

HB 1606-FN - AS INTRODUCED

2026 SESSION

26-2394

04/09

HOUSE BILL            ***1606-FN***

AN ACT                regulating real property ownership by Chinese nationals and providing for civil, criminal, and administrative penalties.

SPONSORS:            Rep. Belcher, Carr. 4; Rep. Perez, Rock. 16; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Sirois, Hills. 32; Rep. Terry, Belk. 7; Rep. Sellers, Graf. 10

COMMITTEE:          Commerce and Consumer Affairs

---

ANALYSIS

This bill restricts PRC nationals from acquiring ownership or controlling interests in real property in New Hampshire.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



**HB 1606-FN - AS INTRODUCED**

**- Page 2 -**

1 I. No PRC national, as defined in RSA 477:22-h, I, shall acquire or maintain a controlling  
2 interest in real property in New Hampshire.

3 II. No entity shall facilitate the acquisition or control of real property by a PRC national,  
4 including through partnerships, grants, or collaborations affiliated with the PRC government.

5 III. For PRC nationals holding controlling interests as of the date this section becomes law,  
6 a 90-day window from the effective date of this act is provided for voluntary divestment through  
7 sale, during which the PRC national(s) may retain proceeds from sale. Continued controlling  
8 interest by PRC nationals after this period shall create a presumption of hostile intent, triggering  
9 immediate default of property to state control for investigation and remediation of any threats  
10 present in conjunction with relevant federal authorities and resources, after which the state shall  
11 auction the property.

12 477:22-j Civil Penalties.

13 I. Upon a judicial or administrative finding that a PRC national engaged in prohibited  
14 conduct under RSA 477:22-i, a civil penalty of 25 percent of the greater of the fair market value or  
15 actual price paid for the property per violation shall be assessed.

16 II. Civil penalties imposed under this section shall be in addition to, and not in lieu of, any  
17 forfeiture or seizure of property under RSA 477:22-l.

18 477:22-k Criminal Penalties.

19 I. Acquisition of property in violation of RSA 477:22-i is a:

20 (a) Class A misdemeanor, when committed by an entity defined in RSA 477:22-h, I; or

21 (b) Class A misdemeanor, when committed by a licensed real estate agent who  
22 knowingly facilitates or participates in a transaction that violates RSA 477:22-i.

23 II. The attorney general's office may refer a violation of this section for prosecution to the  
24 county attorney's office in the county in which the subject property is located.

25 III. The attorney general's office may pursue a forfeiture action according to RSA 477:22-l  
26 against a person or entity convicted of an offense under paragraph I of this section.

27 IV. The New Hampshire department of homeland security shall facilitate deportation  
28 proceedings at the direction of U.S. Department of Homeland Security Immigration and Customs  
29 Enforcement.

30 V. Criminal penalties imposed under this section shall be in addition to, and not in lieu of,  
31 any forfeiture or seizure of property under RSA 477:22-l.

32 477:22-l Forfeiture of Real Property.

33 I. The department of justice may bring a civil forfeiture action under this section against a  
34 person or entity who has acquired or maintained a controlling interest in real property in violation of  
35 this subdivision. A criminal conviction shall not be required to initiate or complete forfeiture  
36 proceedings.

1           II. Real property that is subject under RSA 477:22-i may be seized by the state and forfeited  
2 as provided in this section. Property seized under this section may be held by the state to secure it  
3 prior to forfeiture proceedings.

4           III. The state may seize the subject property by filing in the registry of deeds in the county  
5 where the property is located a notice of attachment stating that the state has attached the  
6 identified property pursuant to this section.

7           IV. The state shall have a lien on any property subject to forfeiture under this section upon  
8 seizure of property. Upon forfeiture, the state's title to the property relates back to the date of  
9 seizure.

10          V. Within 30 days of the seizure of any real property under paragraph II, the attorney  
11 general shall file a petition in the superior court of the county in which the property was seized,  
12 requesting forfeiture of the property. The court shall issue an order of notice requiring the state to  
13 send by certified mail a copy of the petition to all owners of the property, including those with partial  
14 ownership or controlling interests, and to other persons appearing to have an interest in the  
15 property. If no such petition is filed within 30 days of the seizure of the property, the property shall  
16 be returned to its owners.

17          VI. The court may order forfeiture of the property seized under paragraph II if the state  
18 establishes, by a preponderance of the evidence, that:

19           (a) The ownership or controlling interest in the property was acquired or maintained in  
20 violation of this section; and

21           (b) The person or entity holding the interest knew or should have known of the violation.

22          VII. If forfeiture is granted, the attorney general shall provide for the disposition of the  
23 forfeited property in any manner not prohibited by law, including retention of the property for  
24 official use by law enforcement or other public agencies, or by sale at public auction. The attorney  
25 general shall pay the reasonable expenses of the seizure, forfeiture proceeding, and sale of property  
26 from the proceeds of any public auction of forfeited items or from any penalty obtained under this  
27 chapter. All outstanding recorded liens on any property forfeited shall be paid in full within a  
28 reasonable time following the court proceedings.

29          VIII. If enforcement results in seizure and auction of property, proceeds shall be split 60  
30 percent to the general fund and 40 percent to the locality where the property is located.

31          IX. In cases of shared or partial ownership, only the ownership interest attributable to the  
32 PRC national may be subject to seizure forfeiture. The state shall bear the burden of proving the  
33 extent of the PRC national's interest by a preponderance of the evidence. Non-PRC co-owners shall  
34 retain their respective interests, and any proceeds from sale or auction shall be distributed  
35 proportionally after deduction of expenses and satisfaction of liens. The attorney general may offer  
36 the forfeited interest for sale to existing co-owners at fair market value at public auction.

