license fee ***established by the office of professional licensure and certification*** and filed the application [~~established by the board~~].

3 Acupuncture; License Renewal. Amend RSA 328-G:9, IX to read as follows:

IX. All licenses issued by the board shall be renewed biennially on or before June 30 or reissued pursuant to rules adopted, and upon payment of [~~a \$110~~] ***the renewal fee established by the office of professional licensure and certification***.

4 Repeal; Acupuncture. RSA 328-G:7, XIV(c) relative to fees for detoxification specialists, is repealed.

5 Alcohol and Other Drug Use Professionals; Fees. RSA 330-C:8 is repealed and reenacted to read as follows:

330-C:8 Fees; Charges.

I. The board shall charge licensees fees established by the office of professional licensure and certification for the issuance of an initial license or certificate and for the renewal of a license or certificate under this chapter.

II. The board may provide for:

(a) The administration of examinations required by this chapter.

(b) The approval of continuing education programs and program providers.

(c) The verification of license status or educational credentials.

III. The office of professional licensure and certification may establish administrative charges for services offered pursuant to paragraph II.

6 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read as follows:

(a) Submit a completed application and pay fees established by the [~~board~~] ***office of professional licensure and certification***;

7 Alcohol and Other Drug Use Professionals; Renewals. Amend RSA 330-C:22, II and III to read as follows:

II. Licensees and certification holders shall have a grace period of 30 days after expiration in which to renew retroactively if they otherwise are entitled to have their licenses or certifications renewed and pay to the board the renewal fee and any late fee set by the [~~board~~] ***office of professional licensure and certification*** under rules adopted pursuant to RSA 541-A.

III. A suspended license or certification shall be subject to expiration and may be renewed as provided in this chapter, but such renewal shall not entitle the person, while the license or certification remains suspended and until it is reinstated, to engage in the activity, or in any other conduct or activity in violation of the order under which the license or certification was suspended. If a suspended license or certification is reinstated after its expiration, the person, as a condition of reinstatement, shall pay [a] **any** reinstatement fee ~~[that shall equal the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement, plus any]~~ **and** late fee set by the ~~[board]~~ **office of professional licensure and certification**.

8 Alcohol and Other Drug Use Professionals; Reinstatement. Amend RSA 330-C:23, II to read as follows:

II. Application for reinstatement of a license or certification which has lapsed shall include payment of a reinstatement fee **established by the office of professional licensure and certification** and be made, and granted or denied, in accordance with rules adopted by the board pursuant to RSA 541-A.

9 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

I. RSA 330-C:5, X, relative to establishing fees.

II. RSA 330-C:9, IV, relative to establishment of license and certificate application, late renewal, and reinstatement fees.

10 Allied Health Professionals; Renewals. Amend RSA 328-F:19, III to read as follows:

III. Applicants shall submit completed applications for renewal on or before December 1 of the renewal year. Completed renewal applications submitted between December 2 and December 31 of the renewal year shall be accompanied by a late filing fee **established by the office of professional licensure and certification**. Licenses shall lapse when completed renewal applications have not been filed by December 31 of the renewal year, and their holders are not authorized to practice until the licenses have been reinstated.

11 Allied Health Professionals; Reinstatement. Amend RSA 328-F:20, III and IV to read as follows:

III. Complies with any application procedure established by the ~~[governing board]~~ **office of professional licensure and certification**.

IV. Pays the reinstatement fee **established by the office of professional licensure and certification**.

12 Repeals; Allied Health. The following are repealed:

I. RSA 328-F:13, III and V, relative rulemaking by the allied health board of directors.

II. RSA 328-F:15, relative to establishment of fees.

13 Physical Therapists; Rules; Animal Physical Therapists. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, ~~[fees,]~~ and renewal of, ~~[and disciplinary proceedings for]~~ certified animal physical therapists under RSA 328-A:15-b.

14 Repeal; Speech-language Pathology. RSA 326-F:7-a, IV, relative to reinstatement fees, is repealed.

15 Barbering, Cosmetology, Esthetics; Barber License. Amend RSA 313-A:10, I(e) to read as follows:

(e) Pay a fee established by the ~~[board]~~ **office of professional licensure and certification.**

16 Barbering, Cosmetology, Esthetics; Master Barber License. Amend RSA 313-A:10, III(e) to read as follows:

(e) Pay a fee established by the ~~[board]~~ **office of professional licensure and certification.**

17 Barbering, Cosmetology, Esthetics; Cosmetologists License. Amend RSA 313-A:11, I(e) to read as follows:

(e) Pay a fee established by the ~~[board]~~ **office of professional licensure and certification.**

18 Barbering, Cosmetology, Esthetics; Temporary Permit. Amend RSA 313-A:18, I to read as follows:

I. Any person eligible to take an examination for a license under this chapter may apply to the board for a permit to professionally operate temporarily pending the holding of such examination. The application shall be accompanied by the payment of a fee established by the ~~[board]~~ **office of professional licensure and certification** which shall be credited as the required examination fee.

19 Barbering, Cosmetology, Esthetics; Renewals. Amend RSA 313-A:20 to read as follows:

313-A:20 Expiration and Renewal of Licenses. Each barber, master barber, barber instructor, apprentice, barbershop, barber school, esthetician, esthetics instructor, esthetics school, esthetics salon, manicurist, apprentice, beauty salon, or manicuring salon license issued under this chapter shall expire on the last day of the birth month of the licensee in the odd year next succeeding its date of issuance. Each cosmetologist, cosmetology instructor, or cosmetology school license issued under this chapter shall expire on the last day of the birth month of the licensee in the even year next succeeding its date of issuance. Any personal license which has expired may be renewed within 6 months by payment of the renewal fee and a late fee established by the ~~[board]~~ **office of professional licensure and certification.** After 6 months and within 5 years, a personal license may be renewed by paying the renewal fee and a late fee established by the ~~[board]~~ **office of professional licensure and certification.** Any school or shop license which has expired may be renewed upon payment of the renewal fee plus a late fee established by the ~~[board]~~ **office of professional licensure and certification.**

SB 13-FN - AS AMENDED BY THE SENATE

- Page 7 -

20 Barbering, Cosmetology, Esthetics; Apprentices. Amend RSA 313-A:24, II(b) to read as follows:

(b) Paying a fee established by the ~~[board]~~ **office of professional licensure and certification**; and

21 Barbering, Cosmetology, Esthetics; Tanning Facilities. Amend RSA 313-A:29 to read as follows:

313-A:29 Registration Fee Required. No person shall operate a tanning facility without paying an annual registration fee established by the ~~[board]~~ **office of professional licensure and certification**. Registration fees received from each tanning facility shall be deposited into the office of professional licensure and certification fund.

22 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

I. RSA 313-A:7, I (g), relative to fees.

II. RSA 313-A:8, V, relative to board rules on fees.

23 Body Art; Fees. Amend RSA 314-A:2, II to read as follows:

II. The fee for an initial license and a renewal license shall be ~~[\$110]~~ **established in rules adopted by the office of professional licensure and certification**. The license shall be renewed biennially on the last day of the licensee's birth month in odd-numbered years upon payment of the ~~[\$110]~~ renewal fee.

24 Chiropractic; Fees. Amend RSA 316-A:5 to read as follows:

316-A:5 Fees. The ~~[board]~~ **office of professional licensure and certification** shall establish fees for examination of applicants, for licenses and for renewal of licenses to practice chiropractic, and for transcribing and transferring records and other services. ~~[The fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board for the previous fiscal year.]~~

25 Chiropractic; Fees. Amend RSA 316-A:11, I to read as follows:

I. Each applicant shall pay to the ~~[secretary-treasurer]~~ **office of professional licensure and certification** a fee, established by the ~~[board]~~ **office of professional licensure and certification**, for which the applicant shall be entitled to an examination and to a reexamination, if necessary, within one year.

26 Chiropractic; License Fees. Amend RSA 316-A:14-a and 14-b to read as follows:

316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall receive a license from the board as a chiropractor permitted to practice in New Hampshire. The fee for an initial license and for a license renewal shall be ~~[\$300]~~ **as established in rules by the office of professional licensure and certification**. The initial license and renewal licenses shall be valid for the terms established under RSA 316-A:19.

316-A:14-b License Fees. Each applicant who qualifies under this chapter shall pay a fee for an initial license and for a license renewal [~~of \$300~~] **as established in rules by the office of professional licensure and certification**. The initial license and license renewals shall be valid for the terms established under RSA 316-A:19.

27 Chiropractic; Renewals. Amend RSA 316-A:19 and 20 to read as follows:

316-A:19 Initial License and License Renewals. The fee for an initial license and license renewal issued under this chapter shall be [~~\$300~~] **as established in rules by the office of professional licensure and certification**. All licenses and renewals issued under the provisions of this chapter shall expire on July 1 in each odd numbered year.

28 Chiropractic; Renewals. Amend RSA 316-A:20 to read as follows:

316-A:20 Renewal. Any person holding a chiropractor's license may have the same renewed upon application and payment of the [~~\$300~~] renewal fee **established by the office of professional licensure and certification**. Each applicant shall submit satisfactory evidence that the applicant has completed at least 20 hours of continuing education approved by or conducted by the International Chiropractors Association, or the American Chiropractic Association, or the New Hampshire board of chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to the date of renewal. In the event of failure to comply with the provisions of this section, the applicant shall appear before the board to show cause why the license should not be suspended.

29 Repeal; Chiropractic. RSA 316-A:3, XVII, relative to rules on fees, is repealed.

30 Dentistry; Applications. Amend RSA 317-A:8, I to read as follows:

I. Applications for licensure shall be made to the board in writing or online and shall be accompanied by a fee established in rules adopted under RSA 541-A by the [~~board~~] **office of professional licensure and certification** and by satisfactory proof that the applicant is a graduate of a school that is recognized by the Commission on Dental Accreditation (CODA). The applicant shall be of good professional character and 18 years of age or older.

