

HB 1245-FN - AS INTRODUCED

2026 SESSION

26-3151

06/08

HOUSE BILL

***1245-FN***

AN ACT                   relative to voluntary portable benefits plans for independent contractors.

SPONSORS:           Rep. Farrington, Straf. 8; Rep. Granger, Straf. 2; Rep. Labrie, Hills. 2; Rep. Warden, Hills. 39; Sen. Innis, Dist 7

COMMITTEE:       Labor, Industrial and Rehabilitative Services

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ANALYSIS

This bill establishes a framework for voluntary portable benefit plans for independent contractors and allows hiring parties to contribute to benefit arrangements without affecting worker classification.

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                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

*In the Year of Our Lord Two Thousand Twenty-Six*

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

II. Such agreement shall:

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1                   (a) Be clear, unambiguous, and prominently displayed in the contract or in a separate  
2 written notice;

3                   (b) Require the independent contractor to affirmatively opt in; and

4                   (c) Permit the independent contractor to opt out at any time.

5           284-A:4 No Effect on Classification. Participation in a portable benefit plan shall not be used to  
6 determine the employment status of a worker under RSA 275, RSA 282-A, or any other state labor or  
7 benefits statute.

8           4 Effective Date. This act shall take effect 60 days after passage.

**HB 1245-FN- FISCAL NOTE  
AS INTRODUCED**

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**FISCAL IMPACT:**

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
<b>Revenue</b>	\$0	Indeterminable Increase (Estimate not provided by the Department)	Indeterminable Increase (Estimate not provided by the Department)	Indeterminable Increase (Estimate not provided by the Department)
<i>Revenue Fund(s)</i>	General Fund			
<b>Expenditures*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

**METHODOLOGY:**

This bill establishes a voluntary framework allowing independent contractors to participate in portable benefit plans through authorized providers. It permits hiring parties to make voluntary contributions or withhold compensation for contributions to such plans. Participation would not affect a worker's employment classification under state law.

The New Hampshire Insurance Department states this bill would create a framework for independent contractors to access one or more insurance benefits offered through a portable benefit plan administered by an authorized plan provider. A hiring party could withhold

compensation from an independent contractor for contributions to such a plan. Participation in a portable benefit plan would not affect worker classification under RSA 275, RSA 282-A, or any other labor or benefits statute.

The Department notes it is unclear whether a portable benefit plan would provide access to insurance on a group or individual basis, or how the program would be implemented under this new chapter. Insurance products and the entities authorized to issue or administer them are regulated under Title 37, which defines the types of permissible groups. Depending on implementation, enactment could result in the sale or administration of new insurance products, potentially increasing Insurance Premium Tax or fee revenue, but the amount cannot be determined.

To the extent counties and municipalities purchase health insurance, they could see an increase in their health insurance premiums.

**AGENCIES CONTACTED:**

NH Insurance Department