**HB 1606-FN - AS INTRODUCED**

**- Page 4 -**

1           477:22-m Bounty Provision. Any person or organization that provides material information  
2 leading to the successful seizure and sale or auction of real property under RSA 477:22-i shall  
3 receive a bounty of not less than 5 percent and not more than 10 percent of the net proceeds  
4 recovered by the state from such sale or auction. The bounty shall be paid from the net proceeds  
5 recovered by the state from such sale or auction. The bounty shall be paid from the general fund  
6 following the conclusion of the forfeiture process. Eligibility for the bounty shall not require a  
7 criminal conviction and shall be determined administratively by the attorney general.

8           477:22-n Severability.

9           If any provision of this subdivision is declared unconstitutional or the applicability thereof to any  
10 person or circumstance is held invalid, the constitutionality of the remainder of the subdivision and  
11 the applicability thereof to other persons and circumstances shall not be affected thereby.

12           3 Effective Date. This act shall take effect January 1, 2027.

**HB 1606-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT regulating real property ownership by Chinese nationals and providing for civil, criminal, and administrative penalties.

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

<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	Indeterminable	Indeterminable	Indeterminable
<i>Revenue Fund(s)</i>	General Fund			
<b>Expenditures*</b>	\$0	Indeterminable Increase \$866,000 to \$1,366,000 (General Fund)	Indeterminable Increase \$1,,020,000 to \$1,520,000 (General Fund)	Indeterminable Increase \$1,043,000 to \$1,543,000 (General Fund)
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations*</b>	\$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 prohibits certain “PRC nationals,” as defined in the bill, from acquiring or maintaining ownership or controlling interests in real property in New Hampshire. It authorizes the Department of Justice (DOJ) to investigate potential violations, bring civil and criminal enforcement actions, initiate forfeiture proceedings, file notices of attachment, coordinate with federal agencies, and manage the disposition or sale of seized property. The bill also authorizes DOJ to determine eligibility for bounty awards related to forfeiture actions. The Division of Homeland Security and Emergency Management (HSEM) within the Department of Safety would be required to establish a new law enforcement unit to assist with enforcement activity.

The Department of Justice anticipates a significant increase in its investigative, litigation, enforcement, forfeiture administration, and property-management responsibilities under this bill. DOJ states the number of potential cases is unknown; however, implementation will require substantial attorney, investigative, and paralegal support. DOJ did not provide a position-by-position breakout of staffing needs but indicated that at least five new positions would be required to meet the bill’s mandates.

For purposes of the fiscal note, DOJ assumes the positions would begin January 1, 2027, which results in a partial-year cost in FY 2027 and full-year costs in FY 2028 and FY 2029. The estimated combined cost of the five positions is \$520,000 in FY 2027, \$630,000 in FY 2028, and \$650,000 in FY 2029. The FY 2027 amount reflects higher start-up costs for investigative resources, including vehicles, and equipment.

<b>Positions Requested by DOJ</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
Unclassified Attorney x 2	\$140,000	\$276,000	\$280,000
Unclassified Investigator x 2	\$312,000	\$256,000	\$268,000
Paralegal x 1 (23-2010 PARALGLS-LGL ASSTS-5 SOC21-05)	\$68,000	\$98,000	\$102,000
<b>Total Salary, Benefits and Operating Expenses</b>	<b>\$520,000</b>	<b>\$630,000</b>	<b>\$650,000</b>

In addition to staffing, DOJ notes that enforcement activity may require expenditures for title work, expert review, property management, auction costs, and bounty-award processing. Because the number and nature of cases cannot be predicted, these additional costs are indeterminable. Any revenues from penalties or forfeiture-related activity cannot be estimated.

The Department of Safety, Homeland Security and Emergency Management (HSEM) states that it does not currently employ sworn law enforcement personnel. To carry out statutory responsibilities created by this bill, HSEM reports that it would need to establish a new enforcement section consisting of three State Troopers/Officers, one State Trooper Lieutenant/Supervisor, and one administrative support position. HSEM provided total estimated costs for these positions as follows: \$366,000 in FY 2027, \$520,000 in FY 2028, and \$543,000 in FY 2029. It is assumed these would be General Fund expenditures.

<b>Positions Requested by DOS</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
State Troopers/Officer x 3 (33-3050 POLICE OFFICERS-P1 SOC33P-05)	\$189,000	\$315,000	\$330,000
State Trooper Lieutenant x 3 (33-3020 DETECTIVES-C1 SOC33C-05)	\$133,000	\$126,000	\$131,000
Administrative Assistant x 1 (43-6010 ADMIN ASSTS-1 SOC43-04)	\$44,000	\$79,000	\$82,000
<b>Total Salary, Benefits and Operating Expenses</b>	<b>\$366,000</b>	<b>\$520,000</b>	<b>\$543,000</b>

This bill does not authorize or fund any of the positions requested by the Department of Justice or the Department of Safety. It is assumed if the positions are authorized the costs for the positions in FY 2028 and FY 2029 would be included in the Departments' FY 2028 and FY 2029 budget requests.

Additionally, the HSEM notes a technical defect in this bill under RSA 477:22-k,IV, as deportation proceedings are a federal matter and the State of New Hampshire does not have authority to conduct these activities.

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:**

Department of Justice, Department of Safety, Judicial Branch, Judicial Council, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association