31 Dentistry; Renewals. Amend RSA 317-A:13, II to read as follows:

II. Except as provided in RSA 317-A:16, before April 1 in the year of renewal under paragraph I a person licensed to practice dentistry or dental hygiene in this state shall register with the board, apply for license renewal, and pay the fee established in rules adopted by the [~~board~~] **office of professional licensure and certification**. The timelines of submission of renewal applications shall be evidenced by date stamp made at the time of receipt at the board's office if hand delivered, or by postmark if mailed.

32 Dentistry; Penalties. Amend RSA 317-A:15 to read as follows:

317-A:15 Failure to Register; Penalties. Any person licensed by the board under this chapter who fails, neglects, or refuses to register pursuant to RSA 317-A:13 shall be assessed a late biennial registration fee as determined in rules adopted by the [~~board~~] **office of professional licensure and**

SB 13-FN - AS AMENDED BY THE SENATE
- Page 9 -

1 ***certification***, provided the licensee submits a completed renewal application between April 1 and
2 April 30 of the renewal year. ~~[The payment of the fee may be waived by the board if the board~~
3 ~~determines that good cause has been shown for the failure to register.]~~ Licenses shall lapse when
4 complete renewal applications have not been received by the board by April 30 of the renewal year.
5 Holders of lapsed active licenses are not authorized to practice until they receive written notification
6 from the board that their licenses have been reinstated.

7 33 Dentistry; Reinstatement. Amend RSA 317-A:15-a, III to read as follows:

8 III. Pays the registration fee, late fee, and reinstatement fee ***established in rules by the***
9 ***office of professional licensure and certification***.

10 34 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

11 II. Applications for licensure as a dental hygienist shall be made to the board in writing and
12 shall be accompanied by a fee established by the ~~[board]~~ ***office of professional licensure and***
13 ***certification*** and by satisfactory proof that the applicant is a graduate of a school of dentistry or a
14 school of dental hygiene with a minimum of a 2-year program in an institution of higher education,
15 the program of which is accredited by a national accrediting agency recognized by the United States
16 Department of Education and the Commission on Dental Accreditation.

17 35 Repeals; Dentistry. The following are repealed:

18 I. RSA 317-A:4, I(e), relative to duties of the board on fees.

19 II. RSA 317-A:12, VII and XII-a(b) and (d), relative to rules on fees.

20 36 Dieticians; License Fees. Amend RSA 326-H:12, V to read as follows:

21 V. Pay the ~~[\$110]~~ license fee ***established by the office of professional licensure and***
22 ***certification***.

23 37 Dieticians; License Renewals. Amend RSA 326-H:14, II to read as follows:

24 II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules
25 adopted and upon payment of a ~~[\$110]~~ license renewal fee ***established by the office of***
26 ***professional licensure and certification***. The board shall cause notification of impending license
27 expiration to be sent to each licensed person at least 60 days prior to the expiration of the license.
28 Licenses shall continue as valid until final action is exercised by the board on an application for
29 renewal, provided that the application is filed before the expiration date of the license.

30 38 Repeal; Dieticians. RSA 326-H:10, III and V, relative to rules on fees, are repealed.

31 39 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

32 I. The fee for an initial biennial license and for renewal of the biennial license issued under
33 this chapter shall be ~~[\$110]~~ ***established in rules by the office of professional licensure and***
34 ***certification***. The executive director shall establish by rule a schedule of fees for applications,
35 examinations, and license replacement.

36 40 Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

325:12-a Fees. The fee for an initial 2-year license and for renewal of a license issued under this chapter shall be ~~[- \$110 for embalmers and \$300 for funeral directors]~~ **established by the office of professional licensure and certification**. The ~~[board]~~ **office of professional licensure and certification** shall establish fees for examination of applicants, for apprentices, for funeral home inspections, and for transcribing and transferring records and other services.

41 Funeral Directors; Examinations. Amend RSA 325:18 to read as follows:

325:18 Examinations. Examinations of applicants for licensure shall be held at least annually. Any person who desires to engage in funeral directing or embalming shall submit in writing to the board on forms provided by it an application for licensure accompanied by a fee established by the ~~[board]~~ **office of professional licensure and certification**. The board shall require the applicant to submit to such examinations as it may deem proper.

42 Funeral Directors; Renewals. Amend RSA 325:25, I to read as follows:

I. Every person licensed to practice under this chapter, except as provided in RSA 325:29, shall apply to the board every 2 years for license renewal. The board shall require each licensee to show proof of meeting the continuing education requirement of RSA 325:28-a. Payment shall be made to the ~~[board secretary]~~ **office of professional licensure and certification** of the renewal fee established in RSA 325:12-a.

43 Funeral Directors; Apprentices; Term. Amend RSA 325:30 to read as follows:

325:30 Issuance; Term; Renewal. Apprentice licenses shall be issued for a period of one year and shall terminate one year from the date of issuance unless sooner ended by death, resignation, revocation or by ruling or decision of the board. Such licenses may be renewed in the discretion of the board. The fees for an original apprentice license shall be established by the ~~[board]~~ **office of professional licensure and certification**.

44 Repeal; Funeral Directors. RSA 325:9, V, relative to rules on fees, is repealed.

45 Hearing Care Providers; Registration of Hearing Aid Dealers. Amend RSA 137-F:8 to read as follows:

137-F:8 Registration of Hearing Aid Dealers Required. No person shall engage in the business of selling or offering for rent hearing aids unless such person is registered in accordance with this chapter and unless the registration of such person is current and valid. The fee for an initial registration under this section ~~[is \$300]~~ **shall be established by the office of professional licensure and certification**. This section includes the selling or renting of hearing aids by mail in this state by a person outside the state. Registration certificates shall be renewed biennially on or before June 30 upon payment of a ~~[\$300]~~ renewal fee **established by the office of professional licensure and certification**.

46 Hearing Care Providers; Audiology Licensure Required. Amend RSA 137-F:11, II to read as follows:

II. The board shall license each applicant who satisfies the requirements of this chapter. Upon payment of a [\$300] license fee ***established by the office of professional licensure and certification***, the board shall issue to such person a certificate of licensure which shall be evidence of the right to practice as an audiologist. The initial license shall be valid for at least 2 years and expire on June 30. Renewals shall be valid for 2 years from the date of renewal.

47 Hearing Care Providers; License Requirements; Fees. Amend RSA 137-F:13, I(a)-(b) to read as follows:

(a) Make application to the board, upon a form prescribed by the ~~[audiology subcommittee]~~ ***office of professional licensure and certification***.

(b) Pay to the ~~[board]~~ ***office of professional licensure and certification*** the appropriate license fee.

48 Hearing Care Providers; License Restoration; Fees. Amend RSA 137-F:13, III(a) to read as follows:

III.(a) A license shall be restored after a period of nonrenewal of less than 2 years, if the person pays to the board a restoration fee consisting of the current renewal fee plus any late fee established by rules adopted by the ~~[board]~~ ***office of professional licensure and certification*** pursuant to RSA 541-A and submits such evidence of continued professional competence and eligibility for licensure as the board may require.

49 Hearing Care Providers; License Renewal. Amend RSA 137-F:20 to read as follows:

137-F:20 License Renewal. A license issued under RSA 137-F:13 shall expire at 12:01 a.m. on July 1 of the odd year next succeeding its date of issuance. Every person licensed under this chapter who wishes to renew a license shall, on or before the expiration date, pay a [\$300] renewal fee ***established by the office of professional licensure and certification*** to the board. The board shall notify each person licensed under this chapter of the date of expiration of such person's license and the renewal fee required. The notice shall be mailed to such person's last known address as provided to the board at least 60 days in advance of the expiration of such license. Renewals are contingent upon evidence of 20 hours or the equivalent in continuing education units, including, but not limited to, attending professional meetings or completing approved independent studies and regional in-service programs, as determined by the board.

50 Hearing Care Providers; Out-of-State Sales Regulated. Amend RSA 137-F:30, III to read as follows:

III. The ~~[board]~~ ***office of professional licensure and certification*** shall assess fees as established by rules adopted by the ~~[board]~~ ***office*** pursuant to RSA 541-A for out-of-state hearing aid sales companies.

51 Repeal; Hearing Care Providers. RSA 137-F:6, V, relative to the board's rulemaking authority for fees, is repealed.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 12 -

52 Massage Therapists and Massage Establishments; License Issuance; Renewal. Amend RSA 328-B:6 and 328-B:7 to read as follows:

328-B:6 License Issuance; Reciprocity.

I. The executive director shall issue a massage therapist's license to each qualified applicant who:

(a) Submits the required application form and [\$110] licensing fee ***established by the office of professional licensure and certification.***

(b) Is at least 18 years of age on the date of the application.

(c) Has not been convicted in New Hampshire or in any other state of any crime involving violence inflicted on a person or threatened against a person, or any sexually-related crime.

(d) Submits written evidence of being in good mental and physical health.

II. [Repealed.]

III. Except for the requirements of subparagraphs I(b) and (c) of this section, the executive director may waive any requirements for licensure for any applicant for a massage therapist's license who, on the date of application hereunder, holds a valid license issued by any other state or country, but only if the other licensing body's requirements are substantially equivalent to or not less than the requirements under this chapter.

328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last day of the birth month of the licensee in the even-numbered year, upon approval of the executive director of the renewal application and submission of the required [\$110] renewal fee ***established by the office of professional licensure and certification.***

53 Medical Imaging and Radiation Therapy; Applications. Amend RSA 328-J:13, I to read as follows:

I. Applications for licensure or for a temporary license shall be on forms prescribed and furnished by the [board] ***office of professional licensure and certification***, shall contain statements made under oath, showing the applicant's education and a detailed summary of the applicant's technical work. The [board] ***office of professional licensure and certification*** shall establish fees for application and any examination required under this chapter. If the board denies the issuance of a license or a temporary permit to any applicant, any initial fee deposited shall be retained as an application fee.

