



## STATE HOUSE WATCH – YEAR IN REVIEW 2021

August 18, 2021

Greetings, State House Watchers,

We are writing to share with you our “State House Watch Year in Review 2021,” including a comprehensive list of the bills we were tracking for the 2021 session and their various outcomes. As we labored to gather this information for our readers, we were renewed in gratitude for the extraordinary work that Susan Bruce did over the past seven years to bring order and clarity to the weekly newsletter and the end of session report. We imagined her clever, shrewd and rueful humor as we called to mind the highs and lows of this wild legislative year. We sure do miss her, as a companion, co-worker and friend.

We’re hoping that summer is giving you an opportunity to rest, relax and care for your spirit, and that you are enjoying a break from the demands of the busy legislative session. We imagine that many of you have remained attentive and active in support of many important federal policy proposals which are moving or poised to move soon in the U.S. Congress – the ‘For the People’ Act, the budget resolution, pathways to citizenship, the infrastructure bill, and more. There is always something important going on!

The last couple of weeks have brought news of intensifying crises around the world – a resurgence of COVID, an escalating climate crisis, an assassination and an earthquake in Haiti, a chaotic end to the devastating US war in Afghanistan. From AFSC’s recent statement, [The US must invest in diplomacy in Afghanistan and grant asylum for those fleeing](#):

*We support people’s efforts to leave the country to find safety or seek a better life, and also call for the rights of those who remain to be respected and protected. The U.S government has a responsibility – after decades of military occupation, war, and lies – to assist Afghans wishing to emigrate, and to provide them asylum in the United States. The way forward in Afghanistan is engagement and diplomacy with all parties. Twenty years of resources were squandered on militarized occupation, many times the amount that went toward strengthening civil society, education, infrastructure, or community level support that would actually benefit the Afghan people. We must now grapple with the real costs of war and stop using the same militarized approaches that have failed us time and again.*

We are holding in the Light all who are suffering harm and in a particular way, the New Hampshire families who are awaiting news of loved ones in Afghanistan and Haiti. And we remind ourselves that the need for movements grounded in love, justice, humility, and nonviolence is greater than ever. From Valerie Kaur (*On Revolutionary Love*):

*“Love calls us to look upon the faces of those different from us as [siblings]. Love calls us to weep when their bodies are outcast, broken or destroyed. Love calls us to speak even when our voice trembles, stand even when hate spins out of control, and stay even when the blood is fresh on the ground. Love makes us brave. The world needs your love: the only social, political, and moral force that can dismantle injustice to remake the world around us – and within us. ...To pursue a life of revolutionary love is to walk boldly into the hot winds of the world with a saint’s eyes and a warrior’s heart – and pour our body, breath, and blood into others.”*

### **Latest news from the State House**

Governor Sununu signed 30 bills into law last week, on a variety of topics including the environment, broadband expansion and designating church services as essential during a state of emergency. You can read more details at [InDepthNH](#). This brings to 84 the total number of bills signed into law since the legislature adjourned on June 24. He has also vetoed six bills in that time, including HB 98, the bipartisan bill that would have moved state primaries to the first week of August instead of the second week in September. See the [Conway Daily Sun](#) for more of the story. You can keep track of bill signings and vetoes (and read the signing/veto statements) at the [governor’s website](#).

This is as good a spot as any to remind you of the deadlines for filing new bills for the 2022 legislative session. House members must submit legislative service requests (LSRs) during the period of September 13 to 17; for senators, the period is later and longer, from October 13 to 27. By late fall, we will start to see some of these new bill titles on the General Court website which will give us some idea of the work ahead of us in 2022.

House and Senate committees will meet in the fall to take up the 2021 bills that were retained in committee (in the House) or rereferred to committee (in the Senate). Committees must take some action on these bills by the deadline (November 18 in the House, December 16 in the Senate); these recommendations will be considered by the full body when the legislature reconvenes in January.

### **Looking Back at the 2021 Session**

**Scroll down** for our comprehensive list of all of the 2021 bills we were tracking and their outcomes.

The House and Senate adjourned on June 24, ending a session marked by pandemic accommodations (and lack of accommodations), dysfunction, hyperbole, racist and anti-Semitic words and deeds, lack of accountability for said deeds, and the codification of regressive policies that threaten to erode the well-being of New Hampshire institutions, communities and families.

### **First, Some Highlights**

We want to lift up some highlights from the 2021 session first, starting with the inspiring leadership of Black, Indigenous, and People of Color (BIPOC) community members, especially youth and young adults, whose participation in legislative hearings and other advocacy actions gave voice to urgent and interconnected demands for racial, social and economic justice in New Hampshire. At rallies and in hearings, these spirited activists challenged capitalism and White supremacy while calling for climate justice, gender justice, racial justice, reproductive rights, prison abolition, immigrant rights, disability rights, higher taxes for the wealthy, fair wages, and support for public education. Despite many obstacles and setbacks, it is clear that there is a growing resolve and capacity in the Granite State to bring transformational change to our institutions and communities. For this reason, the future looks bright.

Overall, public participation in legislative hearings was extraordinary. The House and Senate gave access to the public via Zoom and YouTube, and the people responded with enthusiasm, showing up by the hundreds and even thousands to testify or sign in to show support or opposition to bills, sharing their stories and perspectives. At State House Watch, we believe this participation is essential to a healthy representative democracy, and we urge House and Senate leaders to continue these practices in 2022. Every elected official should value transparency, access and participation in our legislative processes.

Another good news story during the last session was the defeat – by organized labor, faith leaders and others – of SB 61, the “Right to Work” bill, despite lots of out-of-state money and lobbying in support of the anti-union, anti-worker proposal. And because this bill was ‘indefinitely postponed,’ it can’t come back in 2022. One less thing to worry about!

Two anti-immigrant bills were defeated in 2021, thanks to the leadership and organizing of immigrant community members and allies – HB 266, which would have required state and local governments to cooperate with federal immigration enforcement, was tabled on a voice vote in April; and HB 587, which would have required that citizenship status be indicated on driver licenses and non-driver identification cards, was defeated through inaction during the House crossover session.

The state budget allocates \$30 million for the creation of a new 24-bed forensic psychiatric hospital which would replace the secure psychiatric unit (SPU) at the state prison, and sets a deadline of 2023 for the closure of the Sununu Center.

The state budget also includes \$35 million for NH’s Affordable Housing Fund. As explained by Housing Action NH, *“this appropriation represents the largest state expenditure to the Fund since it was created in 1988...and supports the creation of multi-family housing developments that may not have other resources, such as supportive housing for individuals with special needs; allows NH Housing to support local housing needs more effectively and to meet important public goals; provides flexibility to developers since AHF financing has fewer regulatory restrictions than most federal funding; and enables housing developers to significantly leverage their total project financing.”* (See more at [HousingActionNH.org](https://www.housingactionnh.org))

In a win for transgender athletes, HB 198 was retained in committee. The bill would have prevented transgender girls and young women from participating in high school and college sports. *“There are no changes that could make this discriminatory bill acceptable, but today’s move by the committee is a victory for trans girls in New Hampshire, who will continue to be able to play on sports teams with their peers.”* said Palana Belken, who authored a report on trans-inclusive student policies. *“Teammates, coaches, parents, and trans athletes turned out overwhelmingly against this bill, with 1135 people signing in to oppose the bill and 30 individuals sharing powerful testimony against it. That made it impossible for the committee to send it to the House with a positive recommendation.”*(More at [Glad.org](https://www.glad.org))

*In other good news....*

The NH Supreme Court, by a vote of 4-0, struck down the 2017 voter suppression bill, SB 3, as unconstitutional, and placing an undue burden on the right to vote. See the [story at NHPR](#).

Throughout the session, there were grassroots mobilizations in support of Asian American and Pacific Islander (AAPI) communities and Black Lives Matter, and celebrations in honor of Martin Luther King, May Day and Juneteenth. There were demonstrations in support of ‘courage over censorship’ and in favor of a People’s Budget for New Hampshire. We are glad for all who organized and attended these events, which strengthen our resolve and our connections to each other, both of which are needed for the long road ahead.

