

HB 1561-FN - AS INTRODUCED

2026 SESSION

26-2349

12/09

HOUSE BILL            ***1561-FN***

AN ACT                prohibiting nationals of the People's Republic of China from attending state institutions of higher education.

SPONSORS:            Rep. Belcher, Carr. 4; Rep. Perez, Rock. 16; Rep. Sirois, Hills. 32; Rep. Terry, Belk. 7; Rep. Corcoran, Hills. 28

COMMITTEE:          Education Funding

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ANALYSIS

This bill prohibits nationals of the People's Republic of China from attending state institutions of higher education. The bill also establishes penalties for individuals and institutions violating the prohibition.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting nationals of the People's Republic of China from attending state institutions of higher education.

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

1 1 Short Title. This act shall be known as the "New Hampshire Higher Education Security Act".

2 2 Statement of Findings and Purpose. The general court finds that nationals of the People's  
3 Republic of China (PRC) who are not U.S. citizens pose a presumptive risk of hostile action through  
4 asymmetric warfare perpetrated by the Chinese communist government against the United States of  
5 America, and an existential threat to New Hampshire and its citizenry, including through espionage,  
6 intellectual property theft, technology transfer, and chemical, biological and cyber terrorism and  
7 warfare via affiliation with higher education institutions. These nationals pose a hostile risk to  
8 critical infrastructure, supply chains, agriculture, and the lives and livelihoods of Granite Staters.  
9 The purpose of this act is to protect national security while providing due process.

10 3 New Section; PRC Nationals; Admission Prohibited. Amend RSA 187-A by inserting after  
11 section 10-a the following new section:

12 187-A:10-b PRC Nationals; Admission Prohibited.

13 I. For the purposes of this section:

14 (a) "PRC national" means any citizen or agent of the People's Republic of China (PRC)  
15 who is not a U.S. citizen, including but not limited to those with direct and compromising ties to the  
16 PRC, such as employment by PRC state-owned enterprises, membership in the Chinese Communist  
17 Party, financial links to the PRC government, pledged allegiance to PRC leaders, or acting on orders  
18 originating from the PRC government.

19 (b) "Higher education institutions" means any public or private college or university in  
20 New Hampshire that is accredited by the state.

21 (c) "Attendance" means the in-person or virtual enrollment as a student, participation in  
22 research, employment, or access to campus facilities beyond public events.

23 II.(a) All higher educations institutions shall be prohibited from:

24 (1) Permitting the attendance of a PRC national, as defined in RSA 187-A:10-b, I(a).

25 (2) Entering into partnerships, grants, or research collaborations with entities  
26 affiliated with the PRC government.

27 (b) All higher education institutions shall be required to obtain notarized affidavits from  
28 all applicants and current students attesting they are not a PRC national. Such affidavits shall be  
29 filed with the department of education within 5 business days of receipt or renewal.

1           III. Individuals qualifying as "PRC nationals" as defined in RSA 187-A:10-b, I(a), shall have  
2 90 days following the effective date of this act to voluntarily withdraw from the higher education  
3 institution which they attend, during which time they may retain their transcripts and academic  
4 credits previously attained. Refusal by the individual to withdraw within 90 days following the  
5 effective date of this act shall result in the assessment of a penalty established in RSA 187-A:10-b,  
6 IV(c) and shall create a presumption of hostile intent, which shall result in:

7           (a) Mandatory expulsion from the institution of higher education.

8           (b) Referral to the relevant federal authorities for potential visa revocation.

9           (c) The institution of higher education being fined \$1,000 per day for failing to act where  
10 such institution had knowledge of the PRC national being enrolled or present on campus, to be  
11 assessed by the attorney general.

12           IV. The attorney general shall enforce this act by assessing the following penalties for  
13 violation of RSA 187-A:10-b, II or RSA 187-A:10-b, III:

14           (a) For violations by higher education institutions, the attorney general shall fine the  
15 higher education institution \$100,000 for each violation and may refer such violation to the state  
16 treasurer to assess whether said institution shall be also deprived of any state funding. Serial  
17 violations or noncooperation by higher education institutions may result in the attorney general  
18 recommending revocation or suspension of state accreditation, in addition to any fines and losses of  
19 state funding.

20           (b) Violations by individuals qualifying as PRC nationals shall be a class A  
21 misdemeanor, and the attorney general may refer said individual to the Department of Homeland  
22 Security. Referral to the Department of Homeland Security may lead to deportation proceedings.

23           (c) Violations by any faculty or staff employed by a higher education institution shall be  
24 a class A misdemeanor.