54 Medical Imaging and Radiation Therapy; License Renewal. Amend RSA 328-J:15, II to read as follows:

II. All licenses issued by the board shall expire on the last day of the licensee's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be

required to return to current status. The board shall charge a ~~[20 percent]~~ late fee ***established by the office of professional licensure and certification*** for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. Licensees shall complete at least 24 hours of board-approved continuing education during each license period in order to maintain his or her license. If a licensee fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the licensee shall be required to reapply and to be re-examined for licensure.

55 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:7 , IV, relative to the establishment of fees, is repealed.

56 Board of Registration of Medical Technicians; Initial Registration. Amend RSA 328-I:6, I to read as follows:

I. The board may register any person who submits a completed application. The fee for registration under this chapter shall be ~~[\$110]~~ ***established by the office of professional licensure and certification***.

57 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8 to read as follows:

328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the board. The fee for renewal of certificates of registration shall be ~~[\$110]~~ ***established by the office of professional licensure and certification***. Certificates of registration for medical technician shall be renewed upon the payment of the renewal fee.

58 Repeals; Board of Registration of Medical Technicians. The following are repealed:

I. RSA 328-I:3, X, relative to duties of the board on fees.

II. RSA 328-J:4, III, relative to the establishment of fees.

59 Physician Assistants; Renewal of Licenses. Amend RSA 328-D:5 to read as follows:

328-D:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply to the board for annual renewal of license on forms provided by the ~~[board]~~ ***office of professional licensure and certification*** and shall pay a renewal fee as established by the ~~[board]~~ ***office of professional licensure and certification***. Applications for renewal shall be filed no later than December 31 of each year and shall include a photocopy of the applicant's current national certification card. A license issued under this chapter shall not expire until the board has taken final action upon the application for renewal.

60 Physician Assistants; Failure to Renew. Amend RSA 328-D:5-a, I to read as follows:

I. Any licensee who fails to apply for renewal under RSA 328-D:5 shall pay double the renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the

expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only upon payment of a reinstatement fee as established by the ~~[board]~~ **office of professional licensure and certification**, and upon showing evidence of professional competence as the board may reasonably require.

61 Physicians and Surgeons; Qualifications of Licensees. Amend RSA 329:12, I(a) to read as follows:

(a) Pay a fee established by the ~~[board]~~ **office of professional licensure and certification**.

62 Physicians and Surgeons; Renewal. Amend RSA 329:16-a to read as follows:

329:16-a Renewal. Every person licensed to practice under this chapter, except as provided in RSA 329:16-c, shall apply to the board on a biennial basis for renewal of license on forms provided by the ~~[board]~~ **office of professional licensure and certification** and shall pay a renewal fee as established by the ~~[board]~~ **office of professional licensure and certification**. If a person applies to the board for a renewal of license by June 30 of the year in which the licensee's renewal is set to occur, the person's license shall not expire until the board has taken final action upon the application for renewal.

63 Physicians and Surgeons; Neglect to Renew. Amend RSA 329:16-e to read as follows:

329:16-e Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the year in which the licensee's renewal is set to occur shall be required to pay double the renewal fee if paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person licensed by the board to renew the license as provided in RSA 329:16-a or this section shall automatically lapse such license. Licenses lapsed under this section for nonpayment within 90 days shall not be reinstated except upon payment of a reinstatement fee as established by the ~~[board]~~ **office of professional licensure and certification**, and a showing of such evidence of professional competence as the board may reasonably require.

64 Physicians and Surgeons; Reinstatement. Amend RSA 329:16-h to read as follows:

329:16-h Reinstatement. Any person whose name has been placed on the inactive list may be restored to active status upon the filing of a written request for reinstatement of license, accompanied by the reinstatement fee as established by the ~~[board]~~ **office of professional licensure and certification**, proof of satisfaction of continuing medical education requirements established by RSA 329:16-g, and such other evidence of professional competence as the board may reasonably require.

65 Mental Health Practice; Expirations, Renewals, Reinstatements, and Inactive Status. Amend RSA 330-A:31, I and II to read as follows:

I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration date unless renewed. It shall be the duty of the board to notify every person licensed by the board

under this chapter of the date of expiration of the license and the amount of the fee that shall be required for its renewal for 2 years. Such notice shall be mailed at least 2 months in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely and complete renewal application and payment of the fee as set by the ~~[board]~~ **office of professional licensure and certification**.

II. If a license is not renewed it may be reinstated not later than 6 months after the date of license expiration upon payment of the fee **established by the office of professional licensure and certification** and compliance with rules adopted by the board. A license may be placed on inactive status pursuant to rules adopted by the board.

66 Repeal; Mental Health Practice. The following are repealed:

I. RSA 330-A:10, XIX, relative to fees.

II. RSA 330-A:12, relative to fees.

67 Midwifery; Certification. Amend RSA 326-D:6, I and II to read as follows:

I. No person shall practice midwifery in this state without first obtaining certification from the council. The council shall certify for the practice of midwifery any person applying for such certification who meets the qualifications adopted under RSA 326-D:5, I(a) and who submits a ~~[\$110]~~ certification fee **established by the office of professional licensure and certification**.

II. Certification issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in accordance with rules adopted by the council and upon payment of a ~~[\$110]~~ renewal fee **established by the office of professional licensure and certification**.

68 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read as follows:

326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be contingent upon presentation of satisfactory evidence to the council of having met the continuing education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be accompanied by the renewal fee established ~~[pursuant to RSA 326-D:4, I(b)]~~ **by the office of professional licensure and certification**. All certificates shall automatically lapse 2 years after the date of issuance unless a timely and complete renewal application has been filed with the council. In no event shall a certificate, for which a timely and complete application for renewal has been submitted, expire before the council has taken final action upon the application.

69 Repeals; Midwifery. The following are repealed:

I. RSA 326-D:4, I(b), relative to fees.

II. RSA 326-D:5, I(h), relative to examination fees.

70 Naturopathic Health Care Practice; Qualification for Licensure. Amend RSA 328-E:9, I (g) to read as follows:

SB 13-FN - AS AMENDED BY THE SENATE
- Page 16 -

(g) File an application and pay the [\$300] license fee established by the office of professional licensure and certification.

71 Naturopathic Health Care Practice; License Renewal and Continuing Education. Amend RSA 328-E:13, I to read as follows:

I. The license to practice naturopathic medicine shall be renewed biennially. A fee in the amount ~~[of \$300]~~ **established by the office of professional licensure and certification** shall accompany the application for renewal.

72 Repeals; Naturopathic Health Care. The following are repealed:

I. RSA 328-E:8, I(a), relative to fees.

II. RSA 328-E:15, relative to administration and fees.

73 Nurse Practice Act; Fees; Charges. Amend RSA 326-B:8 to read as follows:

326-B:8 Fees; Charges.

I. The board shall charge fees **established by the office of professional licensure and certification** or the issuance, renewal, and reinstatement of all licenses, specialty licenses, and specialty certificates authorized by this chapter.

II. The board may provide the following services and make administrative charges **established by the office of professional licensure and certification** for:

(a) The administration of examinations required by this chapter.

(b) Verification of licensure status.

~~(c) [The sale of lists of licensees who have given their written authorization to have their names included on such lists.~~

~~(d)~~ The actual costs of a criminal conviction record check required pursuant RSA 326-B:15.

~~(e)~~ **(d)** The actual cost of collection of statistical data provided to private entities.

~~(f)~~ **(e)** Site visits associated with nursing education programs under RSA 326-B:32.

74 Nurse Practice Act; Fees; Licensure; All Applicants. Amend RSA 326-B:16, I to read as follows:

I. Submit a completed application and fees as established by the ~~[board]~~ **office of professional licensure and certification**.

75 Nurse Practice Act; Fees; License Renewal; All Licensees. Amend RSA 326-B:22, II(a) to read as follows:

(a) By midnight on his or her date of birth in the renewal year submit a completed application and fees as established by the ~~[board]~~ **office of professional licensure and certification**;

76 Nurse Practice Act; License Reinstatement. Amend RSA 326-B:23, III to read as follows:

III. Application for reinstatement of a license which has lapsed under this section shall include payment of a reinstatement fee **established by the office of professional licensure and**

SB 13-FN - AS AMENDED BY THE SENATE
- Page 17 -

1 **certification** and be made, and granted or denied, in accordance with rules adopted by the board
2 pursuant to RSA 541-A.

3 77 Nurse Practice Act; Certificate of Medication Administration for Licensed Nursing
4 Assistants. Amend RSA 326-B:27, I(c) to read as follows:

5 (c) Has paid the certification fee ***established by the office of professional licensure***
6 ***and certification.***

7 78 Repeals; Nurse Practice Act. The following are repealed:

8 I. RSA 326-B:4, XIII, relative to establishing and collecting fees by the board of nursing.

9 II. RSA 326-B:6, relative to collection and expenditure of funds.

10 79 Nursing Home Administrators; Qualifications for Admission to Examination. Amend the
11 introductory paragraph of RSA 151-A:5 to read as follows:

12 151-A:5 Qualifications for Admission to Examination. The board shall admit to examination for
13 licensure as a nursing home administrator any candidate who pays a [~~\$300~~] licensing fee
14 ***established by the office of professional licensure and certification*** and submits evidence of
15 good moral character and suitability prescribed by the board and evidence that the candidate is at
16 least 21 years old and has completed preliminary education satisfactory to the board; provided:

17 80 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II to read as follows:

18 II. Upon making an application for a new certificate of registration such individual shall pay
19 a [~~\$300~~] biennial registration renewal fee ***established by the office of professional licensure and***
20 ***certification.***

21 81 Nursing Home Administrators; Reciprocity. Amend the introductory paragraph of RSA 151-
22 A:9 to read as follows:

23 151-A:9 Reciprocity. The board, subject to the provisions of this chapter and the rules and
24 regulations of the board promulgated thereunder prescribing the qualifications for nursing home
25 administrator license, may endorse a nursing home administrator license issued by the proper
26 authorities of any other state upon payment of a reasonable fee as established by the [~~board~~] ***office***
27 ***of professional licensure and certification*** and upon submission of evidence satisfactory to the
28 board that:

29 82 Repeal; Nursing Home Administrators. RSA 151-A:4-a, II, relative to authority to establish
30 and collect fees for examinations, temporary and emergency permits, and records, is repealed.

