

HB 1609-FN - AS INTRODUCED

2026 SESSION

26-2436

09/06

HOUSE BILL ***1609-FN***

AN ACT limiting the use of state, county, and municipal funds and property for construction and operation of certain immigrant detention facilities.

SPONSORS: Rep. Meuse, Rock. 37; Rep. Bay, Straf. 21; Rep. N. Germana, Ches. 15; Rep. A. Murray, Hills. 20; Rep. Scherr, Rock. 26; Rep. Seibert, Hills. 21; Sen. Perkins Kwoka, Dist 21

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill places restrictions on the use of state, county, and municipal funds and property for the purpose of detention of immigrants.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 limiting the use of state, county, and municipal funds and property for construction and operation of certain immigrant detention facilities.

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

1 1 New Section; Participation in Federal Immigration Programs. Amend RSA 106-P by inserting
2 after section 1 the following new section:

3 106-P:2 Use of Funds For Immigration Detention Facilities.

4 I. The state of New Hampshire and its political subdivisions shall not:

5 (a) Expend state, county, or municipal funds for the purpose of constructing, renovating,
6 or repurposing any state, county, or municipally-owned property for use as an immigrant detention
7 facility.

8 (b) Sell or donate any state, county, or municipally-owned property to a private entity or
9 to another governmental entity for use as an immigrant detention facility.

10 (c) Pay, reimburse, subsidize, or defray in any way costs related to the sale, purchase,
11 construction, development, ownership, management, or operation of an immigrant detention facility
12 that is owned, managed, or operated by a private entity.

13 (d) Provide payment related to the detention of individuals in an immigration detention
14 facility that is or will be owned, in whole or in part, by a private entity.

15 II. Nothing in this section shall be construed to:

16 (a) Prevent a law enforcement entity or county corrections facility that has entered into
17 a 287(g) agreement with the Department of Homeland Security from cooperating with federal
18 immigration authorities as specified in RSA 106-P:1.

19 (b) Prohibit any local government entity or state entity from providing health and safety
20 resources to individuals who are being detained for immigration purposes.

21 2 Effective Date. This act shall take effect upon its passage.

**HB 1609-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT limiting the use of state, county, and municipal funds and property for construction and operation of certain immigrant detention facilities.

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	Indeterminable Decrease		
County Expenditures	\$0	Indeterminable Increase		
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill prohibits the use of state, county, and municipal funds or property for the construction, renovation, repurposing, or operation of immigrant detention facilities, particularly those managed by private entities. It also restricts the sale or donation of public property for such purposes and disallows financial support for facilities owned or operated by private entities.

The New Hampshire Association of Counties (NHAC) states this bill may result in an indeterminable loss of county revenue and potential litigation costs. Counties currently have statutory authority under RSA 30-B to enter into agreements with federal agencies, and the proposed restrictions may conflict with that authority. This could lead counties to decline or renegotiate contracts, eliminating potential federal reimbursement for housing detainees. The fiscal impact varies by county and therefore is indeterminable.

The New Hampshire Municipal Association (NHMA) states this bill would have no impact on municipal revenues or expenditures, as it creates a prospective ban on the use of funds for immigration detention facilities.

The Department of Administrative Services states there should be no impact on state revenue or expenditures however, any legal defense of the bill in federal court could result in additional, though indeterminable, legal costs to the state.

AGENCIES CONTACTED:

Department of Administrative Services, New Hampshire Association of Counties, and New Hampshire Municipal Association