

May 9, 2024
No. 19

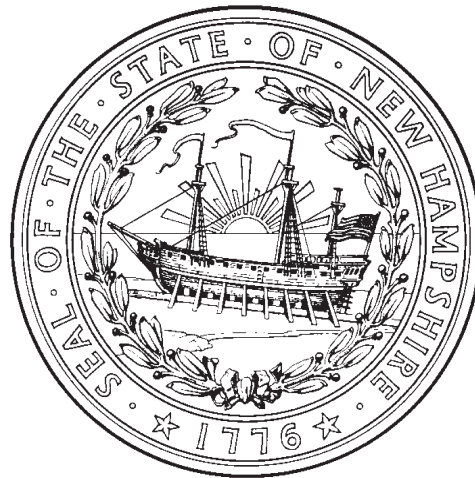
STATE OF NEW HAMPSHIRE

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<http://gencourt.state.nh.us/senate/schedule/dailyschedule.aspx>

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**Second Year of the 168th Session of the
New Hampshire General Court**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
WEDNESDAY, MAY 15, 2024 AT 2:00 P.M.**

**THE SENATE WILL MEET IN SESSION ON
THURSDAY, MAY 16, 2024 AT 10:00 A.M.**

**The Senate Session on Wednesday, May 15, 2024, in the Senate Chamber
will be live streamed at the following link:**

<https://youtube.com/live/BuMyjUHXLw0?feature=share>

**Please note, this link will not be live until the Senate Session on
Wednesday, May 15, 2024 at 2:00 P.M.**

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**The Senate Session on Thursday, May 16, 2024, in the Senate Chamber
will be live streamed at the following link:**

<https://www.youtube.com/watch?v=8ai8PSQakzM>

**Please note, this link will not be live until the Senate Session on
Thursday, May 16, 2024 at 10:00 A.M.**

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LAI D ON THE TABLE

SB 305-FN, relative to allowing wholesalers of cigarettes to retain tax revenue collected for each package of cigarettes with tax stamps sold.**02/08/2024, Pending Motion Ought to Pass, Ways and Means, SJ 3**

SB 307-FN, relative to electric transmission service agreements.**04/05/2024, Pending Motion OT3rdg, Finance, SJ 8**

SB 309-FN, relative to the vesting period for members of the state retirement system.**04/11/2024, Pending Motion Interim Study, Finance, SJ 9**

SB 328-FN, relative to deceptive ticket sale practices.**04/11/2024, Pending Motion OT3rdg, Commerce, SJ 9**

SB 335-FN, relative to alcohol packaging.**03/21/2024, Pending Motion Ought to Pass, Commerce, SJ 7**

SB 342-FN, relative to school building aid funding.**04/05/2024, Pending Motion OT3rdg, Finance, SJ 8**

SB 343, relative to school based health services.**01/18/2024, Pending Motion Interim Study, Education, SJ 2**

SB 346-FN, prohibiting the use of dogs while hunting coyotes.**02/15/2024, Pending Motion Inexpedient to Legislate, Energy and Natural Resources, SJ 4**

SB 392-FN-A, relative to lead paint hazard remediation.**04/11/2024, Pending Motion Ought to Pass, Finance, SJ 9**

SB 394-FN-A, relative to the cyanobacteria mitigation loan and grant fund.**04/11/2024, Pending Motion Ought to Pass, Finance, SJ 9**

SB 397-FN-A, making an appropriation for OHRV trails.**04/11/2024, Pending Motion Ought to Pass, Finance, SJ 9**

SB 410-FN, making appropriations to the department of health and human services to support community and transitional housing through community mental health centers.**04/11/2024, Pending Motion OT3rdg, Finance, SJ 9**

SB 452-FN-A, relative to making an appropriation for the hiring and training of small business development counselors in rural areas of New Hampshire.**02/21/2024, Pending Motion Interim Study, Finance, SJ 5**

SB 483-FN, relative to establishing an office of regulatory efficiency and oversight.**02/21/2024, Pending Motion Interim Study, Executive Departments and Administration, SJ 5**

SB 484-FN, relative to completion of the birth worksheet for hospital or institutional birth.**02/21/2024, Pending Motion Ought to Pass, Executive Departments and Administration, SJ 5**

SB 512-FN, relative to the 10-year highway plan.**03/07/2024, Pending Motion Interim Study, Transportation, SJ 6**

SB 516-FN, relative to prohibiting collective bargaining agreements that require employees to join a labor union.**04/05/2024, Pending Motion Ought to Pass, Commerce, SJ 8**

SB 519-FN, relative to evictions based on the owner's intent to renovate the property.**04/05/2024, Pending Motion Ought to Pass, Commerce, SJ 8**

SB 522-FN-A, relative to establishing an early childhood education scholarship account and making an appropriation therefor.**04/05/2024, Pending Motion OT3rdg, Finance, SJ 8**

SB 551-FN-A, relative to making an appropriation for rail trail project matching funds.**04/11/2024, Pending Motion Ought to Pass, Finance, SJ 9**

SB 562-FN, relative to state recognition of biological sex.**04/11/2024, Pending Motion Ought to Pass, Judiciary, SJ 9**

SB 565-FN, relative to discrimination in education and employment based on hairstyles historically associated with race.**03/07/2024, Pending Motion OT3rdg, Judiciary, SJ 6**

SB 590-FN-A, making an appropriation to address damage done to the seacoast during January storms.**04/11/2024, Pending Motion Interim Study, Finance, SJ 9**

HB 307-FN, relative to attorney's fees in actions under the right to know law.**02/15/2024, Pending Motion Interim Study, Finance, SJ 4**

HB 572-FN, relative to eligibility for free school meals.**01/03/2024, Pending Motion Refer to Finance Rule 4-5, Education, SJ 1**

CONSENT CALENDAR REPORTS

COMMERCE

HB 1172, relative to meetings of condominium boards and committees.
Ought to Pass, Vote 5-0.

Senator Innis for the committee.

This bill would exempt certain condominium board meetings and committees from notice requirements governing meetings of the association. This bill aimed to make the process less onerous, while ensuring the traditional requirements remained intact. Under this bill, a 5-day notice period would be required if 70 percent or more of the residents are full-time. For the other residents, the 10-day notice period would remain. If a condominium committee met with contractors, they would not be subject to noticing requirements as long as they are not executing a contract, expending funds, or making official decisions. This would help to expedite the selection of vendors and contractors at a time when there is limited availability of highly rated vendors.

HB 1559-FN, repealing the chapter relative to cash dispensing machines.
Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

At the request of the New Hampshire Banking Department, this bill would repeal RSA 399-F relative to cash dispensing machines. The Committee heard the costs of this statute outweigh its benefits. Since its enactment, the Department has received one complaint. Even with the repeal, cash dispensing machines would still be regulated under the Consumer Protection Act.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 1125, relative to requiring public notice and comment at all county commissioner and delegation meetings.
Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

This bill requires public notice for all County Commissioner and County Delegation meetings. Public comment will be required at all county commission and delegation meetings for at least three minutes per person. Commissioners and Delegates are not required to take questions.

HB 1126, relative to candidate requests for absentee ballot information.
Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

This bill as amended expands the information reported to candidates requesting absentee ballot information. The current report given to candidates includes the voters name, ID number, the date the ballot was requested and the date the ballot was returned. HB 1126 as amended will add the voters address, party, which election the ballot was requested for and the date the absentee ballot was sent or handed to the voter.

HB 1370-FN, relative to durable and tamper-proof containers for preserving ballots.
Inexpedient to Legislate, Vote 5-0.
Senator Gray for the committee.

This bill would have changed the boxes supplied by the Secretary of State to municipalities for the storage of ballots after an election. The committee determined that the new storage containers would be an added expense and require more space. Additionally, the current boxes and storage system work well and changing it now would increase the burden on election officials.

HB 1596-FN, requiring a disclosure of deceptive artificial intelligence usage in political advertising.
Ought to Pass with Amendment, Vote 5-0.
Senator Soucy for the committee.

This bill as amended requires the disclosure of media that uses artificial intelligence and deepfakes in political advertising. It prohibits the dissemination of misinformation when it is in the form of media manipulated by technology capable of making it appear that something was done or said in real life when it did not actually occur. The committee amendment added election officials with candidates and political party as those protected from deceptive political messages.

ENERGY AND NATURAL RESOURCES

HB 194-FN, requiring the director of the division of historical resources to compile and maintain a list of public monuments.
Ought to Pass with Amendment, Vote 5-0.
Senator Pearl for the committee.

This bill requires the director of the Division of Historical Resources to compile and maintain a list of public monuments. The bill's intent is to engage with and celebrate history through monuments, particularly for educational purposes. This bill, as amended, includes a provision stipulating that before amending or removing any marker, the commissioner of transportation must secure approval from the general court through legislation passed by both the house of representatives and the senate.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 274, relative to the administrative rulemaking process.
Ought to Pass with Amendment, Vote 5-0.
Senator Perkins Kwoka for the committee.

HB 274 directs agencies to notify legislative policy committees and other stakeholders of proposed rulemaking under RSA 541-A. The bill also directs the agency to pay attorneys fees in cases in which the agency adopted rules over JLCAR objection, if the court finds the rule invalid. The amendment clarifies who is considered a stakeholder and allows for judicial discretion regarding the payment of a plaintiff's legal expenses.

HB 644-FN, relative to regulating barbers, cosmetologists, and estheticians.
Interim Study, Vote 5-0.
Senator Altschiller for the committee.

HB 644-FN makes changes to the regulation of barbers, cosmetologists, and estheticians. The committee heard testimony that the bill would expand economic opportunities in niche beauty services. The committee felt that licensing standards for barbering, cosmetology, and esthetics should not be lowered.

HB 1057, relative to provisional licenses for new applicants for state emergency medical services licensure.
Ought to Pass with Amendment, Vote 5-0.
Senator Perkins Kwoka for the committee.

HB 1057 allows an applicant for initial licensure as an emergency medical care provider to be granted a temporary, provisional license while awaiting results of a criminal records check. That license would be a safety valve to get people in the door working as emergency medical technicians (EMT). The committee heard testimony that new EMTs are closely monitored and would be closely supervised by veteran EMTs. The Committee Amendment ensures that temporary licensees will always be supervised.

HB 1075, relative to abolishing daylight saving time.
Interim Study, Vote 5-0.
Senator Gendreau for the committee.

HB 1075 provides that New Hampshire shall exempt itself from daylight saving time when authorized to do so by the United States Congress. The committee heard testimony that this would negatively affect industries which do business in other states. Safety concerns over morning commutes were raised during the hearing. The committee feels time zones must be uniform, so change must come from Congress.

HB 1095, relative to the administration of occupational boards by the office of professional licensure and certification.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

HB 1095 makes various changes to the procedures and terminology of the Office of Professional Licensure and Certification and the occupational regulatory boards thereunder that are necessary to effectuate or correct regulatory changes made in recent legislative sessions. The committee amendment addresses three substantive concerns raised during the public hearing. This bill furthers the work done last year regarding licensing and certification procedures concerning apprenticeship and scope of duties in the state.

HB 1188-FN, relative to qualifications for licensed nursing assistants.

Ought to Pass, Vote 5-0.

Senator Pearl for the committee.

HB 1188-FN amends the requirement that a licensed nursing assistant must have the ability to read and write in the English language and allows the board of nursing to establish rules on the level of English proficiency required. This bill was designed to help ease the state's nursing shortage by allowing the industry to train applicants in English medical terminology instead of turning them away.

HB 1274-FN, relative to judicial administration.

Ought to Pass with Amendment, Vote 5-0.

Senator Gendreau for the committee.

HB 1274-FN makes changes to various statutes as requested by the judicial council. This bill amends the requirements for who can serve on the judicial council. This bill amends the requirements for when a person is arrested with or without a warrant. This bill authorizes the courts to appoint contract or other qualified attorneys in the first instance, provides for the repeal of this provision, and requires a report to be issued on the fiscal impact of this provision. The bill also raises the threshold amount to trigger the requirement of approval of the fiscal committee of the general court for the supreme court to transfer appropriate funds. The committee amendment adds to the exemption from the definition of "part-time" for the New Hampshire retirement system the judicial branch's assistant director of safety and security.

HB 1292-FN, relative to coverage of children under the state retiree insurance plan.

Ought to Pass, Vote 5-0.

Senator Perkins Kwoka for the committee.

HB 1292-FN removes the requirement that young adult children covered under a retired state employee's insurance plan be full-time students. Upon review by the Senate Research Office and other agencies, this requirement was determined to be an oversight in the law that needs to be changed. The premiums for the affected insurance plans are completely paid for by retirees, so there would be no cost to the state. The Committee heard testimony that including more healthy young people in the pool will lower premiums.

HB 1323-FN-A, relative to the furnishing of copies of the state constitution by the secretary of state to the public.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

HB 1323-FN-A requires the Secretary of State to furnish copies of the state constitution to the general public. As amended by the House, this bill will also allow for the printing of smaller copies of the constitution similar to pocket copies of the United State Constitution that are already in circulation. Having a hard copy available for distribution and purchase of the state constitution will encourage people to be more involved in their state government.

HB 1355-FN, relative to the New Hampshire National Guard recruitment and reenlistment incentive program.

Ought to Pass, Vote 5-0.

Senator Gendreau for the committee.

HB 1355-FN allows the New Hampshire National Guard to offer a reenlistment bonus of up to \$6,000 to members of the New Hampshire National Guard and are not eligible for a federal reenlistment bonus. The committee heard testimony from the Guard that the cost of training a new recruit vastly outweighs the cost of providing these bonuses. This bill will increase the New Hampshire National Guard's capacity for recruitment and retention.

HB 1385-FN, relative to establishing the veteran licensing acceleration program and making an appropriation therefor.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

HB 1385-FN establishes the veteran licensing acceleration program for occupational licensure administered by the Office of Professional Licensure and Certification, and makes an appropriation therefor. The Committee heard testimony that this bill would aid veterans and their families to transition to civilian life in the state. This bill further expands on programs to provide an easier pathway to licensure for military families coming to the state.

HB 1394-FN-A, relative to licensure and regulation of music therapists.

Ought to Pass, Vote 5-0.

Senator Perkins Kwoka for the committee.

HB 1394-FN-A establishes the licensure and regulation of music therapists under the Office of Professional Licensure and Certification. This bill further directs the Office of Professional Licensure and Certification, for the biennium ending June 30, 2027, to increase their annual budget by \$3,000 for the purpose of hiring temporary or part-time staff, or overtime costs, to help with licensing and administration of the music therapists governing board. The committee heard testimony this would help veterans and first responders afford care for post-traumatic stress disorder.

HB 1410-FN, relative to certain professional licenses.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

HB 1410-FN would make changes to the Nurse Practice Act. The Committee Amendment moves the responsibilities of the Board of Registration of Medical Technicians to the Office of Professional Licensure and Certification. The Board has been unable to reach a quorum to do rulemaking, which has limited what OPLC can do regarding the profession.

HB 1451-FN, relative to mandatory overtime and the calculation of base rate of compensation.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

HB 1451-FN provides that mandatory overtime shall be reported as part of the full base rate of compensation. The bill was a recommendation of the Retirement Benefits Commission. Some employees, most notably those working in the prisons, work vast amounts of mandatory overtime which is not being calculated within base rate of pay when it comes to pensions. The committee heard testimony this would increase recruitment and retention by providing a benefit to reflect mandatory overtime worked.

HB 1526-FN, relative to a conditional veterinary license for veterinarians educated in other countries.

Ought to Pass with Amendment, Vote 5-0.

Senator Pearl for the committee.

HB 1526-FN enables the Board of Veterinary Medicine to issue a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine who are enrolled in the ECFVG certificate program and have completed all but the clinical practice examination (CPE). The committee heard testimony that there is a shortage of veterinarians in the state which has led to increased wait times for appointments. This bill would allow graduates of non-AVMA-accredited colleges to perform the duties they are capable of while waiting to pass the CPE.

HB 1548-FN, relative to recommendations of the joint committee on employee classification.

Ought to Pass, Vote 5-0.

Senator Perkins Kwoka for the committee.

HB 1548-FN revises salary schedules for certain unclassified state employees after work done by a study committee on the subject. This bill is a request of the Joint Committee on Employee Classification and ratifies the changes they have approved over the past year.

HB 1622-FN, relative to administrative rulemaking and license renewals by the office of professional licensure and certification.

Ought to Pass with Amendment, Vote 5-0.

Senator Pearl for the committee.

HB 1622-FN requires rulemaking relative to the recordkeeping of the Executive Director of the Office of Professional Licensure and Certification and expands categories included in license renewal time frames. This bill also updates several provisions regarding public comments, reports, and expired rules. This bill will enable greater transparency in the rulemaking process. It will also enable an easier process for the public to weigh in on pending rules.

HB 1666-FN, relative to income reporting requirements for lobbyists.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

HB 1666-FN requires lobbyists to identify clients and income received from lobbying activity. The bill also authorizes the Secretary of State to enforce lobbyist statement requirements. The Secretary of State's Office will develop and implement an online system that will allow the Office to link all information regarding income and expenses, political contributions, and honorariums or expense reimbursements submitted by an individual lobbyist. This will increase transparency regarding lobbyists.

HB 1688-FN, relative to the use of artificial intelligence by state agencies.

Ought to Pass, Vote 5-0.

Senator Altschiller for the committee.

HB 1688-FN prohibits state agencies from using artificial intelligence to manipulate, discriminate, or surveil members of the public. The bill prohibits the use of deepfakes and biometric monitoring by state agencies in public spaces. The bill provides definitions of AI, generative AI, and deepfakes. The committee heard testimony that this bill will protect the rights of Granite Staters from AI systems used by state agencies.

HEALTH AND HUMAN SERVICES

HB 1131, relative to mental health practice.

Ought to Pass, Vote 5-0.

Senator Avarad for the committee.

HB 1131 expands the persons exempted list to include any organization which provides clinical mental health services, employs licensed mental health practitioners, provides clinical supervision of its staff, and which assumes professional, ethical, and legal responsibility for such mental health services. This is a simple bill that will ensure that students who work at a for-profit, private practice mental health center will not have to separate from the center while waiting for their licensure to go through. This could cause significant disruptions to the mental health care for up to 100 Granite Staters per student, who must either find a new provider or put their treatment on pause while waiting for licensure. The Committee heard testimony that this was the intent of the original law but it has not been interpreted in this way.

HB 1194, relative to the definition of noncommunicable disease.

Interim Study, Vote 5-0.

Senator Whitley for the committee.

HB 1194 would remove the word "infectious" from the definition of "noncommunicable disease". The Committee heard testimony that this bill would create potential confusion and conflict with other areas of RSA 141-C, and specifically the definition of what a communicable disease is in RSA 141-C:2. The current statute is more clear, more consistent, and maintains a level of public health safety that Granite Staters have come to expect.

HB 1278-FN, relative to qualifying medical conditions for purposes of therapeutic cannabis.

Ought to Pass, Vote 5-0.

Senator Prentiss for the committee.

HB 1278-FN adds debilitating or terminal medical conditions to the qualifying medical conditions for therapeutic cannabis if a health care provider certifies the potential benefit to the patient and removes certain limitations on a qualifying visiting patient's access to cannabis. This bill offers an alternative process for certifying by allowing more provider discretion, with safeguards. Without strictly following the statutory list, a provider can certify a patient for therapeutic cannabis if they think cannabis will be helpful for that patient. HB 1278-FN will empower providers to do what they do best: care for Granite Staters.

HB 1300, relative to terminal patients' right to try act.

Ought to Pass, Vote 5-0.

Senator Whitley for the committee.

HB 1300 renames RSA 126-Z as the Right to Try Act; revises eligibility criteria and definitions, and replaces the term “biological products” with “biologics”. This bill is in the spirit of bodily autonomy, allowing terminally ill Granite Staters to take a chance and try off-label and expanded access drugs. Currently, citizens have to travel out of state to receive these treatments. We should give them the opportunity to try, with the collaboration of their care team, in the comfort of their familiar surroundings. HB 1300 also irons out a few differences between New Hampshire’s Right to Try law and the federal guidelines.

HB 1318, relative to the duties of the opioid abatement advisory commission.
Ought to Pass, Vote 5-0.
Senator Birdsell for the committee.

HB 1318 defines “integrated pain management” and adds duties to the New Hampshire Opioid Abatement Advisory Commission involving support for pain management services. There were people who were adversely affected by the move away from pain management practices during the response to the opioid epidemic. People in need and in pain were left to suffer. This bill seeks to rebalance the system and provide support for those who were abandoned by the system, using opioid settlement funds to do so.

HB 1413, relative to mental health supervision agreements.
Ought to Pass, Vote 5-0.
Senator Avard for the committee.

HB 1413 revises the requirements for the written agreement that must be on record with the Board of Mental Health Practice concerning a supervisor’s responsibilities with respect to a candidate for mental health licensure. It was the intent of the original law to only apply to the candidate for licensure’s professional conduct. Given the increasingly litigious nature of society, clarification is needed to ensure that the supervisor is only legally responsible for a candidate’s professional conduct.

HB 1568-FN, relative to Medicaid reimbursement for non-transport emergency medical services calls.
Ought to Pass with Amendment, Vote 5-0.
Senator Prentiss for the committee.

HB 1568-FN, as introduced, requires Medicaid reimbursement for non-transport emergency medical services calls. The Committee Amendment replaces the bill with the text of SB 409-FN, As Amended by the Senate. SB 409-FN is a more thorough option to accomplish the same goal – stopping our municipalities from being left on the hook for non-transport calls. SB 409-FN also contains provisions that align better with federal CMS requirements to ensure we maintain compliance.

HB 1581, relative to cultivation locations for alternative treatment centers.
Ought to Pass, Vote 5-0.
Senator Whitley for the committee.

HB 1581 allows a second cultivation center to be considered for alternative treatment centers. As part of a wide-ranging effort to bring the cost of therapeutic cannabis down, this bill will permit indoor or outdoor growing. Currently, only indoor growing is allowed and it is incredibly expensive. Allowing outdoor greenhouse growing will allow the alternative treatment centers to bring down their overhead cost, bringing down the cost for patients. As the General Court looks for ways to reduce the cost of prescription medication for Granite Staters, we should not forget the patients who rely on the therapeutic cannabis program for their health care.

HB 1598-FN-A, relative to the department of health and human services management of social security payments and veterans benefits for children in foster care.
Ought to Pass, Vote 5-0.
Senator Birdsell for the committee.

HB 1598-FN-A, as amended by the House, requires the Department of Health and Human Services to prepare a report for the legislature and Governor regarding budget requirements associated with management of Social Security and veterans benefits for children in placement through the Department. The bill also makes an appropriation to the Department to hire a consultant to assist with the report and its implementation. The Committee heard very compelling testimony about the children who are having their Social Security benefits taken from them by the Department, allegedly to fund their care – despite not receiving any additional care compared to that which a child who is ineligible for Social Security benefits would receive. Federal law allows for a person other than the Department to be the responsible payee for their benefits and, in fact, ranks a state agency fairly low on the order of preference.

HB 1669-FN, relative to restricting data sharing through the state immunization registry.
Interim Study, Vote 5-0.
Senator Prentiss for the committee.

HB 1669-FN, as amended by the House, prohibits the Department of Health and Human Services from sharing data from the State Immunization Registry with other organizations unless the Department can assure withdrawals from the Registry will be honored by the organization. The bill also establishes a position in the Department to assist in implementation and makes appropriations therefor. The Committee heard testimony that the Department does not currently have the ability to share data from the Registry with other states. With the Registry already operating with an ability to opt-out, the Committee did not feel it was appropriate to expend General Fund dollars for this theoretical purpose.

HB 1712, renewing the committee to study non-pharmacological treatment options for patients with chronic pain.
Ought to Pass with Amendment, Vote 5-0.
Senator Birdsell for the committee.

HB 1712 renews the committee to study non-pharmacological treatment options for patients with chronic pain. The Committee heard about the important work the committee has done and their plans for the future. The Committee Amendment will give the committee an additional year to do its work, and requires an interim report.

JUDICIARY

HB 1282-FN, relative to the duration of child support.
Ought to Pass, Vote 5-0.
Senator Chandley for the committee.

House Bill 1282-FN alters the time at which a child support obligation terminates. Current law has a loophole in it where child support will end when a child turns 18 or they have graduated high school. This bill is a housekeeping measure that will ensure that child support is provided as long as a child is a full-time student in high school or elementary school. If a child does not graduate high school, there is an end date of 19 years and 2 months.

HB 1295-FN, relative to penalties for criminal violations of the therapeutic use of cannabis.
Interim Study, Vote 5-0.
Senator Gannon for the committee.

House Bill 1295-FN would have amended the penalty for the unauthorized sale of cannabis by a qualifying patient or designated caregiver. As a result of the Federal Government looking to declassify medicinal marijuana from a Schedule I drug to a Schedule III drug, the Committee felt it was best to wait before any more changes are made regarding medicinal marijuana.

HB 1319-FN, relative to prohibiting the nonconsensual dissemination of synthetic sexual images.
Ought to Pass, Vote 5-0.
Senator Carson for the committee.

House Bill 1319-FN amends the crime of nonconsensual dissemination of private sexual images to include certain synthetic sexual images. This bill expands the criminalization of image based sexual abuse in a very narrow way to cover synthetic images, which can be images generated with artificial intelligence that are merged with real images to create an illusion of someone performing an act they never performed. The bill will also expand the definition of dissemination from printing, publishing, and manufacturing to bring it into the virtual world to include words such as posting or sharing images electronically.

HB 1432-FN, relative to prohibiting certain uses of deepfakes and creating a private claim of action.
Ought to Pass with Amendment, Vote 5-0.
Senator Gannon for the committee.

House Bill 1432-FN establishes the crime of fraudulent use of deepfakes and sets penalties therefor; establishes a cause of action for fraudulent use of deepfakes; and prohibits registration of lobbyists who have been found to have fraudulently used deepfakes in certain cases. The Committee Amendment makes a correction to the original language which intended to exempt technology platforms, however, it would have actually implicated and created liability for the company. This bill will create a criminal penalty for deepfakes that are injurious due to either reputational or financial harm and creates a civil right of action for those injured.

HB 1511, relative to liability for children with disabilities in certain court ordered placements or episodes of treatment.

Ought to Pass, Vote 5-0.

Senator Chandley for the committee.

This bill, requested by the Department of Education, corrects an inaccuracy in the law about how DoE is notified of episodes of treatment. Currently, the law states the courts would notify the DoE about an episode of treatment. Since the courts are not involved in the episode of treatment placement, this language clarifies that notification will come from either DHHS or the local school district.

HB 1564-FN, relative to the child support guidelines.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

House Bill 1564-FN revises criteria for adjustments of the child support guidelines based on the parenting schedule. This bill will increase the self-support reserve from 115% to 130%; allow for deviations in child support cases with shared parenting time with rebuttable presumptions, and shares health care and childcare expenses between both parties. The Committee heard testimony about individuals who have 50/50 parenting time and nearly equal income, but where the expense profile of one side is vastly different due to mortgages, loans, and other financial factors. This bill will address circumstances where individuals believe a deviation in their child support payment is warranted.

HB 1573-FN, making an appropriation to the department of health and human services to enhance oversight of children in residential placements.

Ought to Pass with Amendment, Vote 5-0.

Senator Chandley for the committee.

House Bill 1573-FN makes an appropriation to the Department of Health and Human Services to enhance oversight of children in court-ordered, residential placements. The Committee Amendment would reinstate much of the original language of the bill as it was drafted in response to the Bledsoe Youth Academy scandal to help protect children placed out-of-state. This legislation, similar to legislation passed previously by the Senate, is crucially important to ensure that out-of-state facilities to which children are sent to are correctly certified, safe and accountable.

HB 1588-FN, relative to court jurisdiction over persons receiving special education.

Ought to Pass, Vote 5-0.

Senator Rosenwald for the committee.

House Bill 1588-FN updates statutes relating to court jurisdiction of children in need of services to reflect that special education is offered to students up to the age of 22 years if the student has not yet exited special education based on receipt of a high school diploma. Juvenile justice laws allow the juvenile court to retain jurisdiction over a child beyond their 18th birthday. The Legislature inadvertently overlooked RSA 169-B through D when they amended the special education statute from 21 years of age to 22 years of age. This bill will simply allow the courts to retain jurisdiction until a child has aged out of special education at 22 years old.

HB 1589-FN, establishing a veterans treatment court

Ought to Pass with Amendment, Vote 5-0.

Senator Gannon for the committee.

House Bill 1589-FN establishes a veterans treatment court. The Committee Amendment changes the responsibility of the administrative duties from the Chief Justice to the statewide treatment coordinator. The veteran's treatment court will provide a safety net for veterans who have experienced service-related psychological injuries. Currently, the state falls short in providing these veterans' treatment programs as there is no referral process for them to be screened.

HB 1591-FN, relative to fines for prohibited sales of tobacco.

Ought to Pass, Vote 5-0.

Senator Chandley for the committee.

This bill adds the "alternative nicotine product" definition to RSA 126-K:1 and makes clear that a license is required to sell these products. House Bill 1591-FN moves penalties for tobacco-related violations by retail licensees from statute to administrative rules as adopted by the Liquor Commission.

TRANSPORTATION**HB 1032-FN**, relative to certificate of title exemptions for vehicles 20 or more years old.

Inexpedient to Legislate, Vote 5-0.

Senator Fenton for the committee.

This bill exempts vehicles twenty or more years old from having a certificate of title. The committee heard testimony from the Division of Motor Vehicles clarifying that current processes make duplicate titles easily accessible for vehicle owners to obtain. Concerns about potential fraud were expressed as well. Therefore, we find this bill to be inexpedient to legislate.

HB 1083, relative to vehicles held in joint tenancy with rights of survivorship.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

This bill allows a surviving owner of a vehicle held in joint tenancy with rights of survivorship to continue registering the vehicle without obtaining a new title. Current statute only allows for a title of a jointly held vehicle to be transferred to a new owner with the signature of the surviving owner and a copy of the deceased owner's death certificate within a two-year time frame. There was no opposition to this bill. Therefore, we recommend this bill ought to pass.

HB 1202-FN, relative to the issuance of permits for the alteration of driveways exiting onto public ways.

Ought to Pass with Amendment, Vote 5-0.

Senator Ricciardi for the committee.

This bill establishes certain deadlines for issuance of permits for the alteration of driveways exiting onto public ways. This bill will address bottlenecks in the permit application process, while addressing the needs of state agencies and allowing for local control. It originally proposed that the Department of Transportation shall issue a permit within thirty days of receiving an application, but an amendment has been adopted to give the Department of Transportation sixty days to issue a permit after receiving a completed application. Therefore, we recommend this bill ought to pass with amendment.

HB 1304-FN-L, relative to vessel registration and boat fee decals.

Ought to Pass, Vote 5-0.

Senator Ward for the committee.

This bill modifies the procedure for registration of vessels by requiring the issuance and display of a boat fee decal for the payment of boat fees. It was recently discovered that Marine Patrol has been collecting fees for in-state partners as part of the overall boat registration fee in violation of federal law. This puts federal grants received by Marine Patrol in jeopardy, so this bill will solve that problem by separating the fees and creating a second sticker. Therefore, we recommend this bill ought to pass.