31 83 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as
32 follows:

33 327-A:7 Application and Registration Fees. Every application for a certificate of registration for
34 ophthalmic dispensing shall be accompanied by a non-refundable registration fee [~~of \$110~~]
35 ***established by the office of professional licensure and certification.*** Upon approval of the
36 application by the executive director, the applicant shall be issued a certificate of registration for
37 ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon payment of the

renewal fee. The fee for renewal of any certificate of registration shall be ~~[\$110]~~ ***established by the office of professional licensure and certification.***

84 Optometry; Licenses; Qualifications. Amend RSA 327:6 to read as follows:

327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall practice optometry without a license. The board shall not issue a license to any applicant until the person has passed an examination approved by the board, and has presented satisfactory evidence in the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral character, has completed a minimum of 2 years at a college of arts and sciences and has graduated from a school or college of optometry approved by the board, maintaining a minimum of 4 years in optometric training. Persons who submit an application which demonstrates that they meet the eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A, and pay the ~~[\$300]~~ licensing fee ***established by the office of professional licensure and certification,*** shall be licensed by the board.

85 Optometry; Renewal of Licenses. Amend RSA 327:13, I to read as follows:

I. All licenses issued under this chapter shall be renewed biennially on or before June 30 upon payment of a ~~[\$300]~~ license renewal fee ***established by the office of professional licensure and certification.***

86 Optometry; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a, IV(c) to read as follows:

(c) The board of pharmacy or the board of registration in optometry shall assess ~~[the following]~~ ***the*** registration fees for out-of-state contact lens sale companies[:

~~(1) \$300 for the initial registration.~~

~~(2) \$150 for an annual registration renewal]~~ ***established by the office of professional licensure and certification.***

87 Repeal; Optometry. The following are repealed.

I. RSA 327:5-a, relative to fees.

II. RSA 327:31, VI, relative to fees.

88 Pharmacy Board; Fees. Amend RSA 318:6-a to read as follows:

318:6-a Fees; ***Restoration.***

~~[I. The board shall establish fees for examination of applicants, for licenses and for renewal of licenses to practice pharmacy, for licensed advanced pharmacy technicians, for registration and certification of pharmacy technicians, and for transcribing and transferring records and other services.~~

~~II.]~~ The fee for restoration of a suspended, revoked, or voluntarily surrendered license, registration, or certification under this chapter shall not include the assessment of charges or renewal fees for the period in which the licensee, registrant, or certificate holder was not permitted to practice in this state.

1 89 Pharmacy Board; Application Fee for Pharmacist License. Amend RSA 318:23 to read as
2 follows:

3 318:23 Application Fee for Pharmacist License. Each person applying for a license to practice
4 the profession of pharmacy in this state by way of examination shall pay a reasonable application fee
5 to be established by the ~~[pharmacy board]~~ **office of professional licensure and certification**.
6 This fee shall include the cost of investigating the applicant's qualifications to become a pharmacist
7 in this state.

8 90 Pharmacy Board; Renewal Of License. Amend RSA 318:25, II to read as follows:

9 II. Pay a reasonable fee established by the ~~[board]~~ **office of professional licensure and**
10 **certification**;

11 91 Pharmacy Board; Neglect to Renew. Amend RSA 318:26 to read as follows:

12 318:26 Neglect to Renew. Any failure, neglect or refusal on the part of any person licensed by
13 the board to renew his license as provided in RSA 318:25 shall cause the license to lapse. Licenses
14 lapsed under this section shall not be restored except upon payment of a restoration fee as
15 established by the ~~[board]~~ **office of professional licensure and certification**, and a showing of
16 evidence, as the board may require, demonstrating professional competence.

17 92 Pharmacy Board; Change in Name, Employment or Residence. Amend RSA 318:26-a to read
18 as follows:

19 318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced
20 pharmacy technician, or pharmacy technician who changes his or her name, place or status of
21 employment, or residence shall notify the board in writing within 15 days. For failure to report such
22 a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy
23 technician's license, or the pharmacy technician's registration. Reinstatement shall be made only
24 upon payment of a reasonable fee as established by the ~~[board]~~ **office of professional licensure**
25 **and certification**.

26 93 Pharmacy Board; Impaired Pharmacist Program. Amend RSA 318:29-a, VI to read as
27 follows:

28 VI.(a) The ~~[board]~~ **office of professional licensure and certification** may contract with
29 other organizations to operate the impaired pharmacist program for pharmacists who are impaired
30 by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited
31 to, education, intervention and post-treatment monitoring.

32 (b) The ~~[board]~~ **office of professional licensure and certification** may allocate an
33 amount determined by the ~~[board]~~ **office of professional licensure and certification** from each
34 pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist
35 program as set forth in subparagraph VI(a).

36 94 Pharmacy Board; Permit; Fees. Amend RSA 318:38, III to read as follows:

SB 13-FN - AS AMENDED BY THE SENATE
- Page 20 -

1 III. All applicants for a pharmacy permit shall pay a reasonable fee as established by the
2 ~~[board]~~ ***office of professional licensure and certification*** for each original pharmacy permit and
3 for each renewal thereof.

4 95 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Wholesalers.
5 Amend RSA 318:51-a, I to read as follows:

6 I. No person shall manufacture legend drugs or controlled drugs as that term is defined in
7 RSA 318-B:1, VI and no person as a wholesaler, distributor, or reverse distributor shall supply the
8 same without first having obtained a license to do so from the board. Such license shall expire
9 biennially on June 30 of every even-numbered year. An application together with a reasonable fee as
10 established by the ~~[board]~~ ***office of professional licensure and certification*** shall be filed
11 biennially by midnight on June 30 of every even-numbered year.

12 96 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensing of
13 Limited Retail Drug Distributors. Amend RSA 318:51-b, I to read as follows:

14 I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-
15 a, without first having obtained a license to do so from the board. Such license shall expire
16 biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as
17 established by the ~~[board]~~ ***office of professional licensure and certification*** shall be filed
18 biennially by midnight June 15 of every odd-numbered year.

19 97 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Outsourcing.
20 Amend RSA 318:51-c, I to read as follows:

21 I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1,
22 VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without
23 first having obtained a license from the board. Such license shall expire biennially on June 30 of
24 each odd-numbered year. An application together with a fee established by the ~~[board]~~ ***office of***
25 ***professional licensure and certification*** shall be filed biennially by June 15 of every odd-
26 numbered year.

27 98 Pharmacy Board; Possession and Sale of Drugs and Devices for Administration; Licensure of
28 Research Organizations. Amend RSA 318:51-f, I to read as follows:

29 I. No research organization shall procure or conduct research operations with prescription
30 drugs by researchers without first having obtained a license from the board. Such license shall
31 expire biennially on June 30 of each odd-numbered year. An application together with a reasonable
32 fee as established by the ~~[board]~~ ***office of professional licensure and certification*** shall be filed
33 biennially by June 15 of every odd-numbered year.

34 99 Repeal; Pharmacy Board. The following are repealed:

35 I. RSA 318:5-a, VII, VIII, XI, and XI-b, relative to rulemaking on fees.

36 II. RSA 318:51-e, IV, relative to fees for outsourcing facilities.

37 100 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

SB 13-FN - AS AMENDED BY THE SENATE
- Page 21 -

1 I. The board shall issue a license to applicants who have submitted a complete application,
2 paid a [\$300] license fee ***established by the office of professional licensure and certification***,
3 achieved a satisfactory examination score, and satisfied all other criteria of competence and
4 professional character required by this chapter.

5 101 Podiatry; License Renewal; Inactive Status. Amend RSA 315:11, I to read as follows:

6 I. Every person licensed to practice under this chapter shall apply to the board biennially on
7 or before June 30 for renewal of license on forms provided by the board and shall pay a [\$300]
8 renewal fee ***established by the office of professional licensure and certification***. As a
9 condition of renewal of license, each licensee shall show proof of having completed the continuing
10 education units as required in rules adopted by the board.

11 102 Podiatry; Neglect to Renew. Amend RSA 315:12 to read as follows:

12 315:12 Neglect to Renew. Any licensee who fails to renew his or her license by June 30 of the
13 year in which the licensee's renewal is set to occur, shall be required to pay double the renewal fee if
14 paid within 90 days of the expiration date. Any failure, neglect, or refusal on the part of any person
15 licensed by the board to renew the license as provided in RSA 315:11 or this section shall
16 automatically result in the lapse of the license. Licenses lapsed under this section for nonpayment
17 within 90 days shall not be reinstated except upon payment of a reinstatement fee as established in
18 rules adopted by the ~~[board]~~ ***office of professional licensure and certification***, and a showing of
19 such evidence of professional competence as the board may reasonably require.

