

Amendment to HB 1609-FN

1 Amend RSA 106-P:2 as inserted by section 1 of the bill by replacing it with the following:

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3 106-P:2 Use of Funds For Immigration Detention Facilities.

4 I. As used in this section, "immigration detention facility" means a jail, prison, or other
5 detention facility or processing or holding center, which can include local, state, and federal
6 government-run facilities and/or facilities owned and/or operated by private persons, or corporations
7 or other organizations, where non-citizens are in custody for purposes of immigration enforcement
8 and/or operations of any of the United States Department of Homeland Security component
9 agencies.

10 II. The state of New Hampshire and its political subdivisions shall not:

11 (a) Expend state, county, or municipal funds for the purpose of constructing, renovating,
12 or repurposing any state, county, or municipally-owned property for use as an immigrant detention
13 facility.

14 (b) Sell or donate any state, county, or municipally-owned property to a private entity or
15 to another governmental entity for use as an immigrant detention facility.

16 (c) Pay, reimburse, subsidize, or defray in any way costs related to the sale, purchase,
17 construction, development, ownership, management, or operation of an immigrant detention facility
18 that is owned, managed, or operated by a private entity.

19 (d) Provide payment related to the detention of individuals in an immigration detention
20 facility that is or will be owned, in whole or in part, by a private entity.

21 III. Nothing in this section shall be construed to:

22 (a) Prevent a law enforcement entity or county corrections facility that has entered into
23 a 287(g) agreement with the Department of Homeland Security from cooperating with federal
24 immigration authorities as specified in RSA 106-P:1.

25 (b) Prohibit any local government entity or state entity from providing health and safety
26 resources to individuals who are being detained for immigration purposes.