HB 1329-FN, relative to creating special number plates for fire departments.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

This bill creates special license plates for fire departments. Police departments currently have special number plates for their vehicles, and this bill will give the same to fire departments. Certain fire department vehicles do not have obvious identifying symbols or lights, so special number plates will make it clear that these vehicles are owned by fire departments. Therefore, we recommend this bill ought to pass.

HB 1354, relative to special number plates for surviving spouses of veterans.

Ought to Pass, Vote 5-0.

Senator Ricciardi for the committee.

This bill allows unmarried surviving spouses of veterans to use special number plates for veterans indefinitely. The testimony provided to the committee on this bill was quite positive, and this bill will address the difficult situation that spouses of deceased veterans currently find themselves in. Therefore, we recommend this bill ought to pass.

HB 1366-FN, relative to penalties for the negligent or reckless operation of boats.

Ought to Pass, Vote 5-0.

Senator Ward for the committee.

This bill adds a penalty for the reckless operation of a boat and adds additional fines and loss of driving and boating privileges. This bill specifies existing statute by clearly defining what actions may result in violations or misdemeanors, and sets penalties for those charges. Therefore, we recommend this bill ought to pass.

HB 1391-FN, allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase.

Interim Study, Vote 5-0.

Senator Fenton for the committee.

This bill allows new vehicles purchased in the model year or before to be inspected in the second year after purchase. While there is value in addressing the potential situation of having to pay for two inspections within one year after purchasing a new vehicle, there was ample concern raised about the solution offered in this bill harming the state inspection program and the safety of drivers and consumers. No agreement has yet been reached between stakeholders, so we recommend this bill be referred to interim study.

HB 1403, relative to temporary waivers for vehicle emission control equipment.

Interim Study, Vote 5-0.

Senator Gendreau for the committee.

This bill extends the repair period for vehicles that fail the OBD II test to 120 days. The New Hampshire Automobile Dealers Association is opposed to this bill and the Department of Environmental Services expressed concern about this bill negatively impacting the state implementation plan under the Clean Air Act. Therefore, we recommend this bill be referred to interim study.

HB 1457-FN, establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.

Ought to Pass, Vote 5-0.

Senator Fenton for the committee.

This bill establishes penalties for vehicular damage to covered wooden bridges and driving over covered bridges in vehicles that exceed posted limits. Covered wooden bridges in several municipalities are damaged on a regular basis by vehicles that exceed dimension limits. Establishing penalties for damaging such bridges is important because they often require expensive repairs, and current fines do not serve as an effective deterrent to those damaging these bridges. Therefore, we recommend this bill ought to pass.

HB 1468-FN-A, directing the department of transportation to develop a Conway Branch rail line master plan.

Ought to Pass, Vote 5-0.

Senator Ricciardi for the committee.

This bill directs the Department of Transportation to meet with other state and local entities to form a plan for the best use of the Conway Branch rail corridor. Local groups and officials have been working to utilize the Conway Branch rail corridor for recreational use, as it is no longer an active rail corridor. This bill will allow for meaningful progress to be made by directing stakeholders to explore available options. This project has strong support from the local community and can provide benefits such as revitalization to the area and economic development. Therefore, we recommend this bill ought to pass.

HB 1637, relative to reducing requirements for vehicle inspections.

Interim Study, Vote 5-0.

Senator Ricciardi for the committee.

This bill proposes several changes to the state inspection program and its enforcement. There were concerns raised about the impacts of these changes on inspection stations and the safety of those using roadways. Furthermore, concerns were raised by the Division of Motor Vehicles and State Police about the impacts this bill could have on enforcement and investigating suspected malfeasance. Therefore, we recommend this bill be referred to interim study.

REGULAR CALENDAR REPORTS

COMMERCE

HB 82-FN, relative to employment protection for participants in the therapeutic cannabis program.

No Recommendation, Vote 2-2.

Senator Gannon for the committee.

HB 645-FN, relative to the establishment of decentralized autonomous organizations as legal entities within the state.

Ought to Pass with Amendment, Vote 3-1.

Senator Gannon for the committee.

HB 1076-FN, relative to wine manufacturer licenses and relative to on-premises licenses for beverage manufacturers.

Ought to Pass, Vote 4-0.

Senator Gannon for the committee.

HB 1178-FN, relative to an employee's unused earned time.

Interim Study, Vote 3-1.

Senator Gannon for the committee.

HB 1380-FN, relative to brew pub licenses.

Ought to Pass with Amendment, Vote 4-0.

Senator Ricciardi for the committee.

HB 1540-FN, relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing.

Ought to Pass, Vote 4-0.

Senator Soucy for the committee.

EDUCATION

HB 147, relative to membership of the advisory committee on the education of students with disabilities.

Interim Study, Vote 5-0.

Senator Fenton for the committee.

HB 1205, relative to women's school sports.

Ought to Pass, Vote 3-1.

Senator Ward for the committee.

HB 1288-FN, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.

Interim Study, Vote 4-0.

Senator Lang for the committee.

HB 1298-FN, relative to the definition of part-time teachers.

Ought to Pass with Amendment, Vote 3-1.

Senator Gendreau for the committee.

HB 1312, requiring parental notification of student health or well-being and certain curricula by school districts.

Ought to Pass, Vote 3-1.

Senator Lang for the committee.

HB 1570-FN-A-L, requiring the department of education to conduct a facility assessment of public schools and public chartered schools.

Ought to Pass, Vote 4-0.

Senator Ward for the committee.

HB 1656-FN-L, relative to adequate education grant amounts for pupils receiving special education services.

Interim Study, Vote 3-1.

Senator Lang for the committee.

HB 1665-FN, relative to student eligibility for the education freedom accounts program.

Ought to Pass with Amendment, Vote 3-1.

Senator Lang for the committee.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 447-FN, relative to the purchase of election equipment.

Inexpedient to Legislate, Vote 3-2.

Senator Gray for the committee.

HB 463-FN, relative to the establishment of an election information portal.

Interim Study, Vote 3-2.

Senator Abbas for the committee.

HB 1098, relative to ballots delivered to elder care facilities.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

HB 1105-FN-L, relative to application of a local tax cap.

Ought to Pass, Vote 3-2.

Senator Abbas for the committee.

HB 1150, relative to advertising rates for political advertising.

Ought to Pass with Amendment, Vote 3-0.

Senator Murphy for the committee.

HB 1181, relative to solid waste districts.

Ought to Pass, Vote 3-0.

Senator Soucy for the committee.

HB 1264-FN, relative to the definition of accessible voting systems.

Ought to Pass, Vote 3-0.

Senator Murphy for the committee.

HB 1310-FN, relative to meetings of supervisors of the checklist.

Ought to Pass with Amendment, Vote 3-0.

Senator Murphy for the committee.

HB 1313-FN-L, relative to access to the voter checklist by candidates.

Ought to Pass with Amendment, Vote 3-2.

Senator Murphy for the committee.

HB 1345, relative to the length of terms for Coos county officers.

Ought to Pass, Vote 3-0.

Senator Gray for the committee.

HB 1359, relative to appeals of certain zoning decisions by abutters.

Ought to Pass, Vote 3-0.

Senator Murphy for the committee.

HB 1399, allowing municipalities to permit 2 residential units in certain single-family residential zones.

Interim Study, Vote 3-0.

Senator Soucy for the committee.

HB 1567-FN, relative to zoning provisions concerning family and group family child care uses.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

HB 1569-FN, relative to eliminating voter identification exceptions.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

HB 1626-FN-A, relative to the repeal of certain designated funds and relative to the apportionment of dog license fees.

Ought to Pass with Amendment, Vote 3-0.

Senator Gray for the committee.

ENERGY AND NATURAL RESOURCES

HB 602-FN, relative to landfill siting.

Interim Study, Vote 3-1.

Senator Pearl for the committee.

HB 622-FN, relative to the grid modernization advisory group.

Interim Study, Vote 3-1.

Senator Avard for the committee.

HB 1036, relative to assessment of cost effectiveness of the systems benefit charge.

Inexpedient to Legislate, Vote 4-0.

Senator Avard for the committee.

HB 1103-FN, relative to revising the penalties of the shoreland protection act.

Ought to Pass with Amendment, Vote 4-0.

Senator Birdsell for the committee.

HB 1113, relative to shoreland septic systems.

Ought to Pass, Vote 4-0.

Senator Watters for the committee.

HB 1114, extending the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford, Londonderry, Hudson and Litchfield.

Ought to Pass, Vote 4-0.

Senator Birdsell for the committee.

HB 1116, relative to certain firearms to be used for taking of game.

Ought to Pass, Vote 4-0.

Senator Pearl for the committee.

HB 1139, relative to location of conventional septic systems relative to the seasonal high water table.

Ought to Pass, Vote 4-0.

Senator Pearl for the committee.

HB 1141, relative to requirements for approval to increase load on a sewage disposal system.

Ought to Pass, Vote 4-0.

Senator Watters for the committee.

HB 1142, relative to eligibility for permits for the septic system designer program.

Interim Study, Vote 4-0.

Senator Pearl for the committee.

HB 1143, including control of cyanobacteria blooms under the New Hampshire clean lakes program.

Ought to Pass, Vote 4-0.

Senator Altschiller for the committee.

HB 1145-FN, prohibiting the private ownership of landfills.

Interim Study, Vote 4-0.

Senator Avard for the committee.

HB 1179-FN, relative to state park system fees for retired members of the armed forces.

Ought to Pass, Vote 4-0.

Senator Birdsell for the committee.

HB 1293-FN, relative to the use of certain fertilizers on turf.

Ought to Pass, Vote 4-0.

Senator Pearl for the committee.

HB 1294-FN, establishing a committee to study ways to facilitate municipal compliance with Clean Water Act requirements.

Inexpedient to Legislate, Vote 4-0.

Senator Avard for the committee.

HB 1314-FN, relative to the comprehensive state development plan.

Interim Study, Vote 4-0.

Senator Avard for the committee.

HB 1360, relative to emergency authority on the public or coastal waters of the state.

Ought to Pass, Vote 4-0.

Senator Avard for the committee.

HB 1371, relative to allowing the land use master plan to include a section on waste reduction.

Ought to Pass, Vote 4-0.

Senator Avard for the committee.

HB 1424, relative to pistols permitted for taking game.

Ought to Pass, Vote 4-0.

Senator Pearl for the committee.

HB 1463, establishing a committee to study the effects of laws relative to the production of beef, pork, and poultry.

Ought to Pass, Vote 4-0.

Senator Watters for the committee.

HB 1465-FN, relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development.

Ought to Pass with Amendment, Vote 4-0.

Senator Pearl for the committee.

HB 1504-FN, relative to architectural paint recycling.

Interim Study, Vote 3-1.

Senator Pearl for the committee.

HB 1554, relative to certified culvert maintainer program reporting and requiring the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in lakes and establishing rulemaking authority for such regulation.

Ought to Pass with Amendment, Vote 4-0.

Senator Watters for the committee.

HB 1600-FN, relative to participation in net energy metering.

Ought to Pass with Amendment, Vote 4-0.

Senator Avard for the committee.

HB 1620-FN, relative to suspending the issuance of new landfill permits until 2031.

Inexpedient to Legislate, Vote 3-1.

Senator Pearl for the committee.

HB 1623-FN, relative to the state energy policy.

Ought to Pass with Amendment, Vote 4-0.

Senator Avard for the committee.

HB 1628, relative to regulatory authority for apples, coal grading, potatoes, cider, milk, and lumber.

Ought to Pass, Vote 4-0.

Senator Pearl for the committee.

HB 1632-FN, relative to out-of-state solid waste.

Inexpedient to Legislate, Vote 3-1.

Senator Avard for the committee.

HB 1649-FN, relative to prohibiting certain products with intentionally added PFAS.

Ought to Pass with Amendment, Vote 5-0.

Senator Avard for the committee.

HB 1687-FN, relative to disposal of construction and demolition debris from state construction projects.

Inexpedient to Legislate, Vote 4-0.

Senator Watters for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

CACR 13, relating to slavery and involuntary servitude. Providing that slavery and involuntary servitude shall be prohibited in the state of New Hampshire.

Ought to Pass with Amendment, Vote 3-2.

Senator Pearl for the committee.

HB 1309, relative to the secretary of state's procedures for enrolled bills.

Inexpedient to Legislate, Vote 4-1.

Senator Carson for the committee.

FINANCE

HB 322, relative to establishing a committee to study the New Hampshire board of medicine and making an appropriation to the department of health and human services.

Ought to Pass with Amendment, Vote 6-0.

Senator Birdsell for the committee.

HB 637-FN, relative to the calculation of average daily membership in attendance and average daily membership in residence for certain home educated pupils.

Ought to Pass, Vote 5-0.

Senator Rosenwald for the committee.

HB 1186-FN, relative to firearm purchaser's privacy.

Ought to Pass, Vote 3-2.

Senator Pearl for the committee.

HB 1191-FN, relative to the establishment of an exemption to the meals and rooms tax for participants in the restaurant voucher program.

Ought to Pass, Vote 5-1.

Senator Innis for the committee.

HB 1307-FN, providing a supplemental appropriation for members of the retirement system receiving an accidental disability retirement allowance.

Ought to Pass with Amendment, Vote 6-0.

Senator Birdsell for the committee.

HB 1466-FN, relative to providing disaster relief funding to municipalities after a natural disaster.

Interim Study, Vote 5-0.

Senator Pearl for the committee.

HB 1579-FN, relative to the merging of school administrative units.

Ought to Pass, Vote 5-0.

Senator D'Allesandro for the committee.

HEALTH AND HUMAN SERVICES

HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Interim Study, Vote 3-2.

Senator Birdsell for the committee.

HB 1283-FN, relative to end of life options.

Interim Study, Vote 3-2.

Senator Avard for the committee.

HB 1330-FN, relative to establishing an emergency medical services disciplinary review panel, and relative to procedures for removal of records of discipline.

Interim Study, Vote 5-0.

Senator Birdsell for the committee.

HB 1349-FN, relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.

Ought to Pass, Vote 3-2.

Senator Whitley for the committee.

HB 1616, relative to parental consent for student participation in Medicaid to schools program.

Ought to Pass, Vote 3-2.

Senator Avard for the committee.

HB 1660-FN, relative to coverage of certain procedures for minor children under the state's Medicaid program.

Ought to Pass, Vote 3-2.

Senator Birdsell for the committee.

JUDICIARY

HB 306, relative to prohibiting reunification therapy.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

HB 318-FN-A, relative to magistrates, bail commissioners, the standards applicable to and the administration of bail, and making appropriations.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

HB 619-FN, to require a person to attain the age of majority for genital gender reassignment surgery.

Ought to Pass, Vote 3-2.

Senator Abbas for the committee.

HB 1192-FN, relative to contempt actions in domestic relations matters.

Interim Study, Vote 5-0.

Senator Abbas for the committee.

HB 1339-FN, relative to background checks during motions to return firearms and ammunition.

Ought to Pass with Amendment, Vote 3-2.

Senator Abbas for the committee.

HB 1350-FN, relative to therapeutic cannabis possession limits.

Interim Study, Vote 3-2.

Senator Carson for the committee.

HB 1539-FN, relative to annulling, resentencing, or discontinuing prosecution of certain cannabis offenses.

Interim Study, Vote 3-2.

Senator Abbas for the committee.

HB 1633-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor.

Ought to Pass with Amendment, Vote 3-2.

Senator Abbas for the committee.

HB 1711-FN, authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

Inexpedient to Legislate, Vote 3-2.

Senator Abbas for the committee.

HB 1713-FN, relative to a defendant's presence during certain criminal proceedings.

Ought to Pass, Vote 3-2.

Senator Abbas for the committee.

TRANSPORTATION

HB 1158, relative to establishing an exception to vessel registration.

Ought to Pass, Vote 5-0.

Senator Gendreau for the committee.

HB 1542-FN, relative to possession and presentation of safe boater education certificates.
Ought to Pass, Vote 5-0.
Senator Ricciardi for the committee.

WAYS AND MEANS

HB 1223, creating local options for games of chance.
Ought to Pass, Vote 4-1.
Senator Lang for the committee.

AMENDMENTS

Senate Executive Departments and Administration
May 1, 2024
2024-1721s
02/06

Amendment to CACR 13

Amend the bill by replacing all after the resolving clause with the following:

I. That the first part of the constitution be amended by inserting after article 2-b the following new article:

[Art.] 2-c [Slavery and Involuntary Servitude Prohibited.] Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within New Hampshire, or any place subject to its jurisdiction.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2024.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2024 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2024 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 2-b a new article to read as follows:

[Art.] 2-c [Slavery and Involuntary Servitude Prohibited.] Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within New Hampshire, or any place subject to its jurisdiction.”

V. That the secretary of state shall print the question to be submitted on a separate ballot with other constitutional questions or on the official ballot. The ballot containing the question shall include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words “Questions Relating to Constitutional Amendments proposed by the 2024 General Court” shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters’ Guide.

AT THE PRESENT TIME, the New Hampshire constitution does not explicitly prohibit slavery or involuntary servitude.

IF THE AMENDMENT IS ADOPTED, the New Hampshire constitution will prohibit slavery and involuntary servitude, except as punishment for a crime.

2024-1721s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution adds an article that prohibits slavery and involuntary servitude, except as punishment for a crime.

Energy and Natural Resources
 May 7, 2024
 2024-1822s
 12/08

Amendment to HB 194-FN

Amend the title of the bill by replacing it with the following:

AN ACT requiring the director of the division of historical resources to compile and maintain a list of public monuments and requiring legislative approval of the amendment or removal of historical markers.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Historical Markers; Amendment and Removal. Amend RSA 236:41 to read as follows:

236:41 Historic Preservation Office.

The state historic preservation office established under RSA 227-C shall consult with the commissioner of transportation on the marker program. Before placing any marker, the commissioner shall secure the state historic preservation office's approval of the marker, its location and its wording. The state historic preservation office shall make any investigation needed to obtain information on the event to be commemorated and on the appropriate location for the marker, including consulting historians and holding public hearings. ***Before amending or removing any marker, the commissioner of transportation shall secure the approval of the general court through legislation passed by both the house of representatives and the senate.***

2024-1822s

AMENDED ANALYSIS

This bill requires the director of the division of historical resources to compile and maintain a list of public monuments.

This bill also requires the approval of the legislature in order to amend or remove a historical marker.

Senate Executive Departments and Administration
 May 1, 2024
 2024-1729s
 05/08

Amendment to HB 274

Amend the bill by replacing section 1 with the following:

1 Administrative Procedure Act; Notice of Rulemaking Proceedings. Amend RSA 541-A:6, III to read as follows:

III. The agency shall send notice to the director of legislative services, to all persons regulated by the proposed rules who hold occupational licenses issued by the agency, ***to past participants in similar rule-making proceedings***, and to all persons who have made timely request for advance notice of rulemaking proceedings. Upon request, ***or if the rule is required by new legislation***, the agency shall send notice to the president of the senate, to the speaker of the house of representatives, and to the chairpersons of the legislative committees having jurisdiction over the subject matter. Notice shall be made not less than 20 days before the first agency public hearing required by RSA 541-A:11, I. Notice to occupational licensees shall be by U.S. Mail, electronically, agency bulletin or newsletter, public notice advertisement in a publication of daily statewide circulation, or in such other manner that is reasonably calculated to inform such licensees of the proposed rulemaking. The committee may identify additional methods of notifying occupational licensees that are deemed sufficient.

Amend the bill by replacing section 3 with the following:

3 Administrative Procedure Act; Review by the Joint Legislative Committee on Administrative Rules. Amend RSA 541-A:13, VI to read as follows:

VI. After a final objection by the committee to a provision in the rule is filed with the director under subparagraph V(f), the burden of proof shall be on the agency in any action for judicial review or for enforcement of the provision to establish that the part objected to is within the authority delegated to the agency, is

consistent with the intent of the legislature, is in the public interest, or does not have a substantial economic impact not recognized in the fiscal impact statement. If the agency fails to meet its burden of proof, the court shall declare the whole or a portion of the rule objected to invalid, **and may order the agency to pay the plaintiff's legal expenses**. The failure of the committee to object to a rule shall not be an implied legislative authorization of its substantive or procedural lawfulness.

2024-1729s

AMENDED ANALYSIS

This bill directs agencies to notify legislative policy committees and known stakeholders of proposed rulemaking under RSA 541-A. The bill also provides that an agency may be required to pay attorneys fees in cases in which the agency adopted rules after final objection by the joint legislative committee on administrative rules and a finding by the court that the rule is invalid.

Senate Judiciary
May 9, 2024
2024-1872s
09/08

Amendment to HB 318-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT relative to bail commissioners, the standards applicable to and the administration of bail, and making an appropriation.

Amend the bill by replacing all after the enacting clause with the following:

1 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, III(a)-(b) to read as follows:

(a) Safety of the public or the defendant.

(1) Except as provided in RSA 597:1-c, a person who is charged with homicide under RSA 630; first degree assault under RSA 631:1; second degree assault under RSA 631:2; felony level domestic violence under RSA 631:2-b; aggravated felonious sexual assault under RSA 632-A:2; felonious sexual assault under RSA 632-A:3; kidnapping under RSA 633:1; felony level stalking under RSA 633:3-a, VI(a); trafficking in persons under RSA 633:7; robbery under RSA 636:1, III; possession, manufacture, or distribution of child sexual abuse images under RSA 649-A; or computer pornography and child exploitation under RSA 649-B; shall not be brought before a bail commissioner and shall, upon arrest, be detained pending arraignment before the court. At the person's appearance before the court, the court shall order that the person be detained pending trial if the court determines by a preponderance of the evidence that release of the person is a danger to that person or the public. In determining whether release will endanger the safety of that person or the public, the court may consider all relevant and material factors presented pursuant to paragraph IV. If the court does not find sufficient evidence that the person must be detained, the court shall order the person released pursuant to subparagraph I(a) or subparagraph I(b), or, if applicable, temporarily detained pursuant to subparagraph I(d). A person arrested for violating the conditions of his or her bail for an offense listed in this subparagraph shall be held until they can be brought before the court at the first available date. If at a subsequent hearing, the court finds probable cause exists that the person violated the conditions of his or her bail for any of the crimes listed in this subparagraph, the defendant shall be held pending trial.

(2) If a person is charged with any other criminal offense, [an offense listed in RSA 173-B:1, I, or a violation of a protective order under RSA 458:16, III, or after arraignment, is charged with a violation of a protective order issued under RSA 173-B;] the court may order preventive detention without bail, or, in the alternative, may order restrictive conditions including, but not limited to electronic monitoring and supervision, only if the court determines by clear and convincing evidence that release will endanger the safety of that person or the public. In determining whether release will endanger the safety of that person or the public, the court may consider all relevant factors presented pursuant to paragraph IV.

(b) Assuring the court appearance of charged persons.

(1) The court shall order the pre-arraignment or pretrial release of the person on his or her personal recognizance, or upon execution of an unsecured appearance bond in an amount specified by the court, or cash or corporate surety bail, subject to the condition that the person not commit a crime during the period of his

or her release, and subject to such further condition or combination of conditions that the court may require unless the court determines by a preponderance of the evidence that such release will not reasonably assure the appearance of the person as required.

(2)(A) If the court determines by a preponderance of the evidence that a person has failed to appear on any previous matter charged as a felony, class A misdemeanor, or driving or operating while impaired, or a reasonably equivalent offense in an out-of-state jurisdiction, 3 or more times within the past [5] **3** years, or twice on the present case, there shall be a rebuttable presumption that release will not reasonably assure the appearance of the person as required, **and the person shall be detained. At the bail hearing, the defendant shall be permitted to present evidence and the court shall decide whether such person has rebutted the presumption that release will not reasonably assure the appearance of the person as required.**

(3) In determining the amount of the unsecured appearance bond or cash or corporate surety bail, the court may consider all relevant factors bearing upon a person's ability to post bail.

(4) The court shall not impose a financial condition that will result in the pretrial detention of a person solely as a result of that financial condition, unless the court determines by clear and convincing evidence that the nature of the allegations presents a substantial risk that the person will not appear and that no reasonable alternative will assure the person's appearance. The defendant shall be afforded the opportunity to be heard.

2 Bail and Recognizances; Detention and Sanctions for Default or Breach of Conditions. Amend RSA 597:7-a, II to read as follows:

II. A person who has been released pursuant to the provisions of this chapter and who has **knowingly committed an act that he or she knew, or reasonably should have known**, violated a condition of his **or her** release [is] **may be** subject to a revocation of release, an order of detention, and **either** a prosecution for contempt of court **or, unless such conduct violates RSA 642:8, class A misdemeanor breach of bail.**

3 New Paragraph; Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2 by inserting after paragraph X the following new paragraph:

XI(a) Each county may develop criteria to evaluate and determine whether a person is indigent or not for the purpose of the person's ability to repay the cost of electronic monitoring. Based on the criteria, the county may render a finding of indigent or not for the purpose of the person's ability to repay the costs of electronic monitoring.

(b) If the county finds that the person is not indigent for the purpose of repaying the cost of electronic monitoring, the county may order that the person reimburse the county for payment of the cost of electronic monitoring. The county may extend the time period for repayment in its discretion to allow the person time to make the repayment, except that in no case shall the time period exceed one year from the date the case was closed. The county may seek reimbursement in other ways as determined by the county.

(c) If the county finds that the person is indigent for the purpose of repaying the cost of electronic monitoring, the county may waive the cost of electronic monitoring.

4 Bail and Recognizances; Bail Commissioners; Fees. Amend RSA 597:20 to read as follows:

597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of [~~\$40~~] **\$60**. However, clerks of court or members of their staffs who are bail commissioners shall be entitled to collect such fee only when called while not on active duty. In jurisdictions where the bail commissioner is a full-time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, such person shall not receive the fee established in this section, but instead such amount shall be remitted to the town or city in which the district court is situated. If the defendant is indigent, the fee shall be waived.

5 Bail and Recognizances; General Provisions; Determination of Indigence and Payment of Bail Commissioner Fee. Amend RSA 597:2-b to read as follows:

597:2-b Determination of Indigence and Payment of Bail Commissioner Fee.

I. The arresting officer, at the point of arrest, shall inform the offender of the availability of the services of the bail commissioner. [~~If the offender elects to utilize the bail commissioner's services and is not indigent, the offender shall pay the bail commissioner's fee directly to the bail commissioner. If the offender elects to utilize the services of the bail commissioner, but claims indigence, the court shall, to the extent of available funding, utilize all possible means to pay the bail commissioner's fee, and shall include written evidence of fee payment in the offender's case file.~~]

I-a. The court shall pay each bail commissioner the fees as authorized by RSA 597:20 that each bail commissioner is entitled to within 90 days of the submission of a request for reimbursement from a bail commissioner. The court shall not pay fees that accumulate before January 1, 2025.

II. The court shall develop uniform criteria to evaluate and determine whether an offender is indigent or not indigent for the purpose of the offender's ability to [pay] **repay** the bail commissioner's fee. Based on the criteria, the court shall render a finding of indigent or not indigent for the purpose of the offender's ability to [pay] **repay** the bail commissioner's fee.

III. If the court finds that the offender is not indigent for the purpose of [paying] **repaying** the bail commissioner's fee, the **court shall order that the** offender [shall] reimburse the court for payment of the bail commissioner's fee. ***The court may extend the time period for such repayment in its discretion to allow the offender reasonable time to make the repayment, except that in no case shall the time period exceed one year from the date the case was closed.***

IV. If the court finds that the offender is indigent for the purpose of [paying] **repaying** the bail commissioner's fee, the offender shall not be liable to pay the fee.

6 Bail and Recognizances; Bail Commissioners; Term and Identification Card. Amend RSA 597:17 to read as follows:

597:17 Term and Identification Card.

I. Bail commissioners shall be commissioned for 5 years and continue in office until their successors shall have qualified. ***A bail commissioner's appointment may be revoked for cause at any time during the term of his or her appointment by the chief justice of the supreme court or the chief justice's designee.***

II. The [~~administrative judge of the superior court or the circuit court~~] **judicial branch** shall issue an identification card to each qualified bail commissioner in the state. ***The identification card shall be made of a durable material similar to that of a driver's license, and shall contain a photograph of the bail commissioner, the terms and dates of the bail commissioner's appointment, and any other information deemed necessary by the judicial branch. The judicial branch may enter into an agreement, through an interagency memorandum of understanding or any other appropriate mechanism, with the department of safety, division of motor vehicles to facilitate the production and issuance of the identification card.***

7 New Chapter; Judicial Training. Amend RSA by inserting after chapter 490-J the following new chapter:

CHAPTER 490-K
JUDICIAL TRAINING

490-K:1 Judicial Training Coordinator.

A judicial training coordinator position shall be created on or before January 1, 2025, to work under the direction of the chief justice of the supreme court. The judicial training coordinator shall develop high quality judicial branch training and continuing education programs and work to provide judges, bail commissioners, administrators, and court staff with a reasonable opportunity to fulfill any mandatory orientation and initial required training as well as continuing educational requirements set by the chief justice of the supreme court.

490-K:2 Initial Judicial Training Requirements.

Any person who holds the position of judge in this state, and all nonjudicial employees of the judicial branch with a hire date on or after July 1, 2025, shall complete an orientation and training program within 3 months of hire, as directed by the chief justice of the supreme court. The minimum initial training for judges may be as follows:

I. Orientation for new judges on procedures and functions of the applicable court and relevant procedural and substantive law;

II. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve;

III. At least one hour of training devoted to the topics of legal and judicial ethics, professionalism, preventing implicit bias, mental health, and domestic violence.

490-K:3 Judicial Continuing Education Requirements.

Any person who holds the position of judge, court administrator, clerk, or director of the administrative office of the court in this state, shall be required to complete continuing education as the chief justice of the supreme court directs.

8 Bail and Recognizances; Bail Commissioners; Educational Requirements for Bail Commissioners. RSA 597:18-a is repealed and reenacted to read as follows:

597:18-a Educational Requirements for Bail Commissioners.

I. The judicial training coordinator, in consultation with the chief justice of the superior court and the administrative judge of the circuit court, shall develop an education program to ensure that new bail commissioners are adequately trained and that existing bail commissioners have current information regarding the status of the laws affecting bail commissioners and the powers and duties of bail commissioners. This education program shall include the laws specific to bail and the conditions that may be imposed by the bail commissioners.

II. Upon appointment, each bail commissioner shall receive at least 16 hours of training. Training may be in person, remote, or on the job training by shadowing another bail commissioner for a period of time as determined by the courts.

III. Each bail commissioner shall undergo 8 hours of annual training that shall include any changes to the law made by the general court or as a result of court decisions. An updated copy of all laws concerning bail commissioners and a copy of the latest edition of the Bail Commissioner's Handbook shall be provided to each bail commissioner at this annual training.

IV. Bail commissioners shall be paid for time spent during training as follows:

(a) Bail commissioners shall be paid a \$50 stipend for each 8 hour block of training. Any in person training requiring less than 8 hours shall nonetheless be paid for a minimum 8 hour block. Remote training less than 8 hours may be prorated based upon the \$50 per 8 hour block standard.

(b) If the training for newly appointed bail commissioners exceeds 16 hours, the newly appointed bail commissioners shall not be paid for more than 2, 8-hour blocks.

9 New Section; Bail and Recognizances; Bail Commissioners; Duties. Amend RSA 597 by inserting after section 18-a the following new section:

597:18-b Duties.

I. The bail commissioners shall provide to any person bailed by the bail commissioner under this chapter information on local services that are available to the person relating to homelessness, hunger, mental health, and substance use issues.

II. The bail commissioners shall notify any person bailed by the bail commissioners under this chapter that any violations of a protective order are non-bailable.

10 Funding.

I. The judicial branch shall determine the amount of funding needed in order to pay for the fees for bail commissioners and to establish the identification cards as directed in sections 4-6 of this act, and that amount is hereby appropriated in the fiscal year ending June 30, 2025, to the judicial branch.

II. The appropriation in paragraph I shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

11 Effective Date.

I. Sections 10 and 11 of this act shall take effect July 1, 2024.

II. The remainder of this act shall take effect January 1, 2025.

2024-1872s

AMENDED ANALYSIS

This bill:

I. Makes various amendments governing the standards applicable to and the administration of bail, as well as the penalties for violations of bail conditions.

II. Authorizes counties to establish criteria concerning a criminal defendant's ability to repay the costs of electronic monitoring.

III. Makes amendments to the amount of the bail commissioner's fee and the process to pay this fee, and makes other amendments to the duties and educational requirements for bail commissioners.

IV. Establishes a judicial training coordinator and establishes training requirements for judges and certain judicial employees.

V. Makes an appropriation to the judicial branch.

Senate Finance

May 1, 2024

2024-1716s

09/08

Amendment to HB 322

Amend subparagraph I(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be from the health, human services, and elderly affairs committee and 2 from the executive departments and administration committee. Each set of 2 from each committee shall have one member from the majority party and one from the minority party.

Amend the bill by replacing all after section 6 with the following:

7 Department of Health and Human Services; Certain Licensed Nursing Facilities; Conditions for Appropriation.

I. Nursing facilities eligible for any amount of the appropriation in section 6 of this act shall ensure that:

(a) At least one individual who possessed an operating and ownership interest in the nursing facility upon acquisition in state fiscal year 2023 maintains an operating and ownership interest at a level no less than the operating and ownership level such individual had in the nursing facility upon the acquisition for a period of at least 5 years from the effective date of this section;

(b) The facility complies with applicable state and federal licensing rules and regulations; and

(c) The facility continues to accept Medicaid as a payment source.

II. In the event a nursing facility eligible for any amount of the appropriation in section 6 of this act violates the conditions of this section, the department of health and human services shall have a right to recover 1/5 of the payment made to the facility for each year any of the conditions of this section were not satisfied.

8 Effective Date.

I. Sections 6 and 7 of this act shall take effect July 1, 2024.

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

2024-1716s

AMENDED ANALYSIS

This bill establishes a committee to study the New Hampshire board of medicine. This bill further makes an appropriation to the department of health and human services relative to certain licensed nursing facilities, and creates certain conditions on facilities receiving the appropriated money.

Commerce

May 7, 2024

2024-1817s

06/08

Amendment to HB 645-FN

Amend RSA 301-B:2 as inserted by section 1 of the bill by replacing it with the following:

301-B:2 Purpose of this Act. The general court finds that the state's economy and its citizens will benefit from, and the development of business and investment in New Hampshire will be facilitated by, making available a unique legal entity form that can provide a framework that enhances the capacity

of decentralized autonomous organizations to conduct commercial, social, educational, mutualistic, or social activities within both the digital and physical spheres. The general court finds that the statutory recognition of decentralized autonomous organizations in accordance with this act will introduce greater certainty for treatment of decentralized autonomous organizations under state law, particularly with respect to the rights and duties of their developers, participants, and administrators. It is the intent of the general court to give the constituent developers, participants, and administrators of decentralized autonomous organizations the widest discretion to establish mechanisms and structures that will support sound development and innovation for such entities consistent with the provisions of this chapter.

Amend RSA 301-B:5, XI as inserted by section 1 of the bill by replacing it with the following:

XI. “Developer” means a person involved in the development or maintenance of the DAO or the blockchain protocol, whether through the contribution of software code, design, business, legal, or ancillary support.

Amend RSA 301-B:5, XII as inserted by section 1 of the bill by replacing it with the following:

XII. “Digital asset” means any fungible or non-fungible digital representation of value, unit of value, voting, or usage right that can be exclusively possessed and transferred, person to person, without necessary reliance on an intermediary, and is recorded on a blockchain system.

Amend RSA 301-B:5, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. “GUI” means a graphical user interface, publicly accessible by all DAO participants, whether hosted centrally via location-based storage or via decentralized or distributed storage, through which users interact with computer software via visual indicator representations. This can include, but is not limited to, a web interface or standalone application.

Amend RSA 301-B:5, XXVII as inserted by section 1 of the bill by replacing it with the following:

XXVII. “On-chain contribution” refers to any token segregated and locked in one of the DAO’s smart contracts for the purpose of participant buy-in to the DAO and the provision of withdrawable capital.

Amend RSA 301-B:5, XXXVI - XLII as inserted by section 1 of the bill by replacing them with the following:

XXXVI. “Quality assurance testing” means that the software code of the DAO has undergone security review according to industry standards including standards that may be designed, developed, and tested by the registry administrator.

XXXVII. “Registry administrator” means the person, including the university of New Hampshire Interoperability Laboratory, or any other entity authorized by the secretary of state in accordance with this act to administer the New Hampshire DAO registry.

XXXVIII. “Registered Agent” means the person appointed by a New Hampshire DAO in accordance with RSA 301-B:9.

XXXIX. “Registered e-mail address” means with respect to any person a unique designation for an electronic mailbox that sends and receives electronic messages or e-mails.

XL. “Related digital asset” means a digital asset that is intrinsically linked to a blockchain system, including: (a) where the digital asset’s value is reasonably expected to be generated by the programmatic functioning of the blockchain system; (b) where the digital asset represents voting rights with respect to the blockchain system; or (c) where the digital asset is issued through the programmatic functioning of the blockchain system.

XLI. “Smart contract” is software code deployed in a blockchain system that consists of a set of pre-defined and deterministic instructions and conditions that may be executed in a decentralized manner by the participants in the underlying blockchain network. Execution of a smart contract shall produce a change in the blockchain state.

XLII. “Token” means a record on a permissionless blockchain, typically representing an asset, participation right, or other entitlement.

XLIII. “Transaction” means a new entry in a permissionless blockchain, often but not exclusively, recording a change in ownership of an asset or participation in a DAO.

Amend RSA 301-B:6, II as inserted by section 1 of the bill by replacing it with the following:

II. The liability of a participant as a participant and of an administrator as administrator for the debts, obligations, or other liabilities of a New Hampshire DAO.

Amend RSA 301-B:7, I as inserted by section 1 of the bill by replacing it with the following:

I. A New Hampshire DAO shall exist as a separate legal entity distinct from its developers, participants, administrators, and legal representatives and shall at no time be deemed a partnership under RSA 304-A:6.

Amend RSA 301-B:9, I(b)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) A limited liability company formed or authorized under RSA 304-C, or a professional limited liability company formed or authorized under RSA 304-D whose business office is identical with the registered office; or

Amend RSA 301-B:9, V as inserted by section 1 of the bill by replacing it with the following:

V. If a registered agent changes its address to another place in this state, it may change the address of the registered office of any New Hampshire DAO for which it is a registered agent by filing a statement with the secretary of state as required by paragraph II, except that the statement need be signed only by the registered agent. The statement shall recite that a copy of it has been mailed to a New Hampshire DAO.

Amend RSA 301-B:10, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) In a proceeding by the attorney general under RSA 301-B:24 to deregister the New Hampshire DAO.

Amend RSA 301-B:11, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Paragraph I shall not affect the personal liability of a participant, administrator, or legal representative in tort for their own wrongful act or omission, but such a person shall not be personally liable for the wrongful act or omission of any other participant, administrator, or legal representative of the New Hampshire DAO.

Amend RSA 301-B:24 as inserted by section 1 of the bill by replacing it with the following:

301-B:24 Judicial Deregistration Upon Application by Attorney General. The attorney general may apply to the superior court for a decree of deregistration of a New Hampshire DAO, and the superior court may issue such a decree, in any of the following circumstances:

I. The New Hampshire DAO has procured or maintained its registration through fraud.

II. The New Hampshire DAO has exceeded or abused its lawful authority under this act.

III. The New Hampshire DAO has carried on, conducted, or transacted its business in a persistently fraudulent manner or in a manner that violates clearly established laws.

IV. The New Hampshire DAO has abused its power contrary to the public policy of the state.

Amend RSA 301-B:27, I as inserted by section 1 of the bill by replacing it with the following:

I. Legal personality and limited liability shall be maintained to the extent necessary to protect New Hampshire DAO participants, administrators, and legal representatives from personal liability.

Amend RSA 301-B:31 as inserted by section 1 of the bill by replacing it with the following:

301-B:31 Secretary of State; Duties. The secretary of state shall issue a request for proposals for the development and administration of the New Hampshire DAO registry as described in RSA 301-B:14. The request for proposals shall have such terms as the secretary of state shall deem necessary and appropriate to carry out the provisions of RSA 301-B. The request for proposals should include a requirement that responses to the request should identify an appropriate registration and annual fee for registrants that would be sufficient over time to defray the costs of establishing and administering the registry. The secretary of state shall select one or more of the respondents to the proposal and shall negotiate a contract with such respondent or respondents that provides for establishment and administration of the registry; provisions for administering any deregistration processes including providing technical assistance to the attorney general in connection with a judicial deregistration under RSA 301-B:24; and such other items as the secretary of state shall deem necessary and appropriate. In accordance with the contracts entered into, the secretary of state is authorized to set registration and annual fees and pay registry establishment, maintenance, and administration costs. The secretary of state shall prepare reports of the progress under the process described in this section every 6 months following the effective date of this section, and submit the reports to the governor, the senate president, and the speaker of the house of representatives.

Amend the bill by replacing section 2 with the following:

2 Effective Date.

I. RSA 301-B:31 as inserted by section 1 of this act of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 2025.

2024-1817s

AMENDED ANALYSIS

The bill:

I. Establishes regulations and the legal framework and operational guidelines for decentralized autonomous organizations (DAOs) in the state.

II. Covers provisions on judicial deregistration, forks in blockchains, restructuring, failure events, and the application of general business organization law and other relevant laws.

Senate Executive Departments and Administration

May 8, 2024

2024-1850s

06/08

Amendment to HB 1057

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Emergency Medical and Trauma services; Initial Licensure; Provisional License. Amend RSA 153-A:11 by inserting after paragraph VII the following new paragraph:

VIII. Applicants for initial licensure under this chapter shall be issued temporary, provisional licenses if they have passed the required examination and are awaiting the results of the criminal history record check required pursuant to RSA 153-A:10-a for a period that exceeds 3 weeks, which shall require direct supervision by a licensee at all times. The division shall issue the temporary, provisional license for a period and under such limitations as the director adopts in rules under RSA 541-A. A temporary, provisional license shall be revoked upon the receipt of criminal history record check if a license is denied under this section or RSA 153-A:13.

Senate Executive Departments and Administration

May 2, 2024

2024-1738s

11/05

Amendment to HB 1095

Amend the bill by replacing section 8 with the following:

8 Master Licensed Alcohol and Drug Counselor; Initial License. Amend RSA 330-C:16, I(b)-V to read as follows:

(b) Have graduated with a master's degree of less than 60 hours in a discipline described in subparagraph (a) and has completed the necessary additional hours of master's level course work as determined by the board pursuant to RSA 330-C:9, ~~I(d)~~ **I(b)**.

II. Pass testing procedures of a nationally recognized credentialing entity specified by the board. Such procedures shall be based on the core functions and practice dimensions of substance use and co-occurring disorders counseling.

III. Complete 3,000 hours of clinically supervised post-master's degree work experience in the treatment of substance use, **mental health**, and co-occurring disorders. Up to 1,500 hours of clinically supervised work experience accumulated by the applicant during his or her practice as an LADC may be counted toward the required 3,000 hours. A current license issued ~~[by the board of mental health practice under]~~ **pursuant to** RSA 330-A may be substituted for up to 1,500 hours of the required 3,000 hours of clinically supervised work experience. ~~[Where substitution of the full 1,500 hours is denied by the board, the applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the applicant's clinical supervisor holding a license issued by the board of mental health practice.]~~

IV. Meet other criteria as established by the board.

V. If the applicant does not meet the requirements of paragraphs I-IV, the board shall not issue a MLADC license but shall, if the individual meets all requirements for licensure as a LADC, issue a LADC license to the individual. ***In such circumstances, the OPLC shall not require the applicant to submit a separate application and fee.***

Amend section 12 of the bill by deleting paragraph IV and renumbering paragraphs V-VII to read as IV-VI, respectively.

Amend RSA 313-A:8 as inserted by section 18 of the bill by inserting after paragraph XIII the following new paragraph:

XIV. Conditions and standards for operation under a shop license, including health and safety standards.

Amend RSA 319-C:7, II as inserted by section 185 of the bill by replacing it with the following:

II. The ~~board~~ ***office*** shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board or experience in the field received in military service, in accordance with rules adopted by RSA 541-A; ~~and~~

(b) Complete not less than 600 hours of education that meet criteria established by the board in rules adopted pursuant to RSA 541-A; and

(c) Satisfactory passing of an examination approved by said board as provided in RSA 319-C:8 to determine the person's fitness to receive such license.

Election Law and Municipal Affairs

April 30, 2024

2024-1703s

05/06

Amendment to HB 1098

Amend the bill by replacing section 1 with the following:

1 New Section; Nursing Homes and Elder Care Facilities. Amend RSA 657 by inserting after section 17-a the following new section:

657:17-b Nursing Homes and Elder Care Facilities. A clerk, assistant clerk, or clerk pro tem may deliver absentee ballots to residents of nursing homes or elder care facilities for the convenience of the residents. The persons authorized in this section shall, to the extent possible, ensure the process of receiving, marking, and returning the absentee ballots is fair, private, and properly handled. Any activity related to the delivery of ballots to nursing homes or elder care facilities that appears to be inconsistent with this title shall be reported to the secretary of state.

Energy and Natural Resources

May 1, 2024

2024-1726s

02/05

Amendment to HB 1103-FN

Amend the bill by replacing section 1 with the following:

1 Penalties; Shoreland Protection Act. Amend the introductory paragraph of RSA 483-B:18, III to read as follows:

III. Persons violating the provisions of this chapter, ~~[and damaging the public waterway who, after notification by the department, fail to make a good faith effort at remediation and restoration]~~ ***who fail to restore the site to meet the applicable standards of this chapter within one year of receiving notification of a violation by the department,*** shall be subject to the following:

Election Law and Municipal Affairs
 April 30, 2024
 2024-1694s
 12/02

Amendment to HB 1126

Amend the bill by replacing section 1 with the following:

1 Absentee Ballots; Information for Candidates. Amend RSA 657:15, III to read as follows:

III. Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name **and address where registered**, voter ID number, **voter's party, the type of election the absentee ballot was requested in**, the date the absentee ballot was requested, **the date the absentee ballot was sent or handed to the voter**, and the date that the **absentee** ballot **envelope** was returned.

Election Law and Municipal Affairs
 May 1, 2024
 2024-1707s
 02/08

Amendment to HB 1150

Amend the bill by replacing section 1 with the following:

1 Advertising Rates; Political Advertising. Amend RSA 664:16 to read as follows:

664:16 Identification of Political Advertising; **Rates**. Political advertising printed in newspapers, periodicals, or billboards shall be marked at the beginning or at the end thereof "Political Advertising." [~~Rates for advertising shall be filed, no later than 30 days prior to the deadline for filing for office for an election, with the secretary of state by each person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space. Such schedule shall be open to public inspection, and such schedules may be amended. However, rates in such amendments shall not take effect until 5 days after they are filed with the secretary of state.~~] No person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space shall charge an advertising rate to any candidate, political committee, party, or cause that is different from that charged to any other candidate, political committee, party, or cause.

Senate Transportation
 May 8, 2024
 2024-1845s
 11/05

Amendment to HB 1202-FN

Amend RSA 236:13, IV-a-V as inserted by section 1 of the bill by replacing it with the following:

IV-a. For any existing or proposed residential use of land, including multifamily development that is not classified as a major driveway under the department's policy relating to driveways and access to the state highway system, the department shall issue the permit described in paragraph II within 60 days of receiving a completed application.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning board or governing body in cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and

any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II(a). ***The planning board or its delegate shall act on permits under this section within 65 days after notification of issuance.***

Senate Executive Departments and Administration

May 8, 2024

2024-1851s

09/08

Amendment to HB 1274-FN

Amend the bill by inserting after section 3 the following and renumbering the original section 4 through 7 to read as 5 through 8:

4 New Hampshire Retirement System; Definitions. Amend RSA 100-A:1, XXXIV to read as follows:

XXXIV. "Part-time" for purposes of employment of a retired member of the New Hampshire retirement system, but excepting per diem court security officers, [and] court bailiffs, ***and the assistant director for safety and security of the judicial branch***, means employment by one or more participating employers of the retired member which shall not exceed 1,352 hours in a calendar year, except as provided in RSA 100-A:7-b. Notwithstanding the foregoing, no retired member shall be employed on a part-time basis by any participating employer for a period of 28 days from the member's effective date of retirement.

Amend the bill by replacing section 8 with the following:

8 Effective Date.

I. Section 7 of this act shall take effect January 1, 2026.

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

2024-1851s

AMENDED ANALYSIS

This bill:

I. Amends the requirements for who can serve on the judicial council.

II. Amends the requirements for when a person is arrested with or without a warrant.

III. Authorizes the courts to appoint contract or other qualified attorneys in the first instance, provides for the repeal of this provision, and requires a report to be issued on the fiscal impact of this provision.

IV. Raises the threshold amount to trigger the requirement of approval of the fiscal committee of the general court for the supreme court to transfer appropriated funds.

V. Adds to the exemption from the definition of "part-time" for the New Hampshire retirement system the judicial branch's assistant director of safety and security.

Senate Education

May 7, 2024

2024-1808s

02/02

Amendment to HB 1298-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Part-Time Teacher; Defined. Amend RSA 189 by inserting after section 39-b the following new section:

189:39-c Part-Time Teacher; Defined. A part-time teacher is not required to hold a state board of education credential provided that:

I. They work less than 30 hours per week.

II. They seek a criminal history record check clearance authorization from the department of education as outlined in RSA 189:13-a prior to receiving a final offer of employment.

III. They are subject to the code of conduct and code of ethics.

IV. Any person who has had an educator credential, educator license, or other educator certification revoked under RSA 189:14-c or RSA 189:14-d, or who has been rendered ineligible to be employed as an educator under another provision of law, shall not be eligible to teach under this section.

2 Effective Date. This act shall take effect 60 days after its passage.

2024-1808s

AMENDED ANALYSIS

This bill defines “part-time teacher.”

Senate Finance

May 1, 2024

2024-1719s

12/02

Amendment to HB 1307-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Retirement System; Accidental Disability Retirement Allowance; Supplemental Appropriation.

I. An additional one-time allowance of \$500 shall be paid during state fiscal year 2025 to retired members of the retirement system receiving an allowance, or any beneficiary of such a member who is receiving a survivorship pension benefit, who are eligible as follows:

(a) The member is receiving an accidental disability retirement allowance under RSA 100-A:6;

(b) The member retired and has been receiving an allowance for at least 5 years prior to or on July 1, 2023; and

(c) The annual retirement allowance of the member on June 30, 2023 was not greater than \$50,000.

II. The additional allowance shall not become a permanent addition to the member’s base retirement allowance.

III. The total cost of the additional allowances, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund in the fiscal year ending June 30, 2025. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 New Subparagraph; Accidental Disability Retirement Benefits; Cost of Living Adjustments. Amend RSA 100-A:6, II(d) by inserting after subparagraph (3) the following new subparagraph:

(4) Any member who is receiving an accidental disability retirement allowance under subparagraph (d) shall be granted any supplemental allowance or COLA authorized by the legislature without regard to a minimum number of years of creditable service for eligibility to receive the supplemental allowance or COLA. This subparagraph shall apply to any one-time supplemental allowance or COLA authorized by the legislature on or after the effective date of this subparagraph unless the terms of such authorizing legislation specifically provide otherwise.

3 Effective Date. This act shall take effect July 1, 2024.

Election Law and Municipal Affairs

April 30, 2024

2024-1701s

02/06

Amendment to HB 1310-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Supervisors of the Checklist; Checklist Maintenance. Amend RSA 654 by inserting after section 27 the following new section:

654:27-a Checklist Maintenance. In cities and towns, the supervisors of the checklist shall meet at least every 90 days for the purpose of periodic checklist maintenance. For the purposes of this section, “periodic checklist maintenance” means taking action on all requests to correct the checklist including, but not limited to those in RSA 654:36, RSA 654:36-a, RSA 654:36-b, RSA 654:37, RSA 654:37-a, RSA 654:39 III and RSA 74:18, VI. For the purposes of this section, “take action” means to strike a voter from the checklist, correct an address for a voter who has moved within the jurisdiction of the supervisors of the checklist, or to vote to mail a notice pursuant to RSA 654:44, I. The supervisors may also conduct other business at these meetings after performing periodic checklist maintenance. Notice of the day, hour, and place of each session of the board of supervisors shall be first posted in 2 appropriate places, one of which shall be the city or town’s Internet website, if such exists, or shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session.

Election Law and Municipal Affairs
 May 7, 2024
 2024-1827s
 08/05

Amendment to HB 1313-FN-LOCAL

Amend RSA 654:31, II as inserted by section 1 of the bill by replacing it with the following:

II. In towns and cities, the public checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The supervisors of the checklist or city or town clerk shall furnish a physical copy or an electronic copy of the most recent public checklist of their town or city to any person requesting such copy. If a person requests an electronic copy, the supervisors of the checklist, or the city or town clerk, shall notify the person requesting the copy of the electronic format options available from which the person requesting may choose. ***Options shall include an electronic copy, to be sent via email, of at least one sortable format such as a spreadsheet or other electronic media provided by the clerk. One free request may be made per election before a fee of up to \$25 may be charged for such an electronic copy sent by email or provided via other electronic media provided by the clerk.*** The supervisors of the checklist or city or town clerk may only provide checklist information for their town or city. The supervisors of the checklist or city or town clerk shall charge a fee of \$25 for each ***paper*** copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the supervisors of the checklist or city or town clerk shall charge a fee of \$25, plus \$0.50 per thousand names or portion thereof in excess of 2,500, plus any shipping costs. The supervisors of the checklist or city or town clerk may provide public checklist information on paper, [~~computer disk, computer tape, electronic transfer,~~] ***or in electronic formats,*** or any other form.

Senate Executive Departments and Administration
 May 1, 2024
 2024-1723s
 08/10

Amendment to HB 1323-FN-A

Amend the bill by replacing section 1 with the following:

1 New Section; Copies of State Constitution to be Furnished. Amend RSA 5 by inserting after section 5-a the following new section:

5:5-b Copies of State Constitution to be Furnished. The secretary of state is hereby directed to furnish such number of copies of the state constitution to the general public as he or she may deem necessary. The secretary of state may assess a fee to cover costs for bulk orders of copies of the state constitution requested by members of the legislative, judicial, and executive branches as well as members of the public.

Senate Judiciary
 May 9, 2024
 2024-1874s
 09/08

Amendment to HB 1339-FN

Amend RSA 159-D:4, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The department of safety shall initiate a NICS check and shall provide a conclusive response to the court within 10 business days of receiving the court's request stating either "proceed" or "deny." A "deny" response shall only be provided if the NICS check depicts that the individual is clearly prohibited from possessing a firearm pursuant to state or federal law. If the NICS check is inconclusive and the department of safety cannot explicitly demonstrate that the individual is prohibited from possessing a firearm within 10 business days of the court's request, the department of safety shall provide a "proceed" response to the requesting court.

Commerce
May 7, 2024
2024-1826s
08/02

Amendment to HB 1380-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Brew Pub; On-Premise and Off-Premise Licenses. Amend RSA 178:13 by inserting after paragraph XIV the following new paragraph:

XV. Notwithstanding the provisions of RSA 179:11 Holders of Beverage Manufacturer, Wholesale Distributor, Beverage Vendor, and Other Licenses; Prohibited Interests, nothing in that section shall prevent a holder of a brew pub license from holding an on-premises or off-premises license under this chapter, provided that:

(a) The brew pub licensee does not hold any other type of manufacturing license under this title; and

(b) Brew pub licensees holding one or more on-premises or off-premises licenses shall be limited to self-distributing to not more than one on-premises license owned by the brew pub licensee and shall not exceed 2,500 barrels of beer and/or cider during their licensing period. Nothing in this section shall authorize the holder of multiple brewpub licenses to self-distribute to more than one commonly owned on-premises or off-premises license.

2 Effective Date. This act shall take effect July 1, 2024.

Senate Executive Departments and Administration
May 9, 2024
2024-1876s
11/08

Amendment to HB 1385-FN

Amend the bill by replacing section 2 with the following:

2 Military Service Members, Spouse and Veterans Temporary Licensure. Amend RSA 310:16 to read as follows:

310:16 Military Service Members, ~~[and Spousal Temporary Licensure]~~ ***Spouse and Veterans.***

I. The office of professional licensure and certification shall issue temporary licenses to a member of the armed forces or their spouse, if the applicant holds a current, valid unencumbered occupational or professional license in good standing issued by a state or territory of the United States, in accordance with rules adopted ***under RSA 541-A*** by ***the*** executive director ~~[of the office of professional licensure and certification under RSA 541-A, provided that the].~~ ***Provided an*** applicant meets the requirements of this section, ***the executive director shall issue the temporary license*** within 30 days of having received an application or, if the applicant is subject to a criminal records check, within 14 days of having received the results of a criminal records check. The rules shall contain the following provisions

~~[E.]~~ ***(a)*** The applicant shall obtain a temporary license for a period of not less than 180 days while completing any requirements for licensure in New Hampshire so long as no cause for denial of a license exists under this title, or under any other law.

~~[H.]~~ ***(b)*** The ~~[license]~~ applicant must submit a notarized affidavit affirming, under penalty of law, that the applicant is the person described and identified in the application, that all statements made on the application are true and correct and complete, that the applicant has read and understands the requirements for licensure, ~~[and]~~ certifies that they meet those requirements, and that the applicant is in good standing in all jurisdictions in which the applicant holds or has held a license ***or was not subject to discipline in a jurisdiction where the applicant previously held a license that resulted in the loss of licensure.***

[HH:] (c) The applicant may request a one-time 180-day extension of the temporary license if necessary to complete the New Hampshire licensing requirements. The applicant must make this request within 15 days prior to the [temporary license's] expiration date **of the temporary license**.

[FV:] (d) All individuals licensed under this section shall be subject to the jurisdiction of the state licensing body for that profession.

II. Notwithstanding any general or special law to the contrary, the executive director shall facilitate the issuance of a license or certification for a person:

- (a) **Licensed in a state other than New Hampshire;**
- (b) **Whose spouse is a member of the armed forces in the United States;**
- (c) **Whose spouse is the subject of a military transfer to New Hampshire; and**
- (d) **Who left employment to accompany a spouse to New Hampshire.**

III. The executive director shall, in consultation with the boards, councils, and commissions, adopt rules, under RSA 541-A for what constitutes commensurate military education, training, or service acceptable for the specific regulated occupation or profession, as required pursuant to RSA 332-G:7, I.

Senate Executive Departments and Administration
 May 8, 2024
 2024-1849s
 09/06

Amendment to HB 1410-FN

Amend the bill by replacing all after section 7 with the following:

8 Registration of Medical Technicians. Amend the chapter name of RSA 328-I to read as follows:

[BOARD OF] REGISTRATION OF MEDICAL TECHNICIANS

9 Registration of Medical Technicians, Definitions. Amend RSA 328-I:1, I to read as follows:

I. [~~“Board” means the board of registration of medical technicians.~~] **“Executive Director” means the executive director of the office of professional licensure and certification.**

10 Registration of Medical Technicians; Powers and Duties of the Executive Director. RSA 328-I:3 is repealed and reenacted to read as follows:

328-I:3 Powers and Duties of the Executive Director.

The powers and duties of the executive director under this chapter shall include:

- I. Accepting applications for registration pursuant to RSA 310:4.
- II. Conducting disciplinary proceedings in accordance with RSA 310:10.
- III. Adopting rules pursuant to RSA 328-I:4.
- IV. Other duties necessary to carry out the purposes of this chapter in accordance with RSA 310.

11 Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and reenacted to read as follows:

328-I:4 Rulemaking.

The executive director shall adopt rules, pursuant to RSA 541-A, relative to:

- I. Registration eligibility requirements for initial, renewal, and reinstatement of registration.
- II. Adopting such rules as are necessary to carry out the purposes of this chapter in accordance with RSA 310:6.
- III. Procedures for sharing information with other in-state boards, the office inspector general, department of health and human services, out-of-state boards, and law enforcement entities.

12 Registration of Medical Technicians; Registration of Medical Technicians Required. Amend RSA 328-I:5, III-V to read as follows:

III. The [board] *executive director*, after hearing and upon making an affirmative finding under paragraph II, that the person is engaged in unlawful practice, may take action in any one or more of the following ways:

- (a) A cease and desist order in accordance with paragraph IV.
- (b) The imposition of an administrative fine not to exceed \$50,000.
- (c) The imposition of an administrative fine for continuation of unlawful practice in the amount of \$1,000 for each day the activity continues after notice from the [board] *executive director* that the activity shall cease.
- (d) The denial or conditional denial of a license application, application for renewal, or application for reinstatement.

(e) The imposition of other sanctions permitted by RSA 310:12.

IV. The [board] *executive director* is authorized to issue a cease and desist order against any person or entity engaged in unlawful practice. The cease and desist order shall be enforceable in superior court.

V. The attorney general, the [board] *executive director*, or the prosecuting attorney of any county or municipality where the act of unlawful practice takes place may maintain an action to enjoin any person or entity from continuing to do acts of unlawful practice. The action to enjoin shall not replace any other civil, criminal, or regulatory remedy. An injunction without bond is available to the [board] *executive director*.

13 Registration of Medical Technicians; Initial Registration; Application, Fees. Amend RSA 328-I:6 to read as follows:

328-I:6 Initial Registration; Application, Fees.

I. The [board] *executive director* may register any person who submits a completed application and pays the established fee.

II. Completed applications shall include:

- (a) Payment of the non-refundable registration fee;
- (b) Reports of any pending criminal charges, criminal convictions, plea agreements in lieu of convictions, or complaints made to or dispositions made by licensing, certification, or registration boards, *or other appropriate licensing authorities*.
- (c) A complete set of fingerprints and a criminal history record release form pursuant to RSA 328-I:7.
- (d) The applicant's work history over the last 10 years.

III. All applications shall include at a minimum, the applicant's name, social security number, place and date of birth, place of employment in New Hampshire and the home address and shall be duly signed and verified. Applications shall be available for public inspection.

IV. Upon approval of the application ~~[by the board]~~, the applicant shall be registered as a medical technician for 2 years *in accordance with RSA 310:8*. ~~[Such registration shall take effect within 90 days after the filing of such completed application.]~~

V. Any medical technician who changes his or her name, place or status of employment in New Hampshire, or residence shall notify the [board] *executive director* in writing within 30 days. For failure to report such a change within 30 days of such event, the [board] *executive director* may suspend the medical technician's registration.

