

CHAPTER 105
SB 87 - FINAL VERSION

03/11/2021 0584s

2021 SESSION

21-0870
11/10

SENATE BILL **87**

AN ACT adopting omnibus legislation relative to municipal finance.

SPONSORS: Sen. Birdsell, Dist 19

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. The expenditure of water funds.
- II. Uncollectible financial remittances to municipalities.
- III. The use of capital reserve funds.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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30 PART II

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Relative to Uncollectible Financial Remittances to Municipalities.

1 Collection of Taxes; Uncollectible Remittances. Amend RSA 80:56 to read as follows:

80:56 Uncollectible [~~Checks~~] **Remittances**. Whenever any [~~check~~] **remittance, whether by check or electronic means**, issued to a city or town for the payment of taxes, permit fees, licenses, special assessments, water or sewer bills, for any combination of these or for any other municipal services is returned to the city or town official as uncollectible, the city or town shall charge a fee of \$25 plus all protest, bank, and legal fees in addition to the amount of said [~~check~~] **remittance** to the person who [~~issued~~] **made** such [~~check~~] **remittance** to cover the cost of collecting the debt that the [~~check~~] **remittance** was [~~issued~~] to pay. The \$25 fee together with any protest or legal fees collected shall be for the use of the city or town.

2 Effective Date. Part II of this act shall take effect 60 days after its passage.

PART III

Relative to the Use of Capital Reserve Funds.

1 Capital Reserve Funds; Expenditures; Lease/Purchase Agreements. Amend RSA 35:15, III to read as follows:

III.(a) Notwithstanding the prohibition of debt retirement fund establishment in RSA 33:2, capital reserve funds may be used for multiple payments under a financing agreement for the purpose for which the capital reserve was established, **including a lease/purchase agreement**. [~~If the financing agreement is a lease/purchase agreement the following shall apply:~~

(1) ~~The lease/purchase agreement does not contain an "escape clause" or "non-appropriation clause"; and~~

(2) ~~The lease/purchase agreement has been ratified by the legislative body by a vote by ballot of 2/3 of all the voters present and voting at an annual or special meeting.]~~

(b) If agents have been named according to RSA 35:15, then no further vote is required to disburse funds following the initial vote which ratified the financing agreement.

2 Effective Date. Part III of this act shall take effect 60 days after its passage.

Approved: July 01, 2021

Effective Date:

Part I shall take effect August 30, 2021

Part II shall take effect August 30, 2021

Part III shall take effect August 30, 2021