### **And Now for Some Lowlights**

From the chaotic opening session in January – drive-in movie style at UNH, with lots of honking of horns, and disregard for the needs of House members with disabilities—it was clear that voting days would be crude affairs as long as the Speaker Packard refused to consider remote sessions.

We at State House Watch are cheering on the House members who have challenged these decisions with a lawsuit in federal court, *Cushing v. Packard*, arguing that legislative immunity does not exempt the legislature from its duties under the Americans with Disabilities Act. A negative decision in the US District Court was [vacated](#) by the Court of Appeals and the case moves forward. The U.S Department of Justice supports the plaintiffs, and recently filed an [amicus brief](#).

Subsequent House sessions in February, April and June took place at the Sportsplex in Bedford, where large numbers of Republican House members insisted on being maskless. One would have thought that the death of Speaker Dick Hinch from COVID in December 2020, and the medical vulnerabilities of House members on both sides of the aisle would have inspired more compliance with the simplest of public health recommendations. But clearly many were unconvinced by common sense and the needs of others.

We were dismayed when 73 bills were left to die for lack of action by the House at ‘crossover’

time in early April. This careless act by the Speaker was disrespectful to the legislative process and to the hard work of bill sponsors, committee members and the public.

The worst and most consequential outcome of the 2021 legislative session was approval, on party lines, of a state budget that underfunds essential programs and services while delivering tax cuts to the wealthiest Granite Staters and corporations. HB 2, the budget trailer bill, contains a laundry list of regressive measures, including a sweeping school voucher program that will drain millions from public education; abortion restrictions that carry civil and criminal penalties for noncompliance, and without exceptions for rape, incest or fatal fetal abnormalities; and language which prohibits teaching the truth about institutional racism, sexism and other forms of oppression.

The latter issue, referred to as the ‘divisive concepts’ ban because of language in the original proposal, has sparked anger, fear and confusion among a diverse group of stakeholders throughout the state, including educators who are preparing for the start of school in just a few days, and those who work with public employees to address issues of equity and implicit bias. The governor signed this censorship language into law when he signed the state budget, prompting the resignation of more than half of the members of the Governor’s Council on Diversity and Inclusion ([see NHPR](#)).

As part of a national and well-funded campaign to erode the progress being made to recognize and dismantle oppressive systems, this debate is sure to gather steam in the coming months, especially at school board meetings where we are already noting an increased presence of White supremacist groups. Resistance to this new law will require persistent, creative and multi-faceted actions, including legal and legislative efforts. We appreciate the courage of the five protesters who were arrested at the State House on June 24 for insisting that they would not leave the building until Governor Sununu met with them to hear their objections. Join the [We Will Not Be Silent rally](#) on Friday morning in Concord to show solidarity with these leaders.

We note with sadness the legislature’s failure, yet again, to enact a wage increase for New Hampshire’s lowest wage workers, defeating even a modest attempt to raise the minimum wage to \$10/hour. It is terrible that despite public praise and gratitude for essential workers during this ongoing pandemic, we cannot deliver for them a more dignified wage. Not only did legislators fail to raise the minimum wage, but they approved, on a party-line vote, a mean-spirited measure to ensure that if Congress manages to raise the minimum wage, tipped workers in New Hampshire will not benefit from the increase. [NHPR has the story](#).

### **In Other News....**

As cases of COVID-19 continue to rise in New Hampshire, and all but two counties are experiencing “high” or “substantial” rates of transmission, we urge all who are able to do so to get vaccinated and to continue or return to mask-wearing. We keep track of infection, hospitalization and vaccine data at the state’s [COVID dashboard](#), and we also read the [NHPR COVID blog](#) for related news.

We are relieved that the CDC’s eviction moratorium has been extended to October 3, thanks to the activism of many including U.S. Representative Cori Bush who slept for five nights outside at the U.S. Capitol. See [InDepthNH](#) and [NH Bulletin](#) for more information about the moratorium and how to access the protections. We urge all in need of rental assistance to take immediate action to access the federal funds available via the [Community Action Program](#).

The recent release of census data has good news for New Hampshire in terms of our growing diversity, and some important messages with regard to wealth inequality across the state. See Garry Rayno’s reporting, [Census Data Paints a Picture of Two New Hampshires](#). The census data will be used to guide a redistricting process that, we hope, will be implemented with transparency and a commitment to fair representation rather than partisan political gain. Read about the advocacy in favor of [fair and impartial redistricting here](#) and add your voice to these important efforts.

## **“State House Watch” Year in Review 2021**

### **A Guide to the Year in Review**

Welcome to the State House Watch Year in Review. In this report, we provide information about the outcome of the bills we tracked during the 2021 legislative session. They’re broken down by category to make it more manageable. Each bill is hyperlinked to the “docket” on the General Court webpage. From that site you can find the bill’s text, a report on the path it took from introduction to its ultimate fate, and links to reports on any roll call votes that took place. There’s even a link to [docket abbreviations](#) if some of the jargon is confusing.

A bill originating in the House has the prefix HB before the numbers, and a bill originating in the Senate has SB as the prefix.

Where possible, we have indicated whether votes were cast by voice, by roll call, or by “division.” A voice vote means the Speaker of the House or the President of the Senate determined whether “yea” or “nay” was in the majority on any motion based on the voices of the lawmakers; there is no record of who voted which way. A division vote in the House means that a precise vote count was taken, but that the votes of individual members were not recorded. If a roll call was taken, however, you can look up how each member voted (or if they did not vote at all). Be careful in reading these because it can be confusing. For example, a “yea” vote on an ITL (“inexpedient to legislate”) motion is a vote to kill a bill, not a vote in favor of the bill. A vote on a motion to table is not necessarily an indication of how that member would vote if the bill were to come up for an actual vote.

You can look up roll calls in a number of ways if you want to find out how particular members voted. For one thing, each member has their own page where you can find all recorded votes. Alternatively, you can go to the docket for any bill and click on the vote if it shows up in the

docket. Or you can click on [the voting record page](#) where you can search your way through roll calls on any House or Senate votes by year and bill number (going back to 1999!).

A strange thing happened at crossover this year. (Crossover is the mid-point of the session, and the deadline by which all bills that originated in one chamber had to be acted upon or they would ‘die.’) This year, crossover in the House was a 3-day session on April 7, 8 and 9. The House Calendar was structured in such a way that all of the bills that came out of committee with an “Inexpedient to Legislate” (ITL) recommendation (that is, a recommendation for defeat) were put in the third section of the calendar. Due to some agreement that House members would depart the Sportsplex by a certain time on April 9, the three-day session ended without having addressed 73 bills. Because the crossover deadline passed without action, all of these bills died.

In odd numbered years (the first year of the two-year legislative session) bills can be “retained” (in the House) or “re-referred” (in the Senate) rather than being adopted, tabled, or defeated. This may mean that the committee liked the bill but thought it needed more work than the usual committee schedule permitted. In the House, the decision to retain a bill is made within the committee. Every committee handles the retained bills differently, and the House and Senate have different deadlines for when they need to file a report on these bills (this year it’s November 18 for the House, and December 16 for the Senate). You can find a list of all retained and rereferred bills by going to the [Advanced Bill Search](#) page on the General Court website and scrolling down to where you can select “All Senate Rereferred” or “All House Retained.” Scheduled work sessions for these bills will be posted in the House and Senate calendars. Whatever action the committees take on these bills will be brought to the full body at the start of the 2022 session.

Finally, in most cases the final step for a bill to become law is for it to be signed by the governor. At this time, some bills are still in the pipeline between the General Court and the governor’s desk. When it reaches him, he will either sign the bill into law, allow it to become law without his signature, or veto it. If this report indicates the bill is still awaiting action, we advise that you look up its status, which may have changed. The representatives and senators will come back in the fall for a “veto override day” session, where all the vetoed bills will come up for additional votes. If a two-thirds majority in both chambers votes to override, the bill becomes law. If the vote falls short of two-thirds in either chamber, the veto is sustained.