VI. Once an application has been approved ~~[by the board]~~, a temporary registration may be issued, pending receipt of the criminal records check and fingerprint information.

14 Registration of Medical Technicians; Criminal History Record Checks. Amend RSA 328-I:7 to read as follows:

328-I:7 Criminal History Record Checks.

I. Every applicant for initial registration or reinstatement shall submit ~~[to the board]~~ a criminal history record release form, as provided by the New Hampshire division of state police, which authorizes the release of his or her criminal history record, if any, to the [board] *executive director*.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [board] *executive director* may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The [board] *executive director* shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [board] *executive director*.

IV. The [board] *executive director* shall review the criminal record information prior to making a registration decision and shall maintain the confidentiality of all criminal history records received pursuant to this section.

V. The applicant shall bear the cost of a criminal history record check.

15 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 *in accordance with RSA 310:8* and shall expire unless renewed in the manner prescribed by the [board] *executive director*. Certificates of registration for medical technician shall be renewed upon the payment of the renewal fee.

16 Registration of Medical Technicians; Refusal to Issue or Renew Certificate. Amend RSA 328-I:9 to read as follows:

328-I:9 Refusal to Issue or Renew Certificate[; ~~Return of Certificate~~].

[E.] The [board] *executive director* may deny the application for registration or refuse to issue a renewal thereof if it is determined after hearing that such applicant or registrant:

[(a)] *I.* Has made a material false statement or concealed or omitted a material fact in connection with his or her application for registration;

[(b)] *II.* Had a registration issued under this chapter suspended previously;

[(c)] *III.* Has been convicted of a felony under the laws of the United States or any state or any offense involving moral turpitude;

[(d)] *IV.* Has willfully or repeatedly failed to comply with any other provision of this chapter or any rules adopted by the [board] *executive director*; or

[(e)] *V.* Is a habitual user of drugs or intoxicants.

[H. ~~Upon the suspension or revocation of a certificate of registration by the board and the issuance of a notice thereof, the registrant shall within 5 days, not including Sundays and holidays, deliver to the board the certificate of registration. If surrendered by mail, the certificate of registration shall be sent by registered or certified mail, postmarked no later than 3 days, not including Sundays and holidays, following notice of suspension or revocation. Failure to return a certificate of registration which has been revoked or suspended hereunder within the prescribed time shall constitute a misdemeanor.~~]

17 Registration of Medical Technicians; Disciplinary Action; Remedial Proceedings. RSA 328-I:10 is repealed and reenacted to read as follows:

328-I:10 Disciplinary Action; Remedial Proceedings.

I. The executive director is authorized to undertake investigations and disciplinary proceedings upon:

(a) The executive director's initiative.

(b) A written complaint made by any person complaining that a registrant has committed an act of misconduct and specifying the nature of the misconduct.

(c) A written complaint made by any person that a person is engaged in unauthorized practice.

(d) Notification by a licensing or certifying agency of this state that a registrant has been disciplined by that agency.

(e) Notification by the regulatory authority of another domestic or foreign jurisdiction that a registrant has been disciplined in that jurisdiction.

(f) A report made pursuant to the obligation to report imposed by this chapter.

II. Every facility administrator, or designee, for any licensed hospital, health clinic, ambulatory surgical center, or other health care facility within the state shall report to the executive director any disciplinary or action related to disruptive conduct, professional incompetence, or violation of an organizational rule or procedure involving controlled substances, or any adverse action which results in the termination of an employment relationship, within 30 days after such action is taken, including situations in which allegations of misconduct are settled by voluntary resignation without adverse action, against a person registered as a medical technician. Disciplinary or adverse action shall include the requirement that a registrant undergo counseling or be subject to any policy with regard to disruptive behavior.

III. The executive director, after hearing, may take disciplinary action against any person registered by the executive director upon finding that the person:

(a) Has knowingly provided false information during any application for registration or employment, whether by making any affirmative statement which was false at the time it was made or by failing to disclose any fact material to the application.

(b) Is a habitual user of drugs or intoxicants.

(c) Has engaged in dishonest or unprofessional conduct, or has negligently or intentionally injured a patient while practicing as a medical technician or performing such ancillary activities.

(d) Has willfully or repeatedly violated any provision of this chapter or any substantive rule of the executive director.

(e) Has been convicted of a felony under the laws of the United States or any state.

IV. The executive director may take non-disciplinary remedial action against any person registered by the executive director upon finding that the person is afflicted with a physical or mental disability, disease, disorder, or condition deemed dangerous to the public health. Upon making an affirmative finding, the executive director, may take non-disciplinary remedial action:

(a) By suspension, limitation, or restriction of a registration for a period of time as determined reasonable by the executive director.

(b) By revocation of registration.

(c) By requiring the person to submit to the care, treatment, or observation of a physician, counseling service, health care facility, professional assistance program, or any combination thereof which is acceptable to the executive director.

(d) By requiring the person to practice under the direction of a physician in a public institution, public or private health care program, or private practice for a period of time specified by the executive director.

(e) By imposition of any sanction permitted pursuant to RSA 310:12.

18 Registration of Medical Technicians; Telemedicine. Amend RSA 328-I:16 to read as follows:

328-I:16 Telemedicine. Medical technicians registered by the ~~[board]~~ **executive director** shall be permitted to provide services through the use of telemedicine. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment.

19 Residential Care and Health Facility Licensing; Verification of Medical Technician Registration. Amend RSA 151:3-d to read as follows:

151:3-d Verification of Medical Technician Registration. Every facility administrator, or designee, for any health care facility licensed under this chapter shall verify with the **executive director of the office of professional licensure and certification** ~~[board of registration of medical technicians established under RSA 328-I:2,]~~ prior to employing a medical technician, as defined in RSA 328-I:1, VI, that such medical technician is registered ~~[with the board]~~.

20 Office of Professional Licensure and Certification; Definitions; Establishment. Amend RSA 310:2, II(jj) to read as follows:

(jj) ~~[Board of]~~ Registration of medical technicians under RSA 328-I.

21 Repeal. The following are repealed:

- I. RSA 326-B:3, IX-XI, relative to the board of nursing.
- II. RSA 326-B:6, relative to collection and expenditure of funds.
- III. RSA 326-B:8, relative to fees and charges.
- IV. RSA 326-B:21, relative to licensure by endorsement for licensed nursing assistants.
- V. RSA 326-B:22, relative to license renewal.
- VI. RSA 326-B:23, relative to license reinstatement.
- VII. RSA 328-I:2, relative to the board of registration of medical technicians.

22 Effective Date. This act shall take effect 60 days after its passage.

2024-1849s

AMENDED ANALYSIS

This bill eliminates the board of registration of medical technicians and transfers authority over the registration of medical technicians to the office of professional licensure and certification. This bill further makes changes to the nurse practice act.

Senate Judiciary
May 9, 2024
2024-1871s
09/02

Amendment to HB 1432-FN

Amend RSA 638:26-a, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) An interactive computer service as defined in 47 U.S.C. section 230.

Amend RSA 507:8-j, III(a) as inserted by section 2 of the bill by replacing it with the following:

(a) An interactive computer service as defined in 47 U.S.C. section 230.

Energy and Natural Resources
April 30, 2024
2024-1691s
05/02

Amendment to HB 1465-FN

Amend RSA 162-B:4, II as inserted by section 4 of the bill by replacing it with the following:

II. To assist the commissioner of the department of energy in his or her role as senior adviser to the governor with respect to the development and regulatory activities of the state government relating to the industrial and commercial uses of nuclear energy, the position of coordinator of nuclear development and regulatory activities is established in the department of energy, office of offshore wind industry development and energy innovation.

Amend the bill by replacing all after section 5 with the following:

6 Office of Offshore Wind Industry Development. Amend the subdivision heading preceding RSA 12-O:51 to read as follows:

Office of Offshore Wind Industry Development *and Energy Innovation*

7 Offshore Wind Industry Workforce Training Center Committee. Amend RSA 12-O:51-a, I(k) to read as follows:

(k) The director of the office of offshore wind industry development *and energy innovation* under RSA 12-P:7-b.

8 Office of Offshore Wind Industry Development. Amend the section heading of RSA 12-P:7-b to read as follows:

12-P:7-b Office of Offshore Wind Industry Development **and Energy Innovation** Established.

9 Office of Offshore Wind Industry Development and Energy Innovation Established. Amend RSA 12-P:7-b, I to read as follows:

I. There is established in the department of energy the office of offshore wind industry development **and energy innovation**. The office shall be under the supervision of a classified director of the office of offshore wind industry development **and energy innovation**, who shall serve under the supervision of the commissioner. The director shall provide administrative oversight and ensure that the responsibilities of the office described in this section are fulfilled.

10 Office of Offshore Wind Industry Development and Energy Innovation Established. Amend RSA 12-P:7-b, II to read as follows:

II. The office of offshore wind industry development **and energy innovation** shall:

(a) Support the work of the New Hampshire members of the Intergovernmental Renewable Energy Task Force administered by the federal Bureau of Ocean Energy Management (BOEM).

(b) Support the work of the offshore wind commission established in RSA 374-F:10.

(c) Assist the offshore wind commission to develop and implement offshore wind development strategies including:

(1) Assessment of port facilities.

(2) Economic impact analyses.

(3) Supply chain analyses.

(4) Outcome and performance measurements.

(d) Collaborate with key state agencies and partners on offshore wind industry development initiatives.

(e) Coordinate offshore wind industry economic development policy, including:

(1) Development of workforce.

(2) Identification of and recruitment of offshore wind development employers.

(3) Identification and recruitment of offshore wind supply chain employers.

(4) Promotion of New Hampshire's benefits to the various components of the offshore wind industry.

(5) Provide updates and guidance to the general court with regard to policy and funding.

(f) Advise the governor, state agencies, the public utilities commission, and the legislature on the development of clean energy resources in the Gulf of Maine and the purchase of power by New Hampshire public utilities from these resources.

(g) Fulfill the duties outlined in RSA 162-B:4.

11 Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives and offshore wind initiatives, including

the office of offshore wind industry development *and energy innovation*. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

12 Offshore Wind and Port Development; Commission Established. Amend RSA 374-F:10, VI to read as follows:

VI. The commission shall receive staff support and other services, including research and facilities assessments, from the department of energy, office of offshore wind industry development *and energy innovation* established in RSA 12-P:7-b.

13 Effective Date. This act shall take effect upon its passage.

2024-1691s

AMENDED ANALYSIS

This bill requires the department of energy to coordinate the continuing studies by various state agencies on the uses and development of nuclear energy, including advanced nuclear reactors, and wind energy. This bill renames the office of offshore wind industry development to the office of offshore wind industry development and energy innovation.

Senate Executive Departments and Administration
May 8, 2024
2024-1848s
08/02

Amendment to HB 1526-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine.

Amend the bill by replacing section 1 with the following:

1 Veterinary Practice; Conditional License. RSA 332-B:11 is repealed and reenacted to read as follows:
332-B:11 Conditional License.

I. A graduate of a non-AVMA-accredited college of veterinary medicine who is enrolled in the ECFVG certificate program having completed all but the clinical practice examination (CPE), may be granted a conditional license. The applicant shall have successfully passed the New Hampshire veterinary jurisprudence examination.

II. The holder of a conditional license issued under these provisions shall practice under the direct supervision of a New Hampshire licensed veterinarian. If the applicant is not a United States citizen, the supervising veterinarian shall verify the legal immigration status of the applicant prior to employment and shall not employ the applicant if the applicant lacks legal immigration status.

III. The conditional license shall be valid for 2 years from the date of issuance in accordance with RSA 310:8, or until the ECFVG candidate obtains ECFVG certification and receives a New Hampshire veterinary medical license. An ECFVG candidate that does not pass a CPE examination may apply to renew their conditional license, however, a candidate may not renew or reinstate a conditional license more than one time, nor may they apply for a second conditional license.

2024-1848s

AMENDED ANALYSIS

This bill enables the board of veterinary medicine to issue a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine who are enrolled in the ECFVG certificate program and have completed all but the clinical practice examination (CPE).

Energy and Natural Resources
 May 8, 2024
 2024-1829s
 08/05

Amendment to HB 1554

Amend the title of the bill by replacing it with the following:

AN ACT relative to certified culvert maintainer program reporting and requiring the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in public waters or certain public-owned water bodies and establishing rulemaking authority for such regulation.

Amend RSA 482-A:36 as inserted by section 2 of the bill by replacing it with the following:

482-A:36 Rulemaking. The commissioner shall regulate the cutting of native aquatic vegetation on submerged lands in public waters or public-owned water bodies regulated under RSA 482-A:16. The commissioner shall adopt rules to effect the requirements of this section in furtherance of the purpose enumerated in RSA 482-A:1.

2024-1829s

AMENDED ANALYSIS

This bill:

I. Specifies who in a municipality shall submit a quarterly report on culvert maintainers.

II. Requires the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in public waters and certain publicly owned water bodies and establishes rulemaking authority to accomplish that.

Election Law and Municipal Affairs
 May 7, 2024
 2024-1824s
 02/08

Amendment to HB 1567-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Planning and Zoning; General Provisions; Child Care Programs. RSA 672:1, V-a is repealed and reenacted to read as follows:

V-a. All families of the state benefit from a balanced and diverse supply of affordable child care in a setting conducive to each child's and family's needs. Establishment of child care which is safe and affordable is in the best interests of each community and the state of New Hampshire and serves a vital public need. Opportunity for development of all types of home-based care (family care and group family care) shall be allowed as long as all requirements for such programs adopted in rules of the department of health and human services (He-C 4002) are met. Family or group family child care shall be allowed as an accessory use to any primary residential use and shall not be subject to local site plan review regulations in any zone where a residential use is permitted; and

2 New Paragraph; Zoning; Powers. Amend RSA 674:16 by inserting after paragraph V the following new paragraph:

VI. In its exercise of the powers granted under this subdivision, the local legislative body of a city, town, or county in which there are located unincorporated towns or unorganized places shall, as described in RSA 672:1, V-a, allow home-based care (family care and group family care) pursuant to a conditional use permit as long as all requirements for such programs adopted in rules of the department of health and human services (He-C 4002) are met. Family or group family child care shall be allowed as an accessory use to any primary residential use and shall not be subject to local site plan review regulations in any zone where a primary residential use is permitted. If all requirements of the department of health and human services are met, but an application for a conditional use permit is pending with the municipality in which the home-based child care facility is located, an applicant may begin operation during such time until the permit is granted or denied.

3 Effective Date. This act shall take effect 60 days after its passage.

Health and Human Services
 May 1, 2024
 2024-1727s
 05/02

Amendment to HB 1568-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to reimbursement for ambulance services under the state Medicaid plan.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Commissioner of the Department of Health and Human Services; State Medicaid Plan Amendment Regarding Ambulance Services. Amend RSA 126-A:5 by inserting after paragraph XXXIV the following new paragraph:

XXXV. The commissioner shall submit to the Centers for Medicare and Medicaid Services (CMS) an amendment to the state Medicaid plan to provide reimbursement for ambulance services when care is provided in response to an emergency call to a member's home or on a scene, when an ambulance is dispatched, and treatment is provided to the patient without the patient being transported to another site. Providers shall be eligible for Medicaid reimbursement under this paragraph only when all the following requirements are met:

(a) The response originated through a 9-1-1 call.

(b) The patient consents to evaluation and treatment.

(c) After the evaluation, and when indicated, treatment, the licensed paramedic or emergency medical technician (EMT) and the patient agree there is not a need for transportation by ambulance; this shall include when resuscitation efforts are terminated.

(d) The patient does not request and actively refuses transport to an emergency department for evaluation.

(e) The patient is stable for referral to the patient's physician, other community resource or is deceased.

(f) The patient has the ability, including mental capacity and transportation resources, to obtain assistance and medically indicated follow-up.

2 Contingency. Section 1 of this act shall take effect on the date the Centers for Medicare and Medicaid Services certifies the approval of the amendment to the state Medicaid plan to the director of legislative services and the secretary of state.

3 Effective Date.

I. Section 1 of this act shall take effect as provided in section 2 of this act.

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

2024-1727s

AMENDED ANALYSIS

This bill directs the department of health and human services to submit an amendment to the state Medicaid plan regarding reimbursement for ambulance services.

Election Law and Municipal Affairs
 May 7, 2024
 2024-1821s
 08/02

Amendment to HB 1569-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Determining Qualifications of Applicant; General Voter Registration. RSA 654:12 is repealed and reenacted to read as follows:

654:12 Determining Qualifications of Applicant.

I. When determining the qualifications of an applicant desiring to register to vote in New Hampshire for the first time, whether the applicant seeks to register before election day or on election day, the supervisors of the checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age, domicile, and identity as provided in the following categories:

(a) **CITIZENSHIP.** The supervisors of the checklist, or the town or city clerk, shall accept from the applicant any one of the following as proof of citizenship: the applicant's birth certificate, passport, naturalization papers if the applicant is a naturalized citizen, or any other reasonable documentation which indicates the applicant is a United States citizen. If the applicant cannot present one of the presumptive forms of proof he or she shall submit a citizenship affidavit with sufficient information so that citizenship can be confirmed, along with any other reasonable documentation which indicates the applicant is a United States citizen. The citizenship affidavit shall be in the following form, and shall be retained in accordance with RSA 33-A:3-a:

Date: ____

CITIZENSHIP AFFIDAVIT

BE AS PRECISE AS POSSIBLE

Name: ____

Name at birth if different: _____

Place of birth: ____

Date of birth: _____

Place of Naturalization: _____

Domicile Address: ____

Mailing Address (if different): _____

Last 4 digits of Social Security Number: ____

Telephone Number: _____

Email Address; ____

Name and phone number of person who can verify citizenship:

I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am not in possession of some or all of the documents necessary to prove my citizenship, the information above is true and correct, and that I understand that the secretary of state and the attorney general may use whatever resources are available to them to verify my claim to be a United States citizen.

(Signature of Applicant)

(b) **AGE.** Any reasonable documentation indicating the applicant will be 18 years of age or older at the next election.

(c) **DOMICILE.**

(1) A person who possesses one of the following qualified documents identifying the applicant's name and the address claimed as domicile must present that document when applying for registration: (i) New Hampshire driver's license or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle registration; (iii) a picture identification issued by the United States government that contains a current address; (iv) a government issued check, benefit statement, or tax document.

(2) A person who attests under penalty of voter fraud that they do not possess any of the qualified documents listed in subparagraph (c)(1) may present any reasonable documentation of having established a physical presence at the place claimed as domicile, having an intent to make that place their domicile, and having taken a verifiable act to carry out that intent. The documentation must establish that it is more likely

than not that the applicant has a domicile and intends to maintain that domicile, as defined in this chapter, at least until election day, in the town or ward in which they desire to vote. Reasonable documentation may include, but is not limited to, evidence of:

(A) Having established domiciliary at the location of an institution of learning the applicant attends, as set forth in RSA 654:1, I-a;

(B) Renting or leasing an abode at that place for a period of more than 30 days, to include time directly prior to an election day;

(C) Purchasing an abode at that place;

(D) Enrolling the applicant's dependent minor child in an established public or private elementary or secondary school which serves the town or ward of that place, using the address where the registrant resides;

(E) Listing that place as the person's physical residence address on state or federal tax forms, other government identification showing the address, or other government forms showing the address;

(F) Providing the address of that place to the United States Post Office as the person's permanent address, provided it is not a postal service or commercial post office box;

(G) Obtaining public utility services for an indefinite period at that place; or

(H) Arranging for a homeless shelter or similar service provider located in the town or ward to receive United States mail on behalf of the individual.

(I) Any other reasonable documentation which establishes that it is more likely than not that the applicant is domiciled at the address in the town or ward in which the applicant desires to vote. An applicant whose domicile is at an abode of another and whose name is not listed on the document offered as proof of domicile may provide a written statement from a person who is listed as owner, property manager, or tenant on the document that the applicant resides at that address, signed by that person under penalty of voting fraud if false information is provided.

(d) IDENTITY. Any one of the following is presumptive evidence of the identity of an applicant sufficient to satisfy the identity requirement of this section:

(1) Photo driver's license issued by any state or the federal government.

(2) United States passport, armed services identification, or other photo identification issued by the United States government.

(3) Photo identification issued by local or state government.

(4) Any other evidence that reasonably establishes that it is more likely than not that the person is who they claim to be, including verification of the person's identity by the moderator or another election official.

Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

II. The evidence described or presumptions established in paragraph I may be confirmed or defeated by evidence establishing that it is more likely than not that the applicant is or is not qualified as a voter.

(a) Notwithstanding laws to the contrary, data contained in state databases may be used by the secretary of state or other state agencies to verify the information requested of the applicant when registering to vote for the first time or to prove identity when the applicant has not provided sufficient documentation.

(b) On election day, the secretary of state shall coordinate a group for state agencies which shall include individuals from the secretary of state, the attorney general, the department of motor vehicles, and any other agencies determined necessary by the secretary of state. Their responsibilities shall include providing real time verification of data request of applicants on voter registration forms and proof of identity when the applicant or voter has not presented sufficient documentation.

III. Any person who is applying for registration as a voter and who is currently registered to vote in a different town or ward in New Hampshire shall complete the voter registration form provided for in RSA 654:7.

If the election official receiving the application confirms through the centralized voter registration database required by RSA 654:45 that the applicant is currently registered to vote in New Hampshire, the applicant shall prove identity and domicile, but shall not be required to prove his or her age or citizenship.

IV. A person who has registered to vote in the town or ward in which the person seeks to vote prior to election day need not provide proof of citizenship, age, or domicile at the polling place on election day, but shall provide proof of identification establishing that he or she is the same person who previously registered to vote.

V. Any dispute as to whether a person has met the requirements to register to vote or to vote shall be decided by the election official of the town or ward in charge of voter registration or in charge of the polling place if the dispute arises at the polling place. A person aggrieved by the decision of said official may take an immediate appeal to the superior court, which shall hear the appeal forthwith and shall make every reasonable effort to decide the matter prior to noon on the last day for candidates to request a recount. The aggrieved person may be given a ballot in accordance with RSA 659:23-a.

VI. The secretary of state shall train and provide assistance to election officials in the use of official records that may be used to verify the qualification documents presented by the applicant.

2 General Voter Registration; Voter Registration Form. RSA 654:7 is repealed and reenacted to read as follows:

654:7 Voter Registration; Voter Registration Form.

I. Any person registering to vote shall be:

- (a) At least 18 years of age on the day of the next election; and
- (b) A United States citizen; and
- (c) Domiciled in the town or city in which the applicant is registering to vote and not otherwise disqualified to vote.

II. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12 and fill out the form as prescribed in paragraph III.

III.(a) Standard registration application forms shall be used throughout the state. The registration forms shall be no larger than 8 ½ inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, transfers, or updates, which shall be in substantially the following form:

NEW REGISTRATION I am not registered to vote in New Hampshire

TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name

Last (suffix) First Full Middle Name

2. Domicile Address

Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2

Street

Town or City Zip Code

4. Place and Date of Birth

Town or City State

Date _____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized

6. Place last registered to vote

Street Ward Number

I am not currently registered to vote elsewhere (initial here _____), or I request that my name be removed as a registered voter in _____ (fill in your address where previously registered, street, city/town, state, and zip code)

7. Name under which previously registered, if different from above

8. Party Affiliation (if any)

9. Driver's License Number or nondriver's picture identification card number

State

_____ Check here if you do not have a drivers license or a nondriver's picture identification card

The last four digits of your social security number _____

My name is _____. I am today registering to vote in the city/town of _____, New Hampshire. If a city, ward number _____.

I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. I understand that my domicile for voting is that one place from which I participate in democratic self-government and that I have acted to carry out that intent. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date _____ Signature of Applicant _____

In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

3 General Voter Registration; Registering at the Polling Place; Election Day Registration. RSA 654:7-a is repealed and reenacted to read as follows:

654:7-a Registering at the Polling Place; Election Day Registration.

I. Any person whose name is not on the checklist, but who is otherwise a qualified voter shall be entitled to vote by requesting to be registered to vote at the polling place on election day. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12. If registered, the voter may then vote at that election.

II. Any person who is waiting to register to vote at the polling place on election day at the time scheduled for the closing of the polls shall be allowed to vote if determined to be qualified to register.

4 Election Procedure; Challenge of Voter; Affidavit. RSA 659:27 is repealed and reenacted to read as follows:

659:27 Challenge of Voter; Affidavit.

I. A voter offering to vote at any state election may be challenged by any other voter registered in the town or ward in which the election is held, an election official, a challenger appointed by a political committee pursuant to RSA 666:4, or a challenger appointed by the attorney general pursuant to RSA 666:5.

II. Upon receipt of a written challenge, the moderator shall determine if the challenge to the ballot is well grounded. If the moderator determines that it is more likely than not that the challenge is well grounded, the moderator shall not receive the vote of the person so challenged. If the moderator determines that the challenge is not well grounded, the moderator shall permit the voter to vote. The secretary of state shall provide assistance to moderators in reviewing the challenge.

5 Challenges; Asserting a Challenge. RSA 659:27-a is repealed and reenacted to read as follows:

659:27-a Asserting a Challenge.

I. No challenge may be asserted except in the form of a signed affidavit, under oath administered by an election official, in the following form:

INFORMATION ON THE PERSON MAKING THE CHALLENGE

Name of Person Making the Challenge:

Last Name First Name Middle Name/Initial

Party affiliation

If person making a challenge is a voter: Physical Address--Street Name & Number

If person is a political party or attorney general appointee: mailing address & phone number

The challenger's qualifications to assert the challenge

INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge shall complete the following:

Name being used by the voter who you wish to challenge:

Last Name First Name Middle Name

GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground on which the challenge is made (check all grounds that apply).

The person seeking to vote is not the individual whose name he or she has given

The person seeking to vote has already voted in the election at (name polling place) _____ at approximately (state time if known) _____

The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws (state offense, court, and date of conviction)

The person seeking to vote is under 18 years of age

The person seeking to vote is not a United States Citizen

___ The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote (state person's true domicile--town/city)

___ The person seeking to vote is not domiciled at the address listed for that person on the checklist

___ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration (state name of institution person is in)

___ This is a primary and the person seeking to vote in the (state political party name) _____ primary is not a declared member of the party he or she claims to be affiliated with

___ The person seeking to vote is ineligible to vote pursuant to the following state or federal statute or constitutional provision:

BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source of the information or personal knowledge upon which the challenge of the particular individual is based:

OATH: The person making the challenge shall complete the following:

I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and belief the information above is true and correct.

(Signature of challenger)

On the date shown above, before me, _____ (print name of notary public, justice of the peace, election officer), appeared _____ (print name of person whose signature is being notarized), known to me or satisfactorily proven (circle one) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

TO BE COMPLETED BY THE MODERATOR ruling on the challenge:

If the ground at issue is age, citizenship, domicile, or identity: The supervisors of the checklist have ruled that the challenged voter is: Qualified as a voter; not qualified as a voter (circle one).

The moderator rules on challenges based on other grounds: The moderator rules that the challenge is: well grounded; not well grounded (circle one).

Signature of Moderator or Election Official

II.(a) A challenge may be asserted only upon personal knowledge or other basis of probable cause that the challenged voter is ineligible to vote. No challenge may be accepted unless one of the following grounds is asserted and specific facts are offered in support of such grounds:

- (1) The person seeking to vote is not the individual whose name he or she has given.
- (2) The person seeking to vote has already voted in the election at the time and place specified in the challenge.
- (3) The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws, such conviction having been for the offense specified in the challenge.
- (4) The person seeking to vote is under 18 years of age.
- (5) The person seeking to vote is not a United States citizen.
- (6) The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote because the person's true domicile is in the town or city specified in the challenge.
- (7) The person seeking to vote is not domiciled at the address listed for that person on the checklist.
- (8) The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration in the institution specified in the challenge.

(9) The person is attempting to vote in a primary and the person is not a declared member of the party with which he or she claims to be affiliated.

(10) The person is ineligible to vote pursuant to some other state or federal statute or constitutional provision specified in the challenge.

(b) Before ruling on the challenge, the moderator shall give the challenged voter an opportunity to be heard. A person aggrieved by the moderator's decision on a voter challenge may obtain a review of the decision in the superior court pursuant to RSA 654:12, V.

6 Obtaining a Ballot; Affidavit Ballots Removed. RSA 659:13, I(c) is repealed and reenacted to read as follows:

(c)(1) If the voter does not have a valid photo identification, the ballot clerk shall direct the voter to see the supervisor of the checklist.

(2) The supervisor of the checklist shall review the voter's qualifications and determine if the voter's identity can be verified.

If the supervisor of the checklist determines that the voter's qualifications and identity are established, the voter shall be allowed to vote. If the supervisor of the checklist determines that the voter's qualifications and identity have not been established, the voter shall not be allowed to vote. A voter not allowed to vote as a result of the determination of the supervisor of the checklist may take an appeal to the superior court as provided in RSA 654:12, V.

7 Election Procedure; Challenges; Record by Clerk. RSA 659:32 is repealed and reenacted to read as follows:

659:32 Record by Clerk. The town clerk shall record the name and domicile of all challenged voters, the name and domicile of the person who challenged each such voter, the reason for each challenge, and the ruling on each challenge by the moderator or election official.

8 Election Fund; Cross Reference Removed. Amend RSA 5:6-d, III to read as follows:

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252[~~, or with RSA 659:13, V,~~] reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, enhancing election technology, making election security improvements, and improvements to related information technology, including acquisition and operation of an automated election management system. With the exception of federal and state portions of funds associated with the 2018 Election Reform Program, the secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

9 Ballots Pending Judicial Review. RSA 659:23-a is repealed and reenacted to read as follows:

659:23-a Ballots Pending Judicial Review.

Persons aggrieved by the decision of an election official which denies that person the opportunity to vote may cast a ballot pending judicial review which shall be processed as follows:

I. An authorized election official shall hand the voter a ballot pending judicial review package and explain its use. This package shall be designed, produced, and distributed by the secretary of state, and shall contain a ballot, a ballot pending judicial review request and instructions for its use.

II. The moderator shall mark each ballot pending judicial review "ballot pending judicial review # _____" sequentially starting with the number one.

III. All ballots pending judicial review shall be placed in a designated container and hand counted after polls have closed using a method prescribed by the secretary of state for hand counting and confirmation of candidate vote totals. After completion of counting, the moderator shall note and announce the total number of votes cast for each candidate, and the total number of ballots pending judicial review requests cast in the election. No later than one day after the election, the moderator shall forward a copy of the requests for a ballot pending judicial review to the secretary of state using a secure means of transmission or delivery.

IV. If the voter who has cast a ballot pending judicial review does not obtain a court order that their ballot shall be counted by noon on the last day for candidates to request a recount, then the votes cast on such unqualified ballots pending judicial review shall be deducted from the vote total for each affected candidate or each affected issue.

V. The total vote minus the unqualified ballot pending judicial vote for each race or issue shall be the final vote to be certified by the appropriate certifying authority.

VI. All written documentation relating to ballots pending judicial review shall be in sealed packages, use a secure means of transportation, and be stored pursuant to RSA 659:95 through RSA 659:103.

10 Ballots Pending Judicial Review; Recounts. RSA 660:17-a is repealed and reenacted to read as follows:
660:17-a Ballots Pending Judicial Review; Recounts.

In any election or referendum recount only those ballots pending judicial review that have a court order that the ballot is to be counted shall be counted during the recount.

