

HB 1508-FN - AS INTRODUCED

2026 SESSION

26-2525

07/09

HOUSE BILL ***1508-FN***

AN ACT permitting one-party consent for audio and video recordings in certain instances.

SPONSORS: Rep. Barton, Graf. 1; Rep. Beaulier, Graf. 1; Rep. McFarlane, Graf. 18; Rep. Thibault, Merr. 25; Rep. Kuttab, Rock. 17

COMMITTEE: Judiciary

ANALYSIS

This bill:

I. Permits video and audio recordings of conversations so long as it is not made in violation of privacy or used for purposes of blackmail or harassment.

II. Requires the department of justice to create and conduct a public information campaign explaining the changes in law as implemented by this act.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 permitting one-party consent for audio and video recordings in certain instances.

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

1 1 Short Title. This act may be known and cited as the "Transparency and Protection in
2 Communications Act."

3 2 New Subparagraph; Public Justice; Wiretapping and Eavesdropping; Interception and
4 Disclosure of Telecommunication or Oral Communications Prohibited. Amend RSA 570-A:2, II by
5 inserting after subparagraph (m) the following new subparagraph:

6 (n) Any person who is a party to an oral communication or telecommunication to record
7 such communication without the consent of another party provided that:

8 (1) The recording is not made in violation of privacy, as defined in RSA 644:9; and

9 (2) The recording is not used for purposes of blackmail or harassment.

10 3 Public Awareness of the Act. The department of justice, in coordination with the
11 administrative office of the courts, may:

12 I. Issue public guidance explaining the changes in law as required by this act;

13 II. Conduct a public awareness campaign regarding lawful and unlawful uses of recordings;

14 and

15 III. Provide training resources for law enforcement and prosecutors regarding the changes
16 in law as required by this act.

17 4 Effective Date. This act shall take effect 60 days after its passage.

**HB 1508-FN- FISCAL NOTE
AS INTRODUCED**

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FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase \$500,000 to less than \$1,000,000	Indeterminable Increase \$200,000 to \$500,000	Indeterminable Increase \$200,000 to \$500,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill permits one-party consent for audio and video recordings under RSA 570-A so long as the recording is not made in violation of privacy under RSA 644:9 and is not used for blackmail or harassment. The bill also authorizes the Department of Justice, in coordination with the Administrative Office of the Courts, to develop and distribute public guidance, conduct a statewide public information campaign, and provide training resources for law enforcement and prosecutors regarding the changes in law.

The Department of Justice states the bill will increase state expenditures because it requires a statewide public information and awareness campaign, legal and educational material development, and training efforts. The Department anticipates one-time costs associated with producing and disseminating a media campaign using television, radio, print, and Internet advertisement with an estimates one time cost of at least \$500,000, depending on scope and duration. In addition, the Department anticipates the need for at least one full-time employee, either a program coordinator and/or an attorney to coordinate the campaign and manage ongoing educational efforts. The position costs for an unclassified attorney is estimated at \$137,000 for FY 2027, \$138,000 for FY 2028, and \$138,000 for FY 2029. If the position is authorized it is assumed the DOJ would include the position in their FY 2028 and FY 2029 budget request.

AGENCIES CONTACTED:

Department of Justice