

Amendment to SB 162-FN

1 Amend RSA 477:22-d as inserted by section 1 of the bill by replacing it with the following:

2
3 477:22-d Qualified Renter/Purchaser Affidavit Required.

4 I. Every person or entity who leases or acquires an ownership or controlling interest in
5 property within 10 miles of a protected facility shall file with the office of the attorney general,
6 within one business day of closing, or, in the case of a lease, within one business day of the delivery
7 of keys, access codes, or other methods of access to the premises, a notarized qualified
8 renter/purchaser affidavit signed under penalty of perjury, attesting that the person acquiring an
9 ownership or controlling interest, or leasing the property:

10 (a) Is not a foreign principal or an agent of a foreign principal, as defined in this
11 subdivision;

12 (b) Has read and understands both the prohibitions in this subdivision and the penalties
13 for violations of the terms of this subdivision; and

14 (c) Is not prohibited from purchasing or leasing the property under this subdivision.

15 II. A failure to submit the qualified renter/purchaser affidavit to the attorney general's office
16 does not affect the title or insurability of the title for the real property, or subject the listing,
17 brokering, closing, or leasing agent to civil or criminal liability, unless the agent has actual
18 knowledge that the transaction will result in a violation of this section so long as the agent has
19 complied with the notice requirement in RSA 477:4-i. Nothing in this paragraph shall preclude the
20 attorney general's office from initiating a forfeiture action in accordance with RSA 477:22-f.

21 III. Failure to submit a required affidavit under this section shall result in a \$500 civil
22 penalty. Prior to an action against a natural person to impose the civil penalty, the attorney general
23 shall give notice and provide 60 days to cure the violation. No opportunity to cure shall be offered to
24 an entity in RSA 477:22-b, as knowledge of the filing requirement under this section shall be
25 imputed.

26
27 Amend RSA 477:22-g as inserted by section 1 of the bill by replacing it with the following:

28
29 477:22-g Rulemaking. The attorney general shall adopt rules, pursuant to RSA 541-A, relative
30 to:

31 I. The contents and filing requirements for the qualified renter/purchaser affidavit; and

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1 II. Other provisions of this subdivision that the attorney general determines require
2 administrative rules.

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4 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to
5 read as 3:

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7 2 New Section; Notification of Qualified Renter/Purchaser Affidavit Requirement. Amend RSA
8 477 by inserting after section 4-h the following new section:

9 477:4-i Notification of Qualified Renter/Purchaser Affidavit Requirement.

10 In any purchase and sale agreement, lease agreement, or rental agreement involving real
11 property within 10 miles of a protected facility as defined in RSA 477:22-b, before signing an
12 agreement to sell, transfer, lessee, or rent such real property the seller, lessor, or landlord, or the
13 seller, lessor, or landlord's agent, shall provide written notice to the buyer, lessee, or tenant that the
14 buyer, lessee, or tenant is required to file a qualified renter/purchase affidavit with the attorney
15 general's office pursuant to RSA 477:22-d.