11 Appropriation; Secretary of State. There is hereby appropriated to the secretary of state the sum of \$50,000 for the fiscal year ending June 30, 2025 for the purpose of determining the qualifications of voters. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

12 Repeals. The following are repealed:

- I. RSA 654:12, I(a), relative to the citizenship affidavit.
- II. RSA 659:13, III, IV, and V, relative to affidavit ballots and the secretary of state.

13 Effective Date.

- I. Paragraph I of section 12 of this act shall take effect January 1, 2027.
- II. The remainder of this act shall take effect upon its passage.

2024-1821s

AMENDED ANALYSIS

This bill removes any exceptions for proving voter identification. This bill also removes the voter affidavits as proof of identification and repeals the procedures for affidavit ballots replacing them with a procedure for ballots pending judicial review. This bill also creates an affidavit for citizenship.

Senate Judiciary
May 9, 2024
2024-1877s
05/06

Amendment to HB 1573-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to state oversight of residential treatment programs for children and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose and Findings. The general court makes the following findings regarding children in state care:

- I. Children in the care of the state have fundamental rights, as recognized by RSA 170-G:21.
- II. When a child is placed under the care and custody of the state pursuant to RSA 169-B, RSA 169-C, or RSA 169-D, it is the responsibility of the state to ensure that a child receives appropriate housing, nutrition, medical and mental health care, education, and basic standards of care.
- III. Children who are removed from their homes must be placed in the least restrictive alternate setting. When removal and placement cannot be avoided, the disruption that the child may experience is minimized, and emotional trauma may be reduced, by placing the child in the most familiar, least restrictive setting.

The first alternative considered is placement with a relative or a close friend, “kin” or “fictive kin”, to offer the child some degree of familiarity and continuity. When placement with kin or fictive kin is not possible, the least restrictive placement of choice is placement in a licensed foster home.

IV. Residential facilities are appropriate only for children who cannot be safely maintained in their own home or a community-based alternative; a shortage or lack of foster family homes or community-based resources shall not be an acceptable reason for placement in a residential facility. Residential facilities are congregate care placements, are considered the most restrictive settings for receiving treatment, and are generally not appropriate for children under 12 years of age. Therefore, placement in a residential setting is used only as a last alternative for children age 12 and older. Special consideration will be given to children under age 12, if deemed clinically appropriate due to a therapeutic or medical necessity.

V. Placing children in facilities must be viewed as a time-limited and only for the purpose of treatment and services. The purpose is to stabilize the child, provide treatment, and to prepare him or her for a less restrictive setting. The goal is to facilitate family/caregiver integration or another plan consistent with the agency’s policy of permanency planning.

VI. To best meet the needs of the children placed in a residential setting, the department of health and human services (DHHS), in coordination with the office of child advocate (OCA), will expand and enhance certification requirements, visits and enforcement. DHHS and OCA will continue this coordination through regular meetings and coordinated visits.

2 Residential Care and Child-Placing Agency Licensing; Deemed Licensed. Amend RSA 170-E:31-a to read as follows:

170-E:31-a Deemed Licensed. Any [qualified] residential treatment program accredited by organizations as specified in Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended, shall submit a completed license application or renewal application. Such child care institutions and child care agencies defined as group homes, specialized care, or homeless youth programs, shall be deemed licensed under this subdivision and shall be exempt from inspections carried out under RSA 170-E:31, IV. This section shall only apply to the activities or portions of the facility or agency accredited under Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended. ***Any childcare institution or childcare agency deemed licensed under this section shall be subject to the requirements of this chapter, RSA 169-F, and RSA 170-G:4, XVIII.***

3 New Section; Court Ordered Placements; Residential Treatment Programs; Certification Required. Amend RSA 169-F by inserting after section 4 the following new section:

169-F:5 Residential Treatment Programs; Certification Required.

I. No child shall be placed by the department in a residential treatment program, including a psychiatric residential treatment program, unless the program has been licensed in accordance with RSA 170-E or the laws of the state in which they operate, and certified by the department under this chapter. Any program not certified by the department shall not be eligible to receive state funds or federal funds disbursed by the state of New Hampshire.

II. On or before January 2, 2025, the department shall establish a certification team, responsible for the certification, recertification, and oversight of all residential treatment programs utilized by the department, and certified for placements and payment by the department. Such assessments shall include an in-person visit of the facility and review of all appropriate records and certification criteria. The team shall give priority to all residential treatment programs where children are currently placed on the effective date of this section.

III. The team shall develop a standard operating procedure and form for assessment of the programs to be completed during each in-person visit, in consultation with the office of the child advocate.

IV. The department shall assess and certify every in-state and out-of-state program including residential treatment programs and psychiatric residential treatment programs prior to entering into an agreement for payment, and prior to the placement of any child in that facility. To be certified by the department, the program shall demonstrate compliance with staff training and program requirements and offer an appropriate therapeutic milieu and culture centered in trauma-informed care, in accordance with standards adopted by the department, in consultation of the office of the child advocate.

V. The department shall make monitoring visits at least twice per year, including at least one unannounced visit, to all facilities where New Hampshire children are currently placed by the state in residential treatment.

The department shall continue to make annual certification or technical assistance visits to all certified residential placement facilities; if a child is being placed at a residential facility that did not currently have a New Hampshire child placed, the department shall make a visit prior to the placement of that child unless a department visit has occurred within the past 120 days. Clear and comprehensive records shall be maintained by the department on each facility showing the dates and findings of each such visit. Such records shall be available to the facility and provided to the office of the child advocate, as well as included in the paperwork for the certification and/or re-certification process. If the facility is found not to be in compliance with the statute, the rules adopted by the commissioner, or the contract, if applicable, a corrective action plan shall be submitted to the department, and the department shall notify the licensing agency of that facility and the office of the child advocate. Failure to submit an acceptable plan or a failure to take the necessary corrective actions shall result in the immediate removal of all New Hampshire children from that facility, and/or revocation of the certification.

VI. Any placement of a child outside of New England shall require the approval of the division for children youth and families' director prior to placement, with specific findings regarding the need for such placement.

4 Reallocation of Monies Saved. Any monies saved by the department of health and human services, including the division for children, youth and families and the bureau of children's behavioral health, in preventing the out-of-home placement of children pursuant to this act shall be used by the department to provide services pursuant to RSA 135-F, the system of care for children's mental health, and any other community-based intervention services.

5 Appropriation; Department of Health and Human Services; Staffing and Travel Costs Associated with Certification Team. The department of health and human services is authorized to establish and fill the positions necessary to implement the provisions of this act. The sum of \$1,000,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of implementing the provisions of this act, including staffing and travel expenses. The governor is authorized to draw a warrant for said sum from any money in the treasury not otherwise appropriated.

6 Report. The department of health and human services shall provide an interim report on or before November 1, 2024, with an annual report thereafter, on the implementation of this act including, but not limited to, progress on the implementation of this act, reports from certified out-of-state residential facilities, and the progress on the reduction of placement of New Hampshire youth in out-of-state residential facilities, to the chairs of the house children and family law committee and the senate judiciary committee, the oversight commission on children's services, established by RSA 21-V:10, the health and human services oversight committee established by RSA 126-A:13, and the office of the child advocate.

7 Effective Date. This act shall take effect July 1, 2024.

2024-1877s

AMENDED ANALYSIS

This bill requires court-ordered residential treatment programs for children to be licensed and certified by the department of health and human services. The bill directs the department to establish certification teams to make monitoring visits and ensure compliance with certification criteria. The bill makes an appropriation to the department of health and human services for this purpose and requires the department to submit a report regarding implementation.

Senate Judiciary

May 9, 2024

2024-1870s

11/11

Amendment to HB 1589-FN

Amend RSA 490-I:5, II as inserted by section 1 of the bill by replacing it with the following:

II. To be eligible for reimbursement, a county operating a veterans court shall receive a recommendation for approval from the coordinator's office. Reimbursement for all cases shall be paid annually at the end of each fiscal year by the administrative office of the courts following receipt of recommendations by the coordinator and final approval of the chief justice of the supreme court or designee.

Amend RSA 490-I:5, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The judicial branch administrative office of the courts is authorized to expend from appropriated sums the amounts necessary to fund reimbursements approved by the chief justice of the supreme court or designee.

Amend RSA 490-I:7 as inserted by section 1 of the bill by replacing it with the following:

490-I:7 Veterans Court Special Account. There is hereby established in the state treasury the veterans court special account. The funds may be comprised of public funds, gifts, grants, donations, or any other source of funds, and shall be used for any relevant veterans court administrative purpose deemed appropriate by the chief justice of the supreme court or designee. The account shall be nonlapsing and shall be continually appropriated to the administrative office of the courts.

Election Law and Municipal Affairs
 May 7, 2024
 2024-1823s
 08/05

Amendment to HB 1596-FN

Amend RSA 664:14-c as inserted by section 1 of the bill by replacing it with the following:

664:14-c Synthetic Media and Deceptive and Fraudulent Deepfakes.

I. In this section:

(a) “Synthetic media” means an image, an audio recording, or a video recording of an individual’s appearance, speech, or conduct that has been created or intentionally manipulated with the use of generative adversarial network techniques or other digital technology in a manner to create a realistic but false image, audio, or video.

(b) “Artificial intelligence” or “AI” is the ability of a machine to display human-like capabilities for cognitive tasks such as reasoning, learning, planning, and creativity. AI systems may adapt their behavior to a certain degree by analyzing the effects of previous actions and operating under varying and unpredictable circumstances without significant human oversight.

(c) “Generative AI” is AI that can generate text, images, or other media in response to prompts.

(d) “Deepfake” means a video, audio, or any other media of a person in which his or her face, body, or voice has been digitally altered so that he or she appears to be someone else, he or she appears to be saying something that he or she has never said, or he or she appears to be doing something that he or she has never done.

II. Except as provided in paragraph III, a person, corporation, committee, or other entity shall not, within 90 days of an election at which a candidate for elective office will appear on the ballot, distribute a message created using artificial intelligence or generative AI that the person, corporation, committee or other entity knows or should have known is a deepfake, as defined in paragraph I, of a candidate, election official, or party on the state or local ballot.

III.(a) The prohibition in paragraph II shall not apply if the audio or visual media includes a disclosure stating: “This _____ has been manipulated or generated by artificial intelligence technology and depicts speech or conduct that did not occur.”

(b) The blank in the disclosure required by subparagraph (a) shall be filled with whichever of the following terms most accurately describes the media:

- (1) Image.
- (2) Video.
- (3) Audio.

(c) For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

(d) If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than 2 minutes each.

IV.(a) A candidate or election official whose appearance, action, or speech is depicted through the use of a deceptive and fraudulent deepfake in violation of paragraph II may seek injunctive or other equitable relief prohibiting the publication of such deceptive and fraudulent deepfake.

(b) A candidate or election official whose appearance, action, or speech is depicted using a deceptive and fraudulent deepfake in violation of paragraph II may also bring an action for general or special damages against the sponsor. The court may award a prevailing party reasonable attorneys' fees and costs. This section shall not limit or preclude a plaintiff from securing or recovering any other available remedy.

V. This section shall not apply to any of the following:

(a) An interactive computer service provider as defined in 47 U.S.C. section 230.

(b) Any radio or television broadcasting station or network, newspaper, magazine, cable or satellite radio or television operator, programmer, or producer, Internet website or online platform, or other periodical that publishes, distributes or broadcasts a deepfake prohibited by paragraph II as part of a bona fide news report, newscast, news story, news documentary or similar undertaking in which the deepfake is a subject of the report and in which publication, distribution, or broadcast there is contained a clear acknowledgment that there are questions about the authenticity of the materials which are the subject of the report.

(c) Any radio or television broadcasting station or network, newspaper, magazine, cable or satellite television operator, Internet website or online platform, or other periodical when such entity is paid to publish, distribute or broadcast an election communication including a deepfake prohibited by paragraph II, provided that the entity does not remove or modify any disclaimer provided by the creator or sponsor of the election communication.

(d) A video, audio or any other media that constitutes satire or parody or the production of which is substantially dependent on the ability of one or more individuals to physically or verbally impersonate another person without reliance on artificial intelligence.

VI. The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Energy and Natural Resources

May 7, 2024

2024-1816s

06/08

Amendment to HB 1600-FN

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the aggregation of electric customers by municipalities and counties.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the aggregation of electric customers by municipalities and counties.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall examine legislative options regarding regulation of aggregation of electric customers by municipalities and counties, including treatment of municipal hosts pursuant to RSA 362-A:9, II.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

6 Effective Date. This act shall take effect upon its passage.

2024-1816s

AMENDED ANALYSIS

This bill establishes a committee to study the aggregation of electric customers by municipalities and counties.

Senate Executive Departments and Administration

May 1, 2024

2024-1724s

05/02

Amendment to HB 1622-FN

Amend the bill by replacing all after the enacting clause with the following:

1 OPLC; License Renewals; Lapse. RSA 310:8, II is repealed and reenacted to read as follows:

II. Licenses issued by the office shall be valid for 2 years from the date of issuance except for those apprentices licensed for one year in accordance with rules adopted pursuant to RSA 541-A. The validity of issued licenses shall be in accordance with RSA 541-A:30 and subject to restrictions imposed through disciplinary and non-disciplinary remedial proceedings. The licensing terms established in this section shall supersede any conflicting terms established in a statute administered by a board listed in RSA 310:2.

2 Director of Legislative Services; Publishing. Amend RSA 541-A:15, I to read as follows:

I. The director of legislative services shall compile, index, and publish all effective rules adopted by each agency. The text of an adopted rule as filed with the director and which is effective shall then be the official version of the rule **which the director shall publish online**. ~~[The director shall publish the adopted rule text online in a format as determined by the director.]~~ The agency shall be notified when the text is published. **The director shall within 180 days send to the agency a draft certified rule in an edited format as determined by the director.** The agency shall then have ~~[120]~~ **60** days to certify that the **edited rule is the same in substance as originally filed** ~~[published rule is accurate]~~. If editorial changes not affecting the substance of the rule are needed, or an error in the publishing **or editing** process is identified, then the agency shall notify the director, **who shall make** ~~[and]~~ such changes ~~[shall be made by the director]~~ and **the rule shall be** certified by the agency that it is the same in substance as originally filed. If the agency does not notify the director within the ~~[120]~~ **60**-day deadline, then it will be presumed that the agency has reviewed the ~~[published]~~ **edited** language and agreed that it is the certified version ~~[and shall]~~ **which** be published online by the director in a format as determined by the director. The certified version shall then be the official version. Both the adopted rule as-filed and as-certified may be an electronic document and still be the official version if in compliance with RSA 541-A:1, V-a and VI and the drafting and procedure manual for administrative rules under RSA 541-A:8. The official version of the rule shall be available to the public by the agency and the director pursuant to RSA 541-A:14, IV as described in the drafting and procedure manual under RSA 541-A:8.

3 Interim Rules. Amend RSA 541-A:19, X to read as follows:

X. No proposed interim rule shall be adopted unless the committee has voted to approve the proposed interim rule or conditionally approve the proposed interim rule, provided that the committee legal counsel has sent written confirmation to the agency pursuant to RSA 541-A:19, VIII(b). An adopted interim rule and any new or amended form, or screenshot, mock-up, or prototype of an electronic-only form, which the rule incorporates by reference or the requirements for which are set forth in the rule pursuant to RSA 541-A:19, shall be filed with the director of legislative services no later than 30 days following committee approval or conditional approval or in the case of a board or commission, 7 days following its next regularly scheduled meeting after committee approval or ~~[conditional approval]~~ **after receipt of the written confirmation pursuant to RSA 541-A:19, VIII(b) for a committee conditional approval**. An interim rule shall be effective under RSA 541-A:16, III on the day after filing with the director of legislative services, or at a later date, provided the agency so specifies in a letter to the director of legislative services and the effective date is within 30 days following committee approval or conditional approval **or, in the case of a board or commission, within 7 days following its next regularly scheduled meeting after receipt of the written confirmation pursuant to RSA 541-A:19,**

VIII(b). Interim rules shall be effective for a period not to exceed 180 days. During the time an interim rule shall be in effect, the agency may propose a permanent rule to replace the interim rule once it expires, but it shall not adopt another interim rule to replace the expiring interim rule.

4 New Paragraph; Rulemaking; Public Comments; Requirement for Online Availability. Amend RSA 541-A:11 by inserting after paragraph VIII the following new paragraph:

IX.(a) Every public comment on a proposed rule that the agency receives electronically shall be promptly uploaded to a web page maintained by the agency. Each proposed rule shall have a separate location for all public comments received for that rule.

(b) Public comments received via regular mail shall, to the extent agency resources permit, be scanned and added to the web page as electronic documents.

5 Rulemaking; Filing Final Proposal Public Comments; Report. Amend RSA 541-A:12, II(e) to read as follows:

(e) A report of public comments received on the rule ***shall be created.*** ~~[and an explanation of how they were addressed in the final rule.]~~ ***The report shall indicate how the comment influenced the final rule. If the comment did not influence the final rule, a substantive explanation of the adopting authority overruled relevant arguments and considerations made in the comment shall be included.***

6 Final Adoption. Amend RSA 541-A:14, I(a) to read as follows:

(a) The passage of 60 days from filing of a final proposal under RSA 541-A:12, I[, or 60 days from filing under RSA 541-A:12, I-a,] without receiving notice of objection from the committee;

7 Declaratory Judgment on Validity or Applicability of Rules. Amend RSA 541-A:24 to read as follows:

541-A:24 Declaratory Judgment on Validity or Applicability of Rules. The validity or applicability of a rule, ***including the enforcement of an expired rule by an agency,*** may be determined in an action for declaratory judgment in the Merrimack county superior court if it is alleged that the rule, or its threatened application, interferes with or impairs, or threatens to interfere with or impair, the legal rights or privileges of the plaintiff, ***or if the agency is enforcing an expired rule contrary to RSA 541-A:22, I and II, including the levying of fines or assessment of fees.*** The agency shall be made a party to the action. The plaintiff shall give notice of the action to the office of legislative services, division of administrative rules, at the time of filing. A declaratory judgment may be rendered whether or not the plaintiff has requested the agency to pass upon the validity or applicability of the rule in question. ***The court shall have the authority to levy a financial penalty upon the agency, including the payment of plaintiff's attorney's fees and, if the agency enforced an expired rule, the reimbursement of fines or fees collected by the agency from the plaintiff under that expired rule.*** Upon receiving a declaratory judgment, the respondent agency or department shall also file a copy of that judgment with the office of legislative services, division of administrative rules.

8 Validity of Rules. Amend RSA 541-A:22, I to read as follows:

I. No agency rule, including a form, is valid or effective against any person or party, nor may it be enforced by the state for any purpose, until it has been filed as required in this chapter and has not expired. ***If an agency levied fines due to violation of an expired rule or assessed fees only established in an expired rule, then the agency shall refund all fines and fees it collected during the rule's expiration since the effective date of this paragraph.***

9 New Subparagraph; Filing Final Proposal. Amend RSA 541-A:12, II by inserting after subparagraph (e) the following new subparagraph:

(f) If the proposed rule is expired, a report that outlines any agency action or implementation of the statute without any necessary administrative rules, including whether any fines or fees were levied or assessed by the agency and whether the fines or fees have been refunded.

10 Effective Date. This act shall take effect 60 days after its passage.

2024-1724s

AMENDED ANALYSIS

This bill expands categories included in license renewal time frames and updates several provisions regarding public comments, reports, and expired rules.

Energy and Natural Resources
 May 7, 2024
 2024-1828s
 12/02

Amendment to HB 1623-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Findings. The general court finds that the state has a duty to defend the production and supply of affordable, reliable, and secure energy from external regulatory interference. The state's sovereign authority with respect to the involuntary retirement of an in-state electric generation facility for the protection of the health, safety, and welfare of the state's citizens is primary and takes precedence over any attempt from an external regulatory body to mandate, restrict, or influence the early involuntary retirement of an electric generation facility in the state.

2 New Hampshire Energy Policy. RSA 378:37 is repealed and reenacted to read as follows:

378:37 New Hampshire Energy Policy; Loss of In-State Electrical Generation Capacity.

I.(a) An in-state electricity generator that receives notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility shall inform the commissioner of the department of energy of the notice and regulation within 30 days after the receipt of said notice.

(b) The department of energy shall open an investigatory docket to determine how such an involuntary retirement or decommissioning would affect the reliability and affordability of the state's energy resources and to recommend any action necessary to defend the generator, including appealing to the attorney general to file an action in court or to participate in administrative proceedings.

(c) The department of energy and the department of justice may seek funding from the legislative fiscal committee to conduct any actions.

II. Any act or omission by a state agency inconsistent with this section shall not form the basis of any civil suit including, but not limited to, those seeking equitable relief or claiming damages.

3 Effective Date. This act shall take effect 60 days after its passage.

2024-1828s

AMENDED ANALYSIS

This bill revises the state energy policy to require in-state electricity generators that receive notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility to inform the commissioner of the department of energy of the notice and regulation, and requires the department to investigate the impact of such retirement or decommissioning.

Election Law and Municipal Affairs
 April 30, 2024
 2024-1702s
 02/06

Amendment to HB 1626-FN-A

Amend the bill by inserting after section 4 the following and renumbering the original sections 5 and 6 to read as 6 and 7, respectively:

5 Animal Population Control Program; Veterinarian Participation; Reimbursement. Amend RSA 437-A:4, II(a) to read as follows:

II.(a) The commissioner shall reimburse, to the extent funds are available, participating veterinarians for [80] **100** percent of the fee, less payment paid by the owner to the veterinarian as provided in RSA 437-A:3, for each animal sterilization procedure administered. To receive this reimbursement, the veterinarian shall submit an animal sterilization certificate which shall be signed by the veterinarian and the owner of the animal.

2024-1702s

AMENDED ANALYSIS

This bill repeals certain designated funds, changes dog licensing fees and fully compensates veterinarians for animal population control program participation.

Senate Judiciary

May 9, 2024

2024-1868s

09/05

Amendment to HB 1633-FN-A

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose and Findings. The general court hereby finds that: the people of the state of New Hampshire find and declare that cannabis should be regulated in a manner similar to alcohol so that:

I. Individuals will have to show proof of age before purchasing cannabis.

II. Selling, distributing, or transferring cannabis to minors and other individuals under the age of 21 shall remain illegal.

III. Driving under the influence of cannabis shall remain illegal.

IV. Moving cannabis production and sales from the underground, sometimes dangerous, illicit market to legal businesses allows for appropriate regulations and control.

V. Cannabis sold in this state will be tested, labeled, and subject to additional regulations to ensure that consumers are informed and protected and to protect the environment.

VI. Some of the revenue generated from legal cannabis shall be used to support programs for education, prevention, treatment, and recovery related to the use of both legal and illegal drugs.

VII. Marketing and advertising to minors shall be prohibited.

2 New Subparagraphs; Application of Receipts; Cannabis Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 394 the following new subparagraphs:

(395) Moneys deposited in the cannabis fund established in RSA 318-F:21.

3 Alcoholic Beverages; Statement From Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport ~~from~~ **issued by the United States or by** a country with whom the United States maintains diplomatic relations.

4 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B, ***the possession, use, harvesting, cultivating, manufacture, sale, or transportation of which is not otherwise authorized by law.***

5 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

CHAPTER 318-F

REGULATION OF CANNABIS

318-F:1 Definitions.

I. "Affiliate" means a person or entity that directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with another person.

II. "Alternative treatment center" means an entity as defined in RSA 126-X:1, I.

III. "Cannabis" means all parts of the plant of the genus cannabis whether growing or not, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, or its resin, including cannabis concentrate. "Cannabis" shall not include hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, foods, drinks, or other products.

IV. “Cannabis accessories” or “cannabis paraphernalia” means any equipment, products, or materials of any kind that are intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

V. “Cannabis concentrate” means the resin extracted from any part of a cannabis plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin, including, but not limited to, hashish. “Cannabis concentrate” shall not include cannabis products made from cannabis concentrate such as, but not limited to, edible products, topical products, and tinctures.

VI. “Cannabis cultivation facility” or “cultivation facility” means a person registered and licensed by the state of New Hampshire to cultivate, prepare, package, transport, and sell cannabis to cannabis retail stores, cannabis product manufacturing facilities, cannabis production facilities, and other cannabis cultivation facilities, but not to consumers. A cannabis cultivation facility shall not produce cannabis concentrates, tinctures, or other cannabis products that contain ingredients other than cannabis flower and/or cannabis trim.

VII. “Cannabis distributor” means any entity licensed to receive, warehouse, and distribute cannabis products between cannabis establishments, including cannabis products manufactured by others, but does not include cannabis cultivation, manufacturing, or retail sales to customers.

VIII. “Cannabis flower” means the pistillate reproductive organs of a mature cannabis plant, whether processed or unprocessed, including the flowers and buds of the plant. “Cannabis flower” does not include cannabis trim, the non-flower portions of the cannabis plant, or whole mature cannabis plants, but does include kief.

IX. “Cannabis establishment” means any licensed or franchised New Hampshire cannabis cultivation facility, cannabis testing facility, cannabis product manufacturing facility, cannabis production facility, franchise cannabis retail store, cannabis distributor, cannabis transporter, or any other type of cannabis business authorized and licensed by the commission.

X. “Cannabis product manufacturing facility” or “product manufacturing facility” means a person registered with the secretary of state’s office with its principal place of business located in New Hampshire and licensed by the state of New Hampshire to purchase cannabis and cannabis products, manufacture, prepare, and package cannabis products, and transport and sell cannabis and cannabis products to other cannabis product manufacturing facilities, cannabis production facilities, and to cannabis retail stores, but not to consumers.

XI. “Cannabis product” means any product that contains cannabis, including cannabis concentrate and products that contain cannabis and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures. This term shall not include cannabis flower or cannabis trim.

XII. “Cannabis production facility” means a person registered with the secretary of state’s office with its principal place of business located in New Hampshire and licensed by the state of New Hampshire to cultivate, prepare, and package cannabis, manufacture, prepare, and package cannabis products within the same premises, transport and sell cannabis to other cannabis production facilities, cannabis cultivation facilities, cannabis product manufacturing facilities, and cannabis retail stores, but not to consumers, and transport and sell cannabis products to other cannabis production facilities, cannabis product manufacturing facilities, and cannabis retail stores, but not to consumers.

XIII. “Cannabis retail store” means a person or entity granted a franchise by the state of New Hampshire to purchase cannabis from cannabis cultivation facilities, cannabis and cannabis products from cannabis product manufacturing facilities and cannabis production facilities, and therapeutic grade cannabis products from alternative treatment centers, and to sell cannabis and cannabis products, or cannabis accessories or cannabis paraphernalia to consumers and therapeutic grade cannabis products to qualified patients or designated caregivers. Online pre-ordering is allowed, but consumers must purchase and pick up cannabis and cannabis products at the cannabis retail store’s premise. Alternative treatment centers cannot be licensed at the same location as a cannabis retail store.

XIV. “Cannabis testing facility” or “testing facility” means a person licensed in the state of New Hampshire to test cannabis for potency and contaminants.

XV. “Cannabis transporter” means a person licensed in the state of New Hampshire to transport cannabis between cannabis establishments.

XVI. “Cannabis trim” means any part of a cannabis plant, whether processed or unprocessed, that is not cannabis flower or a cannabis seed.

XVII. “Canopy” means the surface area utilized to produce mature plants calculated in square feet and measured using the outside boundaries of any area that includes mature marijuana plants, including all the space within the boundaries. The square footage of canopy space is measured horizontally starting from the outermost point of the furthest mature flowering plant in a designated growing space and continuing around the outside of all mature flowering plants located within the designated growing space. If growing spaces are stacked vertically, each level of space shall be measured and included as part of the total canopy space measurement.

XVIII. “Clone” means a clipping from a cannabis plant that has not taken root. Clone includes tissue cultures.

XIX. “Commission” means the liquor commission.

XX. “Consumer” means a person 21 years of age or older who purchases cannabis or cannabis products for personal use by a person 21 years of age or older from a cannabis retail store that is not a qualifying patient or designated caregiver purchasing a therapeutic grade product from a cannabis retail store or cannabis from an alternative treatment center pursuant to RSA 126-X.

XXI. “Cultivation” or “cultivate” means the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of cannabis for use or sale. “Cultivation” or “cultivate” does not include manufacturing, testing, or cannabis extraction.

XXII. “Department” means the department of health and human services.

XXIII. “Documentation” means all records, in any form, including electronic records.

XXIV. “Exit packaging” means an opaque bag, pouch, or other container that cannabis and/or cannabis products are placed in by a licensee or franchisee after a retail sale to a consumer.

XXV. “Flowering” means, with respect to a cannabis plant, the gametophytic or reproductive state of a female cannabis plant during which the plant is in a light cycle intended to produce flowers, trichomes, and cannabinoids characteristic of cannabis.

XXVI. “Hemp” means the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol or delta-8 tetrahydrocannabinol concentration (THC) or any other tetrahydrocannabinol of not more than 0.3 percent on a dry weight basis or if in an edible or beverage, not more than 0.25 milligrams per serving or milligram per package of THC.

XXVII. “Immature cannabis plant” means a cannabis plant that is not a mature cannabis plant or a seedling.

XXVIII. “Kief” means the dried or drying resinous trichomes of cannabis plant that have separated from cannabis flower or have been separated from cannabis flower by processes other than extraction.

XXIX. “Manufacturing” or “manufacture” means the production, blending, infusing, compounding or other preparation of cannabis and cannabis products, including, but not limited to, cannabis extraction or preparation by means of chemical synthesis. “Manufacturing” or “manufacture” does not include cultivation or testing.

XXX. “Mature cannabis plant” means a plant that is flowering.

XXXI. “Municipality” means a city, town, or an unincorporated place.

XXXII. “Outdoor cultivation” means the seasonal cultivation of cannabis in an expanse of open or cleared ground without the use of artificial lighting.

XXXIII. “Ownership interest” means a right to ownership or equity interest.

XXXIV. “Person” means a natural person or a business entity.

XXXV.(a) “Possession limit” means:

- (1) Four ounces of cannabis flower or cannabis trim or any combination thereof;
- (2) Ten grams of cannabis concentrate, which includes, but is not limited to, pre-filled cartridges of cannabis extracts intended for vaporization; and
- (3) Cannabis products other than cannabis concentrate containing no more than 2,000 milligrams of THC.

(b) This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

XXXVI. “Public place” means any place to which the general public has access and does not include private land not used for commercial purposes, where cannabis use is allowed by the property owner or tenant pursuant to 318-F:5, IV(b).

XXXVII. “Premises” means and includes all parts of the contiguous real estate occupied by a licensee or franchisee over which the licensee or franchisee has direct or indirect control or interest and which the licensee or franchisee uses in the operation of the business, and which have been approved by the commission as proper places in which to exercise the licensee’s privilege.

XXXVIII. “Resident” means a natural person who:

- (a) Is domiciled in New Hampshire; and
- (b) Maintains a place of abode in New Hampshire.

XXXIX. “Seedling” means a cannabis plant that has no flowers and is less than 12 inches in height and less than 12 inches in diameter.

