

HB 1184-FN - AS INTRODUCED

2026 SESSION

26-2684

09/05

HOUSE BILL ***1184-FN***

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

SPONSORS: Rep. Harvey-Bolia, Belk. 3; Rep. Freeman, Belk. 8; Rep. Pauer, Hills. 36; Rep. Peternel, Carr. 6; Rep. Sabourin, Rock. 30; Rep. Thibault, Merr. 25; Sen. Gannon, Dist 23

COMMITTEE: Municipal and County Government

ANALYSIS

This bill:

I. Establishes the process for issuing, extending, and appealing no trespass orders for municipal and school properties.

II. Establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

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

1 1 Short Title. This act may be cited to and known as the "No Trespass Orders on Public
2 Property Act."

3 2 New Section; Criminal Trespass; Order Against Trespass on Public Property. Amend RSA 635
4 by inserting after section 2 the following new section:

5 635:2-a Order Against Trespass on Public Property.

6 I.(a) Except as outlined in subparagraph I(c), a no trespass order (NTO) issued to a person
7 which commands such person to leave or not to enter any municipal or school property, shall not be
8 issued to any person unless approved by unanimous vote of the governing body taken in a duly
9 noticed public meeting unless the person that is the subject of the proposed NTO requests that the
10 question be decided in non-public session.

11 (b) Except as outlined in subparagraph I(c), an NTO shall be written and shall include
12 the following information:

- 13 (1) The date of issuance;
- 14 (2) The specific public property to which the order applies;
- 15 (3) A clear explanation of the reason for the NTO;
- 16 (4) The duration of the NTO, not to exceed 90 days;
- 17 (5) A statement informing the individual of the right to request a hearing, and if he
18 or she requests a hearing, the right to appear at a hearing to contest the NTO;
- 19 (6) Instructions on how to request a hearing; and
- 20 (7) A statement informing the individual of his or her right to ultimately appeal the
21 order to the superior court following the hearing.

22 (c) An NTO commanding a person to leave or not to enter any municipal or school
23 property may be issued without complying with subparagraphs I(a)-(b) but shall only be valid for 24
24 hours. Any extension of the NTO shall comply with subparagraphs I(a)-(b).

25 II.(a) If requested, the governing body responsible for the public property shall hold the
26 hearing required under paragraph I to review the NTO. The individual who has received the NTO
27 shall be notified of his or her right to appear and present his or her case.

28 (b) After the hearing, the governing body shall issue a written decision to the individual,
29 which shall include:

1 (1) Whether the NTO will be extended for up to 90 days from the date of issuance,
2 remain as originally issued, or rescinded; and

3 (2) The individual shall be informed of his or her right to appeal the decision to the
4 superior court.

5 (c) If an individual receives a subsequent NTO for the same property within 2 years of a
6 previous violation, the governing body may extend the NTO for up to one year.

7 III. If an NTO was originally issued for fewer than 90 days and the responsible governing
8 body wishes to extend it to 90 days, they may only do so by:

9 (a) A vote pursuant to paragraph V taken at a hearing held pursuant to paragraph II.

10 (b) Issuing a supplemental NTO that includes the information required by subparagraph
11 I(a), including the right to an additional hearing.

12 IV. If an NTO is sought to be extended beyond the 90-day period, the responsible governing
13 body shall initiate proceedings to seek a restraining order against the individual. A restraining
14 order shall be pursued in cases where a longer-term prohibition from the property is deemed
15 necessary.

16 V. NTOs shall require approval from the governing body to be extended. Approval shall be
17 by a majority of the governing body, unless otherwise specified by local or school regulations.
18 Governing body approval shall not be required for such an order when a court order restraining a
19 person from entering the public property has been issued to the person and remains in effect.

20 VI. Any NTOs that are in effect for more than 90 days on the effective date of this section
21 shall be rescinded automatically. Any individual subject to such an NTO shall be notified of the
22 rescindment in writing.

23 VII. Any individual issued an NTO has the right to appeal the decision to the superior court,
24 as specified in subparagraph II(b)(2). Any appeal shall be filed within 30 days of the written notice
25 of the decision.

26 3 Effective Date. This act shall take effect 60 days after its passage.

LBA
26-2684
11/3/25

**HB 1184-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2029.

AGENCIES CONTACTED:

New Hampshire Municipal Association