The House and Senate publish new calendars every two weeks in the summer when the legislature is not in session. You can find them on the General Court website in the resources section or use the drop-down House and Senate menus at the top of the page.

And lastly, a reminder about State House lingo:

OTP – “Ought to Pass,” the recommendation for approving a bill or an amendment.

OTP/A – Ought to Pass with Amendment.

ITL – “Inexpedient to Legislate,” the recommendation for defeating a bill or an amendment.

“ITL” can also be used as a verb.

IS – Interim Study

## **The Budget**

[HB 1](#) Making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2022 and June 30, 2023. Approved by a vote of 208-172 in the House, and a vote of 14-10 in the Senate. Signed by the governor on June 25.

[HB 2](#) Relative to state fees, funds, revenues, and expenditures. Also called the ‘budget trailer bill,’ HB 2 typically contains policy changes required to enact the revenue and spending described in HB 1. Approved by a vote of 198 -181 in the House, and a vote of 14-10 in the Senate. Signed by the governor on June 25.

[HB 25](#) Making appropriations for capital improvements. Approved by voice votes in the House and Senate on June 24. Signed by the governor on July 9.

## **Children and Families**

[HB 60](#) Raising the minimum age of marriage. This bill raises the minimum age of marriage from 16 to 18 years of age. Retained in House Child and Family Law Committee.

[HB 68](#) Relative to the Definition of Child Abuse. This bill adds sexual reassignment to the definition of an abused child in RSA 169-C, the child protection act. House committee voted 15-0 to ITL.

[HB 120](#) Relative to administration of psychotropic medications to children. This bill requires the department of health and human services to provide medication monitoring for children in foster care and to ensure that the use of medication restraint conforms with the limitations of RSA 126-U. House voted OTP-A by voice vote on April 7. Senate voted OTP-A by roll call vote of 24-0 on April 29. Signed by the governor on August 10.

[HB 230](#) This bill revises the procedure for posting results of child day care monitoring visits on the department of health and human services website and expands the licensees' opportunity to respond to the department's findings. It established continuing education and professional development requirements for child day care providers, and the appeals process for child day care providers. It establishes minimum qualifications for certification as a childcare associate teacher. It also permits a child day care agency to appeal the decision resulting from the informal dispute resolution process; provides that, with limited exception, the agency may operate pending appeal of the department's decision; and prohibits the department from retaliating against the child day care agency. Retained in House Executive Departments and Administration Committee.

[HB 427](#) Prohibiting corporal punishment of children in state agency programs. This bill requires state agencies to provide in their policies and procedures related to children that all forms of



corporal punishment are prohibited. Passed by a voice vote in the House on February 24. Senate voted by voice to rerefer to Judiciary Committee.

## **Civil Rights**

[HB 155](#) Renaming Columbus Day as Indigenous People's Day. This bill renames Columbus Day as Indigenous People's Day for the purpose of state holidays. Tabled in the House by division vote of 242-124 on April 9.

[HB 198](#) Relative to an exception to the opportunity for public education without discrimination. This bill excepts biological males by birth from the provision that no person may be excluded from participation in public schools as that provision applies to participation in all-female athletics. Retained in the House Education Committee.

[HB 295](#) Relative to initiating amendments and corrections to birth records. This bill provides a procedure for an individual to obtain a new birth certificate to reflect a sex designation other than that which was assigned at birth. Tabled in the House on April 8.

[HB 359](#) Prohibiting discrimination based on hairstyles relative to a person's ethnicity. This bill creates a private cause of action for discrimination based on hairstyles relative to a person's ethnicity. This bill also exempts such causes of action from the jurisdiction of the human rights commission. Retained in House Judiciary Committee.

[HB 542](#) Relative to the protection of religious liberty. This bill provides that, during a state of emergency, the state shall permit religious organizations to operate to the same degree as other organizations that provide essential services or are vital to public health and welfare. House approved with a roll call vote of 205-158; Senate approved by a vote of 14-10. Signed by the governor on August 10.

[HB 544](#) Relative to the propagation of divisive concepts. This bill defines and prohibits the dissemination of certain divisive concepts related to sex and race in state contracts, grants, and training programs. Tabled in the House on April 8. Nearly identical language was added into the state budget trailer bill, HB 2, which was signed by the governor on June 25.

[HB 579](#) Requiring notice to the public before immigration check points are conducted. This bill requires the chief law enforcement officer to inform local media when he or she is informed by Border Patrol of an immigration checkpoint. Retained in the House Criminal Justice and Public Safety Committee.

## **Commerce**

[HB 76](#) Prohibiting paper billing fees. This bill prohibits a person from charging an additional fee for paying by mail or receiving a paper billing statement. House voted ITL by division vote of 206-146 on February 24.

[HB 265](#) Requiring bottled drinking water sold to the public to meet the same maximum contaminant levels established for public drinking water. This bill requires bottled water to comply with the maximum contaminant levels in the New Hampshire safe drinking water act. House voted ITL by a voice vote on April 7. (House retained HB 335 instead because it has identical language.)

[HB 335](#) Requiring bottled drinking water sold to the public to meet the same maximum contaminant levels established for public drinking water. This bill requires bottled water to comply with the maximum contaminant levels in the New Hampshire safe drinking water act. Retained in the House Commerce and Consumer Affairs Committee.

### **Criminal Justice**

[SB 96](#) (2nd New Title) Relative to establishing a body-worn and in-car camera fund and making an appropriation therefor; amending juvenile delinquency proceedings and transfers to superior court; and establishing committees to study the role and scope of authority of school resource officers and the collection of race and ethnicity data on state identification cards. House voted OTP/A on a voice vote on June 3. The Senate concurred on a voice vote on June 10.

[HB 66](#) Relative to the use of deadly force by a law enforcement officer. This bill removes the legal authority for a law enforcement officer to use deadly force in effecting an arrest. Committee recommendation was ITL, but the full House never took action on the bill so it died at crossover.

[HB 81](#) Relative to the justified use of deadly force upon another person. This bill permits the use of deadly force in defense of another person. House committee recommended OTP, but the full House tabled the bill with a roll call vote of 331-17 on February 25.

[HB 123](#) Granting immunity from prosecution for prostitution for reporting a sexual assault. This bill provides immunity from prosecution for prostitution for a person reporting to law enforcement that such person or another person is the victim of a sexual assault. House voted OTP-A in a division vote of 354-16 on April 7. Senate voted OTP by voice vote on May 13. Signed by Governor Sununu on June 18.

[HB 138](#) Allowing prisoners serving life sentences to be eligible for parole after 25 years. This bill requires parole review of certain offenders sentenced to life without parole. Committee recommended ITL, but the full House never took action on the bill so it died at crossover.

[HB 180](#) Increasing the penalty for buyers under the law regarding trafficking in persons. This bill increases the penalty for a person who pays to engage in sexual contact with another person under the age of 16 who is a victim of human trafficking. House voted OTP-A by voice vote on

April 7. Senate voted OTP by voice vote on May 27. Signed by Governor Sununu on July 30.

[HB 196](#) Adding trespass as an exception to the charge of criminal threatening. This bill adds an exception to the criminal threatening statute for a person who displays a firearm to warn away a trespasser. House voted OTP-A by a roll call vote of 208-159 on April 7. Senate rereferred to committee by voice vote on May 27.

[HB 197](#) Relative to the use of deadly force in defense of another. This bill permits the use of deadly force against another person in circumstances where deadly force is used in the commission of felony against a person in a vehicle. House voted OTP by a roll call vote of 206-144 on February 25. Senate voted by voice to rerefer to the Senate Judiciary Committee on May 13.

[HB 238](#) Prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases. Retained in House Criminal Justice and Public Safety Committee.

[HB 253](#) Requiring law enforcement officers to use body-worn cameras and establishing a grant program to assist local law enforcement agencies to purchase body-worn cameras. This bill establishes the public safety enhancement fund; requires all law enforcement officers to use body-worn cameras; and transfers one percent of the money from the penalty assessment fund to the public safety enhancement fund. Retained in House Criminal Justice and Public Safety Committee.