25           V. Any person or organization providing actionable information to the secretary of state's  
26 office regarding a violation of RSA 187-A:10-b, II or RSA 187-A:10-b, III shall be entitled to receive  
27 10 percent of any recovered funds, including reclaimed tuition or fines, paid from the general fund.

28           VI. The attorney general may adopt rules pursuant to RSA 541-A relative to the  
29 implementation of the provisions of this act.

30           VII. The attorney general shall issue an annual report to the legislature by no later than  
31 December 31 of each year detailing the violations addressed, including but not limited to cases of  
32 intellectual property theft or espionage.

33           VIII. If any provision of this section or the application thereof to any person or circumstance  
34 is held invalid, the invalidity does not affect other provisions or applications of the section which can  
35 be given effect without the invalid provisions or applications, and to this end the provisions of this  
36 section are severable.

37           4 Effective Date. This act shall take effect January 1, 2027.

**HB 1561-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT prohibiting nationals of the People's Republic of China from attending state institutions of higher education.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	USNH - \$2M Per Year Decrease CCSNH \$100K to \$500K Per Year Decrease		
<i>Revenue Fund</i>	USNH and CCSNH Revenue			
<b>Expenditures*</b>	\$0	USNH - \$100K to \$500K Per Year CCSNH - \$100K to \$500K Per Year Criminal Justice System Impact - Indeterminable		
<i>Funding Source</i>	General Fund, USNH and CCSNH Operating Expenditures			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	\$0	Indeterminable		
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	Indeterminable		

**METHODOLOGY:**

This bill, effective January 1, 2027, would prohibit nationals of People's Republic of China from enrollment, employment, research participation, and access to campus facilities beyond public events at any postsecondary education institution accredited by the State of New Hampshire, with provisions for financial and criminal penalties for noncompliance. PRC nationals would be defined as “any citizen or agent of the People's Republic of China (PRC) who is not a U.S. citizen.” The bill would require all institutions to obtain notarized affidavits from all applicants and current students to attest that they are not a PRC national.

**University System of New Hampshire (USNH) Impact**

Below are assumptions made by USNH relative to determining this bill’s potential impact:

- Reference in the bill’s text to the state’s “accreditation” of postsecondary education institutions is understood to refer to the authorization to operate in NH as conferred by NH statute (public) or by the NH Higher Education Commission (private), and it thus would govern USNH institutions.
- Within 90 days of this bill becoming effective, USNH would require all PRC citizens to separate from enrollment with USNH institutions and would terminate all faculty/researchers with H1B visas from the PRC (43 and 21 respectively in fall 2025). USNH institutions would additionally cease all research funded by PRC sources (currently none in FY25, the most recent ended in FY24).
- Depending on the resolution of a conflict in the bill’s language, USNH institutions potentially would need to develop and support a recordkeeping system for the notarized affidavits required of all applicants (approximately 45,000 annually) and current students (approximately 16,000 one-time) attesting that they are not a PRC national, regardless of their standing as a U.S. citizen, effective fall 2026.
- Although not required explicitly in the bill’s text, USNH would need to require notarized affidavits of all current and prospective employees who are neither a U.S. citizen nor a PRC citizen and of all current and prospective research partners, including those affiliated with the Advanced Regenerative Manufacturing Institute (ARMI) project, attesting that no individual or agent or subcontractor of the participating entity has direct and compromising ties to the PRC, effective fall 2026. Failure to provide such affidavits by current employees or research partners within the 90-day window would result in termination and/or legal review/proceedings to sever research contracts.
- The stipulated financial and criminal penalties would not apply to USNH institutions that in good faith obtained a notarized affidavit from an individual or entity who may in fact have direct (or subcontracted) and compromising ties to the PRC that are not transparently evident.

Based on the assumptions above, USNH estimates a \$2 million or greater annual reduction in operating revenue by the loss of enrollment of students who are PRC citizens and by the loss of research funding from PRC nongovernmental sources, beginning fall 2026 (FY27) and ongoing beyond FY29. USNH anticipates indeterminable additional decreases in revenue from the loss of enrollment and research funding by those who fail to provide the requisite affidavit.

