HB 1569-FN – AS INTRODUCED

$2014 \; {\rm SESSION}$

14-2114 05/03

HOUSE BILL	1569-FN
AN ACT	permitting licensing requirements to be waived for buyers and sellers.
SPONSORS:	Rep. Lambert, Hills 44
COMMITTEE:	Executive Departments and Administration

ANALYSIS

This bill permits buyers and sellers to waive state licensing requirements.

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removed from current law appears [in brackets and struckthrough.]Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 1569-FN – AS INTRODUCED

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT permitting licensing requirements to be waived for buyers and sellers.

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

1	1 New Chapter; License and Certification Exemption. Amend RSA by inserting after chapter
2	332-J the following new chapter:
3	CHAPTER 332-K
4	LICENSE AND CERTIFICATION EXEMPTION
5	332-K:1 Occupation and Professions; License and Certification Exemption. Notwithstanding
6	any other provision of law, a buyer and seller of services may voluntarily and knowingly waive any
7	state licensing or certification requirement for a profession or trade, provided that the seller does not
8	hold himself or herself out as licensed or certified to provide the service, the seller does not primarily
9	engage in the business of providing the service, and the buyer waives any recourse or remedy against
10	the seller for the service. If the buyer knowingly waived the licensing or certification requirement,
11	the state shall not enforce any criminal penalty or violation against the seller for unauthorized
12	practice of the trade or profession.
13	2 Effective Date. This act shall take effect 60 days after its passage.

LBAO 14-2114 12/13/13

HB 1569-FN - FISCAL NOTE

AN ACT permitting licensing requirements to be waived for buyers and sellers.

FISCAL IMPACT:

The Joint Board of Licensure and Certification, and the Departments of Safety, Agriculture, and Health and Human Services state this bill, <u>as introduced</u>, will have an indeterminable impact on state expenditures, and may decrease state revenue by an indeterminable amount in FY 2014 and each year thereafter. There will be no impact on county and local revenue and expenditures.

METHODOLOGY:

The Joint Board of Licensure and Certification states this bill allows buyers and sellers of services to voluntarily waive any state licensing and certification requirement for a profession or trade, provided that various conditions are met. The Board states it is unable to determine how many individuals would no longer seek licensure if buyers and sellers were able to waive licensing requirements, and so the bill's fiscal impact is indeterminable.

The Department of Safety states the bill's fiscal impact is indeterminable. (The state boards for the licensing and regulation of plumbers and pipe fitters are both currently administratively attached to the Department.) The Department anticipates that the bill may result in an increasing workload for the Division of Fire Safety, due to potential electrical fires caused by unlicensed electrical workers and potential explosions caused by unlicensed gas fitters.

The Department of Agriculture state's the bill's fiscal impact is indeterminable. The Department states that currently, its weighmaster and service technician licensing program generates approximately \$58,000 per year in licensing fees, and its pesticide licensing program generates approximately \$40,000 per year in licensing fees. The Department states an indeterminable portion of that revenue may be lost if individuals decide not to pursue licensure.

The Department of Health and Human Services states it is unable to determine how many individuals would no longer seek licensure from its administratively attached boards, and therefore the fiscal impact is indeterminable.

The Departments of State and Environmental Services state the bill will have no fiscal impact.