[HB 237](#) Relative to the legalization and regulation of cannabis and making appropriations therefore. This bill establishes procedures for the legalization, regulation, and taxation of cannabis; the licensing and regulation of cannabis establishments; and makes appropriations therefor. Retained in House Criminal Justice and Public Safety Committee.

[HB 270](#) Relative to post-conviction DNA testing. This bill amends the statute governing post-conviction DNA testing procedures. House voted OTP by voice vote on April 7. Senate voted OTP in a roll call vote of 24-0 on April 29. Signed by Governor Sununu on May 25.

[HB 346](#) Relative to the funding source for the domestic violence programs fund. This bill provides that a portion of the marriage license fee shall be deposited in the general fund rather than the fund for domestic violence grant programs. The bill directs certain funds from parking violations to the domestic violence grant program. Retained in House Ways and Means Committee.

[HB 436](#) Relative to eyewitness identification procedures. This bill adds remedies for noncompliance with eyewitness identification procedures. House voted OTP-A by voice vote on April 7. Rereferred to the Senate Judiciary Committee by voice vote on May 13.

[HB 493](#) Establishing a criminal penalty for an assault or threat committed against a person who

is conveying public health or safety guidance or requirements during a declared state of emergency. House voted ITL by a voice vote on April 7.

[HB 507](#) Prohibiting no-knock warrants. This bill prohibits a law enforcement officer from seeking, executing, or participating in the execution of a no-knock search warrant. Committee recommended ITL but the full House did not act on the bill so it died at crossover.

## Education

[CACR 3](#) Providing that money raised by taxation may be applied for the use of religious educational institutions. This constitutional amendment concurrent resolution removes the prohibition of the use of money raised by taxation for schools of any religious sect or denomination. House voted OTP by a roll call vote of 197-175 on April 8 but, lacking the necessary 3/5 support for a constitutional amendment concurrent resolution, the proposal was defeated.

[HB 20](#) Establishing the Richard "Dick" Hinch education freedom account program. Retained in the House Education Committee.

[HB 69](#) Relative to the authority of schools to display the national anthem and state mottos in schools. This bill prohibits the state of New Hampshire or any political subdivision from restricting a school from displaying the national or state motto. House voted OTP in a roll call vote of 204-169 on April 8. Senate voted OTP-A by voice vote on May 13. Signed by Governor Sununu on 7/30.

[HB 110](#) Relative to the distribution of adequate education grants. This bill requires the department of education to distribute adequate education grants to municipalities and requires such municipalities to transfer the grants to their school district or districts. House voted OTP in a roll call vote of 190-152 on February 25. Senate voted 23-1 on April 8 to rerefer to the Senate Education Committee.

[HB 136](#) Requiring schools to update birth documents and software to include the option of identifying a student as non-binary. This bill requires schools to update documents and software to include the option of identifying a student as non-binary. Retained in House Education Committee.

[HB 170](#) Commemorating the first labor strike in the United States by women. This bill proclaims a yearly commemoration of the first labor strike in the United States by women in Dover. Retained in House Executive Departments and Administration Committee.

[HB 242](#) Relative to the content of an adequate education. This bill adds specifics to the requirements of providing an opportunity for an adequate education. Committee of Conference report adopted by voice vote in both chambers on June 24. Vetoed by Governor Sununu on July 30.

[HB 257](#) Prohibiting political advocacy in public schools. This bill prohibits: schools from advocating for or against any political candidate or measure on the ballot within the district; instruction that advocates for or against any political doctrine, or that subjects any political position to ridicule; denial of any student's freedom of speech. Retained in the House Education Committee.

[HB 276](#) Relative to availability of menstrual hygiene products in schools. This bill requires school districts to make reasonable efforts to ensure that menstrual hygiene products are available at no cost in middle and high schools. This bill also provides that school districts may seek state reimbursement to fulfill this obligation. Retained in House Education Committee.

[HB 319](#) Requiring students in the university and community college systems of NH to pass the US Citizenship and Immigration Services civics naturalization test. This bill requires university system and community college system students, as a requirement for graduation, to pass the 2020 version of the United States Citizenship and Immigration Services naturalization test. House voted OTP in a roll call vote of 188-187 on May 8. Senate, by a voice vote on May 13, rereferred to the Senate Education Committee.

[HB 320](#) Requiring a civics competency assessment as a high school graduation requirement. This bill requires high school students to attain a grade of 70 percent or better on the civics naturalization examination developed by the United States Citizen and Immigration Service. Senate voted OTP-A in a roll call vote of 14-10; House concurred in a division vote of 202-161 on June 10. Signed by Governor Sununu on July 29.

[HB 441](#) Requiring the Universal Declaration of Human Rights to be placed in all public schools. This bill requires the school board, or board of trustees of a chartered public school, to place a copy of the Universal Declaration of Human Rights in all public schools and in every classroom where civics is taught. House voted to ITL by voice vote on April 7.

[HB 458](#) Relative to provision of menstrual products for students in need. This bill: permits school health departments to make reasonable efforts to secure, through grants and donations, and distribute menstrual hygiene products to students in need; and repeals the provision that requires public middle schools and high schools to provide menstrual hygiene products at no cost. House laid on the table in a roll call vote of 192-184 on April 8.

[SB 130](#) Relative to education freedom accounts. This bill establishes the education freedom account program which permits the treasurer to transfer adequate education grants, plus any differentiated aid that would have been provided to a public school, to a scholarship organization for disbursement to parents to be used for certain educational purposes. The Senate voted OTP and then proceeded to table the bill. It did not proceed to the Senate Finance Committee for assessment of its fiscal impact. Senate budget writers added it to the state budget which was signed by the governor on June 25.

## Elections

[CACR 4](#) Providing that an independent redistricting commission shall be established to draw boundaries for state and federal offices. This constitutional amendment concurrent resolution establishes an independent redistricting commission to draw the boundaries for state, county, and federal elections. Committee recommended ITL, but the full House failed to act on the bill so it died at crossover.

[HB 61](#) Relative to absentee voting and allowing for partial processing of absentee ballots prior to election day. This bill allows no-excuse absentee voting and partial processing of absentee ballots prior to election day. Committee recommended ITL, but the full House failed to act on the bill so it died at crossover.

[HB 86](#) Relative to voter qualifications and registration procedures. This bill: eliminates election day voter registration and enacts provisions of the National Voter Registration Act; requires that a voter be registered as a member of a party prior to the date of the primary in order to be eligible to vote in that party's primary; requires that students enrolled in New Hampshire institutions of learning who wish to register to vote using their address at such institutions attest to the fact that they have qualified for in-state tuition in order to register to vote. Retained in the House Election Law Committee.

[HB 87](#) Relative to the definition of electioneering. This bill amends the definition of "electioneering" to remove the prohibition against wearing clothing or paraphernalia that a reasonable person would believe explicitly advocates for or against any candidate, political party, or measure being voted. Retained in House Election Law Committee.

[HB 97](#) Modifying the dates of the state primary and associated filing deadline. This bill changes the date of the state primary election to the second Tuesday in August. Retained in House Election Law Committee.

[HB 98](#) Relative to the date of the state primary election. This bill changes the date of the state primary election to the first Tuesday in August. Senate adopted the Committee of Conference report by voice vote on June 24. House adopted the Committee of Conference report in a roll call vote of 192-183 on June 24. Vetoed by Governor Sununu on July 30.

[HB 105](#) Relative to political contributions made by limited liability companies. This bill requires that a political contribution by a limited liability company be allocated to members for purposes of determining whether a member has exceeded the contribution limits. House committee recommended ITL, but the full House failed to act and so the bill died at crossover.

[HB 121](#) Establishing an independent redistricting commission. House voted ITL in a roll call vote of 198-158 on February 24.

[HB 127](#) Relative to the placement and removal of political advertising. This bill clarifies the

circumstances under which political advertisements may be placed on public property. House voted ITL by voice vote on February 24.

[HB 144](#) Relative to absentee ballot request forms. This bill modifies the absentee ballot request forms and absentee ballot envelopes. Retained in House Election Law Committee.

