

HOW A BILL BECOMES A LAW IN NEW HAMPSHIRE – FREQUENTLY ASKED QUESTIONS (FAQ)
Supplement to the Presentation

Table 4
January 4, 2023

QUESTION: How long does it take for a bill to become a law?

ANSWER: It depends! According to New Hampshire Judicial Branch, “[t]he steps behind the process between drafting a bill and it being signed into law can take many months or even years.”

QUESTION: What does a legislator provide to the Office of Legislative Services (“OLS”) to draft a bill?

ANSWER: The Legislative Service Request (LSR) form often “contain[s] one to two sentences and very few details.” Honestly, it depends, too!

QUESTION: What’s the role of the legislator that brings the LSR/the bill?

ANSWER: “All drafted bills must be approved and signed by the sponsoring legislator; all co-sponsors must also approve and sign the drafted bill.” Then, the sponsor acts as a supporter for the bill and is frequently involved in the process, shepherding the bill along.

QUESTION: What’s the deal with public hearings? Can just anyone show up and support a bill?

ANSWER: Part 1, Article of 31 of the New Hampshire Constitution gives the Legislature the mandate to “redress of public grievances and for making such laws as the public good may require.” Additionally, Part 2, Article 6 of the New Hampshire Constitution states that “[t]he doors of the galleries, of each House of the Legislature, shall be kept open to all persons who behave decently, except when the welfare of the state, in the opinion of either branch, shall require secrecy.” Therefore, it is the intent and general purpose of the legislature to be open and responsive to the public. As a result, public hearings are required for each bill. Yes, anyone can sign up to attend and speak at a public hearing for a bill. You can use our helpful LSR tracking guide PDF (see “HOW TO SEARCH LEGISLATIVE SERVICE REQUESTS AND BILLS ONLINE”) to learn how to find information about the bill number and when/where hearings will take place. Once you arrive at a hearing, make sure to sign up on the designated sheet, whether you are attending to support/oppose a bill and offer testimony, or if you are just attending to observe. However, you should be mindful in your testimony that you do not indicate that you are representing a specific client with your testimony if you are not a registered lobbyist.

QUESTION: What do you mean by “registered lobbyist”?

ANSWER: New Hampshire RSA 15:1 explains that “[a]ny person who is employed for a consideration by any other person, except the state of New Hampshire, in a representative capacity” to “...promote or oppose, directly or indirectly, any legislation pending or proposed before the general court” is required to register as a lobbyist. See RSA 15:1, I and II(a). This statute also indicates that similar advocacy to the governor, executive council, or state agencies is also considered lobbying. See RSA 15:1, II (b). As part of this registration, you must report “the existence of a relationship between a single client and either a single lobbyist or partnership, firm, or corporation of one or more partners, members, or employees of a firm acting as a lobbyist.” See RSA 15:1, I (a). The penalty for a violation of this statute for a natural person is a misdemeanor and “any other person” is guilty of a felony. See RSA 15:8.

QUESTION: What is the difference between the Chapter Laws and the RSAs?

ANSWER: Once a bill becomes a law, it is first published as a chapter law. The annual laws are published together as “session laws” (the terms “chapter law” and “session law” may be used interchangeably). However, not all laws passed by the legislature are included in the Revised Statutes Annotated (RSAs). The RSAs “only include general and permanent statutes.” From the New Hampshire Law Library’s “Compiling a New Hampshire Legislative History” guide:

- “A general statute is a law that applies to the entire state or to everyone.”
- “A private statute is a law that applies only to specific individuals, entities, or places. These may also be called unclassified statutes.”
- “A permanent statute is a law that does not include a repeal or expiration date, it continues in effect until repealed.”
- “A temporary statute is a law that is enacted for a limited period of time and includes a repeal or expiration date.”

Private and temporary statutes are part of the session laws.

YOU MAY HAVE MORE QUESTIONS, SO DO NOT HESITATE TO REACH OUT TO TABLE 4 OR REVIEW THE OTHER MATERIALS!

SOURCES:

- “Compiling a New Hampshire Legislative History,” New Hampshire Law Library, <https://courts-state-nh-us.libguides.com/c.php?g=1075556&p=7833950> (accessed January 2, 2023).
- How a Bill Becomes a Law, New Hampshire Almanac, New Hampshire State Library, <https://www.nh.gov/almanac/bills.htm> (accessed January 2, 2023).
- How Laws are Made, New Hampshire Judicial Branch, <https://www.courts.nh.gov/students/guide-new-hampshire-courts/how-laws-are-made> (accessed January 2, 2023).
- New Hampshire Constitution.
- New Hampshire Revised Statutes Annotated 15:1 and 15:8.
- Scott F. Johnson, *Administrative Agencies: A Comparison of New Hampshire and Federal Agencies' History, Structure and Rulemaking Requirements*, 4 PIERCE L. REV. 435 (2006).