XL. “THC” means tetrahydrocannabinol.

XLI. “Therapeutic grade cannabis product” means a cannabis product that exceeds any potency or serving size limitations created by this chapter that is manufactured by a licensed alternative treatment center. Therapeutic grade cannabis products sold by an alternative treatment center to a cannabis retail store shall meet the requirements of RSA 126-X and rules issued pursuant to RSA 126-X. Cannabis retail stores may only sell therapeutic grade cannabis products to qualified patients or designated caregivers as defined in RSA 126-X:1. The commission has jurisdiction over therapeutic grade cannabis products after they are transferred to a cannabis establishment licensed under this chapter.

XLII. “Threshold financial interest” means a majority ownership interest in the applicant, licensee, or franchisee.

XLIII. “Vertically integrated cannabis establishment” means a person who is a cannabis retail store franchisee in addition to a cannabis cultivation facility licensee and a cannabis product manufacturing facility licensee, or who is a cannabis retail store franchisee and a cannabis production facility licensee, either through direct ownership or through an affiliate.

XLIV. “Volatile extraction” means:

- (a) Extractions using any solvent identified as volatile or hazardous by the commission; and
- (b) Any method of extraction identified as potentially hazardous by the commission.

318-F:2 Personal Use of Cannabis. Except as otherwise provided in this chapter, the following acts, if undertaken by a person 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

I. Possessing, consuming, using, displaying, obtaining, purchasing, processing, manufacturing, or transporting an amount of cannabis that does not exceed the possession limit, except that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product manufacturer licensed pursuant to RSA 318-F or an alternative treatment center licensed pursuant to RSA 126-X may perform volatile extractions using solvents other than water, glycerin, propylene glycol, vegetable oil, or food-grade ethanol.

II. Transferring an amount of cannabis that does not exceed the possession limit to a person who is 21 years of age or older without remuneration. For purposes of this paragraph, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods, services, or admission to an event, or if the gift of cannabis is contingent upon a separate transaction for goods, services, or the price of admission to an event.

III. Transferring cannabis, including cannabis products, to a cannabis testing facility.

IV. Controlling property where the acts described under this section occur.

V. Assisting another person who is 21 years of age or older in any of the acts described under this section.

VI. Personal cultivation is prohibited. No person shall cultivate cannabis plants for personal use unless otherwise authorized by New Hampshire law.

318-F:3 Smoking or Vaping Cannabis in Public Prohibited; Penalty.

No person shall smoke or vaporize cannabis in an area accessible to the public.

I. First offense: Any person who violates this section shall be guilty of a violation for the first offense and shall forfeit all cannabis and cannabis products.

II. Second offense: Any person who violates this section a second time within 5 years of the first conviction under this section shall be guilty of a misdemeanor and shall forfeit all cannabis and cannabis products.

318-F:4 Consuming Cannabis While Operating a Moving Vehicle Prohibited; Penalty.

I. No person shall consume, smoke, or vaporize cannabis while driving or attempting to drive a motor vehicle on a way, or while operating or attempting to operate an off-highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation.

II. No person shall consume, smoke, or vaporize cannabis while the person is a passenger in a motor vehicle that is being driven on a way.

III. Any person who violates this section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$1,000.00. In addition, any person who violates paragraph I of this section may have his or her driver's license, if a resident, or driving privilege, if a nonresident, suspended for up to 60 days for a first offense and up to one year for a subsequent offense.

IV. In this section, "way" shall have the same meaning as in RSA 265-A:44.

318-F:5 Driving; Minors; Control of Property.

I. Nothing in this chapter shall be construed to permit driving or operating under the influence of drugs or liquor pursuant to RSA 265-A, nor shall this section prevent the state from enacting and imposing penalties for driving under the influence of or while impaired by cannabis.

II. Nothing in this chapter shall be construed to permit the transfer of cannabis, with or without remuneration, to a person under the age of 21, or to allow a person under the age of 21 to purchase, possess, use, transport, grow, or consume cannabis except as provided for by RSA 126-X.

III. Nothing in this chapter shall prohibit a state or county correctional facility from prohibiting the possession, consumption, use, display, transfer, distribution, sale, transportation, or growing of cannabis on or in the correctional facility's property.

IV. Except as provided in this section, this chapter does not require any person, corporation, or any other entity that occupies, owns, or controls a property to allow the consumption, cultivation, display, sale, or transfer of cannabis on or in that property.

(a) This chapter shall not prevent a landlord from prohibiting cannabis smoking, vaping, cannabis cultivation, harvesting, or manufacturing.

(b) An adult who is 21 or older may use cannabis on privately owned real property only with permission of the property owner or, in the case of leased or rented property, with the permission of the tenant in possession of the property, except that a tenant shall not allow a person to smoke or vape cannabis on rented property if smoking or vaping on the property violates the lease or the lessor's rental policies that apply to all tenants at the property. However, a tenant may permit an adult who is 21 or older to use cannabis on leased property by ingestion or inhalation through vaporization even if smoking is prohibited by the lease or rental policies. For purposes of this chapter, vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

318-F:6 Tracking System.

The commission shall require all cannabis establishments to utilize an electronic inventory tracking system, including use of a universal product code, for tracking the transfer of cannabis and cannabis products between licensed or franchised cannabis establishments and the sale of cannabis and cannabis products to consumers. The system shall ensure an accurate accounting from seedling to sale of the production, processing, and sale of cannabis and cannabis products and shall enable separate tracking of cannabis flower immature cannabis

plants, and other parts of cannabis sold from cannabis cultivation facilities and cannabis production facilities. The system shall allow for the tracking of lab testing results for all cannabis and shall be capable of swiftly identifying all products involved in a product recall. The commission may develop and maintain a system that satisfies the requirements of this section, or it may select a vendor to develop and maintain a system.

318-F:7 Non-Discrimination for State-Legal Cannabis Activities and Prior Convictions.

I. Except as provided in this section, a holder of a professional or occupational license may not be subject to professional discipline for:

(a) Providing advice or services related to cannabis establishments or applications to operate cannabis establishments on the basis that cannabis is illegal under federal law; or

(b) Engaging in activities allowed by this chapter.

II. An applicant for a professional or occupational license may not be denied a license based on:

(a) Previous employment related to cannabis establishments operating in accordance with state law;

(b) A prior conviction for a non-violent cannabis offense that does not involve distribution, or

(c) Engaging in activities allowed by this chapter.

III. A person shall not be denied custody of or visitation with a minor for acting in accordance with this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

IV. For the purposes of medical care, including organ and tissue transplants, the use of cannabis does not constitute the use of an illicit substance or otherwise disqualify a person from needed medical care and may only be considered with respect to evidence-based clinical criteria.

318-F:8 Enforcement of Contracts.

Contracts related to the operation of a cannabis establishment licensed or franchised pursuant to this chapter shall be enforceable. No contract entered into by a licensed or franchised cannabis establishment or its employees or agents as permitted pursuant to a valid license or franchise, or by those who allow property to be used by an establishment, its employees, or its agents as permitted pursuant to a valid license, shall be unenforceable on the basis that cultivating, obtaining, manufacturing, distributing, dispensing, transporting, selling, possessing, or using cannabis is prohibited by federal law.

318-F:9 Lawful Operation of Cannabis-Related Facilities.

I. If undertaken by a person 21 years of age or older, the following acts shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, displaying, warehousing, transporting, distributing cannabis or cannabis products; obtaining or purchasing cannabis from a cannabis cultivation facility or a cannabis production facility; delivering or transferring cannabis to a cannabis testing facility; obtaining or purchasing cannabis or cannabis products from a cannabis product manufacturing facility or cannabis production facility; obtaining or purchasing therapeutic grade cannabis products from an alternative treatment center, or sale of cannabis or cannabis products to an adult who is 21 years of age or older or the sale of therapeutic grade cannabis products to qualified patients and designated caregivers as defined in RSA 126-X:1, or distribution of cannabis and cannabis products to other cannabis retail stores or therapeutic grade cannabis to alternative treatment centers, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a cannabis retail store or is acting in his or her capacity as an owner, employee, or agent of a franchised cannabis retail store.

(b) Cultivating, harvesting, processing, packaging, transporting, distributing displaying, or possessing cannabis; obtaining or purchasing cannabis seeds, clones, or seedlings from any adult 21 years of age or older; delivering or transferring cannabis to a cannabis testing facility; selling or transferring cannabis that has not been processed into cannabis concentrate or other cannabis product to a cannabis cultivation facility, a cannabis product manufacturing facility, or a cannabis retail store; or obtaining or purchasing cannabis from a cannabis cultivation facility, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a cannabis cultivation facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis cultivation facility.

(c) Packaging, processing, transporting, manufacturing, displaying, or possessing cannabis or cannabis products; delivering or transferring cannabis or cannabis products to a cannabis testing facility; selling cannabis or cannabis products to a cannabis retail store, or a cannabis product manufacturing facility; purchasing or obtaining cannabis from a cannabis cultivation facility or cannabis production facility; or purchasing or obtaining cannabis or cannabis products from a cannabis product manufacturing facility, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a cannabis product manufacturing facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis product manufacturing facility.

(d) Possessing, obtaining, testing, storing, transporting, receiving, or displaying cannabis or cannabis products if the person or business entity has obtained a current, valid license to operate a cannabis testing facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis testing facility.

(e) Engaging in any activities involving cannabis or cannabis products if the person or business entity conducting the activities has obtained a current, valid license or franchise to operate a cannabis establishment or is acting in his or her capacity as an owner, employee, or agent of a licensed or franchised cannabis establishment, and the activities are within the scope of activities allowed by the commission for that type of cannabis establishment.

(f) Possessing, obtaining, cultivating, processing, storing, transporting, and distributing, or receiving cannabis obtained from a cannabis establishment or transporting, distributing, delivering, or transferring cannabis to a cannabis establishment if the person or business entity has obtained a current, valid license to operate a cannabis transporter or cannabis distributor or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis transporter or cannabis distributor.

(g) Selling, offering for sale, transferring, transporting, or delivering therapeutic grade cannabis products to cannabis establishments if the person or business entity conducting the activities described in this paragraph possesses a valid license to operate an alternative treatment center or is acting in his or her capacity as an owner, employee, or agent of a licensed alternative treatment center.

(h) Leasing or otherwise allowing the use of property owned, occupied, or controlled by any person, corporation, or other entity for any of the activities conducted lawfully in accordance with this chapter.

(i) Selling, offering for sale, transferring, transporting, or delivering cannabis to establishments licensed to process or sell cannabis under the laws of other states if the person or business entity has obtained a current, valid license to operate a cannabis transporter, cannabis distributor, cannabis product manufacturing facility, cannabis production facility or cannabis cultivation facility or is acting in his or her capacity as an owner, employee, or agent of a cannabis transporter, cannabis distributor, cannabis product manufacturing facility, cannabis production facility, or cannabis cultivation facility, and marijuana is no longer scheduled as a controlled substance as defined under the Federal Controlled Substances Act, 21 U.S.C. section 801, et. seq.

318-F:10 Data Collection Related to Cannabis Legalization and Regulation.

No later than 6 months after the effective date of this chapter and every 2 years thereafter, the department of health and human services shall produce and publish a report that includes non-identifiable personal/individual or baseline data and the most current data regarding health and welfare outcomes since cannabis became legal and regulated for adults' use, including, but not limited to, high school graduation rates; youth and adult rates of alcohol, cannabis, and illegal drug use; rates of maladaptive use of cannabis; rates of alcohol abuse; opiate use and abuse rates; the number and type of youth and adult convictions for cannabis offenses; and the rates of individuals needing but not receiving cannabis use disorder treatment.

318-F:11 Enforcement Authority.

I. The commission shall have the primary responsibility for enforcing this chapter. Local, county, and state law enforcement officers shall also have jurisdiction to enforce this chapter. Such authority may be delegated to agents working under their authority.

II. The commission may appoint liquor investigators whose primary function shall be the proper prosecution of this chapter. The liquor investigators shall have statewide jurisdiction, with reference to enforcement of all laws either in cooperation with, or independently of, the officers of any county or town. The commission shall have the primary responsibility for the enforcement of all cannabis laws including any illegal trafficking, distributions, harvesting, cultivating, and manufacturing cannabis and upon premises where cannabis, can-

nabis products, and cannabis accessories are lawfully sold, stored, distributed, cultivated, or manufactured. Any person violating the provisions of any law may be prosecuted by the commission or any of its investigators as provided in this section, or by county or city attorneys, or by sheriffs or their deputies, or by police officials of towns or the New Hampshire department of safety, division of state police.

III. The commission shall have the authority to interpret statutes and administrative rules as they relate to this chapter.

IV. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. A summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

V. If any false statement is knowingly made in any statement under oath which may be required by the provisions of this title or by the commission, the person making the same shall be deemed guilty of perjury. The making of any such false statement in any such application or in any such accompanying statements, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the commission, constitute sufficient cause for the revocation of the license or franchise.

VI. The commission shall adopt by rule under RSA 541-A a formal enforcement policy for licensees and franchisees under its jurisdiction. This policy shall specify the disciplinary action, to include, but not limited to, a schedule of fines as are authorized by this chapter for violations of statutory requirements, which the commission shall take for violations of various laws under its jurisdiction. The enforcement policy shall also specify mitigating and aggravating factors which the commission shall consider in determining penalties for specific actions. Such enforcement policy shall authorize:

(a) Cannabis cultivation facilities and cannabis production facilities to continue to cultivate, prepare, and package, but not purchase, transfer, or sell cannabis and cannabis products, during a suspension or a license or franchise revocation until such time as there is a final determination that the license or franchise be revoked for which no appeal is available; and

(b) Cannabis product manufacturing facilities, cannabis testing facilities, and cannabis retail stores to possess existing cannabis inventory, but not acquire additional cannabis, or dispense, transfer, or sell cannabis during a suspension or a license or franchise revocation until such time as there is a final determination that the license or franchise be revoked for which no appeal is available.

VII. In applying its enforcement policy, the liquor commission shall establish and enforce specific determinate penalties for specific offenses. The commission shall not apply penalties such as license or franchise suspensions for indefinite periods of time. In addition to RSA 541-A:30, III, the commission may suspend, for a period of not more than 72 hours without a hearing, any license or franchise issued under the provisions of this title, if a risk to public health, safety, or welfare constitutes an emergency requiring such suspension. Any such suspension shall be subject to paragraph VI and approved directly by at least one member of the commission before taking effect.

VIII. The commission may transfer funds within and among all accounting units within the commission's operating budget and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the liquor commission and cannabis funds. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c; however, the provisions of RSA 176:16, V shall apply.

IX. The commission may pay staff members working on both liquor and cannabis matters increased wages until 18 months after the first cannabis retail store franchise is issued. A 10 percent stipend shall be established for commission staff based on their salary, when engaged in the development and all administrative aspects of the program.

318-F:12 Enforcement Activity Verifying Noncompliance.

It shall be a violation to sell any cannabis, cannabis product, cannabis accessories or cannabis paraphernalia to a minor during enforcement activity initiated solely for the purpose of verifying noncompliance with RSA

318-F:5. It shall be a misdemeanor to knowingly sell cannabis, cannabis product, or cannabis paraphernalia to a minor at the time of any such enforcement activity. The commission shall retain the right to require the licensee or franchisee in such a circumstance to initiate additional training of its staff or individual employees. This section shall not apply to law enforcement initiatives involving surveillance, investigations, or criminal complaints of RSA 318-F:5.

318-F:13 Rulemaking, Franchise, and Licensing Requirements.

I. Not later than 24 months after the effective date of this section, the commission shall submit statutory language and approve rules subject to the rulemaking process pursuant to RSA 541-A for the licensing and regulation of cannabis cultivation facilities and testing facilities as outlined in paragraph II.

II. Not later than 30 months after the effective date of this section, the commission shall submit statutory language and approve rules subject to the rulemaking process pursuant to RSA 541-A for the franchising, licensing, and regulation of all other cannabis establishments. The rules shall include the following:

(a) Procedures for the application, issuance, transfer, approval, denial, renewal, suspension, and revocation of a license or franchise for cannabis establishments. Rules shall include provisions for cannabis retail store, cannabis cultivation facility, and cannabis production facility licensees or franchisees to be selected through a request for application process.

(1) The commission shall decide within 120 days of receipt of a complete application and provide the decision to the licensee or franchisee. The commission shall extend the time period for the decision upon written agreement of the applicant.

(2) Notwithstanding any rules created by the commission, any transfer or sale of cannabis establishment is subject to approval of the commission.

(b) Criteria for qualifying for a cannabis establishment license or franchise including, but not limited to, the following:

(1) Except as provided in this section, any person applying for a cannabis establishment license or franchise shall be a resident, or shall have at least one director, officer, manager, or partner who is a New Hampshire resident. This restriction shall not apply to an applicant for a testing facility registration.

(2) No cannabis testing facility or individual with an ownership interest in a cannabis testing facility shall have an ownership interest in an alternative treatment center, a cannabis retail store, a cannabis cultivation facility, a cannabis production facility, or a cannabis product manufacturing facility.

(3) No person or business entity may have a threshold financial interest in more than 3 cannabis establishments of any single category.

(4) Other than a cannabis retail store, cannabis establishments may be sited within the same building or property. Other than a cannabis retail store, cannabis establishments in the same category that are owned by the same person or the person's affiliate may be sited within the same premises.

(5) No vendor that provides cannabis inventory tracking in New Hampshire and no individual with a threshold financial interest in a vendor that provides cannabis inventory tracking in New Hampshire may hold a threshold financial interest in a cannabis establishment.

(c) Procedures and criteria for the selection cannabis retail store, cannabis cultivation facility, and cannabis production facility licenses or franchises to include but not be limited to:

(1) Location of the cannabis retail store, cannabis cultivation facility, or cannabis production facility.

(2) Standard operating procedures for, but not limited to, storing, tracking, manufacturing, cultivation, packaging, labeling, testing, transporting, employee training, discounting and promotions, record keeping, and the sale of cannabis and cannabis products.

(3) Security measures including, but not limited to, storage facilities for cannabis and cannabis products.

(4) Hours of operation.

(5) The size and nature of the facilities, including the layout of the cannabis establishment.

(6) Prior experience of the applicant in operating an alternative treatment center or other facility that cultivates, manufactures, or sells cannabis and/or cannabis products pursuant to and in accordance with the laws of the state of New Hampshire or another state.

(7) Financial capacity.

(d) Timelines by which licensees and franchisees must commence operations and procedures for revoking and reissuing licenses and franchises where such timeline is not met.

(e) Advertising and promotion which, for cannabis retail stores, shall be controlled and managed by the commission.

(f) Employees, including any registration/licensing requirements for employees as determined by the commission.

(g) Requirements that cannabis retail stores stock cannabis products, including flower, with low and moderate amounts of THC and that they be at least as prominently displayed as high potency products or therapeutic grade cannabis products.

(h) Annual mandatory training and continuing education required for licensees, franchisees, and all cannabis retail store employees, which shall include, but not be limited to, training on checking photo identification and for false identification. The rules set forth shall be specific as to the amount of annual training is required and the specific subject matters the licensees, franchisees, and retail store employees are trained on each year, including but not limited to training on cannabis use disorder.

(i) Requirements for cannabis cultivation facilities, cannabis production facilities, and cannabis product manufacturing facilities to be operated and located in the state of New Hampshire so long as there is a federal prohibition.

(j) A fee schedule of reasonable application, license, franchise, and annual renewal fees, provided:

(1) That cultivation and production facility licensing fees be tiered based on the size of the facilities.

(2) That the non-refundable portion of application fees shall not exceed \$1,000, with this upper limit adjusted annually for inflation.

(3) Licensing, franchises, and annual renewal fees shall not exceed \$10,000 per license.

(k) Qualifications and disqualifications for licensure and franchisees that are directly and demonstrably related to the operation of a cannabis establishment, and which may not disqualify applicants solely for having a prior history of criminal convictions for possession of cannabis prior to the effective date of this chapter.

(l) Criteria for selection among applicants when there are more qualified applicants than there are number of licenses or franchises available in a particular municipality.

(m) Record keeping requirements for cannabis establishments, including requirements for implementation and compliance with the distribution tracking system.

(n) Requirements for the transportation and distribution of cannabis and cannabis products between cannabis establishments, including approved packaging and documentation that shall accompany any cannabis being transported, warehoused, or distributed.

(o) Reasonable security requirements for each type of cannabis establishment, which may be varied based on the size of the cannabis establishment.

(p) Restrictions on where a cannabis establishment may be located, consistent with the provisions of this chapter.

(q) Standards for the operation of testing laboratories, including requirements for equipment and qualifications.

(r) Requirements for the testing of cannabis and cannabis products, including, but not limited to, the following:

(1) Requirements to ensure at a minimum that cannabis and cannabis products sold for human consumption do not contain contaminants that are injurious to health and to ensure correct labeling;

(2) That testing shall include, but not be limited to, analysis for residual solvents, poisons, or toxins; harmful chemicals; dangerous molds or mildew; filth; dangerous herbicides, pesticides, and fungicides, heavy metals, and harmful microbials, such as E. coli or salmonella;

(3) Threshold levels for each contaminant listed in subparagraph (2);

(4) Providing that in the event that test results indicate the presence of quantities of any substance determined to be injurious to health, such cannabis or cannabis products shall be immediately quarantined and immediate notification to the commission shall be made. The contaminated product shall be documented and properly destroyed, subject to the appeals process as outlined in this chapter and rules promulgated by the commission;

(5) That testing shall also verify THC and other cannabinoid potency representations for correct labeling;

(6) That the commission shall determine an acceptable variance for potency representations and procedures to address potency misrepresentations;

(7) That the commission shall determine the protocols and frequency of cannabis testing by a cannabis testing facility; and

(8) Minimum testing requirements for an effective cannabis and cannabis product quality assurance program for cannabis cultivation facilities, cannabis production facilities, and cannabis product manufacturing facilities.

(s) Change in ownership, franchise, licenses, and changes in location for cannabis establishments.

(t) No more than one cannabis retail store per municipality except that municipalities with more than 50,000 residents may have up to 2 cannabis retail stores.

III. Not later than 30 months after the effective date of this section, the commission shall initiate the rulemaking process pursuant to RSA 541-A for regulation on the cultivation, advertising, manufacture, and sale of cannabis, cannabis products, and cannabis accessories. The rules shall include, but shall not be limited to, the following:

(a) Health and safety rules, including, but not limited to, the packaging and preparing of cannabis and cannabis products, restricting the use of pesticides and other chemicals during cultivation and processing that may be dangerous to cannabis consumers, and sanitation requirements.

(b) Health and safety rules and standards for the cultivation of cannabis and manufacture of cannabis products, including:

(1) Prohibitions on additives to products that are toxic, misleading to consumers, or designed to make the product more appealing to children;

(2) Safety standards regulating the manufacture of cannabis extracts and cannabis concentrate; and

(3) A prohibition on the inclusion of nicotine and other additives to cannabis products that are designed to make the product more addictive or more intoxicating.

(c) Establishing the maximum amount of THC that may be included in each cannabis product serving as 10 milligrams and no more than 200 milligrams per package.

(d) Reasonable health and safety restrictions on cannabis accessories that may be manufactured or sold in New Hampshire, including a prohibition on any vaporization device that includes toxic or addictive additives. The commission may prohibit types of vaporizers that are particularly likely to be utilized by minors without detection but may not completely ban or unreasonably restrict the manufacture or sale of vaporization devices.

(e) Restrictions on the advertising, signage, marketing, and display of cannabis and cannabis products, including, but not limited to, the following:

(1) A prohibition on mass-market campaigns that have a likelihood of reaching minors;

(2) A prohibition on marketing to minors, including marketing specifically related to social media;

(3) A prohibition on cannabis products that are named, packaged, marketed, or designed in a way that mimics or is likely to cause confusion with commercially available, trademarked non-cannabis products, including relating to their logos, the sound of the product or brand, packaging, taste, appearance, and commercial impression;

(4) A prohibition on giveaways of cannabis, cannabis products, or cannabis accessories, including samples, except the commission may establish rules governing the authorized distribution of trade samples;

(5) A prohibition on billboard advertising, sound trucks, or outdoor internally illuminated screen displays consistent with alcohol advertising prohibitions in RSA 179:31; and

(6) A requirement for any advertising to include a standard, recognizable symbol that a product contains cannabis or THC.

(f) Packaging, product manufacturing, and labeling requirements for cannabis and cannabis products, including, but not limited to, the following:

(1) Packaging and labeling approval process prohibiting, but not limited to, the following:

(A) Statements on the label or packaging that are false or misleading.

(B) Any written statements on the label or packaging are illegible.

(C) Packaging or labeling that contains subliminal or similarly deceptive advertising techniques.

(D) Packaging or labeling that features a depiction of athletes that is deceptive and misleading in that it implies that consuming cannabis or cannabis products is conducive to athletic skill or physical prowess, or that consuming cannabis does not hinder the athlete's performance.

(E) Packaging or labeling that features illustrations, subject matter, or other attributes that are consistent with products marketed toward children and youths.

(F) Packaging or labeling that features a depiction of consumption of cannabis or cannabis products while seated in, about to enter, operating, or about to operate an automobile or other machinery.

(G) An aspect of the packaging or labeling that normalizes or encourages excessive consumption.

(H) Packaging or labeling that does not indicate in manner that is sufficiently clear that the product contains cannabis or cannabis products.

(I) Packaging or labeling that might result in confusion regarding whether the product is a cannabis or cannabis products.

(J) Packaging or labeling pursuant to which the product is offered for sale under the name, identity or characteristics of another food or beverage or which mimics another food or beverage, or the characteristics of another food or beverage.

(2) The commission shall make a decision within 60 days of receipt of a complete application for pre-approval of packaging and labeling and provide the decision to the licensee or franchisee. The commission shall extend the time period for the decision upon written agreement of the applicant.

(3) Mandating the disclosure of the THC content of each product.

(4) Requiring cannabis products to be packaged in packaging that is designed or constructed to be significantly difficult for children under 5 years of age to open, and not difficult for adults to use properly.

(5) Requirements to ensure cannabis products and their packaging are not designed to appeal to or be attractive to minors, including providing that they cannot be in the shape of cartoons, toys, animals, or people.

(6) Prohibiting flavors and designs of cannabis-infused beverages and edibles that are particularly attractive to minors.

(7) Warnings, including, but not limited to, those described in RSA 318-F:14.

(8) A requirement for any label, and for certain products where appropriate, to include a standard, recognizable symbol that a product contains cannabis or THC.

(9) Potency limits for cannabis products.

(10) Labeling requirements for consumable cannabis products to include, but not limited to, ingredient lists, identification of allergens, and nutritional fact panels.

(g) Procedures and notices relating to all recalls of any products.

IV. In order to ensure that individual privacy is protected, the commission shall not require a consumer to provide a cannabis retail store with personal information other than government-issued identification to determine the consumer's age, and a retail cannabis store shall not be required to acquire and record personal information about consumers.

V. In order to ensure that individual privacy is protected, no cannabis establishment may record or store a consumer's name, address, purchases, or contact information unless the consumer consents in writing. No cannabis establishment may make granting permission for the collection or storage of such information a condition of a consumer purchasing cannabis from the establishment.

VI. Not later than 30 months after the effective date of this chapter, the commission, in consultation with the department, shall develop an informational handout, which cannabis retail store shall make available to all consumers, and which shall include information detailed in RSA 318-F:14.

VII.(a) Not later than 36 months after the effective date of this section, the commission shall make written recommendations to the general court regarding the regulation of hemp, cannabinoids, synthetic cannabinoids, and intoxicating products derived from hemp including:

- (1) What hemp products the commission would regulate;
- (2) How the products would be regulated, including whether a license would be required and whether hemp processors and manufacturers should be licensed and regulated by the commission;
- (3) Any license fees or other charges that would be assessed on hemp products and license fees assessed on hemp processors and manufacturers; and
- (4) The resources required to regulate hemp processors, product manufacturers, hemp products, and the retail sale of intoxicating hemp products.

(b) The regulations governing the production and the sale of intoxicating, ingestible, or smokeable products containing hemp-derived cannabinoids may not be less restrictive than the provisions of RSA 318-F or administrative rules enacted pursuant to RSA 541-A. For purposes of this section, "intoxicating ingestible or smokeable products containing hemp-derived cannabinoids" means any product that is intended to be consumed by humans or animals through inhalation or ingestion containing tetrahydrocannabinol and tetrahydrocannabinolic acids that are artificially or natural derived from hemp where inhalation or ingestion is reasonably likely to result in alternations of perception, cognition, or behavior.

VIII. General prohibitions and policies:

- (a) The commission shall approve the transfer or sale of any cannabis establishment or license.
- (b) The commission shall have the final authority to set the price of all cannabis products sold in a cannabis retail store.
- (c) Any location or change in location of a cannabis establishment shall be approved by the commission.
- (d) Cannabis products containing nicotine or other additives to make cannabis products addictive are prohibited.
- (e) To mitigate potential harms to children and to mitigate children accidentally ingesting cannabis products, cannabis products that are named, packaged, marketed, or designed in a way that mimics or is likely to cause confusion with commercially available, trademarked non-cannabis products, including relating to their logos, the sound of the product or brand, packaging, taste, appearance, and commercial impression shall be prohibited.
- (f) Advertising for any cannabis establishment located or operating outside the state of New Hampshire shall be prohibited.
- (g) To the extent that any advertising is permitted under this chapter, all advertising shall be controlled and administrated by the commission.
- (h) To the extent that there is a conflict between rules adopted by the commission and the department of health and human services as it relates to the enforcement of this chapter, the rules adopted by the commission shall supersede the rules adopted by the department of health and human services.

318-F:14 Informational Materials; Warning Label; Medical Lock Boxes.

I. The commission, in consultation with the department, shall design at least 2 versions of the informational handout, one of which is specific to high potency products.

II. A cannabis retail store shall include an informational handout designed by the commission in consultation with the cannabis advisory board with all cannabis and cannabis products sold to consumers and shall include the high potency version in all cannabis concentrates and other high potency sales. The informational handouts shall include scientifically accurate information, including:

(a) Advice about the potential risks of cannabis, and, in the case of the high potency handout, risks specific to high potency products, including:

- (1) The risks of driving under the influence of cannabis, and the fact that doing so is illegal;
- (2) Any adverse effects unique to adolescents or young adults, including effects related to the developing mind;
- (3) Potential adverse events and other risks, including related to mental health; and
- (4) Risks of using cannabis during pregnancy or breastfeeding. This may be identical to that required under RSA 126-X:8, XVI(c)(7).

(b) Information about methods for administering cannabis;

(c) How long cannabis may impair a person after it is ingested in each manner;

(d) How to recognize cannabis use disorder, and how to obtain appropriate services or treatment;

(e) Information regarding safe storage and disposal of cannabis and paraphernalia to prevent accidental poisonings, including the contact information for the Northern New England Poison Control Center, including the penalties for negligent storage under RSA 318-B:2-e. This may be identical to that required under RSA 126-X:8, XVI(c)(8); and

(f) Unless federal statutory law or case law has changed and such a warning is no longer accurate, a disclosure that:

(1) Cannabis is illegal under U.S. federal law, and

(2) Under the United States government's 1986 Gun Control Act, any "unlawful" user of a controlled substance is prohibited from purchasing or owning a gun.

III. The commission may require that cannabis retail stores shall display informational posters in conspicuous locations about the risks of cannabis use, including regarding risks during pregnancy and breastfeeding and risks of cannabis use in adolescents or by younger adults. The posters shall be scientifically accurate.