[HB 223](#) Relative to political party access to a list of absentee ballot requests. This bill authorizes political parties to request and subscribe to the absentee ballot request list from the secretary of state and adds the date the absentee ballot was returned to the information provided. Senate voted OTP with amendment by voice vote on May 20. House concurred by voice vote on June 10. Signed by Governor Sununu on July 23.

[HB 263](#) Relative to campaign finance reform and increasing the threshold for reporting by political committees. This bill repeals voluntary expenditure limits, increases the expenditure and contribution reporting threshold for all political entities, and modifies the maximum contribution amount a person may contribute to candidate committees and political committees. This bill also increases the dollar threshold for reporting by political committees. Senate voted OTP with amendment by voice vote on May 20. House concurred with Senate amendment in a division vote of 198-161 on June 10. Signed by Governor Sununu on July 30.

[HB 273](#) Relative to the 50th anniversary of the passage of the 26th amendment granting the right to vote to 18-21 year olds and celebrating youth voting and office holding. This bill proclaims May 13, 2021 as youth franchise and youth officeholder day in New Hampshire, in honor of the 50th anniversary of New Hampshire's ratification, on May 13, 1971, of the 26th Amendment to the United States Constitution which granted the right to vote to 18-21 year olds and made 18-21 year olds eligible to hold office in the state. House voted OTP in a division vote of 330-33 on April 8. Senate voted OTP in a roll call vote of 23-0 on May 6. Signed by Governor Sununu on May 11.

[HB 285](#) Relative to verification of voter checklists. This bill modifies the procedures for ongoing verification of the information contained in voter checklists. Senate voted OTP with amendment by voice vote on May 20. House concurred with Senate amendment by voice vote on May 10. Signed by Governor Sununu on July 23.

[HB 286](#) Establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire. House voted OTP by voice vote on April 7. Senate voted OTP in a roll call vote of 23-1 on April 22. Signed by Governor Sununu on May 17.

[HB 291](#) Relative to public inspection of absentee ballot lists. This bill requires that town and city clerks shall make absentee ballot voter lists available for public inspection. Committee of Conference report was not approved in the Senate, so the bill was defeated on June 23.

[HB 292](#) Relative to the ability of the public to observe the processing and counting of absentee ballots. This bill establishes procedures for the verification of certain mail-in absentee voter

applications. House voted OTP in a roll call vote of 198-174 on April 8. Senate rereferred to the Election Law and Municipal Affairs Committee by voice vote on May 20.

[HB 327](#) Requiring that voters show identification when personally delivering absentee ballots to town and city clerks. This bill requires a city or town clerk to mark the affidavit envelope of an in-person absentee voter verifying that such person presented identification when returning his or her ballot. Retained in House Election Law Committee.

[HB 362](#) Relative to domicile of students for voting purposes. This bill repeals the consideration of a student's educational institution as his or her place of domicile for voting purposes. Retained in House Election Law Committee.

[HB 372](#) Relative to enforcement of the election laws. This bill permits county and municipal attorneys to enforce election laws. Committee recommended ITL, but the full House failed to act on the bill so it died at crossover.

[HB 406](#) Relative to the ability of the public to observe the processing and counting of absentee ballots. This bill requires that the public be permitted to observe the processing and counting of absentee ballots. Retained in House Election Law Committee.

[HB 429](#) Relative to college or university student voting. This bill provides for in-state tuition at any institution in the university system of New Hampshire or the community college system for any person who is registered to vote in this state. The bill also removes college or university identification cards from valid photo identification for obtaining a ballot. Committee recommended ITL, but the full House failed to act so the bill died at crossover.

[HB 465-FN](#) Relative to permissible campaign contributions by business organizations and labor unions and relative to funding source disclosure for political advertising. This bill requires business organizations and labor unions to make political contributions through segregated funds. Committee recommended ITL, but the full House failed to act so the bill died at crossover.

[HB 468](#) Relative to the definition of political advocacy organization. This bill modifies the definition of political advocacy organization for purposes of political expenditure and contribution laws. Committee recommended ITL, but the full House failed to act so the bill died at crossover.

[HB 480](#) Relative to verification of ballots cast in an election. This bill allows for public access to cast ballots. Retained in House Election Law Committee.

[HB 482](#) Relative to the use of campaign contributions for personal use expenditures. This bill prohibits the use of campaign contributions for certain personal uses. Retained in House Election Law Committee.



[HB 483](#) Prohibiting certain political advertising. This bill prohibits political advertising that states or suggests a candidate for office would have opposed legislation from prior legislative sessions when the candidate in question has either never been a legislator or was not a legislator when such legislation was voted on. House voted ITL by voice vote on February 24.

[HB 489](#) Prohibiting certain political contributions. This bill prohibits political committees from contributing \$10,000 or more to any other political committee during any election cycle. Committee recommended ITL but the full House failed to act so the bill died at crossover.

[HB 491](#) Relative to over voted ballots. This bill requires that ballots that include a federal office and which contain more than the allowable number of votes for an office on the ballot be returned to the voter for possible correction before the ballot is counted. This bill also requires the number of over voted ballots be included in the return for each election that includes a federal office. Committee recommended ITL, but the full House failed to act so the bill died at crossover.

[HB 502](#) Establishing a committee to study whether adequate funds are being set aside from the tobacco fund for youth and young adult prevention to help preserve long-term health. This bill establishes a committee to study whether adequate funds are being set aside from the tobacco fund for youth and young adult prevention to help preserve long-term health. House voted ITL by voice vote on April 7.

[HB 521](#) Relative to the chartered public school annual grant for leased space. This bill increases the limit on the amount of the annual grant for leased space provided to a chartered public school. Retained in the House Finance Committee.

[HB 531](#) Relative to determining the qualifications of voters and establishing provisional voter registration and provisional ballots. This bill eliminates the qualified voter affidavit and establishes provisional registration and voting procedures. Retained in House Election Law Committee.

[HB 537](#) Relative to the date of the state primary. This bill allows for the state primary election to be held on the first Tuesday in September when necessary to comply with federal requirements for sending ballots to UOCAVA voters 45 days before a general election. Retained in House Election Law Committee.

[HB 595](#) Making a capital appropriation for the digitization and preservation of certain New Hampshire supreme court records. This bill makes a capital appropriation to the supreme court for the preservation and digitization of supreme court records from 1849-1977. Retained in House Public Works and Highways Committee.

## **Energy**

[HB 64](#) Relative to renewable generation facility property subject to a voluntary payment in lieu

of tax agreement. This bill clarifies the exclusion of a renewable generation facility's payments in lieu of taxes from a municipality's tax base for the education tax. Signed by Governor Sununu on 5/17.

[HB 80](#) Relative to expenditures from the energy efficiency fund. This bill requires the public utilities commission to include school districts in the allocation of energy efficiency funds, increases the statewide allocation for energy efficiency programs, and requires rebates from the use of auction proceeds to all commercial and industrial retail energy ratepayers. Committee recommended ITL but the full House failed to act so the bill died at crossover.

[HB 106](#) Establishing procedures for municipal host customer-generators of electrical energy. This bill establishes an exemption under net energy metering for group net metered facilities that generate electricity to offset electrical requirements of a group consisting of political subdivisions. Retained in the House Science, Technology and Energy Committee.

[HB 119](#) Relative to legislative approval of the NH General Court for increases in the systems benefit charge. This bill removes the requirement for legislative approval of changes to the system benefits charge to electric consumers. Committee recommended ITL, but the full House failed to act so the bill died at crossover.

[HB 148](#) Allowing increased net energy metering limits for municipal hydroelectric facilities. This bill increases the electric generating capacity of municipal hydroelectric facilities who may participate in net energy metering to 5 megawatts. Retained in the House Science, Technology and Energy Committee.

[HB 167](#) Relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers. This bill increases the electric generating capacity of customer generators who may participate in net energy metering and modifies the transition of tariffs applicable to certain customer-generators. The bill clarifies the definition of eligible customer-generator for purposes of the utility property tax. The bill also expands the authority of limited producers of electrical energy to sell its output in the private sector. Retained in the House Science, Technology and Energy Committee.