20 103 Podiatry; Reinstatement. Amend RSA 315:13-a to read as follows:

21 315:13-a Reinstatement. Any person who has not renewed his or her license within 90 days of
22 the expiration date shall only have his or her license restored upon the filing of a reinstatement
23 application, accompanied by the reinstatement fee as established by the ~~[board]~~ ***office of***
24 ***professional licensure and certification***, proof of satisfaction of continuing podiatric education
25 requirements established ~~[by]~~ ***under*** RSA 315:4~~[,—V]~~, and such other evidence of professional
26 competence as the board may reasonably require.

27 104 Repeals; Podiatry. The following are repealed:

28 I. RSA 315:4, VII, relative to rules on fees

29 II. RSA 315:15, relative to reports of the board of podiatry.

30 105 Psychologists; Establishment of Fees. Amend RSA 329-B:12 to read as follows:

31 329-B:12 Establishment of Fees.

32 ~~[I.]~~ The fee for an initial license shall be [\$300] ***established by the office of professional***
33 ***licensure and certification***. The license shall be renewed biennially on or before June 30 upon
34 payment of a [\$300] renewal fee ***established by the office of professional licensure and***
35 ***certification***.

36 ~~[II.] The board shall establish fees applicable to psychologists for review of applicants;~~
37 ~~reinstatement of license; inactive license status; reactivation of an inactive license; examination of~~

~~applicants; transcribing and transferring records; and other services, including investigations and hearings conducted under this chapter.]~~

106 Psychologist; Psychologist License. Amend RSA 329-B:15 to read as follows:

329-B:15 Psychologist License.

I. The board shall issue a psychologist license to any person who:

(a) Has passed a satisfactory examination in psychology.

(b) Has received the doctoral degree based on a program of studies, the content of which was primarily psychological, from a regionally accredited educational institution having a graduate program, or its substantial equivalent in both subject matter and extent of training.

(c) Has had at least 2 years of satisfactory, supervised experience in the field of psychology.

(d) Is of good professional character.

(e) Has paid all fees established and collected by the ~~board~~ **office of licensure and certification**.

(f) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

II. Examinations for applicants under this chapter shall be held by the board at least once each year. The board shall determine the subject and scope of the examination, which may be written, oral, or both. If an applicant fails the first examination, the applicant may be admitted to a subsequent examination upon the payment of an additional fee in the amount established by the ~~board~~ **office of licensure and certification**.

107 Repeals; Psychologists. RSA 329-B:11, relative to receipts and disbursements from the board of psychology, is repealed.

108 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Practitioner license Issuance. Amend RSA 328-H:8, I(c) to read as follows:

(c) Makes payment of the ~~[\$110]~~ license fee **established by the office of professional licensure and certification**;

109 Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 328-H:9, II to read as follows:

II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June 30 upon approval by the executive director of the renewal application and submission of the required ~~[\$110]~~ renewal fee **established by the office of professional licensure and certification**.

110 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Fund. Amend RSA 328-H:15 to read as follows:

328-H:15 Administrative Fines. The executive director, after notice and an opportunity for a hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this chapter or rules

adopted pursuant to it. Rehearings and appeals from a decision of the executive director shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter. The executive director shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled to reflect the scope and severity of the violation. The sums obtained from the levying of administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into the ~~[general fund]~~ **office of professional licensure and certification fund**.

111 New Hampshire Veterinary Practice Act; Revenues. Amend RSA 332-B:6 to read as follows:

332-B:6 Revenues. All revenues received by the board shall be deposited in the ~~[general]~~ **office of professional licensure and certification** fund.

112 New Hampshire Veterinary Practice Act; Application for Licensure. Amend RSA 332-B:9 to read as follows:

332-B:9 Application for License; Qualifications. Any person desiring a license to practice veterinary medicine in this state shall make written application to the board. The application shall show that the applicant is 18 years of age or more, a graduate of an AVMA accredited school of veterinary medicine or other veterinary school acceptable to the board, or the holder of an ECFVG certificate or a PAVE certificate, a person of good professional character, and such other information and proof as the board may require by rule. The application shall be accompanied by a fee in the amount established and published by the ~~[board]~~ **office of professional licensure and certification**.

113 New Hampshire Veterinary Practice Act; License Expiration and Renewal. Amend RSA 332-B:13, I to read as follows:

I. All licenses shall expire biennially on December 31 of each even-numbered year for even-numbered licenses and on December 31 of each odd-numbered year for odd-numbered licenses but may automatically be renewed by filing a renewal application and paying a renewal fee established in rules adopted by the ~~[board]~~ **office of professional licensure and certification**, subject to paragraph II; except that for licenses which expire December 31, 2011, odd numbered licenses shall be issued for 2 years and even numbered licenses shall be issued for one year, and the board shall charge fees accordingly. Not later than one month prior to the expiration date, the board shall mail a notice to licensed veterinarians that their license will expire on December 31 and provide them with a license renewal application. Persons previously licensed who allow their license to lapse shall be required to file a reinstatement application containing such information as required by the board. Persons who have allowed their license to lapse more than 5 years shall apply for reinstatement of licensure in accordance with RSA 332-B:17.

114 Repeal; Veterinary Practice Act. The following are repealed:

I. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain fees.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 24 -

1 II. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to
2 compensate board counsel, assistants, and investigators.

3 115 General Administration of Regulatory Boards and Commissions; Petition for Review of a
4 Criminal Record. Amend RSA 332-G:13, XII and XIII to read as follows:

5 XII. The ~~[board or commission]~~ ***office of professional licensure and certification*** may
6 charge a fee to recoup its costs not to exceed \$100 for each petition.

7 XIII. The office of professional licensure and certification shall establish an annual reporting
8 requirement ***for the boards and commissions within the office*** of the (a) number of applicants
9 petitioning each board or commission, (b) the numbers of each board's or commission's approvals and
10 denials, (c) the type of offenses for which each board or commission approved or denied the petitions,
11 and (d) other data the office determines. The office will compile and publish annually a report on a
12 searchable public website.

13 116 General Administration of Regulatory Boards and Commissions; Reciprocal and Temporary
14 Licenses. Amend RSA 332-G:14, III to read as follows:

15 III. A person applying for a temporary license ***from a board or commission within the***
16 ***office of professional licensure and certification*** shall present to the office of professional
17 licensure and certification:

18 (a) A current equivalent license from another jurisdiction in the United States.

19 (b) A statement of good standing from the licensing authority.

20 (c) Authorization for a criminal history records check, if required.

21 (d) A completed application.

22 (e) A certification that the person has committed no acts or omissions which are grounds
23 for disciplinary action in another jurisdiction, or, if such acts have been committed, would be
24 grounds for disciplinary action.

25 (f) Other information specifically required by the board.

26 (g) Payment of a fee~~[, not to exceed \$100]~~ ***established by the office of professional***
27 ***licensure and certification.***

28 117 Professional Engineers; Applications. Amend RSA 310-A:16 to read as follows:

29 310-A:16 Applications. Applications for licensure or for a temporary permit shall be ~~[on forms~~
30 ~~prescribed and furnished by the board]~~ ***made using the format prescribed by the office of***
31 ***professional licensure and certification***, shall contain statements made under oath, showing the
32 applicant's education and a detailed summary of the applicant's technical work, and shall contain
33 not less than 5 references, of whom at least 3 shall be licensed professional engineers having
34 personal knowledge of the applicant's professional experience. The ~~[board]~~ ***office of professional***
35 ***licensure and certification*** shall establish fees for application and any examination required
36 under this subdivision. If the board denies the issuance of a license or a temporary permit to any
37 applicant, any initial fee deposited shall be retained as an application fee.

118 Professional Engineers; Certificates; Seals. Amend RSA 310-A:18 to read as follows:

310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration fee established by the ~~board~~ **office of professional licensure and certification**, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the licensee~~;~~ **and** have a serial number~~[-, and be signed by the chairperson and the secretary of the board under seal of the board]~~. The issuance of a license by the board shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a licensed professional engineer while the license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed Professional Engineer." All papers or documents involving the practice of engineering under this subdivision, when issued or filed for public record, shall be dated and bear the signature and seal of the licensed professional engineer who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of the licensee has expired or has been revoked, unless such license shall have been renewed or reissued.

119 Professional Engineers. Amend RSA 310-A:21 to read as follows:

310-A:21 License Expiration and Renewals. All licenses issued by the board shall expire on the last day of the month of the licensee's birth in the year 2 years following the year of issuance. The board shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The ~~board~~ **office of professional licensure and certification** shall charge a 20 percent reinstatement fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. If a professional engineer is 70 years or older at time of renewal, and the professional engineer has held an engineering license continuously for the 10-year period immediately preceding the renewal, the ~~board~~ **office of professional licensure and certification** may waive the renewal fee in accordance with rules adopted by the ~~board~~ **office of professional licensure and certification**.

120 Repeal; Professional Engineers. The following are repealed:

I. RSA 310-A:6, I(e), relative to rulemaking authority of the board of engineers on fees.

II. RSA 310-A:7, relative to fees adopted by the board of engineers.

121 Architects; Applications. Amend 310-A:42 to read as follows:

310-A:42 Applications. Applications for licensure shall be ~~[on forms prescribed and furnished by the board]~~ **made using the method prescribed by the office of professional licensure and certification**, shall contain statements made under oath, showing the applicant's education and a detailed summary of the applicant's technical work, and shall contain not less than 5 references, of whom at least 3 shall be licensed architects having personal knowledge of the applicant's

professional experience. The ~~[board]~~ **office of professional licensure and certification** shall establish fees for application and any examination required under this subdivision. Should the board deny the issuance of a license to any applicant, any initial fee deposited shall be retained as an application fee.