<b>Description</b>	<b>Students</b>	<b>Rate</b>	<b>Revenue</b>
Undergrad Tuition/Fees	8	\$40,844	\$326,752
Grad Tuition/Fees	27	\$31,708	\$856,116

Law Tuition/Fees	8	\$43,356	\$346,848
On-Campus Housing/Meals	12	\$14,704	\$176,448
Contracts, 5 Year Ave			\$265,360
		<b>Total</b>	<b>\$1,971,524</b>

USNH anticipates an indeterminable increase in expense to support recordkeeping systems to acquire (with follow-up) and retain affidavits from all students and entities engaged with the University System and to manage and recruit for positions vacated by PRC citizens and/or by those who fail to provide an affidavit. There is potential for increased legal expenses to separate from contracts and to defend against complaints of noncompliance. Annual expenditures would be expected to begin in FY26 to prepare for fall 2026 (FY27) and are expected to continue beyond FY29.

Increased expense and/or decreased revenue resulting from compliance with the state law would necessitate increases in USNH tuition and/or mandatory fee rates and/or a reduction in financial aid from institutional resources, given limited operating revenue streams and budgetary levers in a highly competitive market.

**Community College System of New Hampshire Impact**

Below are assumptions made by USNH relative to determining this bill’s potential impact:

- This bill prohibits any college within the CCSNH from enrolling or employing PRC nationals or “agents” as defined in subparagraph I(a). Any students enrolled or individuals employed at the time of enactment would have 90 days to withdraw from the institution.
- This bill prohibits CCSNH from partnerships, research collaborations or grants that involve entities that are similarly defined.
- This bill requires CCSNH to obtain a notarized affidavit from all applicants for admission and from current students. “Students” is not defined in the bill. CCSNH would seek clarification regarding who constitutes a “student” beyond those in traditional credit-bearing courses and programs, such as Early College and participants in non-credit short-term training programs.
- Language in section 3, subparagraph I(a) would be interpreted to be broadly construed to include under the category of “agent” non-PRC nationals who are citizens of other nations, who may have “direct and compromising ties to the PRC, such as employment by PRC state-owned enterprises, membership in the Chinese Communist Party, financial links to the PRC government, pledged allegiance to PRC leaders, or acting on orders originating from the PRC government.”

- If so, CCSNH has not determined how it would ascertain this in every instance. Fiscal impact would include either the costs of due diligence or of implementing and maintaining the affidavit process for all employees, job applicants and prospective partners to determine whether any entity or person who is not a citizen of the PRC meets the broader criteria such as having “financial links to the PRC government” or is in some manner “employed by PRC state-owned enterprises” or has “pledged allegiance to PRC leaders” etc.
- The responsibility to submit the affidavits to the Department of Education within five business days of receipt or renewal for all applicants and enrolled students creates an enormous administrative burden that could involve between 15,000 and 25,000 individual students and applicants, many of whom are already documented as citizens of the United States through their application and subsequent determination of eligibility for federal financial aid.
- CCSNH would face a financial penalty of \$100,000 per violation for violating the prohibitions in the bill and the potential loss of state funding.

Historically CCSNH sees little to no enrollment of students or employment of PRC citizens. However, doing the required due diligence on all prospective participants in employment, enrollment, and/or other forms of proscribed affiliation would bring indeterminable but very significant costs, particularly if the requirement is construed broadly as suggested by the current language of the bill and outlined in the assumptions above.

CCSNH foresees significant costs arising from its responsibility to obtain notarized affidavits from all applicants and students and file them with the New Hampshire Department of Education within 5 business days of receipt, and to adopt internal verification procedures to ensure that the institution remains in compliance to avoid the penalties outlined in the bill. It is unclear whether CCSNH would be required to disenroll students who were not timely in submitting affidavits, but if this were the case, CCSNH would expect some loss of revenue from students who were disenrolled, additional administrative costs for that process, including return of Title IV financial aid funds to the federal government in some cases, and additional administrative costs for subsequent reinstatement of those students who subsequently submitted affidavits for purposes of re-enrollment. CCSNH would also anticipate the need to strengthen oversight and compliance efforts of our financial aid function – a highly regulated environment with penalties for compliance errors - in response to the added complexities described immediately above.

CCSNH anticipates potential impact arising from the prohibition on research collaborations in which CCSNH is a partner.

Ultimately, estimating a range of impact across the seven CCSNH colleges is difficult, but would estimate expenditure increase at between \$100,000 and \$500,000 per year. This expense would likely comprise additional personnel and the costs of maintaining verification systems. CCSNH further estimates a potential decrease in revenue between \$100,000 and \$500,000 per year, for the reasons noted above.

### **Judicial and Correctional System Impact**

Lastly, this bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: [https://gencourt.state.nh.us/lba/Budget/Fiscal\\_Notes/JudicialCorrectionalCosts.pdf](https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf)

### **AGENCIES CONTACTED:**

University System of New Hampshire, Community College System of New Hampshire, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association