

HB 1495-FN - VERSION ADOPTED BY BOTH BODIES

16Mar2022... 1013h
04/21/2022 1529s

2022 SESSION

22-2576
07/11

HOUSE BILL **1495-FN**

AN ACT prohibiting the state from requiring businesses to require vaccine or documentation related to vaccination or immunity status.

SPONSORS: Rep. Lanzara, Hills. 28; Rep. Blasek, Hills. 21; Rep. Aron, Sull. 7; Rep. Foster, Hills. 5; Rep. T. Lekas, Hills. 37; Rep. Turcotte, Straf. 4; Rep. Kofalt, Hills. 4; Rep. Harvey-Bolia, Belk. 4

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill prohibits the state of New Hampshire and its political subdivisions from requiring any business to require vaccination or documentation of vaccination or immunity, except for state agencies certifying a medical facility or provider which is subject to a Medicare or Medicaid vaccination requirement or under RSA 141-C:20-a, I.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1495-FN - VERSION ADOPTED BY BOTH BODIES

16Mar2022... 1013h
04/21/2022 1529s

22-2576
07/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT prohibiting the state from requiring businesses to require vaccine or documentation related to vaccination or immunity status.

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

1 1 New Chapter; Prohibition on Certain Vaccine Requirements. Amend RSA by inserting after
2 chapter 9-F the following new chapter:

3 CHAPTER 9-G

4 PROHIBITION ON CERTAIN VACCINE REQUIREMENTS

5 9-G:1 Prohibition on Requiring Vaccination or Documentation. The state of New Hampshire
6 and its political subdivisions shall not:

7 I. Require any business to require the vaccination of any customer or employee except as
8 specified in RSA 141-C:20-a, I; or

9 II. Require any business to require or check for the possession of any documentation for
10 certifying vaccination or immunity status.

11 III. This section shall not apply to state agencies certifying a medical facility, or a provider
12 which is subject to a valid and enforceable Medicare or Medicaid condition of participation that
13 imposes a vaccination requirement.

14 2 Effective Date. This act shall take effect upon its passage.

**HB 1495-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to vaccine mandates for government contractors.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill prohibits employee vaccine requirements for government contractors, except for medical providers when there is a direct threat present.

The Department of Justice indicates the State contracts with many out-of-state contractors whose home state may mandate vaccination or its proof. This bill has the potential of creating contract disputes that might result in litigation involving the state. That litigation would impinge on the resources of Department's Civil Bureau, including its client counselors who advise all state agencies, boards and commissions, and civil litigation attorneys. It is not possible to estimate the fiscal impact on the Department as that amount is indeterminable. There would be no impact on State revenue.

The Judicial Branch states the fiscal impact of this bill is indeterminable. The Branch does not have data on how many current or future vendors have vaccine mandates or how many existing contracts would need to be terminated at the next renewal date. The Branch assumes there may be a fiscal impact if there are fewer vendors from which to select and there may be disruptions to court operations if there are no qualified vendors or if the quality of the service or product is

impaired by a more limited vendor pool. Because the Judicial Branch does not have information on the vaccine requirements of its current and future vendors, it is unable to calculate the fiscal impact, if any.

It is assumed that any fiscal impact would occur after FY 2022.

AGENCIES CONTACTED:

Department of Justice and Judicial Branch