122 Board of Architects; Certificates; Seals. Amend RSA 310-A:44 to read as follows:

310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration fee established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the licensee, have a serial number, and be signed by the chairperson and the secretary of the board under seal of the board. The issuance of a license by the board shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a licensed architect while the license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed Architect." All papers or documents involving the practice of a profession under this subdivision, when issued or filed for public record, shall be dated and bear the signature and seal of the licensed professional who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of the licensee has expired or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

123 Repeal; Board of Architects. The following are repealed:

I. RSA 310-A:32, I(e), relative to rulemaking authority of the board of architects on fees.

II. RSA 310-A:33, relative to the authority of the board of architects to set fees.

124 Land Surveyors; Application; Examinations. Amend RSA 310-A:65 and 66 to read as follows:

310-A:65 Application. Applications for licensure shall be ~~[on forms]~~ **made on the format** prescribed and furnished by the ~~[board]~~ **office of licensure and certification**, shall contain statements made under oath, showing the applicant's education and detailed summary of the applicant's technical work, and shall contain not less than 5 references, of whom 3 shall be land surveyors having personal knowledge of the applicant's land surveying experience. All applications shall be accompanied by a fee established by the ~~[board]~~ **office of professional licensure and certification**.

310-A:66 Examinations.

I. The board, upon application and payment of a fee, shall provide a proctored examination in fundamentals of land surveying. Upon application and payment of the fee, and after successfully passing the fundamentals examination and completing the requisite years of professional experience, the board shall provide a professional examination.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 27 -

1 II. Examinations shall be held as the board shall determine. The scope of the examination
2 and the method of procedure shall be prescribed by the board. A candidate failing an examination
3 may apply for reexamination at the expiration of 6 months. Subsequent examination will be granted
4 upon payment of the fee to be determined by the ~~[board]~~ **office of professional licensure and**
5 **certification**. A candidate failing the examination 3 consecutive times shall be required to furnish
6 evidence of additional experience, study, or education credits acceptable to the board before being
7 allowed to take the examination again.

8 125 Land Surveyors; Expiration and Renewals. Amend RSA 310-A:68 to read as follows:

9 310-A:68 Expiration and Renewals. All licenses issued by the board shall expire on the last day
10 of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary
11 of the board shall notify every licensee of the date of the expiration of the license and the amount of
12 the fee that shall be required for its renewal for 2 years. Such notice shall be mailed at least one
13 month in advance of the date of expiration. Renewal may be effected at any time during the month
14 of expiration by the payment of the fee established by the ~~[board]~~ **office of professional licensure**
15 **and certification** and submission of evidence satisfactory to the board showing fulfillment of
16 continuing education requirements. The failure on the part of any licensee to renew the license in
17 the month of expiration as required above shall not deprive such person of the right of renewal,
18 provided that the ~~[board]~~ **office of professional licensure and certification** shall charge a 20
19 percent reinstatement fee for each month or fraction of a month the renewal is late. If a licensee
20 fails to renew such license within the 12 months after the date of expiration, it shall become null and
21 void and the licensee shall be required to reapply and to be reexamined for licensure as required in
22 this section.

23 126 Repeal; Land Surveyors. The following are repealed:

24 I. RSA 310-A:58, V, relative to rulemaking authority of the board of land surveyors on fees.

25 II. RSA 310-A:60, relative to the authority of the board of land surveyors to set certain fees.

26 127 Natural Scientists; Certification Procedure. Amend RSA 310-A:86, I to read as follows:

27 I. Application for certification shall be ~~[on forms prescribed and furnished by the board]~~
28 **made using the method prescribed and furnished by the office of professional licensure and**
29 **certification**. ~~[Such forms]~~ **Applications** shall include the applicant's educational background,
30 including transcripts from educational institutions attended, a detailed work experience history, and
31 such other information as the board may by rule require. All applications shall be signed under oath
32 by the applicant.

33 128 Natural Scientists; Failure to Renew. Amend RSA 310-A:90 to read as follows:

34 310-A:90 Failure to Renew. Failure to remit the biennial renewal fee when due shall
35 automatically cancel the certification. If properly renewed, a certification shall remain in effect
36 continuously from the date of issuance, unless suspended or revoked by the board for just cause. A
37 person whose certification is canceled for such failure may reinstate such certification by paying,

SB 13-FN - AS AMENDED BY THE SENATE
- Page 28 -

1 within one year of cancellation, all fees due, plus a late fee as established by the ~~[board]~~ **office of**
2 **professional licensure and certification**.

3 129 Repeals; Natural Scientists. The following are repealed:

4 I. RSA 310-A:82, V, relative to rulemaking authority of the board of natural scientists on
5 fees.

6 II. RSA 310-A:92, relative to the authority of the board of natural scientists to set fees.

7 130 Board of Foresters; Applications; Fees. Amend RSA 310-A:105 to read as follows:

8 310-A:105 Applications; Fees. Applications for licensing shall be made ~~[on forms prescribed and~~
9 ~~furnished by the board,]~~ **using the method prescribed by the office of professional licensure**
10 **and certification** and shall contain statements made under oath as to citizenship, residence, the
11 applicant's education, a detailed summary of the applicant's technical experience, and shall contain
12 the names of not less than 5 references, 3 or more of whom shall be individuals having personal or
13 professional knowledge of the applicant's forestry experience. The fee for a license as a forester shall
14 be fixed by the ~~[board]~~ **office of professional licensure and certification**. One-half of the fee
15 shall accompany the application, the balance to be paid before the issuance of the license. Should
16 the applicant fail to remit the remaining balance within 30 days after being notified by certified
17 mail, return receipt requested, that the application has been accepted, the applicant shall forfeit the
18 right to have the license issued and the applicant may be required to again submit an original
19 application and pay an original fee on such application. Should the board deny the issuance of a
20 license to any applicant, the fee deposited shall be retained by the ~~[board]~~ **office of professional**
21 **licensure and certification** as an application fee.

22 131 Board of Foresters; Examination; Re-Examination; Fee. Amend RSA 310-A:106 to read as
23 follows:

24 310-A:106 Examination; Re-Examination; Fee. The methods and procedure for written and oral
25 examinations shall be prescribed by the board. A candidate failing an examination may apply for re-
26 examination at the expiration of 6 months and shall be entitled to one re-examination without
27 payment of an additional fee. Subsequent re-examinations may be granted upon payment of a fee to
28 be fixed by the ~~[board]~~ **office of professional licensure and certification**.

29 132 Board of Foresters; Failure to Renew. Amend RSA 310-A:110 to read as follows:

30 310-A:110 Failure to Renew. Failure to remit the biennial renewal fee when due or failure to
31 submit proof of required continuing education shall automatically cancel the license. If properly
32 renewed, a license shall remain in effect continuously from the date of issuance, unless suspended or
33 revoked by the board for just cause. A person whose license is canceled for such failure may
34 reinstate such license by paying, within one year of cancellation, all fees due, plus a late fee as
35 established by the ~~[board]~~ **office of professional licensure and certification**, provided continuing
36 education requirements have been met.

37 133 Repeal; Board of Foresters. The following are repealed:

SB 13-FN - AS AMENDED BY THE SENATE
- Page 29 -

1 I. RSA 310-A:102, V, relative to rulemaking authority of the board of foresters on fees.

2 II. RSA 310-A:116, relative to fees established by the board of foresters.

3 134 Board of Professional Geologists; Examinations. Amend RSA 310-A:129 to read as follows:

4 310-A:129 Examinations. Written technical examinations in geology shall be held at least
5 annually as the board shall determine. The scope of the technical and professional examination and
6 the methods of procedure shall be prescribed by the board. A candidate failing an examination may
7 apply for reexamination upon payment of an additional fee determined by the ~~[board]~~ **office of**
8 **professional licensure and certification** and shall be reexamined on the next regularly
9 scheduled examination date. A candidate failing the examination 3 consecutive times shall be
10 required to furnish evidence of additional experience, study, or education credits acceptable to the
11 board before being allowed to proceed with the examination.

12 135 Board of Professional Geologists; Certificates; Seals. Amend RSA 310-A:130 to read as
13 follows:

14 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee
15 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant
16 who has satisfactorily met all the requirements of this subdivision. Licenses shall show the full
17 name of the licensee, have a serial number, and be signed by the chairperson and the secretary of
18 the board under seal of the board. The issuance of a license by the board shall be prima facie
19 evidence that the person named in the license is entitled to all the rights and privileges of a licensed
20 professional geologist while the license remains valid. Each licensee shall upon licensure obtain a
21 seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed
22 Professional Geologist." All papers or documents involving the practice of geology affecting public
23 health, safety, and welfare, under this subdivision, when issued or filed for public record, shall be
24 dated and bear the signature and seal of the licensed professional geologist who prepared or had
25 responsibility for and approved them.

26 136 Board of Professional Geologists; License Expiration and Renewals. Amend RSA 310-A:132,
27 II to read as follows:

28 II. Failure to remit the renewal fee when due shall automatically suspend the license. A
29 person whose license is canceled for such failure may reinstate the license by paying, within one year
30 of suspension, all fees due, plus a late fee as established by the ~~[board]~~ **office of professional**
31 **licensure and certification**.

32 137 Repeal; Board of Professional Geologists. The following are repealed:

33 I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the
34 secretary of state.

35 II. RSA 310-A:121, II and III, relative to rulemaking of the board of professional geologists
36 on fees.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 30 -

1 III. RSA 310-A:123, relative to receipts and disbursements of the board of professional
2 geologists.

3 138 Board of Landscape Architects; Applications. Amend RSA 310-A:149, I to read as follows:

4 I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made***
5 ***using the method prescribed and furnished by the office of professional licensure and***
6 ***certification. Applications*** shall contain statements made under oath, showing the applicant's
7 education and a detailed summary of the applicant's technical work, and shall contain not less than
8 5 references, of whom at least 3 shall be licensed landscape architects having personal knowledge of
9 the applicant's professional experience. The ~~[board]~~ ***office of professional licensure and***
10 ***certification*** shall establish fees for application and any examination required under this
11 subdivision. Should the board deny the issuance of a license to any applicant, any initial fee
12 deposited shall be retained as an application fee.

