

HB 30-FN - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0051

07/10

HOUSE BILL

30-FN

AN ACT allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

SPONSORS: Rep. Aron, Sull. 4; Rep. C. McGuire, Merr. 27; Rep. Steven Smith, Sull. 3; Rep. Cloutier, Sull. 6; Rep. Drye, Sull. 7

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows the county commissioners to exempt the county chief administrative officer from compulsory membership in the state retirement system.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

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

1 1 New Hampshire Retirement System; Participation by Certain Employees of Political
2 Subdivisions; Modifications; Counties. Amend RSA 100-A:22 to read as follows:

3 100-A:22 Modifications. Membership in the retirement system shall be optional for officers and
4 employees of the employer who are in the service of the employer on the date when participation
5 becomes effective, and any such officer or employee who elects to join the retirement system within
6 one year thereafter shall be credited with prior service covering such periods of prior service
7 rendered to such employer for which the employer is willing to make accrued liability contributions.
8 If the employer is unable or unwilling to make such contributions, a member in service may petition
9 the board of trustees for periods of prior service rendered to such employer. Upon payment by the
10 member of the amount determined in accordance with RSA 100-A:3, VI(b) and with the approval of
11 the board, the member shall receive credit for such prior service. Thereafter, service for such
12 employer on account of which contributions are made by the employer and member shall also be
13 considered as creditable service. However, in no event shall prior service purchased as creditable
14 service under this section be used as creditable service for the purpose of eligibility for medical
15 benefits under RSA 100-A:52, RSA 100-A:52-a, or RSA 100-A:52-b. Membership shall be compulsory
16 for all employees entering the service of such employer after the date participation becomes effective.
17 Municipalities **and counties** may, by action of their city council, ~~[or]~~ board of selectmen, **or board**
18 **of county commissioners**, exempt their chief administrative officer, at the time of initial hiring or
19 appointment, from compulsory membership provided herein. The chief fiscal officer of the employer,
20 and the heads of its departments, shall submit to the board of trustees such information and shall
21 cause to be performed with respect to the employees of such employer, who are members of the
22 retirement system, such duties as shall be prescribed by the trustees in order to carry out the
23 provisions of this chapter.

24 2 Effective Date. This act shall take effect 60 days after its passage.

HB 30-FN- FISCAL NOTE
AS INTRODUCED

AN ACT allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

FISCAL IMPACT: ☐ State ☒ County ☐ Local ☐ None

County:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	Indeterminable

METHODOLOGY:

This bill allows counties to exempt their chief administrative officer (CAO) from mandatory participation in the New Hampshire Retirement System at the time of initial hiring or appointment. This option is currently available only to municipalities.

The New Hampshire Retirement System (NHRS) states this bill will have an indeterminable impact on County expenditures in FY 2026 as the rates have already been set for FY 2024 and FY 2025. The System also states the impact would only affect up to 10 NHRS members and would have a small impact (less than 0.1%) on the entire payroll from which NHRS contributions are made.

AGENCIES CONTACTED:

New Hampshire Retirement System