[HB 225](#) Relative to the calculation of net energy metering payments or credits. This bill changes the methods of calculating and paying for the energy net metered by a customer-generator to an electric distribution utility each billing period. House voted ITL by voice vote on April 7.

[HB 289](#) Relative to including electrical storage facilities in the definition of energy facility. This bill adds certain electrical storage facilities to the definition of energy facility. Senate voted OTP by voice vote on May 20. House voted OTP by voice vote on April 7. Signed by Governor Sununu on June 21.

[HB 294](#) Relative to the purchase of output of limited electrical energy producers. This bill expands the authority of limited producers of electrical energy to sell their output in the private

sector. House voted ITL by voice vote on April 7.

[HB 309](#) Relative to the computation of renewable energy credits and clarifying certain renewable energy classes. This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water. Senate voted OTP-A by voice vote on May 20. House concurred with Senate amendment by voice vote on June 10. Signed by Governor Sununu on July 23.

[HB 351](#) Relative to the systems benefit charge. This bill changes the procedure for increasing the system benefits charge assessed electric customers and clarifies its purposes. House voted OTP in a roll call vote of 198-179 on April 9. Senate voted ITL by voice vote on May 13.

[HB 371](#) Relative to proceedings of the public utilities commission on rates and charges. This bill requires that proceedings of the public utilities commission concerning rates and charges of a public utility shall be subject to the rules for contested cases under the administrative procedures act. Committee recommended ITL but the full House failed to act so the bill died at crossover.

[HB 396](#) Relative to credits for certain energy production not issued renewable energy certificates. This bill requires the public utilities commission to report its estimates of total yearly production for customer-sited sources that are net metered but which are not issued renewable energy certificates and removes the credit to electric providers. Committee recommended ITL but the full House failed to act so the bill died at crossover.

[HB 399](#) Relative to the energy consumption reduction goal. This bill changes the focus of New Hampshire's energy consumption reduction goal to greenhouse gas emissions, rather than fossil fuels. House voted ITL by voice vote on April 7.

[HB 407](#) Relative to the purchase of output of limited electrical energy producers in intrastate commerce and including qualifying storage system. This bill expands the authority of a limited producer of electrical energy to sell its output to retail electricity customers located within the same New Hampshire electric distribution utility franchise area as the limited producer, and includes qualifying electrical energy storage. Committee recommended ITL but the full House failed to act so the bill died at crossover.

[HB 412](#) Making an appropriation to the Department of Environmental Services for the purpose of funding public water system projects. Retained in House Finance Committee.

[HB 468](#) Relative to the definition of political advocacy organization. This bill modifies the definition of political advocacy organization for purposes of political expenditure and contribution laws. Committee recommended ITL but the full House failed to act so the bill died at crossover.

## Environment

[HB 73](#) Relative to public notice requirements for certain permits issued by the Department of Environmental Services. This bill requires public notice using electronic means for certain permits issued by the Department of Environmental Services. Senate voted OTP in a roll call vote of 23-1 on April 8. House voted OTP by voice vote on February 24. Signed by Governor Sununu on May 6.

[HB 135](#) Requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution. This bill requires parties deemed responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution. House voted OTP-A on April 8. Senate voted by voice to rerefer to the Senate Energy and Natural Resources Committee on May 20.

[HB 172](#) Establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan. This bill establishes greenhouse gas emission reduction goals for the state and authorizes the Department of Environmental Services to inventory greenhouse gas emissions on an annual basis and to develop and report on a 5-year action plan. Retained in House Science, Technology and Energy Committee.

[HB 177](#) Prohibiting the siting of a landfill near a state park. This bill prohibits the siting of new landfills, excluding expansions of existing landfills, near state parks. This bill also defines state parks for the purposes of prohibiting the siting of new landfills. House voted OTP-A in a roll call vote of 197-159. Senate voted ITL in a roll call vote of 14-8 on May 20.

[HB 235](#) (Second New Title) Addressing impacts to other water users from new sources of water for community water systems and relative to the PFAS fund and programs. This bill requires the Department of Environmental Services to adopt rules concerning small groundwater withdrawals from new sources of water. Committee of Conference report was adopted by both bodies on June 24.

[HB 236](#) This bill creates a statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances. Senate voted OTP-A on May 27. House concurred with Senate amendment on June 10. Signed by Governor Sununu on July 23.

[HB 271](#) Relative to standards for per and polyfluoroalkyl substances (PFAS) in drinking water and ambient groundwater. This bill directs the Department of Environmental Services to set maximum contaminant limits for per and polyfluoroalkyl substances (PFAS). This bill also enables the Department of Environmental Services to make grants and loans to eligible municipalities and drinking water and wastewater systems to address PFAS contamination and renames the PFAS remediation fund the PFAS remediation loan fund. Committee of Conference report was adopted by both bodies on June 24. Enrolled; awaiting action.

[HB 256](#) Adding members from Londonderry to the commission to investigate and analyze the

environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. House voted OTP by voice vote on February 24. Senate voted OTP in a roll call vote of 23-1 on April 8. Signed by Governor Sununu on May 6.

[HB 373](#) Relative to state participation in low carbon fuel standards programs. This bill prohibits the state from participating in any state, regional, or national low carbon fuel standards program without prior approval of the legislature and the executive council. House voted OTP-A in a roll call vote of 194-180. Senate voted OTP-A by voice vote on May 20. House concurred with Senate amendment. Signed by Governor Sununu on July 30.

[HB 413](#) Establishing a solid waste working group on solid waste management planning, relative to compost, and establishing a statewide solid waste disposal reduction goal. This bill: establishes a solid waste working group on solid waste management planning; requires the Department of Environmental Services to make certain rules regarding compost; establishes a statewide solid waste disposal reduction goal. House voted OTP-A on April 7. Senate voted OTP-A in a roll call vote of 23-0 on May 6. House concurred with Senate amendment by voice vote on June 10. Signed by governor on August 10.

## **Gambling**

[HB 355](#) Relative to Keno. This bill allows licensed lottery retailers in jurisdictions that have voted to allow keno to operate keno games. Retained in the House Ways and Means Committee.

## **Guns**

[CACR 8](#) Providing the legislature make no law restricting the right to own, carry, or use firearms or firearm accessories. This constitutional amendment concurrent resolution prohibits the legislature from enacting any law restricting the right to own, carry, or use firearms or firearm accessories. House voted OTP-A in a roll call vote of 201-174. Lacking the necessary 3/5 majority, the proposal was defeated on April 7.

[HB 192](#) This bill adds additional pistols permitted for the taking of deer. House voted OTP by voice vote on February 24. Senate voted OTP in a roll call vote of 23-1 on April 1. Signed by Governor Sununu on April 23.

[HB 195](#) Adding display of firearm as an exception to reckless conduct. This bill inserts an exception to the crime of reckless conduct for the display of a firearm. House voted OTP in a roll call vote of 198-169 on April 7. Senate voted OTP-A in a roll call vote of 14-10 on May 27. House concurred with Senate amendment. Signed by Governor Sununu on July 23.

[HB 252](#) Creating a committee to study the creation of a program giving employers tax credits on business taxes in exchange for providing stipends for child care needs to employees. Retained in the House Ways and Means Committee.

[HB 307](#) Relative to the state preemption of the regulation of firearms and ammunition. This bill provides state preemption of the regulation of firearms, ammunition, ammunition components, knives, and firearms components and accessories. House voted OTP-A in a roll call vote of 191-162 on April 7. Senate voted by voice to rerefer to the Senate Judiciary Committee on May 27.

[HB 334](#) Relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile and relative to the procedure for conducting firearm background checks. House voted OTP in a roll call vote of 223-245 on April 8. Senate voted OTP-A by voice vote on May 27. Committee of Conference report was adopted by both bodies on June 24. Vetoed by Governor Sununu on August 10.

