

HB 445-FN - AS INTRODUCED

2023 SESSION

23-0753

04/08

HOUSE BILL

***445-FN***

AN ACT                   relative to the operational funds of OPLC.

SPONSORS:           Rep. Ulery, Hills. 13; Rep. Merchant, Sull. 6; Rep. Goley, Hills. 21; Rep. C. McGuire, Merr. 27; Rep. M. Pearson, Rock. 34; Rep. J. Murphy, Graf. 12; Sen. Carson, Dist 14; Sen. Lang, Dist 2

COMMITTEE:       Executive Departments and Administration

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ANALYSIS

This bill makes the office of professional licensure and certification fund a nonlapsing fund, a portion of which shall be used for capital expenditures and to lower fees.

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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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the operational funds of OPLC.

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

1            1 Office of Professional Licensure and Certification Fund; Fees. Amend RSA 310-A:1-e, I(b) to  
2 read as follows:

3                      (b) There is hereby established the office of professional licensure and certification fund  
4 into which the fees collected under subparagraph (a) shall be deposited. ~~[After paying]~~ ***The fund***  
5 ***shall be nonlapsing and continually appropriated to the office of professional licensure***  
6 ***and certification. Moneys in the fund shall be used to pay*** all costs and salaries associated  
7 with the office~~[, moneys in this fund shall lapse to the general fund at the close of each biennium],~~  
8 ***and any remaining funds shall be used for capital expenditures related to the operation of***  
9 ***the office of professional licensure and certification and to reduce licensing and***  
10 ***certification fees.***

11            2 Effective Date. This act shall take effect 60 days after its passage.

**HB 445-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the operational funds of OPLC.

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

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund			

**METHODOLOGY:**

This bill changes the Office of Professional Licensure and Certification fund from a lapsing fund, at the end of the biennium, to a nonlapsing fund with a portion of the non lapsed amount to be used for capital expenditures and to lower fees.

The Office of Professional Licensure and Certification (OPLC) states this bill will not necessarily change the funding and expenditures to the State, but rather shift where the money ends up at the end of the biennium. Per this bill, the amount lapsed to the General Fund at the end of the biennium will decrease. OPLC indicates by not lapsing funds their office will be able to lower licensing and certification fees. OPLC state the effects from this bill may not occur for a few years and the amount is indeterminable.

Since FY 2019, the OPLC has lapsed \$3.3 million to \$4.1 million back to the General Fund at the end of each fiscal year. Chapter 91, Laws of 2021, changed the laws to have the funds lapse at the end of the biennium starting with the FY 2022-2023 biennium. Based on the historical trends, the OPLC would be expected to lapse between \$6.5 million to \$8 million back to the General Fund at the end of this biennium. This bill would allow the OPLC to retain the funds, thus decreasing the amount to the General Fund.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification