

HB 206-FN - AS AMENDED BY THE HOUSE

7Jan2026... 3098h

2025 SESSION

25-0066
09/08

HOUSE BILL

206-FN

AN ACT

relative to government agent entries into secured premises.

SPONSORS:

Rep. Spillane, Rock. 2; Rep. Edwards, Rock. 31; Rep. Granger, Straf. 2; Rep. Osborne, Rock. 2; Rep. Popovici-Muller, Rock. 17; Rep. Roy, Rock. 31; Rep. Turcotte, Straf. 4; Rep. Lynn, Rock. 17; Rep. Kofalt, Hills. 32; Sen. McGough, Dist 11; Sen. Gannon, Dist 23; Sen. Innis, Dist 7

COMMITTEE:

Criminal Justice and Public Safety

ANALYSIS

This bill establishes requirements for when a government agent may enter a secured premises without a warrant.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to government agent entries into secured premises.

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 to as the "New Hampshire Private Lands
2 Protection Act".

3 2 New Section; Warrantless Searches. Amend RSA 595-A by inserting after section 10 the
4 following new section:

5 595-A:11 Warrantless Searches.

6 I. For purposes of this section:

7 (a) "Government agent" means any state or local law enforcement agent, or any other
8 person working with or acting at the behest of law enforcement.

9 (b) "Probable cause" means the presence of facts and circumstances within the
10 government agent's knowledge that would warrant a person of reasonable caution to believe that an
11 offense has been or is being committed.

12 (c) "Secured premises" means privately-owned land which is posted in a manner
13 prescribed by RSA 207:22-a and 635:4; which is otherwise posted in a manner reasonably likely to
14 come to the attention of intruders; or which is fenced or otherwise enclosed in whole or in part in a
15 manner which a reasonable person would understand evidences an ongoing intent to exclude
16 intruders.

17 (d) "Warrant" means a court order authorizing a search or seizure that is supported by
18 individualized probable cause and executed by a magistrate or judge.

19 II. Unless authorized by law, no government agent shall enter any secured premises without
20 a search warrant except:

21 (a) After receiving the permission of the property owner, lessee, or occupant; or

22 (b) To respond to exigent circumstances, such as a life-threatening emergency or another
23 immediate threat to public safety that was either reported to the agent or the agent personally
24 observed.

25 III. Upon entering private land, a government agent shall immediately notify the
26 landowner, lessee, or occupant if notice can be reasonably made.

27 IV. Unless entering private land pursuant to consent or exigent circumstances, a
28 government agent shall show the search warrant authorizing entry to the property owner, lessee, or
29 occupant if they are present.

30 V. A government agent shall not seize any private property from a secured premises without
31 first acquiring a warrant authorizing said seizure, or unless the agent has entered the secured

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1 premises pursuant to consent or exigent circumstances and has individualized probable cause of the
2 commission of a criminal offense justifying said seizure.

3 VI. Any evidence obtained pursuant to a search or seizure conducted in violation of this
4 section is inadmissible in any administrative, civil, or criminal proceeding.

5 VII. Any arrest made pursuant to a search or seizure conducted in violation of this section is
6 invalid.

7 VIII. The provisions of this section shall not apply to conservation officers and other officers
8 of the fish and game commission, who may exercise the authority granted to them pursuant to RSA
9 206:26, I, to go upon any property outside of buildings to the extent necessary for enforcing the
10 state's laws, rules, and regulations related to wildlife.

11 IX. Nothing in this section shall be construed to limit, restrict, or impair the access of any
12 governmental or regulatory agency to buildings, businesses, or other premises as provided by law.

13 3 Effective Date. This act shall take effect January 1, 2026.

LBA
25-0066
1/13/26

**HB 206-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-3098h)**

AN ACT relative to government agent entries into secured premises.

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:

Department of Justice