13 139 Board of Landscape Architects; Examinations. Amend RSA 310-A:151 to read as follows:

14 310-A:151 Examinations. Written technical examination in landscape architecture shall be held
15 at least annually as the board shall determine. The scope of the technical and professional
16 examination and the methods of procedure shall be prescribed by the board. A candidate failing an
17 examination may apply for reexamination upon payment of an additional fee determined by the
18 ~~[board]~~ ***office of professional licensure and certification*** and shall be reexamined on the next
19 regularly scheduled examination date.

20 140 Board of Landscape Architects; Certificates; Seals. Amend RSA 310-A:152 to read as
21 follows:

22 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee
23 established by the ~~[board]~~ ***office of professional licensure and certification***, to any applicant
24 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.
25 Licenses shall show the full name of the licensee, have a serial number, and be signed by the
26 chairperson and the secretary of the board under seal of the board. The issuance of a license by the
27 board shall be prima facie evidence that the person named in the license is entitled to all the rights
28 and privileges of a licensed landscape architect while the license remains valid. Each licensee shall
29 upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and
30 the legend, "licensed landscape architect." All papers or documents involving the practice of
31 landscape architecture under this subdivision, when issued or filed for public record, shall be dated
32 and bear the signature and seal of the licensed professional who prepared or had responsibility for
33 and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any
34 documents with such seal after the license of the licensee has expired or has been revoked, unless
35 such license shall have been renewed, reinstated, or reissued.

36 141 Repeal; Landscape Architects. The following are repealed:

SB 13-FN - AS AMENDED BY THE SENATE
- Page 31 -

1 I. RSA 310-A:143, I(e), relative to rulemaking authority of the board of landscape architects
2 on fees.

3 II. RSA 310-A:144, relative to the authority of the board of landscape architects to establish
4 fees.

5 142 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

6 310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be
7 every 2 years. All licenses issued by the board shall expire on the last day of the month of the
8 licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall
9 notify every licensee of the date of the expiration of the license and the amount of the fee that shall
10 be required for its renewal for 2 years, such amount to be not less than \$200. Such notice shall be
11 mailed at least one month in advance of the date of expiration. Renewal may be effected at any time
12 during the month of expiration by the payment of the fee established by the ~~[board]~~ **office of**
13 **professional licensure and certification** and submission of evidence satisfactory to the board
14 showing fulfillment of continuing education requirements. If a licensee fails to renew such license
15 within the 12 months after the date of expiration, it shall become null and void and the licensee shall
16 be required to reapply for licensure. ~~[The board, pursuant to rules adopted under RSA 310-A:171,~~
17 ~~shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up~~
18 ~~to 12 months, in addition to the renewal fee.]~~

19 143 Repeal; Court Reporters. The following are repealed:

20 I. RSA 310-A:164, VI relative to fees.

21 II. RSA 310-A:171, relative to fees for court reporters'

22 144 Home Inspectors; Issuance of Licenses. Amend RSA 310-A:193 to read as follows:

23 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee
24 established by the ~~[board]~~ **office of professional licensure and certification**, to any applicant
25 who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision.
26 Licenses shall show the full name of the licensee, have a serial number, and be signed by the
27 chairperson or the secretary of the board. The issuance of a license by the board shall be prima facie
28 evidence that the person named in the license is entitled to all the rights and privileges of a licensed
29 home inspector while the license remains valid. It shall be a class B misdemeanor for the licensee to
30 perform home inspections after the license of the licensee has expired or has been revoked, unless
31 such license shall have been renewed, reinstated, or reissued.

32 145 Repeal; Home Inspectors. The following are repealed:

33 I. RSA 310-A:187, I, relative to the establishment of fees.

34 II. RSA 310-A:188, relative to rules and fees for the licensing of home inspectors.

35 146 Repeal; Septic System Evaluators. The following are repealed:

36 I. RSA 310-A:207, I(e), relative to fees.

37 II. RSA 310-A:208, relative to licensing and fees for septic system evaluators.

SB 13-FN - AS AMENDED BY THE SENATE
- Page 32 -

1 147 Board of Accountancy. Amend RSA 309-B:4, IV to read as follows:

2 IV. The ~~[board]~~ **office of professional licensure and certification** shall establish fees for
3 examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for
4 renewal and reinstatement of licenses and certificates to practice under this chapter, for late
5 renewals, for verification of licensure or examination, and for transcribing and transferring records
6 and other services. All moneys collected by the ~~[board]~~ **office of professional licensure and**
7 **certification** from fees authorized under this chapter shall be received and accounted for by the
8 ~~[board]~~ **office of professional licensure and certification**, shall be deposited in the ~~[state~~
9 ~~treasury]~~ **office of professional licensure and certification fund established in RSA 310-A:1-**
10 **e.** Administration expenses shall be limited to the funds collected and may include, but shall not be
11 limited to, the costs of conducting investigations and of taking testimony and procuring the
12 attendance of witnesses before the board or its committees; all legal proceedings taken under this
13 chapter for the enforcement of this chapter; and educational programs for the benefit of the public or
14 licensees and their employees.

15 148 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.
16 Amend RSA 309-B:5, I to read as follows:

17 I. The certificate of "certified public accountant" shall be granted to persons of good
18 character who meet the education, experience, and examination requirements of this section, who
19 make application therefor pursuant to RSA 309-B:7, and who pay the fees prescribed by the ~~[board]~~
20 **office of professional licensure**.

21 149 Board of Accountancy; Qualifications for a Certificate as a Certified Public Accountant.
22 Amend RSA 309-B:5, VIII to read as follows:

23 VIII. The board may charge, or provide for a third party administering the examination to
24 charge, each applicant a fee in an amount prescribed by the ~~[board]~~ **office of professional**
25 **licensure and certification** by rule, for each section of the examination or reexamination taken by
26 the applicant.

27 150 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, IV to
28 read as follows:

29 IV. The board, **through the office of professional licensure and certification**, may
30 charge a fee to any licensee of another state receiving a reciprocal certificate under this section, in
31 accordance with rules adopted by the ~~[board]~~ **office of professional licensure and certification**.

32 151 Board of Accountancy; Issuance and Renewal of Certificates. Amend RSA 309-B:7, VIII to
33 read as follows:

34 VIII. The board shall charge a fee for each application for initial issuance or renewal of a
35 certificate under this section in an amount prescribed by the ~~[board]~~ **office of professional**
36 **licensure and certification** by rule.

37 152 Board of Accountancy; Firm Permits to Practice. Amend RSA 309-B:8, V to read as follows:

V. The board shall charge a fee for each application for initial issuance or renewal of a permit under this section in an amount prescribed by the ~~[board]~~ **office of professional licensure and certification** by rule.

153 Repeal Accountancy. RSA 309-B:4, VIII(h), relative to establishment of fees, is repealed.

154 Electricians; Examination for License. Amend RSA 319-C:8 to read as follows:

319-C:8 Examinations for License. Each applicant for licensure shall present to the board ~~[on forms furnished by the board, a written]~~ **an** application for examination and license, containing such information as the board may require, accompanied by the required application fee established by the ~~[board]~~ **office of professional licensure and certification**. Proctored examinations shall be written, written and oral, oral, or computerized as approved by the board, and shall be of a thorough and practical character. They shall include such provisions of the National Electrical Code as the board may deem appropriate. Any person failing to pass his or her first examination may be reexamined at any subsequent examination meeting of the board or by an examination entity approved by the board, and thereafter may be examined as often as he or she may desire upon submitting the written application for examination and license and payment of the required application fee as set forth in this chapter.

155 Electricians; Renewal of Licenses. Amend RSA 319-C:9, I to read as follows:

I. Notwithstanding any outstanding license to the contrary, all licenses issued by the board shall be valid for 3 years and expire on the last day of the month of the licensee's birth, but may be renewed without additional fees during the following month, retroactive to the first day of the month. Upon payment of the normal renewal fee and a late fee, licenses which have been expired for at least one month shall be permitted to be renewed within one year after the date of expiration. The fees for renewal and late renewal of a license issued under this chapter shall be established by the ~~[board]~~ **office of professional licensure and certification**.

156 Repeal; Electricians. The following are repealed:

I. RSA 319-C:6-a, V, relative to fees.

II. RSA 319-C:6-b, relative to fees for licensure as an electrician.

157 Repeal; Family Mediators. The following are repealed:

I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

II. RSA 328-C:8, I(i), relative to fees.

III. RSA 328-C:8, II(b), relative to fees.

IV. RSA 328-C:11, relative to fees established by the family mediator board.

158 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(c) to read as follows:

(c) Establish requirements~~[]~~ **and** criteria~~[]~~ ~~and fees~~ for the certification, recertification, reinstatement, and renewal of certification of guardians ad litem.

159 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, I(f) to read as follows:

(f) Establish disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions for certified guardians ad litem, which penalties[~~]~~ **and** sanctions[~~]~~~~and procedures~~ may include revocation of certification, suspension of certification, the imposition of supplemental training requirements or supervised training requirements, supplemental education, fines, written reprimand, and treatment and counseling, including but not limited to treatment and counseling for alcohol and substance abuse. Disciplinary [~~procedures,~~] penalties[~~]~~ and sanctions may be established for and applied to formerly certified guardians ad litem claimed to have engaged in acts or omissions prohibited when certified.

160 Guardians ad Litem Board; Duties. Amend RSA 490-C:4, II(c) to read as follows:

(c) Establish requirements[~~]~~ **and** criteria[~~]~~~~and fees~~ for the conditional certification or temporary certification of guardians ad litem or both, including procedures and requirements regarding the circumstances and manner in which individuals may be temporarily or conditionally certified, the term and duration of conditional or temporary certification, and the ethical standards and standards of practice applicable to persons so certified.

