

SB 374 – AS AMENDED BY THE HOUSE

14May2014... 1694h

2014 SESSION

14-2791
03/08

SENATE BILL **374**

AN ACT relative to defining residence and establishing a commission to review and make recommendations to clarify the residency requirements to register a motor vehicle in New Hampshire.

SPONSORS: Sen. Prescott, Dist 23; Sen. Carson, Dist 14

COMMITTEE: Public and Municipal Affairs

AMENDED ANALYSIS

This bill deletes inhabitant from the definition of resident for purposes of statutory construction. This bill also establishes a commission to review and make recommendations to clarify the residency requirements to register a motor vehicle in New Hampshire.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to defining residence and establishing a commission to review and make recommendations to clarify the residency requirements to register a motor vehicle in New Hampshire.

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

1 1 Statutory Construction; Resident; Residence. Amend RSA 21:6 and RSA 21:6-a to read as
2 follows:

3 21:6 Resident[; ~~Inhabitant~~]. A resident [~~or inhabitant or both~~] of this state and of any city, town,
4 or other political subdivision of this state shall be a person who [~~is domiciled or~~] has a place of abode
5 [~~or both in this state and~~] in any city, town, or other political subdivision of this state, and who has,
6 through all of his **or her** actions, demonstrated a current intent to designate that place of abode as
7 his **or her** principal place of physical presence for the indefinite future to the exclusion of all others.

8 21:6-a Residence. Residence or residency shall mean a person’s place of abode [~~or domicile~~]. The
9 place of abode [~~or domicile~~] is that designated by a person as his **or her** principal place of physical
10 presence for the indefinite future to the exclusion of all others. Such residence or residency shall not
11 be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence
12 or residency as the principal place of physical presence.

13 2 New Chapter; Commission to Review and Make Recommendations to Clarify the Residency
14 Requirements to Register a Motor Vehicle in New Hampshire. Amend RSA by inserting after
15 chapter 19-N the following new chapter:

16 CHAPTER 19-O

17 COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS TO CLARIFY

18 THE RESIDENCY REQUIREMENTS

19 TO REGISTER A MOTOR VEHICLE IN NEW HAMPSHIRE

20 19-O:1 Commission to Review and Make Recommendations to Clarify the Residency
21 Requirements to Register a Motor Vehicle in New Hampshire.

22 I. There is established a commission to review and make recommendations to clarify the
23 residency requirements to register a motor vehicle in New Hampshire.

24 II. The members of the commission shall be as follows:

25 (a) One member of the senate, appointed by the president of the senate.

26 (b) One member of the senate, appointed by the minority leader of the senate.

27 (c) One member of the house of representatives, appointed by the speaker of the house of
28 representatives.

29 (d) One member of the house of representatives, appointed by the minority leader of the

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1 house of representatives.

2 (e) The director of the division of motor vehicles, department of safety, or designee.

3 (f) A city clerk or designee appointed by the New Hampshire City and Town Clerks'
4 Association.

5 (g) A town clerk appointed by the New Hampshire City and Town Clerks' Association

6 III. Legislative members of the commission shall receive mileage at the legislative rate when
7 attending to the duties of the committee.

8 IV. The commission shall review the various references to resident and residency in state
9 statutes relating to motor vehicles and make recommendations on changes needed to make the rules
10 and regulations easier to understand and interpret for the benefit of the public and public officials.

11 V. The members of the commission shall elect a chairperson from among the members. The
12 first meeting of the commission shall be called by the senate member appointed by the president of
13 the senate. The first meeting of the commission shall be held within 45 days of the effective date of
14 this section. Four members of the commission shall constitute a quorum.

15 VI. The commission shall report its findings and any recommendations for proposed
16 legislative action in the 2015 session to the president of the senate, the speaker of the house of
17 representatives, the senate clerk, the house clerk, the governor, and the state library on or before
18 November 30, 2014.

19 3 Repeal. RSA 19-O, relative to the commission to review and make recommendations to clarify
20 the residency requirements to register a motor vehicle in New Hampshire, is repealed.

21 4 Effective Date.

22 I. Section 1 of this act shall take effect 60 days after its passage.

23 II. Section 3 of this act shall take effect November 30, 2014.

24 III. The remainder of this act shall take effect upon its passage.