[HB 352](#) Relative to operation of recreational vehicles on state highways. This bill requires the commissioner of the Department of Safety to adopt rules relative to the safe operation of recreational vehicles on state roads and highways. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[SB 154](#) (New Title) Prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms. This bill prohibits the state of New Hampshire, a political subdivision of this state, or any person acting under the color of state, county, or municipal law from using any personnel or financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of the United States Government or Executive Order of the President of the United States that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines or the ammunition feeding devices, firearm components, firearms supplies, or knives. Senate voted OTP in a roll call vote of 14-10 on April 1. House voted OTP/A in a roll call vote of 199-177 on June 3. House voted, 354-19, to table the bill on June 24.

## Health

[HB 103](#) Establishing a dental benefit under the state Medicaid program. This bill requires the commissioner of the Department of Health and Human Services to solicit information and to contract with dental managed care organizations to provide dental care to persons under the Medicaid managed care program. Retained in House Health, Human Services and Elderly Affairs Committee.

[HB 131](#) Reporting of health care associated infections. This bill clarifies the information that hospitals must report regarding infections. House voted OTP in a roll call vote of 230-130 on April 8. Senate voted OTP by voice vote on May 20. Signed by Governor Sununu on June 18.

[HB 143](#) Relative to an electronic prescription drug program and establishing licensure and requirements for licensed social workers, licensed social work associates, and social work conditional licenses. This bill requires electronic prescribing for controlled drugs under certain circumstances. The bill also establishes under the board of mental health practice licenses and requirements for licensure and conditional licensure for licensed social workers and licensed

social work associates. House voted OTP-A in a roll call vote of 243-114 on April 8. Senate voted OTP-A by voice vote on May 27. House concurred with Senate amendment by voice vote on June 10. Signed by governor on August 10.

[HB 146](#) Requiring health providers to furnish upon request a list of ingredients contained in an injectable medication that is recommended or administered. House voted OTP-A by voice vote on April 7. Senate voted by voice on May 20 to rerefer to the Senate Health and Human Services Committee.

[SB 158](#) Relative to the formula for funding an adequate education. This bill: develops a formula for funding an opportunity for an adequate education; modifies the determination of education grants; modifies the statewide education property tax and its collection; develops rates for special education services provided by chartered public schools; modifies property tax relief for low and moderate income homeowners. Senate voted ITL in a roll call vote of 15-9 on March 18.

[HB 185](#) Removing the work requirement of the New Hampshire Granite Advantage Health Care program. This bill removes the work and community engagement requirements of the New Hampshire granite advantage health care program. Tabled in the House in a roll call vote of 203-155 on April 8.

[HB 210](#) Increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes. This bill increases exemption amounts under the interest and dividends tax and decreases the annual total aggregate amount of the research and development tax credit against business taxes. Retained in the House Ways and Means Committee.

[HB 220](#) Relative to medical freedom in immunizations, establishing a committee to examine the policy of medical intervention including immunizations. This bill states the rights for medical freedom in immunizations. The bill also establishes a committee to examine the policy of medical intervention including immunizations. House voted OTP-A by voice vote on April 7. Senate voted OTP-A in a roll call vote of 14-10 on May 27. House concurred with Senate amendment. Signed by Governor Sununu on July 23.

[HB 221](#) Making the state vaccine registry an opt-in program. This bill makes the state immunization registry an opt-in program rather than an opt-out program. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 247](#) Relative to treatment alternatives to opioids. This bill requires the Department of Health and Human Services to create a voluntary nonopioid directive form which may be used for nonopioid treatment options for pain. This bill also establishes insurance coverage for such treatment options. Retained in House Health, Human Services and Elderly Affairs Committee.

[HB 363](#) This bill creates a committee to study appointing an inspector general for nursing

homes in NH. House voted ITL by voice vote on February 24.

[HB 492](#) Requiring maintenance of the COVID-19 dashboard. This bill requires the Department of Health and Human Services, in collaboration with the University System of New Hampshire, to maintain the COVID-19 dashboard during the pandemic. The bill also establishes a legislative committee to study health disparities experienced by under-represented populations during the crisis. House voted ITL by voice vote on April 7.

[HB 493](#) Establishing a criminal penalty for assault committed against a person who is conveying public health or safety guidance during a declared state of emergency. House voted ITL by voice vote on April 7.

### **Housing**

[HB 132](#) Relative to acreage required to build certain single family housing. This bill prohibits zoning ordinances from requiring certain acreage for certain single family housing units. Retained in the House Municipal and County Government Committee.

[HB 154](#) Relative to community revitalization tax relief incentives. This bill enables municipalities to offer community revitalization tax incentives for the construction of additional housing in designated areas. The bill also revises the criteria for assistance from the affordable housing fund administered by the NH Housing Finance Authority. House voted OTP by voice on April 7. Senate voted OTP by voice vote on May 20. Signed by Governor Sununu on June 18.

[HB 160](#) Relative to notice of rent increases in certain residential property. This bill requires notice by a landlord of at least 60 days of a proposed rent increase which exceeds 5 percent or notice of at least 90 days of an increase which exceeds 8 percent. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 189](#) Relative to accessory dwelling units. This bill allows as a right the addition of up to 3 accessory dwelling units on a single-family dwelling. House voted ITL by voice vote on February 24.

[HB 227](#) Relative to termination of tenancy at the expiration of the tenancy or lease term. This bill adds the expiration of the term of the lease or tenancy if over 6 months as grounds for an eviction. Passed the House; rereferred to the Senate Commerce Committee on May 13.

[HB 288](#) This bill repeals and eliminates the housing appeals board. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 341](#) Relative to permissible residential units in a residential zone. This bill requires that local legislative bodies permit by right certain single-family dwellings in residential districts to be used for up to four residential units. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.



[HB 360](#) Relative to the rental of shared living facilities. This bill clarifies the process for termination of a rental of a shared facility and the remedies for tenants. House voted OTP-A by voice vote on April 7. Senate voted OTP in a roll call vote of 24-0 on April 29. Signed by Governor Sununu on June 4.

[HB 473](#) Establishing a renter's insurance notification requirement. This bill requires landlords of residential rental property to include in the rental agreement a statement on the purchase of renter's insurance by the tenant. Retained in the House Commerce Committee.

[HB 503](#) (New Title) Codifying the council on housing stability. This bill codifies the council on housing stability initially established by the governor in Executive Order 2020-22. House voted OTP-A in a division vote, 210-115 on April 8. Rereferred to the Senate Health and Human Services Committee by voice vote on May 20.

[HB 512](#) Relative to emergency housing assistance. This bill prohibits a municipality from requiring a housing code inspection as a condition of emergency housing assistance. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 618](#) Relative to the sale and distribution of polystyrene food service products. This bill prohibits the sale or distribution of polystyrene foam in food service businesses. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

## **Immigration**

[HB 112](#) Establishing a committee to study the effects of deportation of primary earners on family members who are US citizens. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 266](#) Relative to enforcement of immigration laws and the prohibition of sanctuary policies. This bill establishes the New Hampshire anti-sanctuary act, which requires state and local government entities to comply with federal immigration detainer requests. The bill also prohibits state and local government entities from adopting policies that prohibit, restrict, or discourage the enforcement of federal immigration law. Tabled in the House by a voice vote on April 9.

[HB 328](#) Relative to the application process for drivers' licenses and relative to privacy of motor vehicle records. This bill prohibits the department of safety division of motor vehicles from releasing certain motor vehicle records to certain law enforcement agencies and provides for the issuance of non-Real ID driver's licenses to applicants without a social security number for a fee. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 439](#) Relative to the powers of city councils. This bill limits the authority of city councils to make bylaws and ordinances to those they are specifically empowered to make. Tabled in the

House by a division vote of 189-186 on April 9.

[HB 587](#) Relative to indicating citizenship or legal residency on driver's licenses or nondrivers' identification cards. This bill requires that drivers' licenses and nondrivers' identification cards indicate whether or not the holder is a citizen of the United States of America. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 579](#) Requiring notice to the public before immigration check points are conducted. This bill requires the chief law enforcement officer to inform local media when he or she is informed by Border Patrol of an immigration checkpoint. Retained in the House Criminal Justice and Public Safety Committee.

