

HB 1091 - AS AMENDED BY THE HOUSE

5Mar2026... 0657h

2026 SESSION

26-2510
09/08

HOUSE BILL **1091**

AN ACT relative to the penalty for violations of municipal ordinances related to sleeping or camping outside.

SPONSORS: Rep. Newell, Ches. 4; Rep. A. Murray, Hills. 20; Rep. O'Rorke, Ches. 7; Rep. Scherr, Rock. 26; Rep. Wheeler, Hills. 33; Rep. D. Paige, Carr. 1; Rep. Beauchemin, Hills. 3; Sen. Fenton, Dist 10; Sen. Watters, Dist 4

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill requires municipalities to provide for a nonmonetary penalty that may be elected in lieu of a financial penalty for any ordinance or bylaw prohibiting sleeping or camping outdoors.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the penalty for violations of municipal ordinances related to sleeping or camping outside.

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

1 1 Powers and Duties of Towns; Power to Make Bylaws. Amend RSA 31:39, III to read as
2 follows:

3 III. Towns may enforce the observance of the bylaws by suitable penalties not exceeding
4 \$1,000 for each offense to enure to such uses as the town may direct, ***except that for any***
5 ***ordinance or bylaw prohibiting sleeping or camping outdoors, the town shall provide for a***
6 ***nonmonetary penalty that may be elected in lieu of a financial penalty. Options for***
7 ***nonmonetary penalties include, but are not limited to, community service, enrollment in a***
8 ***program designed to assist the individual with obtaining stable housing, and verification***
9 ***of secured stable housing. The option or options for a nonmonetary penalty shall:***

- 10 (a) ***Be stated clearly in the ordinance or bylaw language; and***
- 11 (b) ***Require that the individual who violates the ordinance or bylaw to elect the***
- 12 ***nonmonetary penalty, and if there are multiple nonmonetary penalties available, which***
- 13 ***penalty.***

14 2 New Paragraph; Power of City Councils; Bylaws and Ordinances. Amend RSA 47:17 by
15 inserting after paragraph XX the following new paragraph:

16 XXI. For any ordinance or bylaw prohibiting sleeping or camping outdoors, the city council
17 shall provide for a nonmonetary penalty that may be elected in lieu of a financial penalty. Options
18 for nonmonetary penalties include, but are not limited to, community service, enrollment in a
19 program designed to assist the individual with obtaining stable housing, and verification of secured
20 stable housing. The option or options for a nonmonetary penalty shall:

- 21 (a) Be stated clearly in the ordinance or bylaw language; and
- 22 (b) Require that the individual who violates the ordinance or bylaw to elect the
- 23 nonmonetary penalty, and if there are multiple nonmonetary penalties available, which penalty.