IV. All cannabis and cannabis products sold by a cannabis retail store shall include warning labels that provide the following information: "Warning: This product has intoxicating effects. For use by adults 21 and older. Keep out of reach of children." The commission may require a standard, recognizable symbol on all cannabis packaging to signify that THC or other cannabinoids are included in the product.

V. All cannabis products sold by cannabis retail stores shall include:

(a) A warning label that provides, "Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed," including a time frame as established by the commission.

(b) A disclosure of ingredients and possible allergens.

(c) A nutritional fact panel.

(d) Opaque, child-resistant packaging, which shall be designed or constructed to be significantly difficult for children under 5 years of age to open and not difficult for adults to use properly as defined by 16 C.F.R. section 1700.20. Cannabis and cannabis products may be pre-packaged in opaque, child-resistant packaging or placed in a compliant exit package prior to transfer to a consumer.

VI. All cannabis retail stores shall include in their inventory medical lock boxes for sale to help keep cannabis and cannabis products away from children.

318-F:15 Proof of Purchaser's Identity.

I. For the purposes of this chapter, any person or entity making the sale of cannabis, cannabis products, or cannabis accessories to any purchaser whose age is in question shall require and may accept any official documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

II. Photographic identification presented under this section shall be consistent with the appearance of the person, shall not be expired, and shall be correct and free of alteration, erasure, blemish, or other impairment.

III. The establishment of all of the following facts by a cannabis retail store or an agent or employee of a cannabis retail store making a sale of cannabis or cannabis accessories to a person under the age of 21 shall constitute an affirmative defense to any prosecution for such sale:

(a) That the person presented what an ordinary and prudent person would believe to be valid documentation of a type listed in RSA 179:8.

(b) That the sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was 21 years of age or older. No identification scanning or collection of personally identifiable information shall be required under this section.

318-F:16 Restrictions on Location Near Schools.

No cannabis establishment shall operate, nor shall a prospective cannabis establishment apply for a license or franchise, if the establishment would be located within 2,000 feet of a school or school property measured as a straight line from the nearest property line of an existing school to the nearest property line of the prospective cannabis establishment. For the purposes of this section, "school" means any public or private pre-school, elementary, secondary, or secondary vocational-technical school in New Hampshire. "School" shall not include home schools under RSA 193-A. "School property" means all real property, physical plant, and equipment used for school purposes, including but not limited to school playgrounds, whether public or private. "School property" shall not include buses or bus stops.

318-F:17 Limits on the Number of Cannabis Retail Stores and Franchise Fee Imposed.

I. A franchise fee on the monthly total gross revenue derived from the sale of cannabis and cannabis products, and therapeutic grade therapeutic products, excluding the sale of cannabis accessories by a cannabis retail store, shall be imposed on cannabis retail stores at the rate of 15 percent. The municipality where the cannabis retail store is located shall receive 1/15 of the total fees collected from the cannabis retail store.

II. The commission shall adopt rules under RSA 541-A relative to the franchise fee procedures needed to implement the provisions of this section.

III. No more than 15 cannabis retail store franchises shall be issued.

318-F:18 Alcohol Infused Cannabis Products Prohibited.

I. It is unlawful to manufacture, import, offer, or sell in this state a consumable product that contains cannabis or any form of tetrahydrocannabinol in combination with beer, wine, spirits, or any other type of liquor in the same product.

II. In accordance with paragraph I of this section, it is unlawful to manufacture, import, offer, or sell in this state a consumable product that contains cannabis or any form of tetrahydrocannabinol in combination with beer, wine, spirits, or any other type of liquor in the same product.

318-F:19 Enactment of Municipal Ordinance.

I. The voters of every municipality shall vote on whether to allow cannabis retail stores in their municipality at the first municipal election after July 1, 2024, unless the municipality elects to include this question at the November 2024 biennial election. The wording of the question shall be substantially as follows: "Shall we allow the operation of cannabis establishments within this city or town?" The recount of any local option vote, the procedures for holding such a recount, the declaration of the results of such a recount and the procedure for an appeal from such a recount shall be as provided in RSA 660:13-15. A municipality's prohibition on cannabis establishments may not prohibit transportation through the municipality by cannabis establishments located in other jurisdictions.

II. A municipality where a vote to allow cannabis establishments fails may propose the question to voters again in a subsequent election upon a petition. The petition shall be of not less than 5 percent of the legal

voters within the city or town and filed with the secretary of state within the timeframe regulating other ballot measures for municipal elections. The same requirements established in paragraph I shall apply to that subsequent election.

III. A municipality may enact an ordinance limiting the number of each type of cannabis establishment that may be permitted within the municipality and regulating the time, place, and manner of the operation of a cannabis establishment permitted within the municipality.

IV. A municipality may enact an ordinance specifying the entity within the municipality that shall be responsible for reviewing applications submitted for a license or franchise to operate a cannabis establishment within the municipality. The entity designated by the municipality, or the municipality if no such entity is designated, shall be responsible for indicating whether the application is in compliance with municipal ordinances and notifying the applicant and the commission within 90 days.

V. A municipality may not negotiate or enter into an agreement with a cannabis establishment or a cannabis establishment applicant requiring that the cannabis establishment or applicant provide money, donations, in-kind contributions, services, or anything of value to the locality.

VI. In a municipality that voted to permit cannabis establishments, if the municipality has a zoning ordinance, it shall consider adoption of an innovative land use control pursuant to RSA 674:21, II, specifying where a cannabis establishment will be a permitted use and further provide what, if any, conditions will be placed upon cannabis establishments. If a municipality has passed an innovative land use control relative to cannabis establishments, it shall notify the liquor commission within 90 days of passage. Municipalities without zoning ordinances or which have failed to pass an innovative land use control relative to cannabis establishments will be governed by the provisions of RSA 318-F and administrative rules relating to cannabis establishments enacted pursuant to RSA 541-A. No local ordinance may be less restrictive than the provisions of RSA 318-F or administrative rules enacted pursuant to RSA 541-A.

318-F:20 Lobbying Activities.

No recipient of a state license to operate a cannabis establishment licensed under this chapter shall utilize the funds received through the operation of such establishment to lobby or attempt to influence legislation related to the sale or legalization of marijuana, participate in political activity, or contribute funds to any entity engaged in these activities.

318-F:21 Cannabis Fund Established.

I. There is established a non-lapsing fund to be known as the cannabis fund. The fund shall be kept distinct and separate from all other funds in the state treasury, and the moneys credited to the fund shall be held distinct and separate from all other funds over which the state treasurer has control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-A:2-201(a)(27-a), with a branch in the state. Moneys credited to the fund shall include deposits into the fund by the commission pursuant to this chapter.

II. For the biennium ending June 30, 2025, and every biennium thereafter, the commission shall include the cost of administration of this chapter in the commission's efficiency expenditure request pursuant to RSA 9:4.

III. For the biennium ending June 30, 2025, the sum of \$8,000,000 is hereby appropriated to the liquor commission for the cost of administration of this chapter. Said sum shall be a charge against the liquor fund.

IV. For the biennium ending June 30, 2025, the sum of \$500,000 is hereby appropriated to the alcohol abuse prevention and treatment fund established by RSA 176-A. This appropriation shall be in addition to any other monies allocated to the fund, and shall be distributed by the governor's commission on alcohol and drug abuse prevention, treatment, and recovery in the manner established in RSA 12-J and RSA 176-A:1.

V. Except funds transferred under paragraph III, not later than June 30, 2027, the commission shall reimburse the general fund utilizing moneys deposited into the cannabis fund from the franchise fee imposed pursuant to this chapter for any initial or start-up funds appropriated to the commission for the administration or operation of this chapter. Any remaining funds shall be dispersed each fiscal year as follows:

(a) The municipality where the cannabis retail store is located shall receive 1/15 of the total fees collected from the cannabis retail store pursuant to RSA 318-F:17; and

(b) Of the remaining funds:

(1) Sixty-five percent shall be disbursed to the education trust fund established in RSA 198:39. The comptroller shall notify the commissioner of the department of education and the commissioner of the department of revenue administration, by the first day of September of the amount disbursed to the education trust fund. The amount of revenue required to be collected pursuant to RSA 76:3 shall be reduced by the amount transferred to the education trust fund as required in this subparagraph, and the commissioner of the department of revenue shall set the rate at a level sufficient to generate the reduced amount. This rate shall be effective for the following fiscal year;

(2) Fifteen percent shall be allocated to the alcohol abuse prevention and treatment fund established by RSA 176-A. This allocation shall be in addition to any other monies allocated to the fund, and shall be distributed by the governor's commission on alcohol and drug abuse prevention, treatment, and recovery in the manner established in RSA 12-J and RSA 176-A:1;

(3) Ten percent shall be allocated to public safety agencies, including police, fire, and rescue agencies, for the hiring and training of additional drug recognition experts, for advanced roadside impaired driving enforcement training, for reimbursement of local police agencies for salaries of police officers during their attendance at the trainings listed in this subparagraph, and to assist in responding to drug overdose incidents; and

(4) Ten percent shall be disbursed to the department of health and human services, division of behavioral health services, for child behavioral health services.

Cannabis Advisory Board

318-F:22 Cannabis Advisory Board.

I. There shall be a cannabis advisory board (CAB) to study and make recommendations to the liquor commission on the regulation, public health issues, and business operations of cannabis establishments.

II. The CAB shall consist of the following appointees:

- (a) The chair of the liquor commission or designee.
- (b) The president of the associations of chiefs of police or designee.
- (c) A certified public health official appointed by the chairman of governor's commission on alcohol and other drugs.
- (d) A medical provider as appointed by the president of the New Hampshire Medical Society.
- (e) The commissioner of the department of health and human services or designee.
- (f) The commissioner of the department of education or designee.
- (g) A mental health professional appointed by the executive director of NAMI New Hampshire.
- (h) A representative of the cannabis industry with experience operating an alternative treatment center or other facility that cultivates, manufactures, or sells cannabis and/or cannabis products pursuant to and in accordance with the laws of the state of New Hampshire or another state.
- (i) The attorney general or designee.
- (j) A member of the public appointed by the governor.
- (k) A state senator appointed by the senate president.
- (l) A state representative appointed by the speaker of the house of representatives.

III. Members of the board shall serve terms of 3 years except that the initial appointment of such members shall be for staggered terms of one, 2, and 3 years. No member shall serve more than 3 consecutive terms.

IV. Members of the board shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their official duties, including mileage at the state employee rate for attendance to meetings and other official functions.

V. The chair of the liquor commission or designee shall serve as the CAB chair and shall call meetings as needed. There shall be a minimum of one meeting per year.

VI. A majority of the appointed members of the board shall constitute a quorum of the cannabis advisory board. A quorum is only required for voting matters.

VII. The cannabis advisory board shall:

(a) Consider all matters submitted to it by the commission.

(b) On its own initiative, recommend to the commission guidelines, rules, and regulations and any changes to guidelines, rules, and regulations that the advisory board considers important or necessary for the commission's review and consideration.

(c) Advise on the preparation of regulations.

(d) Review any new science-based evidence of public health issues related to the use of cannabis and make recommendations to the commission if, in the cannabis advisory board's discretion, any regulatory or legal changes are needed.

6 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k) to read as follows:

(k) Objects used or intended for use or customarily intended for use in ingesting, inhaling, or otherwise introducing [~~marijuana;~~ cocaine~~;~~ hashish~~;~~ or hashish oil] into the human body, such as:

7 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read as follows:

I. Any person who manufactures, sells, prescribes, administers, or transports or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter **or as otherwise authorized by law**; or manufactures, sells, or transports or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he **or she** represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he **or she** represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as otherwise provided in this section:

8 Controlled Drug Act; Penalties. Amend the introductory paragraph of RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his or her control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter **or as otherwise authorized by law**, shall be sentenced as follows, except as otherwise provided in this section:

9 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(d) to read as follows:

(c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish, including any adulterants or dilutants[~~;~~ **is possessed by a person who is under 21 years of age, or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1, possessed by a person who is 21 years of age or older, except if possessed by a person authorized pursuant to RSA 126-X**, the person shall be guilty of a misdemeanor. [~~In the case of marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products as defined in RSA 318-B:2-e, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the person shall be guilty of a misdemeanor.~~]

(d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including any adulterants or dilutants, **that is possessed by a person who is under 21 years of age**, the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [~~In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.~~]

10 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) [~~Except as provided in RSA 318-B:2-e,~~] Controls any premises or vehicle where he or she knows a controlled drug or its analog, **other than marijuana**, is illegally kept or deposited;

11 Controlled Drug Act; Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

318.B-2:c [~~Personal~~] Possession of Marijuana **by a Person Under 21 Years of Age.**

[F:] In this section:

~~[(a)] I. “Marijuana” is defined as stated in RSA 318-F:1, II. [includes the leaves, stems, flowers, and seeds of all species of the plant genus cannabis, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. Marijuana shall not include hemp grown, processed, marketed, or sold under RSA 439-A.~~

~~(b) “Personal-use amount of a regulated marijuana-infused product” means one or more products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.]~~

II. Except as provided in RSA 126-X, any person **under 21 years of age** who knowingly possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

III. Except as provided in RSA 126-X, any person **under 21 years of age** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

~~IV. [Except as provided in RSA 126-X, any person 21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.]~~

V.(a) Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III~~[-or any person 21 years of age or older who is convicted of violating paragraph IV]~~ shall be subject to a fine of \$100 for a first or second offense under this paragraph, or a fine of up to \$300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint which alleged that the person had 3 or more prior convictions for violations of paragraph II~~[-or III [-or IV]~~, or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the marijuana~~[-regulated marijuana-infused products,]~~ or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

VI.(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph II~~[-or III[-or IV]~~ and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph II~~[-or III[-or IV]~~.

(d) Any person **under 21 years of age who is** in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an ounce or less of marijuana~~[-a personal-use amount of a regulated marijuana-infused product,]~~ or 5 grams or less of hashish, may be arrested for a violation of paragraph II~~[-or III[-or IV]~~.

VII. All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

VIII.(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of paragraph II[; *or* III[~~or IV~~]. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

12 Controlled Drug Act; Plea by Mail. Amend RSA 318-B:2-d to read as follows:

318-B:2-d Plea by Mail.

I. Any person 18 years of age or older who is charged with a violation of RSA 318-B:2-c, II[;] *or* III[~~or IV~~] may enter a plea of guilty, nolo contendere, or not guilty, by mail in a circuit court, district division.

II. Such defendant shall receive, in addition to the summons, a fine notice entitled "Notice of Fine" which shall contain the amount of the fine for a violation of RSA 318-B:2-c, II[;] *or* III[~~or IV~~]. A defendant who is issued a summons and notice of fine and who wishes to plead guilty or nolo contendere shall enter his or her plea on the summons and return it with payment of the fine within 30 days of the date of the summons. Payment by credit card may be accepted in lieu of cash payment.

III. If the defendant wishes to enter a plea of not guilty, he or she shall enter such plea on the summons and return it within 30 days of the date of the summons. The circuit court, district division shall schedule a trial.

IV. Whenever a defendant willfully fails to pay a fine in connection with a conviction for a violation of RSA 318-B:2-c, II[;] *or* III[~~or IV~~] or payment of such fine cannot be collected, the defendant shall be defaulted and the court may impose an additional fine of \$100.

13 Alcohol or Drug Impairment; Other Alcohol and Drug Offenses; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c[; ~~or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

14 Sentences; General Provisions; Annulment of Criminal Records; Annulment of Arrests and Convictions for Marijuana Possession. Amend RSA 651:5-b to read as follows:

651:5-b Annulment of Arrests and Convictions for Marijuana Possession.

I. As used in this section:

(a) "Cannabis" means "marijuana" as defined in RSA 318-B:2-c.

(b) "Possession limit" means the amount of cannabis that is legal under New Hampshire law for adults 21 and older to possess.

(c) "Cannabis-related offense" means any offense under RSA 318-B involving possession of cannabis or paraphernalia intended for cannabis; and

II. Any person who was arrested or convicted for knowingly or purposely obtaining, purchasing, transporting, or possessing, actually or constructively, or having under his or her control, ***no more than the possession limit*** [~~3/4 of an ounce of~~] marijuana [~~or less~~] where the offense occurred before ***July 1, 2024*** [~~September 16, 2017~~] may, at any time, petition the court in which the person was convicted or arrested to annul the arrest record, court record, or both. The petition shall state that the amount of marijuana was ***no more than the possession limit*** [~~3/4 of an ounce or less~~]. The petitioner shall furnish a copy of the petition to the office of the prosecutor of the underlying offense. The prosecutor may object within 10 days of receiving

a copy of the petition and request a hearing. If the prosecutor does not object within 10 days, the court shall grant the petition for annulment. If the prosecutor timely objects, the court shall hold a hearing. In a hearing on the petition for annulment, the prosecutor shall be required to prove beyond a reasonable doubt that the petitioner knowingly or purposely obtained, purchased, transported, or possessed, actually or constructively, or had under his or her control, marijuana in an amount exceeding **the possession limit** [~~3/4 of an ounce~~]. At the close of the hearing, the court shall grant the petition unless the prosecutor has proven that the amount of marijuana exceeded **the possession limit** [~~3/4 of an ounce~~]. If the petition is granted, and an order of annulment is entered, the provisions of RSA 651:5, X-XI shall apply to the petitioner.

15 New Paragraph; Business Profits Tax; Additions and Deductions. Amend RSA 77-A:4 by inserting after paragraph XX the following new paragraph:

XXI. A deduction from gross business profits of an amount equal to all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business as a cannabis establishment as defined by RSA 318-F:1 or an alternative treatment center as defined by RSA 126-X:1, including reasonable allowance for salaries or other compensation for personal services actually rendered, notwithstanding any federal tax law to the contrary.

16 Apportionment, Assessment and Abatement of Taxes; Assessment; Education Tax. Amend RSA 76:3 to read as follows:

76:3 Education Tax. Beginning July 1, 2005, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of \$363,000,000, **less any amount credited to the education trust fund pursuant to RSA 318-F:21**, when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue required in this section.

17 Public Health; Use of Cannabis for Therapeutic Purposes; Definition of Alternative Treatment Center. Amend RSA 126-X:1, I to read as follows:

I. "Alternative treatment center" means a **domestic business corporation organized under RSA 293-A, a domestic limited liability company organized under RSA 304-C, or a not-for-profit [entity] voluntary corporation organized under RSA 292 that is** registered under RSA 126-X:7 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying patients, designated caregivers, other alternative treatment centers, [and] visiting qualifying patients, **and other cannabis establishments**.

18 Public Health; Use of Cannabis for Therapeutic Purposes; Departmental Administration; Alternative Treatment Centers; Application Form. Amend RSA 126-X:7, IV(a)(4) to read as follows:

(4) The name, address, and date of birth of each principal officer and board member of the alternative treatment center. The board of directors **or board of managers, as applicable**, for the [nonprofit] **alternative treatment center** shall include at least one physician, advance practice registered nurse, or pharmacist licensed to practice in New Hampshire and at least one patient qualified to register as a qualifying patient. The majority of board members **or managers, as applicable**, shall be New Hampshire residents. A medical professional listed in this subparagraph may be a member of the alternative treatment center board **of directors or managers, as applicable**, but shall not maintain an ownership interest in the center.

19 Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, I to read as follows:

I. An alternative treatment center shall be operated on a **for-profit or** not-for-profit basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-exempt organization by the Internal Revenue Service.

20 New Paragraphs; Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8 by inserting after paragraph XVIII the following new paragraphs:

XIX. Except as otherwise provided in this chapter, an alternative treatment center shall be subject to RSA 293-A if organized as a domestic business corporation, RSA 304-C if organized as a domestic limited liability company, and RSA 292 if organized as a voluntary corporation.

XX. An alternative treatment center organized as a voluntary corporation under RSA 292 may, on or before June 30, 2025, convert from a voluntary corporation under RSA 292 to either a domestic business corporation organized under RSA 293-A, or a limited liability company organized under RSA 304-C in any of the following ways:

(a) By adopting a plan of entity conversion in accordance with RSA 293-A or RSA 304-C, as applicable, that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, provided that each such conversion shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by unanimous written consent.

(b) By adopting a plan of merger in accordance with RSA 293-A that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for which the domestic business corporation shall be the surviving entity, provided that, such merger shall be authorized by a vote of 2/3 of the members of the board of directors of the alternative treatment center at a meeting duly called for the purpose or by unanimous written consent.

(c) By adopting a plan of merger in accordance with RSA 304-C that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for which the domestic limited liability company shall be the surviving entity, provided that, such merger shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by unanimous written consent.

XXI. Articles of entity conversion or articles of merger, as applicable, shall be signed and submitted to the secretary of state pursuant to RSA 293-A or RSA 304-C, as applicable, and the secretary of state shall approve all such filings submitted pursuant to this section.

XXII. The secretary of state shall certify such articles of entity conversion or articles of merger and shall provide them to the department. Upon receipt, the department shall update the existing licenses held by the converted or merged alternative treatment center.

XXIII. For the purposes of converting or merging an alternative treatment center pursuant to this section, notwithstanding any provision in the articles of agreement or alternative treatment center license applications to the contrary, the members of an alternative treatment center's board of directors may determine that a plan of entity conversion or merger is consistent with its corporate charter, and such voluntary corporation may surrender its articles of agreement in connection with the plan of entity conversion or merger.

XXIV.(a) Any alternative treatment center choosing to convert or merge pursuant to this section shall obtain an independent fair market valuation of its total assets as of June 30, 2025. The valuation of the total assets of such alternative treatment center, if positive, shall be distributed to one or more charitable organizations solely for charitable purposes. The director of charitable trusts shall receive a copy of the valuation and may file any objection relating thereto with the court within 60 days. Except as set forth in this section and notwithstanding any other law to the contrary, no portion of the assets of such alternative treatment center after the conversion or merger, as applicable, shall be deemed to be charitable assets.

(b) Any alternative treatment center choosing to convert or merge pursuant to this section shall submit a copy of the plan of conversion or merger to the director of charitable trusts. The director may file an objection relating to the plan with the court within 60 days.

(c) Any alternative treatment center that has converted or merged pursuant to this section shall, within 180 days and thereafter for 2 years, annually file a letter with the director of charitable trusts certifying compliance with the requirements of RSA 126-X:8, XX.

21 Voluntary Corporations and Associations; Powers of Corporations; Change of Name; Amending Articles; Conversion and Merger. Amend RSA 292:7 to read as follows:

292:7 Change of Name; Amending Articles.

I. Any corporation now or hereafter organized or registered in accordance with the provisions of this chapter, and any existing corporation which may have been so organized or registered, may change its name, increase or decrease its capital stock or membership certificates, merge with or acquire any other corporation formed pursuant to this chapter, or amend its articles of agreement, by a majority vote of such corporation's board of directors or trustees, at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state and in the office of the clerk of the town or city in this state which

is its principal place of business. In the case of a foreign nonprofit corporation registered in New Hampshire, a copy of the amendment or plan of merger, certified by the proper officer of the state of incorporation, shall be filed with the secretary of state, together with the fee provided in RSA 292:5. The surviving corporation in a merger shall continue to have all the authority and powers vested in the merging corporations, including any powers previously conferred upon them by the legislature.

II. An alternative treatment center registered pursuant to RSA 126-X and organized under this chapter may, pursuant to RSA 126-X:8, XX, convert to either a domestic corporation organized under RSA 293-A or a limited liability company organized under to RSA 304-C, and may merge with a domestic business corporation organized under RSA 293-A or a limited liability company organized under RSA 304-C.

22 New Paragraph; New Hampshire Business Corporation Act; Domestication and Conversion; Entity Conversion Authorized. Amend RSA 293-A:9.50 by inserting after paragraph (f) the following new paragraph:

(g) Alternative treatment centers registered pursuant to RSA 126-X and organized pursuant to RSA 292 may become a domestic corporation pursuant to a plan of conversion in accordance with RSA 126-X:8, XX and this subdivision. The alternative treatment center shall be deemed to be a domestic unincorporated entity for purposes of applying RSA 293-A:9.50 through RSA 293-A:9.56, except that approval of the conversion shall be as outlined in RSA 126-X:8, XX.

23 Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other Business Entities to Limited Liability Companies. Amend RSA 304-C:149, I to read as follows:

I. Any other business entity, **including alternative treatment centers pursuant to RSA 126-X:8, XX**, may make a statutory conversion of its business organization form to the limited liability company business organization form under this act by complying with the requirements of this section and with applicable law governing the other business entity. **Approval of a conversion of an alternative treatment center pursuant to this paragraph shall be as outlined in RSA 126-X:8, XX.**

24 New Paragraph; Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other Business Entities to Limited Liability Companies; Approvals of Statutory Conversion. Amend RSA 304-C:149 by inserting after paragraph VIII the following new paragraph:

IX. In the case of the conversion of an alternative treatment center registered under RSA 126-X and organized pursuant to RSA 292, such conversion shall be approved by the board of directors in accordance with RSA 126-X:8, XX.

25 The Liquor Commission; Liquor Investigator; Training. Amend RSA 176:9 to read as follows:

176:9 Liquor Investigator; Training.

I. The commission may, subject to rules adopted by the director of personnel, employ and dismiss liquor investigators. Liquor investigators shall, under the direction of the commission, investigate any or all matters arising under this title **and under RSA 318-F.**

II. Any new liquor investigator employed by the commission under this section after August 13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training program as provided by RSA 106-L:6, unless he or she has already completed such a program.

III. The commissioner, deputy commissioner, assistant, [or] liquor investigator, **or state, county, or municipality law enforcement officer** may enter any place where liquor, beverages, tobacco products, e-cigarettes, **or cannabis** are sold, [or] manufactured, **or cultivated** at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

26 The Liquor Commission; Assistants and Employees. Amend RSA 176:7 to read as follows:

176:7 Assistants and Employees.

I. The state liquor commission may employ such assistants as are, in its opinion, necessary for the proper transaction of its business, and fix their compensation, subject to the rules of the director of personnel. It may secure any necessary technical or professional assistance.

II. The commission may select and retain market consultants through a competitive bidding process approved by the governor and the executive council. Any such contract with a third-party agent shall be for consulting services relating to marketing and regulation of cannabis for purposes of cultivation, manufacturing, testing, and retail sale.

27 Enforcement Proceedings and Penalties; Prosecutions. Amend RSA 179:59 to read as follows:

179:59 Prosecutions. The commission shall appoint liquor investigators whose primary function shall be the proper prosecution of this title ***and RSA 318-F***. The liquor investigators shall have statewide jurisdiction, with reference to enforcement of all laws either in cooperation with, or independently of, the officers of any county or town. The commission shall have the primary responsibility for the enforcement of all liquor and beverage laws ***and cannabis laws*** upon premises where liquor, ~~and~~ beverages, ***and cannabis*** are lawfully sold, stored, distributed, or manufactured ***or cultivated***. Any person violating the provisions of any law may be prosecuted by the commission or any of its investigators as provided in this section, or by county or city attorneys, or by sheriffs or their deputies, or by police officials of towns.

28 New Paragraph; The Liquor Commission; Commission to Sell. Amend RSA 176:11 by inserting after paragraph II the following new paragraph:

III. In the event that the commission determines New Hampshire cannabis revenues are being diverted by actions taken by persons holding any type of cannabis license or franchise, the commission may take such marketing or merchandising action, or both, as it deems necessary, including sanctions against the competing entities.

29 New Paragraph; Retail Tobacco License. Amend RSA 178:19-a by inserting after paragraph V the following new paragraph:

VI. A retail tobacco license is authorized to sell cannabis accessories and cannabis paraphernalia as defined in RSA 318-F.

30 New Paragraph; Rulemaking; Liquor Commission. Amend RSA 176:14 by inserting after paragraph IX the following new paragraph:

IX-a. Cannabis licenses or franchises, including:

(a) Procedures for the application for, issuance, transfer, denial, renewal, suspension, and revocation of a license for cannabis establishments.

(b) License operations for each cannabis license or franchise type.

(c) Collection of additional fees as required by statute.

31 Appropriations.

I. The sum of \$100,000 annually to the department of health and human services, for data collection and reporting related to the health impacts of cannabis legalization and regulation under RSA 318-F:10. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$8,000,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the liquor commission for deposit into the cannabis fund established in RSA 318-F:21 for the administration of RSA 318-F. Said appropriation shall be a charge against the liquor fund.

III. For the biennium ending June 30, 2025, the sum of \$500,000 is hereby appropriated to the alcohol abuse prevention and treatment fund established by RSA 176-A. This appropriation shall be in addition to any other monies allocated to the fund, and shall be distributed by the governor's commission on alcohol and drug abuse prevention, treatment, and recovery in the manner established in RSA 12-J and RSA 176-A:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

32 Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use with cannabis, is repealed.

33 Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

34 Effective Date. This act shall take effect upon its passage.

Energy and Natural Resources
 May 8, 2024
 2024-1834s
 08/02

Amendment to HB 1649-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Consumer Protection; Per and Polyfluoroalkyl Substance Use Restricted. Amend RSA 149-M by inserting after section 63 the following new section:

149-M:64 Consumer Products; Per and Polyfluoroalkyl Substance Use Restricted.

I. In this section:

(a) “Adult mattress” means a mattress other than a crib mattress or toddler mattress.

(b) “Carpet or rug” means a fabric product marketed or intended for use as a floor covering in households or businesses.

(c) “Chemical” means a substance with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation, or metabolism.

(d) “Consumer product” means any tangible personal property which is distributed in commerce and which is normally used for personal, family, or household purposes. “Consumer products” includes product categories that are normally used by households, but designed for or sold to businesses, such as commercial carpets or commercial floor waxes.

(e) “Cosmetic” means an article for retail sale or professional use intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.

(f) “Department” means the department of environmental services.

(g) “Distributor” has the same meaning as RSA 149-M:33, II.

(h) “Feminine hygiene product” means a product used to collect menstruation and vaginal discharge, including tampons, pads, sponges, menstruation underwear, disks, applicators, and menstrual cups, whether disposable or reusable.

(i) “Food packaging and containers” means a container applied to or providing a means to market, protect, handle, deliver, serve, contain, or store a food or beverage. Food packaging includes: (1) a unit package, an intermediate package, and a shipping container; (2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs; and (3) an individual assembled part of a food package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels.

(j) “Intentionally added PFAS” means PFAS that a manufacturer has intentionally added to a product or product component and that have a functional or technical effect in the product or product component, including PFAs components of intentionally added chemicals and PFAS that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product.

(k) “Juvenile product” means any product designed or marketed for use by infants and children under 12 years of age:

(1) Including, but not limited to a baby or toddler foam pillow, bassinet, bedside sleeper, booster seat, changing pad, child restraint system for use in motor vehicles and aircraft, co-sleeper, crib mattress, highchair, highchair pad, infant bouncer, infant carrier, infant seat, infant sleep positioner, infant swing, infant travel bed, infant walker, nap cot, nursing pad, nursing pillow, playmat, playpen, play-yard, polyurethane foam mat, pad or pillow, portable form nap mat, portable infant sleeper, portable hook-on chair, soft-sided portable crib, stroller, and toddler mattress, and

(2) Not including children’s electronic products, such as a personal computer, audio and video equipment, calculator, wireless phone, game console, hand held device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit or power cord, a medical device, or an adult mattress.

