

HB 225-FN - AS INTRODUCED

2023 SESSION

23-0359

06/08

HOUSE BILL **225-FN**

AN ACT relative to prohibiting the use of currency that could be detrimental to privacy rights.

SPONSORS: Rep. Belcher, Carr. 4; Rep. Hoell, Merr. 27; Rep. L. Turcotte, Straf. 4

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill prohibits the use of any currency as legal tender that could be detrimental to privacy rights.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting the use of currency that could be detrimental to privacy rights.

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

1 1 Declaration of Purpose. This act follows the principles that guided New Hampshire citizens
2 when they enumerated constitutional rights to privacy of information, to be secure in their persons,
3 papers, and effects, to freely conduct lawful commerce in acquiring property, to be free of eminent
4 domain for private benefit, to freely worship and tithe according to conscience, to acquire and bear
5 arms, that no tax may be levied without consent of the people or their representatives, and with
6 other rights reserved to the people.

7 2 New Section; Commerce; Right to Privacy; Use Restricted. Amend the introductory paragraph
8 of RSA 359-C:6 to read as follows:

9 359-C:6 Use Restricted. ***No currency, whether tangible, digital, or otherwise, which***
10 ***inherently compromises privacy by provision of transaction or usage details to any***
11 ***government agency or partner; allows programming of prohibited or mandatory uses; has***
12 ***the ability to block or refuse any lawful transactions; can be connected to any form of***
13 ***credit score; can be programmed with an expiration date; or, can be programmed with non-***
14 ***market driven inflation, may be used as legal tender by any entity for any debts in the state***
15 ***of New Hampshire, including by the Federal Reserve.*** Copies of financial or credit records or
16 the information contained therein, including information supplied pursuant to RSA 359-C:11, II,
17 which are obtained by any state agency, local agency or supervisory agency may not be:

18 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 225-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to prohibiting the use of currency detrimental to privacy rights.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill contains penalties that may have an impact on the New Hampshire judicial. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2023	FY 2024 through 12/31/23	FY 2024 (Starting 1/1/24 with repeal of Felonies First)
Violation and Misdemeanor Level Offense	\$119	\$122	\$122
Judicial Council	FY 2023		FY 2024
Contract Attorney – Misdemeanor	\$300/Case \$70 administrative fee \$100 incarceration fee (If applicable)		\$300/Case \$70 administrative fee \$100 incarceration fee (If applicable)
Assigned Counsel- Misdemeanor. Travel time to court does not count toward the cap.	\$90/Hour up to \$2,000		\$90/Hour up to \$2,000
NH Association of Counties	FY 2023		FY 2024
County Prosecution Costs	Indeterminable		Indeterminable

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department may be able to absorb the cost within its existing budget. However, if the Department needs to prosecute significantly more cases or handle more appeals, then costs will increase by an indeterminable amount.

It is assumed any fiscal impact would not occur until FY 2024.

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, and New Hampshire Association of Counties