

HB 314-FN - AS AMENDED BY THE HOUSE

8Jan2026... 3026h

2025 SESSION

25-0489

07/05

HOUSE BILL

314-FN

AN ACT

prohibiting the use of federal, state, or local funds for lobbying activities.

SPONSORS:

Rep. Potenza, Straf. 19; Rep. Bailey, Straf. 2; Rep. Bernardy, Rock. 36; Rep. Burnham, Straf. 2; Rep. Cambrils, Merr. 4; Rep. DeRoy, Straf. 3; Rep. Tom. Mannion, Hills. 1; Rep. Sabourin, Rock. 30; Rep. Soti, Rock. 35; Rep. Bjelobrk, Graf. 5

COMMITTEE:

Legislative Administration

ANALYSIS

This bill regulates the use of public funds for lobbying activities and establishes certain additional enforcement mechanisms.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting the use of federal, state, or local funds for lobbying activities.

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

1 1 Lobbyists; Prohibited Activities. RSA 15:5 is repealed and reenacted to read as follows:

2 15:5 Prohibited Lobbyist Activities.

3 I. In this section, "public funds" means a grant or appropriation to, and received by, a state,
4 county, town, city, village district, unincorporated place, or school district.

5 II. Except as provided in paragraph V, no recipient of a grant or appropriation of public
6 funds may use public funds to lobby or attempt to influence legislation or contribute public funds to
7 any person, partnership, firm, or corporation that is employed to promote or oppose, directly or
8 indirectly, any legislation pending or proposed before the general court.

9 III. Any recipient of a grant or appropriation of public funds that wishes to engage in any of
10 the activities prohibited in paragraph II, or contribute funds to any entity engaged in these
11 activities, shall segregate the public funds in such a manner that such funds are physically and
12 financially separate from any non-public funds that may be used for any of these purposes. Mere
13 bookkeeping separation of the public funds from other moneys shall not be sufficient.

14 IV. Nothing in this section shall restrict public officials or public employees from testifying
15 before the legislature unless the individual testifying is required to register as a lobbyist in
16 accordance with RSA 15:1.

17 V. A municipality that wishes to engage in the activities prohibited by RSA 15:5, II may
18 permit those activities in the following manner:

19 (a) In a town, the question shall be placed on the warrant of an annual town meeting
20 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative
21 body may vote to place the question on the official ballot for any regular municipal election, or, in the
22 alternative, shall place the question on the official ballot for any regular municipal election upon
23 submission to the legislative body of a petition signed by 5 percent of the registered voters.

24 (b) The selectmen, aldermen, or city council shall hold a public hearing on the question
25 at least 15 days but not more than 30 days before the question is to be voted on. Notice of the
26 hearing shall be posted in at least 2 public places in the municipality and published in a newspaper
27 of general circulation at least 7 days before the hearing.

28 (c) The wording of the question shall be substantially as follows:
29 "Shall we allow public funds to be used for lobbying, an attempt to influence legislation, participate
30 in political activity, or contribute funds to any entity engaged in these lobbying activities?"

1 (d) If a majority of those voting on the question vote "Yes," public funds may be utilized
2 for lobbying activities by the town or city.

3 (e) If the question is not approved, the question may later be voted upon according to the
4 provisions of paragraph I at the next annual town meeting or regular municipal election.

5 (f) A municipality that has voted to allow the public funding of lobbying activities may
6 consider rescinding its action in the manner described in paragraph I of this section.

7 (g) An unincorporated place may allow the public funding of lobbying activities by
8 majority vote of the county delegation, after a public hearing is held.

9 (h) In a municipality that approves the use of public funds for the purpose of lobbying
10 activities, the municipality shall publish in the municipality's annual report to its citizens, the dollar
11 amount expensed to each recipient engaged in lobbying activities utilizing public funds. In the case
12 of a recipient which provides other services in addition to lobbying, there shall be no requirement for
13 the segregation of public funds, but the annual report shall delineate the lobbying and non-lobbying
14 expensed of each recipient.

15 2 Towns, Cities, Village Districts, and Unincorporated Places; Powers; Authorization to Pay
16 Dues. Amend RSA 31:8-a to read as follows:

17 31:8-a Authorization to Pay Dues. [~~The~~] ***After a municipality has satisfied the***
18 ***requirements of RSA 15:5, V regarding the use of public funds for lobbying activities, the***
19 board of selectmen may vote to pay, from amounts appropriated by the town for town officers'
20 expenses, such amounts as shall be payable for annual membership in the New Hampshire
21 Municipal Association and expenses incurred in attending regular meetings of the said association,
22 provided that the appropriation of such dues has not previously been rejected by a vote at the annual
23 town meeting and provided further that the association shall not record association positions before
24 the general court or committees thereof on matters which do not directly affect New Hampshire
25 towns and cities, nor engage in partisan political activity by endorsing, or otherwise supporting, any
26 political party or candidate.

27 3 Applicability. This act applies only to an expenditure or payment of public funds as defined in
28 RSA 15:5, I, that is made on or after the effective date of this act, including an expenditure or
29 payment of public funds that is made under a contract entered into before, on, or after the effective
30 date of this act.

31 4 Effective Date. This act shall take effect January 1, 2027.

**HB 314-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting the use of federal, state, or local funds for lobbying activities.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

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

The bill also provides for civil remedies. There is no way to predict how many such actions would occur, but the Judicial Branch has provided average cost information for civil cases in the Superior Court:

NH Judicial Branch Average Civil Case Estimates for LBA

Judicial Branch Average Cost	FY 2025	FY 2026
Superior Court Complex Civil Case	\$1,430	\$1,473
Superior Court Routine Civil Case	\$535	\$552

Common Civil Case Fees

Superior Court Fees	As of 2/12/2020
Original Entry Fee	\$280
Third-Party Claim	\$280
Motion to Reopen	\$160

AGENCIES CONTACTED:

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