(l) “Manufacturer” means any person, firm, association, partnership, corporation, organization, combination, or joint venture, which produces a PFAS-added product, or an importer or domestic distributor of a PFAS-added product, which is produced in a foreign country. In the case of a multi-component PFAS-added product, the manufacturer is the last manufacturer to produce or assemble the product. If the multi-component product is produced in a foreign country, the manufacturer is the importer or domestic distributor.

(m) “Medical device” has the meaning given “device” under 21 U.S.C. section 321(h).

(n) “PFAS” means a group of synthetic perfluoroalkyl and polyfluoroalkyl substances, and their known degradation products, that contain 2 sequential fully fluorinated carbon atoms, excluding polymers, gases, and volatile liquids, but including side chain fluorinated polymers.

(o) “PFAS-added consumer product” means:

(1) A product, commodity, chemical, or product component that was manufactured after the effective date of this section;

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component; and

(3) Is a consumer product. These products include formulated PFAS-added products, and fabricated PFAS-added products.

(p) “PFAS-added product” means:

(1) A product, including a PFAS-added consumer product, commodity, chemical, or product component that was manufactured after the effective date of this section; and

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component.

(q) “Product” means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, sold, or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

(r) “Product component” means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

(s) “Supplier” has the same meaning as in RSA 149-M:33, X.

(t) “Upholstered furniture” means an article of furniture that is designed for sitting, resting, or reclining and is wholly or partly stuffed or filled with filling material.

(u) “Textile” means an item made in whole or part from a natural or synthetic fiber, yarn, or fabric. Textile includes, but is not limited to leather, cotton, silk, jute, hemp, wool, viscose, nylon, and polyester.

(v) “Textile furnishings” means textile goods of a type customarily used in households and businesses, including but not limited to, draperies, floor coverings, furnishings, bedding, towels, and tablecloths. “Textile furnishings” does not include textiles used in medical or industrial settings.

(w) “Textile treatment” means a product intended to be applied to a textile to give or enhance one or more characteristics, including, but not limited to, stain resistance or water resistance. “Textile treatment” does not include textile dye.

II.(a) The following are exempt from the requirements of this section:

(1) The resale of products manufactured prior to the ban imposed by this section.

(2) A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority.

(3) Products regulated as drugs or medical devices by the United States Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 321 et seq.

(4) Public water systems as defined by RSA 485:1-a, XV, wastewater treatment plants as defined by RSA 485-A:2, XVI-a, or a government-owned facility as the term facility is defined in RSA 149-M:4, IX.

(5) Products or substances approved as substitutes under the Significant New Alternatives Policy program of the United States Environmental Protection Agency, pursuant to section 612 of the amended

Clean Air Act of 1990, 42 U.S.C. section 7671k, or substitutes needed to execute the American Innovation and Manufacturing Act, 42 U.S.C. section 7675 et seq. This exemption does not apply to PFAS-added products banned by this section.

(b) The following are exempt from the PFAS ban imposed by this section:

- (1) Products made with at least 85 percent recycled content.
- (2) Products manufactured prior to the ban imposed by this section.
- (3) Replacement parts for products manufactured prior to the ban imposed by this section.

III.(a) The department is authorized to participate in the establishment and implementation of a multi-jurisdictional clearinghouse to assist in carrying out the requirements of this section and to help coordinate applications and reviews of the manufacturer obligations under the section. The clearinghouse may also maintain a database of all products containing PFAS, including PFAS-added products; a file on all exemptions granted by the participating jurisdictions; a file on alternative labeling plans; and a file of all the manufacturers' reports on the effectiveness of any PFAS-added product collection systems they may institute.

(b) Public disclosure of confidential business information submitted to the department pursuant to this section shall be governed by the requirements of the state's freedom of information act. Notwithstanding the requirements of the state's freedom of information act, the department may provide the interjurisdictional clearinghouse with copies of such information and the interjurisdictional clearinghouse may compile or publish analyses or summaries of such information provided that the analyses or summaries do not identify any manufacturer or reveal any confidential information. Clearinghouse members and employees shall be viewed as operating under a common interest and conversations among and between members or employees shall not violate any exception to any member jurisdiction's freedom of information act.

IV. Prohibitions.

(a) Product Ban. On January 1, 2027, the following PFAS-added consumer products shall be prohibited from being sold, offered for sale, or distributed for sale or for promotional purposes in the state:

- (1) Carpets or rugs.
- (2) Cosmetics.
- (3) Textile treatments.
- (4) Feminine hygiene products.
- (5) Food packaging and containers.
- (6) Juvenile products.
- (7) Upholstered furniture.
- (8) Textile furnishings.

V.(a) Upon request by the department, a certificate of compliance, or copies thereof, stating that a product is in compliance with the requirements of this section shall be furnished by its manufacturer or supplier to the department.

(b) Where compliance is achieved under any jurisdiction exemptions provided in paragraph II, the certificate of compliance shall state the specific basis upon which the exemption is claimed.

(c) The certificate of compliance shall be signed by an authorized official of the manufacturer or supplier. The purchaser shall retain the certificate of compliance for as long as the product is in use. A certificate of compliance shall be kept on file by the manufacturer or supplier. A manufacturer or supplier may make the certificate of compliance available on their company website or through an authorized representative of the company such as an interjurisdictional clearinghouse.

(d) If the manufacturer or supplier of a product reformulates or creates a new product, the manufacturer or supplier shall provide an amended or new certificate of compliance for such reformulated or new product to the department.

(e) Within 30 days of receipt of a request by the department under this section, the manufacturer or supplier shall:

(1) Provide the department with the certificate of compliance attesting that the product does not contain a chemical regulated under this act; or

(2) Notify persons who sell the product containing chemicals regulated under this section that the sale of the product is prohibited, and provide the department with a copy of the notice and a list of the names and addresses of those notified.

VI. The department may adopt, under RSA 541-A, any rules necessary for the implementation, administration, and enforcement of this section.

VII.(a) The department may enforce this section pursuant to its authority under RSA 149-M:38. The commissioner may coordinate with the commissioner of the department of health and human services in enforcing this section, if necessary.

(b) When requested by the department, a person shall furnish to the department any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

VIII. On or before September 1, 2025, and biennially thereafter, the department shall submit to the general court and the governor a report regarding the implementation of this section, including the status of development, establishment, and participation in a multi-jurisdictional clearinghouse, a summary of relevant information from data available through the United States Environmental Protection Agency's reporting requirements on PFAS uses, production volumes, disposal, exposures, and hazards, other federal and state developments, the actual and estimated future costs of administration, compliance, and enforcement, and any recommendations for necessary legislative changes.

2 Department of Environmental Services; Position Established; Appropriation. There is hereby established in the department of environmental services, one full-time classified environmentalist IV position for the purposes of establishing rules, coordinating with the clearinghouse and manufacturers on technical implementation details, recommendations as to any related manufacturer fees and performing ongoing duties such as compliance assurance and enforcement as outlined in this act. The sum necessary to pay the salary, benefits, and other costs related to the position established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2025. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated. The funds appropriated for this position shall lapse on June 30, 2033.

3 Appropriation; Department of Environmental Services. The sum of \$250,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of environmental services to be deposited into the PFAS remediation fund established in RSA 485-H:10. Such funds shall be used exclusively for the use of the department to address expenses associated with the PFAS restrictions on consumer products under RSA 149-M:64. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

4 Effective Date. This act shall take effect upon its passage.

Senate Education
May 7, 2024
2024-1809s
02/02

Amendment to HB 1665-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to student eligibility for education freedom accounts and the scholarship organization's costs of administering the program, extending phase-out grants for education freedom accounts, and revising the definitions of average daily membership in attendance and average daily membership in residence.

Amend the bill by replacing all after the enacting clause with the following:

1 Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

VI. "Eligible student" means a resident of this state who is eligible to enroll in a public elementary or secondary school and whose annual household income at the time the student applies for the program is less

than or equal to ~~[350]~~ **400** percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the student otherwise qualifies. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

2 Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization. Amend RSA 194-F:4, V to read as follows:

V. The scholarship organization may withhold from deposits or deduct from EFAs an amount to cover the costs of administering the EFA program, up to a maximum of ~~[10]~~ **8** percent annually.

3 Extension of Phase-Out of Grants to 2029. Amend RSA 194-F:10, II to read as follows:

II. The phase-out grants will terminate for new EFA students receiving an EFA effective July 1, ~~[2026]~~ **2029**.

4 New Section; Education Freedom Accounts; Reporting Requirement. Amend RSA 194-F by inserting after section 12 the following new section:

194-F:12-a Department Reporting Requirement. On or before November 1, 2024, and each November 1 thereafter, the department shall submit a report to the governor and council and the legislative oversight commission established in RSA 194-F:12 regarding:

I. The amount of education adequacy aid provided to each school district attributed to students in the first year of the education freedom account program; and

II. Phase-out grants provided to each school district attributed to students in the second and third year of the education freedom account program.

5 School Funding; ADMA and ADMR; Home Educated Pupils and Pupils Participating in the EFA program. Amend RSA 198:38, I and I-a to read as follows:

I.(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A, ***or who is participating in an education freedom account in compliance with RSA 194-F***, and who is enrolled in a school board approved public ~~[high]~~ school academic course ***in grades 7 through 12*** shall count as an additional 0.15 pupil for each such academic course taken in a public ~~[high]~~ school. ~~[The department of education shall only make grant payments for such pupils to the extent of available appropriations.]~~ In this subparagraph, "public ~~[high]~~ school" shall have the same meaning as "~~[high]~~ ***standard*** school" as defined in RSA ~~[194:23]~~ **189:24**.

I-a.(a) "Average daily membership in residence" or "ADMR" means the average daily membership in residence, as defined in RSA 189:1-d, IV, of pupils in kindergarten through grade 12, in the determination year. ADMR shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMR shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

(b) For the purpose of calculating ADMR, each pupil who is home educated in compliance with RSA 193-A, ***or who is participating in an education freedom account in compliance with RSA 194-F***, and who is enrolled in a school board approved public ~~[high]~~ school academic course ***in grades 7 through 12*** shall count as an additional 0.15 pupil for each such academic course taken in a public ~~[high]~~ school. ~~[The department of education shall only make grant payments for such pupils to the extent of available appropriations.]~~ In this subparagraph, "public ~~[high]~~ school" shall have the same meaning as "~~[high]~~ ***standard*** school" as defined in RSA ~~[194:23]~~ **189:24**.

6 Effective Date. This act shall take effect 60 days after its passage.

2024-1809s

AMENDED ANALYSIS

This bill:

I. Raises the annual household income threshold for eligible students and reduces the amount that the scholarship organization may retain to cover administrative costs.

II. Extends the phase-out grants provided under the education freedom account (EFA) program and directs the department of education to submit an annual report regarding EFA funding and costs.

III. Revises the definitions of average daily membership in attendance (ADMA) and average daily membership in residence (ADMR) for school funding from the education trust fund for the purpose of home educated pupils and pupils participating in the EFA program.

Health and Human Services

May 1, 2024

2024-1732s

08/06

Amendment to HB 1712

Amend paragraph VI as inserted by section 2 of the bill by replacing it with the following:

VI. Notwithstanding RSA 14:49, on or before November 1, 2024, the committee shall submit an interim report including its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and the governor. The committee shall submit a final report of its findings and any recommendations for proposed legislation to the same on or before November 1, 2025.

HEARINGS

All Standing Committee hearings will be live streamed on the NH Senate's YouTube channel:

<https://www.youtube.com/NewHampshireSenatelivestream>

Links are also available on the Senate Meeting Schedule.

**TUESDAY, MAY 14, 2024****COMMERCE**, Room 100, SH

Sen. Gannon (C), Sen. Ricciardi (VC), Sen. Innis, Sen. Soucy, Sen. Chandley

9:00 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION

9:30 a.m.

HB 1291, relative to accessory dwelling unit uses allowed by right.

(THE PREVIOUS HEARING FOR HB 1291 WAS RECESSED ON MAY 7TH)

EXECUTIVE SESSION MAY FOLLOW**EDUCATION**, Room 101, LOB

Sen. Ward (C), Sen. Gendreau (VC), Sen. Lang, Sen. Fenton, Sen. Prentiss

10:00 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION**ENERGY AND NATURAL RESOURCES**, Room 103, SH

Sen. Avard (C), Sen. Pearl (VC), Sen. Birdsell, Sen. Watters, Sen. Altschiller

9:00 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 103, LOB

Sen. Gray (C), Sen. Murphy (VC), Sen. Abbas, Sen. Soucy, Sen. Perkins Kwoka

9:30 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****FINANCE**, Room 103, SH

Sen. Gray (C), Sen. Innis (VC), Sen. Bradley, Sen. Birdsell, Sen. Pearl, Sen. D'Allesandro, Sen. Rosenwald

1:30 p.m. Hearing on proposed non-germane Amendment #2024-1873s, establishing a New Hampshire farm to school local food incentive pilot program and establishing and appropriating funds to the New Hampshire Canadian Trade Council Fund, to HB 1678-FN, establishing a New Hampshire farm to school local food incentive pilot program.

1:35 p.m. Hearing on proposed non-germane Amendment #2024-1885s, making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities and relative to the uncompensated care and Medicaid fund, to HB 1593-FN, making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities.

EXECUTIVE SESSION MAY FOLLOW**JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Gannon (VC), Sen. Abbas, Sen. Whitley, Sen. Rosenwald, Sen. Chandley

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****TRANSPORTATION**, Room 101, LOB

Sen. Ricciardi (C), Sen. Watters (VC), Sen. Ward, Sen. Gendreau, Sen. Fenton

1:30 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION*****WEDNESDAY, MAY 15, 2024*****CAPITAL BUDGET**, Room 100, SH

Sen. Innis (C), Sen. Gray (VC), Sen. Bradley, Sen. D'Allesandro, Sen. Watters

11:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 103, SH

Sen. Pearl (C), Sen. Carson (VC), Sen. Gendreau, Sen. Perkins Kwoka, Sen. Altschiller

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****HEALTH AND HUMAN SERVICES**, Room 101, LOB

Sen. Birdsell (C), Sen. Avarad (VC), Sen. Bradley, Sen. Whitley, Sen. Prentiss

9:00 a.m. **HB 1236**, relative to repealing the commission on the status of health coverage markets for individuals and small employers.

9:15 a.m. Hearing on proposed non-germane Amendment #2024-1745s, relative to repealing the commission on the status of health coverage markets for individuals and small employers and establishing a pilot recruitment and retention program within the department of health and human services, to HB 1236, relative to repealing the commission on the status of health coverage markets for individuals and small employers.

EXECUTIVE SESSION MAY FOLLOW**WAYS AND MEANS**, Room 100, SH

Sen. Lang (C), Sen. D'Allesandro (VC), Sen. Murphy, Sen. Innis, Sen. Rosenwald

9:30 a.m. Hearing on proposed non-germane Amendment #2024-1839s, relative to credits for the business profits tax and business enterprise tax, to HB 1525, relative to historic horse racing game operator employer licensing.

EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, MAY 10, 2024

STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC) (RSA 21-P:48, IV)

9:00 a.m. Marine Patrol Bureau Regular Meeting
31 Dock Road
Gilford, NH

COMMISSION ON BEHAVIORAL HEALTH CRISIS SERVICES (RSA 135-C:68)

10:00 a.m. Walker Building, Room 274 Regular Meeting
21 South Fruit Street
Concord, NH
Microsoft Teams [Need help?](#)
[Join the meeting now](#)
Meeting ID: 277 642 215 512
Passcode: BYj4w2
Dial-in by phone
[+1 603-931-4944,,982442082#](#) United States, Concord
[Find a local number](#)
Phone conference ID: 982 442 082#
Join on a video conferencing device
Tenant key: nhgov@m.webex.com
Video ID: 115 746 207 8
[More info](#)
For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a)

10:00 a.m. Department of Cultural and Regular Meeting
Natural Resources
172 Pembroke Road
Concord, NH

STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88)

12:30 p.m. JSI – NH Office Regular Meeting
501 South Street
Bow, NH
<https://unh.zoom.us/j/98011299433?pwd=Q0pzeXJwREcxMXE5YWE2WkM0SFRBZz09>

COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL PUBLIC HEALTH NETWORKS (RSA 127:12)

1:00 p.m. 501 South Street Regular Meeting
2nd Floor
Bow, NH
Join Zoom Meeting
<https://us02web.zoom.us/j/82731252212?pwd=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>
Meeting ID: 827 3125 2212
Passcode: 392939

COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a)

2:00 p.m.

Regular Meeting

This meeting will take place by remote conference. To listen in please follow the instructions below:

Please register for the Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals meeting on May 10, 2024 2:00 PM EST at:

<https://attendee.gotowebinar.com/register/4480616974723151712>

After registering, you will receive a confirmation email containing information about joining the webinar.

You also may join the meeting by phone:

Call in Number: 1 (562) 247-8422

Access Code: 348-629-576

Webinar ID: 832-566-787

The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: Amy.E.Rousseau@des.nh.gov. You may also call Amy Rousseau at 603-271-8801.

MONDAY, MAY 13, 2024

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)

9:00 a.m.

Conservation Center French Wing
Williams Room
54 Portsmouth Street
Concord, NH

Regular Meeting

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4)

10:00 a.m.

NH Department of Safety
2nd Floor Conference Room
33 Hazen Drive
Concord, NH

Regular Meeting

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2)

12:30 p.m.

Brown Building Auditorium
129 Pleasant Street
Concord, NH

Regular Meeting

NEW HAMPSHIRE OPIOID ABATEMENT ADVISORY COMMISSION (RSA 126-A:85)

1:00 p.m.

NH Department of Justice
1 Granite Place South
Concord, NH or Zoom

Regular Meeting

<https://nh-dhhs.zoom.us/j/7629646757?pwd=dUJnaTVCOEk1bnZMTEpDZEkrOGk4QT09&omn=83760052265>

Mtg ID: 762 964 6757

Passcode: 782701

COMMISSION ON NEW HAMPSHIRE CIVICS (RSA 21-N:8-c)

2:30 p.m.

NH Department of Education
Events Center (2nd Floor)
25 Hall Street
Concord, NH

Regular Meeting

THURSDAY, MAY 16, 2024

COMMISSION ON HOLOCAUST AND GENOCIDE EDUCATION (RSA 193-E:2-f)

4:00 p.m. SAU19 Office Regular Meeting
11 School Street
Goffstown, NH

FRIDAY, MAY 17, 2024

ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Rooms 306-308, LOB Regular Meeting

NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2)

9:00 a.m. 7 Hazen Drive Regular Meeting
Rooms 112-113
Concord, NH

Please click the link below to join the webinar via Zoom:

<https://us06web.zoom.us/j/82616004746?pwd=CGFdPmIro8NtJmrhXE7HBC5f1EWX4A.yDZhc47c4t2KPtaa>

Passcode: 750387

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10)

9:00 a.m. Room 100, SH Regular Meeting

SOLID WASTE WORKING GROUP (RSA 149-M:61)

9:30 a.m. DBEA Office Regular Meeting
First Floor, Kinsman Conference Room
100 North Main Street
Concord, NH

Remote attendance option:

<https://attendee.gotowebinar.com/register/3435858814888164108>

FISCAL COMMITTEE (RSA 14:30-a)

10:00 a.m. Rooms 210-211, LOB Regular Meeting
<https://www.youtube.com/watch?v=tesqNU63BBQ>

MOUNT WASHINGTON COMMISSION (RSA 227-B:3)

10:00 a.m. Omni Mount Washington Hotel, Regular Meeting
Reagan Room
310 Mount Washington Hotel Road
Bretton Woods, NH

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)

3:00 p.m. Rye Public Library Regular Meeting
581 Washington Road
Rye, NH

Join Zoom Meeting

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdIlgwQnQvc2ZRbkNOBhGhGc3M0dz09>

Meeting ID: 861 1781 8803

Passcode: 669915

One tap mobile

+13126266799,,86117818803#,,,,*669915# US (Chicago)

+16465588656,,86117818803#,,,,*669915# US (New York)

MONDAY, MAY 20, 2024

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)

9:00 a.m. NH Veterans Home Regular Meeting
 NHVH Town Hall
 139 Winter Street
 Tilton, NH

STATE COMMISSION ON AGING (RSA 19-P:1)

10:00 a.m. NH Hospital Association Regular Meeting
 125 Airport Road
 Concord, NH

 Zoom: <https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVueDBYYW9SZThLUT09>

COMMISSION TO STUDY COMMUNITY IMPACTS OF THE SECURED YOUTH DEVELOPMENT CENTER (RSA 169-B:48)

1:00 p.m. Room 100, SH Regular Meeting

NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)

1:30 p.m. Room 103, SH Regular Meeting

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a)

2:00 p.m. Doloff Building 3rd Floor Classroom Regular Meeting
 1 State Office Park West
 Concord, NH

COMMISSION TO STUDY OFFSHORE WIND AND PORT DEVELOPMENT (RSA 374-F:10)

4:30 p.m. NHDES Pease Office Suite 175 Regular Meeting
 222 International Drive
 Portsmouth, NH

TUESDAY, MAY 21, 2024

JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C)

9:00 a.m. Room 203, LOB Regular Meeting

THURSDAY, MAY 23, 2024

COMMISSION ON THE INTERDISCIPLINARY PRIMARY CARE WORKFORCE (RSA 126-T)

2:00 p.m. NH Hospital Association Regular Meeting
 Conference Room #1
 125 Airport Road
 Concord, NH
 Meeting ID: 233 524 382 245
 Passcode: YmG3kE
 Dial-in by phone +1 603-931-4944,,834829352# United States, Concord
 Find a local number
 Phone conference ID: 834 829 352#
 Join on a video conferencing device
 Tenant key: nhgov@m.webex.com
 Video ID: 114 981 109 0

FRIDAY, MAY 24, 2024

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

10:00 a.m. Rooms 205-207, LOB Regular Meeting

FRIDAY, JUNE 14, 2024

COMMISSION ON BEHAVIORAL HEALTH CRISIS SERVICES (RSA 135-C:68)

10:00 a.m. Walker Building, Room 274 Regular Meeting
 21 South Fruit Street
 Concord, NH
 Microsoft Teams [Need help?](#)
[Join the meeting now](#)
 Meeting ID: 277 642 215 512
 Passcode: BYj4w2
 Dial-in by phone
[+1 603-931-4944,,982442082#](#) United States, Concord
[Find a local number](#)
 Phone conference ID: 982 442 082#
 Join on a video conferencing device
 Tenant key: nhgov@m.webex.com
 Video ID: 115 746 207 8
[More info](#)
 For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL PUBLIC HEALTH NETWORKS (RSA 127:12)

1:00 p.m. 501 South Street Regular Meeting
 2nd Floor
 Bow, NH
 Join Zoom Meeting
<https://us02web.zoom.us/j/82731252212?pwd=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>
 Meeting ID: 827 3125 2212
 Passcode: 392939

MONDAY, JUNE 17, 2024

STATE COMMISSION ON AGING (RSA 19-P:1)

10:00 a.m. NH Hospital Association Regular Meeting
 125 Airport Road
 Concord, NH
 Zoom: <https://us02web.zoom.us/j/87430173115?pwd=bUFRER3I5emt3NGVueDBYYW9SZThLUT09>

FRIDAY, JUNE 21, 2024

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Revenue Administration Subcommittee Work Session Meeting
 Training Room
 109 Pleasant Street
 Concord, NH

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

10:00 a.m. NH Department of Revenue Administration Regular Meeting
 Training Room
 109 Pleasant Street
 Concord, NH

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)

3:00 p.m. Merrimack Town Hall Regular Meeting
 6 Baboosick Lane
 Merrimack, NH
 Join Zoom Meeting
<https://us06web.zoom.us/j/86117818803?pwd=cWRXdIlgwQnQvc2ZRbkNOBhGhGc3M0dz09>
 Meeting ID: 861 1781 8803
 Passcode: 669915
 One tap mobile
 +13126266799,,86117818803#,,,,*669915# US (Chicago)
 +16465588656,,86117818803#,,,,*669915# US (New York)

MONDAY, JUNE 24, 2024**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

10:00 a.m. National Guard Edward Cross Regular Meeting
 Training Center
 722 Riverwood Drive
 Pembroke, NH

FRIDAY, JUNE 28, 2024**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m. NH Department of Revenue Administration Subcommittee Work Session Meeting
 Training Room
 109 Pleasant Street
 Concord, NH

FRIDAY, JULY 12, 2024**COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a)**

10:00 a.m. North Country Resource Center Regular Meeting
 629 Main Street
 Lancaster, NH

MONDAY, JULY 15, 2024**STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m. NH Hospital Association Regular Meeting
 125 Airport Road
 Concord, NH
 Zoom: <https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVueDBYYW9SZThLUT09>

MONDAY, AUGUST 19, 2024**STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m. NH Hospital Association Regular Meeting
 125 Airport Road
 Concord, NH
 Zoom: <https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVueDBYYW9SZThLUT09>

MONDAY, AUGUST 26, 2024

NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)

10:00 a.m. National Guard Edward Cross Regular Meeting
Training Center
722 Riverwood Drive
Pembroke, NH

FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK’S OFFICE FOR THE FOLLOWING 2023 - 2024 BILLS:

SENATE BILLS: 75, 80, 97, 106, 112, 128, 133, 134, 137, 151, 156, 173, 176, 177, 178, 180, 191, 210, 217, 218, 229, 235, 239, 248, 249, 252, 255, 259, 263, 267, 303, 304, 306, 307, 308, 309, 311, 314, 315, 317, 319, 320, 321, 326, 327, 328, 329, 330, 335, 337, 342, 345, 347, 350, 351, 352, 354, 355, 361, 362, 363, 364, 368, 369, 377, 379, 383, 384, 387, 388, 393, 396, 397, 399, 401, 403, 404, 405, 406, 407, 409, 410, 411, 412, 413, 417, 419, 426, 427, 432, 436, 438, 439, 442, 443, 445, 447, 453, 454, 455, 456, 457, 459, 460, 462, 463, 465, 466, 467, 470, 472, 473, 478, 480, 484, 485, 486, 487, 489, 490, 492, 493, 495, 496, 497, 498, 499, 500, 504, 506, 507, 511, 514, 518, 520, 521, 522, 523, 525, 532, 534, 536, 537, 539, 540, 545, 549, 550, 553, 554, 555, 556, 558, 559, 561, 562, 563, 567, 569, 575, 578, 579, 580, 583, 584, 588, 590, 591, 592, 595, 596, 601, 603

HOUSE BILLS: 68, 82, 107, 135, 182, 185, 229, 243, 250, 257, 279, 307, 314, 318, 322, 354, 370, 379, 397, 400, 436, 447, 450, 463, 468, 470, 476, 535, 558, 572, 593, 596, 602, 609, 618, 622, 637, 644, 645, 653, 1002, 1003, 1006, 1012, 1038, 1076, 1104, 1105, 1122, 1145, 1178, 1186, 1188, 1192, 1202, 1213, 1220, 1223, 1237, 1260, 1263, 1264, 1270, 1279, 1282, 1294, 1296, 1298, 1303, 1313, 1319, 1323, 1380, 1382, 1385, 1386, 1394, 1412, 1432, 1433, 1451, 1504, 1540, 1542, 1569, 1573, 1579, 1588, 1591, 1593, 1596, 1598, 1600, 1613, 1620, 1622, 1623, 1647, 1649, 1656, 1659, 1669, 1687, 1696, 1697, 1698, 1713

ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK’S OFFICE FOR 2024 BILLS:

SENATE BILLS: 255

HOUSE BILLS: 68, 154, 397

SENATE BILLS AMENDED BY THE HOUSE

SENATE BILLS: 84, 112, 236, 249, 266, 306, 324, 327, 338, 372, 379, 388, 391, 435, 441, 449, 460, 473, 497, 513, 521, 528, 545, 572, 603

HOUSE BILLS AMENDED BY THE SENATE

HOUSE BILLS: 135, 243, 279, 398, 458, 468, 476, 494, 593, 596, 609, 653, 1006, 1030, 1055, 1060, 1107, 1122, 1129, 1165, 1168, 1220, 1303, 1305, 1386, 1431, 1456, 1549, 1550, 1609, 1613, 1655, 1695, 1697

NOTICES

FRIDAY, MAY 17, 2024

The New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 32nd Annual New Hampshire Fallen Law Enforcement Officers Memorial Ceremony. This annual ceremony honors Law Enforcement Officers throughout the State of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of the state. The ceremony will be held on Friday, May 17, 2024, beginning promptly at 10:00 a.m. at the Memorial Site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 should you have any questions.

Senator Jeb Bradley, Senate President

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TUESDAY, MAY 21, 2024

The New Hampshire Women's Foundation cordially invites all legislators to join them for lunch on Tuesday, May 21st at 12:00 p.m. at St. Paul's Episcopal Church, 21 Centre Street, Concord. The Women's Foundation invests in equality and opportunity for women and girls and provides grants to nonprofit organizations in all regions of New Hampshire. This lunch is an opportunity to meet some of the Foundation's grantees and learn more about the work they do serving women and girls in your community. There will also be an update from the Women's Foundation. RSVP is not required, but your response to Devan Quinn at Devan@nhwomensfoundation.org is appreciated.

Senator Sharon M. Carson, Senate Majority Leader
Senator Donna M. Soucy, Senate Democratic Leader

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THURSDAY, MAY 23, 2024

AARP New Hampshire has rescheduled its Legislative Lunch for Thursday, May 23rd, 2024 from 11:30 a.m. – 1:30 p.m. at the State House Cafeteria. Lunch will feature a variety of sandwiches, salad, chips, cookies, and beverages along with vegetarian options to choose from.

Lawmakers will have an opportunity to meet AARP NH volunteers who are advocates for supporting family caregivers, protecting consumers against fraud, battling rising prescription drug costs, and more. AARP NH is excited to talk with lawmakers about these issues and understand how we can work together moving forward. Please RSVP or note any dietary restrictions to Mike Padmore at mpadmore@aarp.org.

Senator Jeb Bradley, Senate President
Senator Donna M. Soucy, Senate Democratic Leader

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THURSDAY, MAY 23, 2024

Associated Builders and Contractors (ABC) is a national construction industry trade association representing more than 23,000 members. Founded on the merit shop philosophy, ABC and its 68 Chapters help members develop people, win work, and deliver that work safely, ethically and profitably for the betterment of the communities in which ABC and its members work.

Please join local contractors on the State House Plaza on Thursday, May 23, 2024, from 11:00 a.m. to 2:00 p.m. for hands on demonstrations of the trades, craft training, safety equipment and technology used every day to literally build New Hampshire. Lunch will be served!

Senator Jeb Bradley, Senate President

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SENATE SCHEDULE

Thursday, May 23, 2024	Deadline to ACT on all House bills.
Monday, May 27, 2024	Memorial Day (State Holiday)
Thursday, May 30, 2024	Deadline to FORM Committees of Conference.
Thursday, June 06, 2024	Deadline to SIGN Committee of Conference Reports. (4:00 p.m.)
Thursday, June 13, 2024	Deadline to ACT on Committee of Conference Reports.
Thursday, July 04, 2024	Independence Day (State Holiday)
Monday, September 02, 2024	Labor Day (State Holiday)
Monday, November 11, 2024	Veterans' Day (State Holiday)
Thursday, November 28, 2024	Thanksgiving Day (State Holiday)
Friday, November 29, 2024	Day after Thanksgiving (State Holiday)
Wednesday, December 25, 2024	Christmas Day (State Holiday)