161 Repeal; Guardian ad Litem Board. The following are repealed:

I. RSA 490-C:5, I(f), relative to fees.

II. RSA 490-C:5, II(b), relative to fees.

162 Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5, I and II to read as follows:

I. Applications for original license or certification, renewal license or certification and examinations shall be made [~~in writing to the board on forms approved by the board~~] **using the method prescribed and furnished by the office of professional licensure and certification.**

II. Appropriate fees, as fixed by the [~~board~~] **office of professional licensure and certification** under rules established pursuant to RSA 541-A, shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the board for transmittal to the federal government under Title XI.

163 Real Estate Appraisers; Appraisal Management Company Fee. Amend RSA 310-B:12-e to read as follows:

310-B:12-e Appraisal Management Company Fee.

I. The [~~board~~] **office of professional licensure and certification** shall establish by rule or regulation a processing fee to be paid by each appraisal management company seeking registration under this chapter that is sufficient for the administration of the registration process.

II. A similar processing fee may be charged by the [~~board~~] **office of professional licensure and certification** in connection with the renewal of any registrations.

164 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21 to read as follows:

310-B:21 Receipts and Disbursements.

1 I. The ~~board~~ ***office of professional licensure and certification*** shall receive and
2 account for all moneys derived under the provisions of this chapter. Under no circumstances shall
3 the total amount of payments exceed the fees collected under this chapter.

4 I-a. All moneys collected as administrative penalties through enforcement actions or
5 settlements under this chapter shall be credited to the real estate appraisers fund and disbursed by
6 the board for the investigation of complaints and activities ~~[that violate this chapter or rules adopted~~
7 ~~by the board.~~

8 ~~H. The board shall reimburse the general fund for moneys appropriated for the purposes of~~
9 ~~this chapter as soon as such funds are available.~~

10 ~~III.] II.~~ Revenues in excess of budget estimates may be expended with the prior approval of
11 the legislative fiscal committee and the governor and council.

12 165 Repeal; Real Estate Appraisers; RSA 310-B:24, VI and VII-a, relative to fees, are repealed.

13 166 Effective Date. Part IV of this act shall take effect July 1, 2021.

SB 13-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2021-0552s)

AN ACT adopting omnibus legislation on state taxes and fees.

PART I Relative to the rates of business profits tax and the business enterprise tax.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This part of the bill will remove the contingency rate adjustments to the business profits tax (BPT) and business enterprise tax (BET) for taxable periods ending on or after December 31, 2021. The bill also reduces the BPT rate from 7.7 percent to 7.6 percent for taxable periods ending on or after December 31, 2021 and further reduces the rate from 7.6 percent to 7.5 percent for taxable periods ending on or after December 31, 2022. The BET rate will reduce from 0.60 percent to 0.55 percent for taxable periods ending on or after December 31, 2021 and further reduces the rate from 0.55 percent to 0.50 percent for taxable periods ending on or after December 31, 2022.

The Department of Revenue Administration states the fiscal impact is indeterminable as the Department is not able to predict future business tax revenue. Based on the following assumptions, the Department is able to estimate a possible fiscal impact:

- to calculate FY 2021 thru FY 2024 revenues, the FY 2020 cash basis business tax revenue plus anomalous receivable revenue (revenue received in FY 2021 that is credited back to FY 2020) of \$697,472,623 (BET revenue of \$258,511,460 and BPT revenue of \$438,961,163) is the starting point for calculating fiscal impact;
- due to FY 2020 including a small amount (approx. 15%) of revenue attributable to tax year (TY) 2018 which had a BPT rate of 7.9 percent and a BET rate of 0.675 percent, the Department adjusted the FY 2020 cash basis revenue assuming the BPT rate of 7.7

percent and BET rate of 0.60 percent. This recalculation resulted in the total expected business tax revenue of \$691,497,158 under current law.

- based on a tax year revenue analysis of FY 2020 revenue, 15 percent is attributable to tax year 2018, 63 percent is attributable to tax year 2019, and 22 percent is attributable to tax year 2020; and,
- applying the split to FY 2020 revenue as well as applying the applicable rates creates a base of \$48,046,301,704 (BET:\$42,367,155,963 + BPT:\$5,679,145,741) to use for the starting point of the calculating the fiscal impact.

The following tables provide the tax rates and any changes under current law and as proposed in this part of the bill. The last table provides an estimated impact the rate changes will have on revenue.

Current Law Rates and Split

Fiscal Year	Tax Year	% Applicable to Tax Year	BET Rates	BPT Rates
Fiscal Year 2020	Tax Year 2018	15%	0.675%	7.9%
	Tax Year 2019	63%	0.600%	7.7%
	Tax Year 2020	22%	0.600%	7.7%
Fiscal Year 2021 and forward	Tax Year 2019 and forward	100%	0.600%	7.7%

Proposed Legislation Rates and Split

Fiscal Year	Tax Year	% Applicable to Tax Year	BET Rates	BPT Rates
Fiscal Year 2020	Tax Year 2018	15%	0.675%	7.9%
	Tax Year 2019	63%	0.600%	7.7%
	Tax Year 2020	22%	0.600%	7.7%
Fiscal Year 2021	Tax Year 2019	15%	0.600%	7.7%
	Tax Year 2020	63%	0.600%	7.7%
	Tax Year 2021	22%	0.550%	7.6%
Fiscal Year 2022	Tax Year 2020	15%	0.600%	7.7%
	Tax Year 2021	63%	0.550%	7.6%
	Tax Year 2022	22%	0.500%	7.5%
Fiscal Year 2023	Tax Year 2021	15%	0.550%	7.6%
	Tax Year 2022	63%	0.500%	7.5%
	Tax Year 2023	22%	0.500%	7.5%
Fiscal Year 2024 and forward	Tax Year 2023 and forward	100%	0.500%	7.5%

Fiscal Impact of Rate Changes by Fiscal Year

Business Taxes - Static Analysis using FY 2020 Revenues				
Fiscal Year	FY 2020 Revenues with Current Law's 2019 thru 2021 Rates	FY 2020 Revenues with Proposed Legislation's Rates	Estimated Fiscal Impact Per Year (Proposed Legislation Compared to Current Law)	Estimated Cumulative Impact (Proposed Legislation Compared to Current Law)
2021	\$691,497,158	\$685,587,359	(\$5,909,799)	(\$5,909,799)
2022	\$691,497,158	\$662,754,043	(\$22,833,315)	(\$28,743,114)
2023	\$691,497,158	\$641,801,119	(\$20,952,925)	(\$49,696,039)
2024	\$691,497,158	\$637,771,710	(\$4,029,409)	(\$53,725,447)

The fiscal impact of the proposed rate reductions as depicted in the above table may be overstated or understated for future years depending on whether actual revenue is more or less than the FY 2020 cash basis revenue plus the anomalous receivable revenue (revenue received in FY 2021 that is credited back to FY 2020).

AGENCIES CONTACTED:

Department of Revenue Administration

PART II Relative to exemptions for the tax on interest and dividends.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This part of the bill will increase the Interest and Dividends Tax exemption from \$1,200 to \$2,400 for the 65 years of age or older exemption (RSA 77:5, II), the blind exemption (RSA 77:5, III), and the disabled exemption (RSA 77:5, IV) for tax years ending on or after December 31, 2021.

The Department of Revenue Administration is not able to determine the exact impact of increasing the Interest and Dividends Tax exemptions. The Department is able to provide an estimate of the fiscal impact of this part of the bill.

In calculating the estimated fiscal impact, the Department uses the following data/assumptions:

- TY 2019 liabilities reported by taxpayers of \$113,810,116 as the starting point for revenue.
- Exemptions actually claimed in TY 2019 to estimate the future fiscal impact.
- When calculating revenue for FY 2021 and forward the following revenue splits are used: 5% is attributable to 2 tax years prior, 68% is attributable to 1 tax year prior, and 27% is attributable to the current tax year
- Calendar year filers with a taxable period ending December 31, 2021 will not adjust estimate payments due in April and June of 2021, but with an effective date of July 1, 2021 for the bill, filers will have more substantial adjustments for their estimate payments in September 2021 and January 2022. This will result in the FY 2022 fiscal impact being larger than subsequent years because it includes reductions in liabilities which normally would have occurred in FY 2021 had the bill been in place at the time the first two estimated payments were made by taxpayers.

Based on the preceding data/assumptions, the table below provides an estimate of this bill's fiscal impact, which may be overstated or understated for future fiscal years depending on whether actual revenue is more or less than the reported TY 2019 liabilities and whether the number of taxpayers qualifying for the exemptions changes from TY 2019:

Fiscal Year	TY2019 Liability Reported	Estimated Revenue	Year-Over-Year Difference	Proposed Legislation Compared to Current Law
2022	\$ 113,810,116	\$ 110,742,256	\$ (3,067,860)	\$ (3,067,860)
2023	\$ 113,810,116	\$ 111,295,477	\$ 553,221	\$ (2,514,640)
2024	\$ 113,810,116	\$ 111,295,477	\$ -	\$ (2,514,640)

The Department would need to update all necessary tax return forms and electronic management systems related to the bill. The Department anticipates this bill will not result in any additional administrative costs that could not be absorbed by the Department's operating budget.

AGENCIES CONTACTED:

Department of Revenue Administration

PART III Relative to the property tax exemption for educational organizations.

This part has no fiscal impact.

PART IV Relative to the authority of the office of professional licensure and certification to establish fees.

The Office of Professional Licensure and Certification indicates this part of the bill clarifies the Office's authority to set fees for all boards, councils, and commissions within the agency and removes the statutory fees in certain board practice acts. The Office states this part of the bill does not have a fiscal impact.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification