

SB 110-FN-LOCAL - VERSION ADOPTED BY BOTH BODIES

03/09/2023 0618s

2023 SESSION

23-0785

07/05

SENATE BILL

110-FN-LOCAL

AN ACT

relative to residency status.

SPONSORS:

Sen. Fenton, Dist 10; Sen. Watters, Dist 4; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Sen. Ricciardi, Dist 9; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Soucy, Dist 18; Rep. Newell, Ches. 4

COMMITTEE:

Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill clarifies the residency status of transient individuals for purposes of determining responsibility for local assistance.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Public Safety and Welfare; Aid to Assisted Persons; Nonresidents. Amend RSA 165:1-c to read
2 as follows:

3 165:1-c Nonresidents.

4 ***I.*** Any person, poor and unable to support himself, who is temporarily in a town or city
5 which is not his residence, and who does not intend to make it his residence, shall be provided such
6 temporary assistance as is reasonable and necessary by such town or city. Such town or city may, if
7 requested, cause such person to be returned to his residence.

8 ***II.*** *In addition to emergency housing governed by RSA 126-A:30, a person does not*
9 *change his or her residency status while in a hospital, a correctional facility, a treatment*
10 *program center, or a hotel or motel paid for by a municipality or other service provider,*
11 *except as provided in this section.*

12 ***III.*** *A person who leaves emergency housing of their own free will and remains in a*
13 *situation of homelessness or is removed from emergency housing for non-compliance or*
14 *policy violations of emergency housing or local welfare regulations, shall not be considered*
15 *to have changed his or her residency status for 30 days.*

16 ***IV.*** *A person assisted by a municipality, or other assistance providers, with*
17 *emergency housing assistance in a hotel or motel in another municipality, who then self*
18 *pays for a consecutive 30 days without municipal or other provider assistance shall, for*
19 *local welfare purposes, transition residency to the new municipality.*

20 ***V.*** *Temporary urgent assistance may need to be provided to meet basic needs of*
21 *transient individuals or residents of other municipalities. Municipalities shall*
22 *communicate and coordinate assistance options with each other, including*
23 *reimbursements from municipalities of origin pursuant to RSA 165:2-a.*

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

**SB 110-FN-LOCAL- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to administration of the emergency shelter program by cities and towns.

FISCAL IMPACT: ☒ **State** ☐ **County** ☒ **Local** ☐ **None**

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

The Department of Health and Human Services was contacted for a fiscal note worksheet on January 9, 2023, which they have not provided as of January 11, 2023.

METHODOLOGY:

This bill clarifies that a person does not gain or lose residency while in a hospital, treatment program center, or emergency housing until such time as they have acquired a more permanent residence. In the case of a person who leaves emergency housing voluntarily or due to noncompliance with housing rules, the bill states that the individual shall remain a resident of the municipality of origin for 30 days. In addition, the bill establishes that when a person was previously assisted by a municipality or other assistance provider but then self pays for a consecutive 30 days without assistance, that person's residency shall be transferred to the new municipality for local welfare purposes. Finally, the bill requires municipalities to coordinate assistance options with other municipalities when it is determined unreasonable for the person to physically return to the municipality of origin.

The New Hampshire Municipal Association states that due to the complexity of local welfare budgets, it is unable to determine the bill's impact. However, the Association assumes that the bill will more closely tie individuals to their municipality of origin while in emergency housing, which may reduce costs for municipalities with emergency housing while increasing costs for municipalities without such housing.

AGENCIES CONTACTED:

Department of Health and Human Services and New Hampshire Municipal Association