

1 Committee of Conference Report on HB 1091, relative to the penalty for violations of municipal
2 ordinances related to sleeping or camping outside.

3
4 Recommendation:

5 That the House recede from its position of nonconcurrency with the Senate amendment, and
6 concur with the Senate amendment, and

7 That the Senate and House adopt the following new amendment to the bill as amended by the
8 Senate, and pass the bill as so amended:

9
10 Amend the introductory paragraph of RSA 236:58, II(a) as inserted by section 2 of the bill by
11 replacing it with the following:

12
13 ***II.(a) In any municipality, no person shall camp, erect a tent, place or erect any***
14 ***other camping device, or sleep on the ground upon private property unless:***

15
16 Amend the bill by inserting after section 3 the following and renumbering the original section 4 to
17 read as 6:

18
19 4 Powers and Duties of Towns; Power to Make Bylaws. Amend RSA 31:39, III to read as
20 follows:

21 III. Towns may enforce the observance of the bylaws by suitable penalties not exceeding
22 \$1,000 for each offense to enure to such uses as the town may direct, ***except that for any***
23 ***ordinance or bylaw prohibiting sleeping or camping outdoors, the town may provide for a***
24 ***nonmonetary penalty that may be elected in lieu of a financial penalty. Options for***
25 ***nonmonetary penalties include, but are not limited to, community service, enrollment in a***
26 ***program designed to assist the individual with obtaining stable housing, and verification***
27 ***of secured stable housing. The option or options for a nonmonetary penalty shall:***

28 ***(a) Be stated clearly in the ordinance or bylaw language; and***

29 ***(b) Require that the individual who violates the ordinance or bylaw to elect the***
30 ***nonmonetary penalty, and if there are multiple nonmonetary penalties available, which***
31 ***penalty.***

32 5 New Paragraph; Power of City Councils; Bylaws and Ordinances. Amend RSA 47:17 by
33 inserting after paragraph XX the following new paragraph:

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1 XXI. For any ordinance or bylaw prohibiting sleeping or camping outdoors, the city council
2 may provide for a nonmonetary penalty that may be elected in lieu of a financial penalty. Options
3 for nonmonetary penalties include, but are not limited to, community service, enrollment in a
4 program designed to assist the individual with obtaining stable housing, and verification of secured
5 stable housing. The option or options for a nonmonetary penalty shall:

6 (a) Be stated clearly in the ordinance or bylaw language; and

7 (b) Require that the individual who violates the ordinance or bylaw to elect the
8 nonmonetary penalty, and if there are multiple nonmonetary penalties available, which penalty.

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The signatures below attest to the authenticity of this Report on HB 1091, relative to the penalty for violations of municipal ordinances related to sleeping or camping outside.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Gannon, Dist. 23

Rep. Roy, Rock. 31

Sen. Abbas, Dist. 22

Rep. Proulx, Hills. 15

Sen. Reardon, Dist. 15

Rep. S. Smith, Sull. 3

Rep. Paquette, Hills. 25

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2026-2022-CofC

AMENDED ANALYSIS

This bill prohibits camping without permission on another's private property and adds penalties for such violations, and permits municipalities to provide for a nonmonetary penalty that may be elected in lieu of a financial penalty for any ordinance or bylaw prohibiting sleeping or camping outdoors.