

CHAPTER 212
HB 481-FN – FINAL VERSION

20Mar2013... 0778h
05/02/13 1344s

2013 SESSION

13-0763
05/01

HOUSE BILL ***481-FN***

AN ACT limiting the state's authority to seek reimbursement for public assistance.

SPONSORS: Rep. Hackel, Hills 29

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill removes the state's ability under RSA 167:2 to recover public assistance from the recipient's child and stepparent and limits the state's authority to recover public assistance from the recipient's parent. The bill also revises RSA 546-A, relative to civil liability for support, by removing a child's obligation to support his or her parents and limiting a parent's liability to support his or her children.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT limiting the state's authority to seek reimbursement for public assistance.

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

1 212:1 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children;
2 Liability for Support. Amend RSA 167:2 to read as follows:

3 167:2 Liability for Support; Recovery. Assistance rendered under this chapter or RSA 161 to
4 anyone having a father, mother, [~~stepfather, stepmother, son, daughter,~~] husband or wife, whose
5 weekly income or other resources are more than sufficient to provide a reasonable subsistence
6 compatible with decency and health, may be recovered in an appropriate proceeding in the superior
7 court brought by the commissioner of health and human services, in the name of the state, from
8 either a father, mother, [~~stepfather, stepmother, son, daughter,~~] husband, or wife, who are declared
9 jointly and severally liable for such assistance. ***A parent shall be liable under this section only
10 for assistance provided to a child under the age of 18, or for as long as the department of
11 health and human services has the authority to recover support under Title IV of the
12 Social Security Act.*** Such action shall be brought by the attorney general or the county attorney
13 for the county in which any such relative resides when so requested by the commissioner of health
14 and human services. ***Nothing in this section shall affect assistance eligibility or the amount
15 of services for which an applicant or recipient may be eligible.***

16 212:2 Uniform Civil Liability for Support; Liability. Amend RSA 546-A:2 to read as follows:

17 546-A:2 Liability. Every person whose income or other resources are more than sufficient to
18 provide for his or her reasonable subsistence compatible with decency or health owes a duty to
19 support or contribute to the support of ***the following persons when in need:*** his or her wife,
20 husband, ***or child***[~~, father or mother when in need~~] ***under the age of 18 or for as long as the
21 department of health and human services has the authority to recover support for the child
22 under Title IV of the Social Security Act.***

23 212:3 Effective Date. This act shall take effect January 1, 2014.

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25 Approved: July 10, 2013

26 Effective Date: January 1, 2014