

INTERIM RULEMAKING NOTICE FORM

Proposed Interim Rule Number _____ Rule Number Plc 1200

<p>1. Agency Name & Address:</p> <p style="text-align: center;">Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p> <p>5. Filing Date: December 8, 2022</p>	<p style="text-align: right;">RSA 310-A:164</p> <p>2. RSA Authority: <u>Laws of 2022, 64:6, eff. 7-19-22</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p style="padding-left: 20px;">Adoption <u> X </u></p> <p style="padding-left: 20px;">Amendment _____</p> <p style="padding-left: 20px;">Repeal _____</p> <p style="padding-left: 20px;">Readoption _____</p> <p style="padding-left: 20px;">Readoption w/amendment _____</p>
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6. Short Title: **Court Reporters**

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Gretchen Hamel	Title: Program Specialist IV
Address: OPLC 7 Eagle Square Concord, NH 03301	Phone #: Please contact by email
	Fax#: [discontinued]
	E-mail: <u>Gretchen.R.Hamel1@oplcnh.gov</u>

The rules can be reviewed on-line at
<https://www.oplc.nh.gov/oplc-laws-and-rules>

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Summary explaining the effect of the rule:

Laws of 2022, ch. 64, eff. 7-19-22, amended RSA 310-A:161-181 to convert the previous Board of Court Reporters to an advisory board and transfer the Board’s authority to the Executive Director of the Office of Professional Licensing and Certification (OPLC), in consultation with the advisory board. The Executive Director is proposing to adopt Interim rules pursuant to RSA 541-A:19, I(a) to implement RSA 310-A:161-181 as amended and to minimize the time between the lapse of the prior Board’s authority to enforce its rules and the effective date of rules that can be enforced by the Executive Director.

The proposed Interim rules are not intended to change the substantive requirements for licensure of court reporters; instead, changes are being proposed to how applications are processed and other related items.

The proposed Interim rules include the following:

- Part Plc 1201 Purpose and Applicability; Sending Notices and Licenses**
- Part Plc 1202 Definitions**
- Part Plc 1203 Advisory Board**
- Part Plc 1204 Initial Licensure**
- Part Plc 1205 Licensee Obligations; Continuing Education**
- Part Plc 1206 Renewal Of Licenses; Reinstatement**
- Part Plc 1207 Ethical And Professional Standards**

Part Plc 1208 Procedures; Disciplinary Actions

9. Listing of people, enterprises, and government agencies affected by the rule:

The proposed Interim rules will affect any individual who is a licensed court reporter or who wishes to become a licensed court reporter in New Hampshire.

10. Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement.

Rule	State Statute Implemented
Plc 1200 (see below for more specific statutes)	RSA 310-A:161-181
Plc 1203	RSA 310-A:163
Plc 1204	RSA 310-A:167-170
Plc 1205	RSA 310-A:172; RSA 310-A:178
Plc 1206	RSA 310-A:173
Plc 1207	RSA 310-A:180
Plc 1208	RSA 310-A:174-175

11. Summary of the effect upon the state if the rule were not adopted:

If the proposed Interim rules are not adopted, court reporters will only be regulated by the statutory provisions in RSA 310-A:161-181 and will not have the benefit of rules to assist them in complying with the statute.

12. Proposed date of review by the Joint Legislative Committee on Administrative Rules:

January 20, 2023

13. The fiscal impact statement prepared by the Legislative Budget Assistant, if applicable.

FIS # 22:239, dated 12/08/2022

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

Not applicable as these are new interim rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The proposed rules will reduce state revenue as well as reduce costs to licensees by an indeterminable amount. The current fees, located in Rep 301.04, are compared to the proposed fees in the chart below.

Type of Fee	Current Fee	Proposed Fee	Difference
Application for licensure	\$300	\$155	\$145 less
Renewal of license (on-time)	\$200	\$155	\$45 less
Late filing for renewal of license and license reinstatement	\$200 + 20% per month late, to a maximum of \$680	\$0	Minimum of \$45 less
Temporary License	\$0	\$25	\$25 more

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- The application/initial licensing fees will be reduced by \$145. The Office of Professional Licensure and Certification (OPLC) states last fiscal year there were 2 initial licenses. Assuming the counts stay the same, the fiscal impact would be a reduction in revenue of \$290.
- The renewal of license fee is reducing by \$45. OPLC states last fiscal year there were 34 renewals. The fiscal impact would be a reduction in revenue of \$1,530 if the counts stayed the same. However, this license is a biennial license which could impact counts resulting in an indeterminable decrease in revenue.
- OPLC does not have counts on late filing for renewal of license fees. The impact of this change is an indeterminable reduction in revenue if late filings occur. However, it is important to note that late fees have not been collected since January 27, 2022, when Plc 1001.13 (“No Additional Fee for Late Renewal”) became effective.
- Rep 301.04 does not contain provisions for a temporary license. However, the interim rules establish provisions and cross reference the fee of \$25 in Plc 1001. The fiscal impact is an indeterminable increase as this is not currently available to court reporters.

A. To State general or State special funds:

There will be no direct impact on the State general fund, however after paying all costs and salaries associated with the Office, any remaining balance in the fund lapses to the general fund at the close of each biennium. There will be an indeterminable impact, most likely a decrease in revenue to the OPLC fund from the proposed fee changes listed above.

B. To State citizens and political subdivisions:

State citizens who are court reporters will see a reduction in costs based on the fees they are required to pay. There is no cost or benefit to political subdivisions.

C. To independently owned businesses:

Independently owned business who pay for their court reporter’s fees will see a reduction in costs based on the fees are required to be paid.