### **Legislature**

[CACR 5](#) Providing that the provision for compensation for legislators is removed. This constitutional amendment concurrent resolution removes the provision for compensation of the legislature. Legislators may still receive mileage for daily attendance. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 156](#) Relative to posting legislative amendments on the New Hampshire legislative website. This bill requires the general court to post amendments on the general court website after they are made public or presented to a legislative committee by a member. Committee recommended ITL but the full House failed to take up the bill so it died at crossover.

[HB 356](#) Relative to the city of Manchester employees' contributory retirement system. The bill makes administrative changes and clarifications to the employees' contributory retirement system of the city of Manchester, including compliance with the applicable provisions of the Internal Revenue Code and related Treasury regulations, expanding the options available to the system's board whenever an elected trustee become unwilling or incapable of completing their term of election, and other technical changes. House voted OTP by voice vote on February 24. Senate voted OTP in a roll call vote of 23-1 on April 8. Signed by Governor Sununu on May 17.

### **Privacy**

[HB 129](#) Prohibiting the installation or use of electronic tracking software. This bill prohibits a person from, without consent, installing or activating an application on an electronic device that can track an individual's proximity to similar equipment or otherwise relay the individual's location information. House voted OTP in a division vote of 194-175. Senate voted ITL by voice vote on May 13.

[HB 296](#) Establishing the crime of unsolicited disclosure of an intimate image. House voted OTP by voice vote on April 7. Senate voted OTP with amendments. House non-concurred with Senate amendments. The Committee of Conference report was not agreed to and the bill died.

[HB 474](#) Prohibiting surveillance by the state on public ways or sidewalks. This bill prohibits the

use of surveillance to determine the location of a motor vehicle or the identity or location of a pedestrian. House voted OTP-A by voice vote on April 7. Senate voted ITL by voice vote on May 27.

## Taxes

[HB 10](#) Relative to the rate of business profits tax and the business enterprise tax. This bill reduces the rates of the business profits tax and the business enterprise tax. Retained in the House Ways and Means Committee.

[CACR 2](#) Providing that any broad-based sales tax shall be prohibited. This constitutional amendment concurrent resolution prohibits the adoption of any broad-based sales tax in New Hampshire not in effect as of January 1, 2021. House voted OTP in a roll call vote of 201-170. Lacking the necessary 3/5, the bill was defeated.

[CACR 1](#) Providing that an income tax on earned personal income shall be prohibited. This constitutional amendment concurrent resolution prohibits the adoption of a tax on earned personal income in New Hampshire. House voted OTP in a roll call vote of 202-171. Lacking the necessary 3/5, the bill was defeated.

[HB 324](#) Relative to the administration of certain state taxes by the department of revenue administration. This bill: clarifies electronic filing of meals and rooms taxes; excludes interest for the 30-day period after notice of assessment of state taxes for amounts paid within the 30-day period; removes the consideration of weighted apportionment factors under the business profits tax from inclusion in the tax expenditure report; provides for conformity in business tax filing dates of non-profit corporations in this state with United States Internal Revenue Code filing dates. This bill is a request of the Department of Revenue Administration. House voted OTP by voice vote on February 24. Senate voted OTP in a roll call vote of 23-1. Signed by Governor Sununu on May 6.

[HB 210](#) Increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes. This bill increases exemption amounts under the interest and dividends tax and decreases the annual total aggregate amount of the research and development tax credit against business taxes. Retained in House Ways and Means Committee.

[HB 306](#) Relative to revenue estimates while operating under emergency order caused by the COVID-10 pandemic. This bill directs the House Ways and Means Committee to consider revenue estimates for the state as frequently as the chair determines is required by changing conditions. House voted OTP-A by voice vote on February 24. Senate voted OTP-A in a roll call vote of 23-1 on April 1. House concurs with Senate Amendment by voice vote on June 10. Signed by Governor Sununu on July 1.

[CACR 9](#) Providing that municipalities may not raise property taxes greater than 2 percent per

year and no greater than 1 percent on disabled citizens or senior citizens. This constitutional amendment concurrent resolution prohibits municipalities from raising property taxes more than 2 percent per year, based on the prior year's tax, nor more than one percent per year for certain disabled citizens and citizens 67 years of age and older. House voted OTP in a division vote of 175 – 193. Lacking the necessary 3/5 majority, the bill was defeated.

## **Women**

[HB 84](#) This bill establishes May 21 as Ona "Oney" Judge Day and names the new terminal at Portsmouth International Airport at Pease in her honor. Retained in House Executive Departments and Administration Committee.

[HB 170](#) Commemorating the first labor strike in the United States by women. This bill proclaims a yearly commemoration of the first labor strike in the United States by women in Dover. Retained in House Executive Departments and Administration Committee.

[HB 204](#) Proclaiming January 24 as Granny D. Day. Retained in House Executive Departments and Administration Committee.

[HB 231](#) Relative to workplace lactation rights. This bill directs employers to provide access to reasonable accommodations for employees who are lactating. House voted ITL by voice vote on February 24.

## **Workers**

[SB 61](#) Prohibiting collective bargaining agreements that require employees to join a labor union. Passed the Senate in a roll call vote of 13-11 on February 11. Defeated in the House by a motion to postpone indefinitely, on June 3.

[SB 67](#) Relative to paid sick leave. Senate voted ITL in a roll call vote of 14-10 on April 1.

[SB 95](#) (2nd New Title) Establishing a committee to review authorizing governing bodies of municipalities to hold virtual meetings and to study remote access to meetings under RSA 91-A. House refused to accede to Senate request for a Committee of Conference so the bill was defeated.

[SB 136](#) Relative to the state minimum hourly rate. This bill sets the minimum hourly rate paid to employees. The bill also amends the minimum hourly rate for tipped employees. Senate voted ITL in a roll call vote of 14-10 on March 18.

[SB 137](#) Relative to the minimum hourly rate for tipped employees. This bill changes the hourly rate for tipped employee contingent on an increase in the federal minimum wage. Senate voted OTP in a roll call vote of 14-10 on April 1. House voted OTP/A in a division vote of 201-171 on June 4. Signed by the governor on July 23.

[HB 107](#) Relative to the minimum hourly rate. This bill establishes the state minimum hourly rate at \$22.50 per hour. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 113](#) Relative to payment for earned but unused vacation or personal time. This bill requires an employer to pay an employee for earned but unused vacation time. Committee recommended ITL but the full House failed to act on the bill so it died at crossover.

[HB 258](#) This bill permits wage and hour records to be approved and retained electronically. House voted OTP-A by voice vote on February 24. Senate voted OTP in a roll call vote of 23-1. Signed by Governor Sununu on April 23.

[HB 259](#) Relative to employee uniforms. This bill permits an employee to purchase optional or alternative company uniforms offered by the company. House voted ITL by voice vote on February 24.

[HB 408](#) Relative to employment restrictions for registered sex offenders. This bill prohibits a person convicted of certain sexual assault offenses from hiring or otherwise engaging in any employment which provides access to a minor. Retained in the House Criminal Justice and Public Safety Committee.

[HB 517](#) Relative to the state minimum hourly rate. This bill increases the minimum hourly rate, increases the base rate for tipped employees, and adjusts both rates annually based on the most recent 12-month average of the consumer price index. The bill also requires a youth minimum wage for employees under 18 years of age. Retained in the House Labor Committee.

[HB 563](#) Establishing a committee to study a living wage and the utilization of public assistance among low wage workers and their families in New Hampshire. Committee recommended ITL but the full House failed to act on the bill, so it died at crossover.

With best wishes,

*Maggie Fogarty, Grace Kindeke and the beloved Susan Bruce*

*AFSC's New Hampshire "State House Watch" newsletter is published to bring you information about matters being discussed in Concord including housing, the death penalty, immigration, and labor rights. We also follow the state budget and tax system, voting rights, corrections policy, and more.*

*The AFSC is a Quaker organization supported by people of many faiths who care about peace, social justice, humanitarian service, and nonviolent change. Maggie Fogarty and Grace Kindeke staff the New Hampshire Program which publishes this newsletter. Susan Bruce was our State House Watch researcher and writer for 7+ years until she passed away in mid-*

June 2021.

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