

CHAPTER 255
SB 89 - FINAL VERSION

06/22/2017 2295CofC
06/22/2017 2387EBA

2017 SESSION

17-0947
06/05

SENATE BILL **89**

AN ACT relative to the relationship between a franchisor and a franchisee.

SPONSORS: Sen. Innis, Dist 24; Sen. Bradley, Dist 3; Sen. Gannon, Dist 23; Sen. Reagan, Dist 17; Sen. French, Dist 7; Sen. Carson, Dist 14; Rep. Chandler, Carr. 1; Rep. Hinch, Hills. 21; Rep. Packard, Rock. 5

COMMITTEE: Commerce

ANALYSIS

This bill clarifies when a franchisor is an employer of a franchisee.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to the relationship between a franchisor and a franchisee.

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

1 255:1 Procuring Employment; Imposition of Conditions; Definition of Terms; Employer. Amend
2 RSA 275:4, I to read as follows:

3 I. The term "employer" as used in the preceding section shall mean and include an
4 individual, a partnership, an association, a corporation, a legal representative, trustee, receiver,
5 trustee in bankruptcy, and any common carrier by rail, motor, water, air or express company doing
6 business in or operating within the state. ***A franchisor is only an employer if the franchisor***
7 ***agrees in writing to assume the role of employer or co-employer of the franchisee or the***
8 ***employee of the franchisee.***

9 ***I-a. For the purposes of this section, "franchisee" and "franchisor" have the same***
10 ***meanings as in section 436.1 of title 16 of the Code of Federal Regulations.***

255:2 Effective Date. This act shall take effect upon its passage.

Approved: July 18, 2017
Effective Date: July 18, 2017