

HB 1184-FN - AS AMENDED BY THE HOUSE

12Mar2026... 0756h
12Mar2026... 1089h

2026 SESSION

26-2684
09/05

HOUSE BILL **1184-FN**

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

SPONSORS: Rep. Harvey-Bolia, Belk. 3; Rep. Freeman, Belk. 8; Rep. Pauer, Hills. 36; Rep. Peternel, Carr. 6; Rep. Sabourin, Rock. 30; Rep. Thibault, Merr. 25; Sen. Gannon, Dist 23

COMMITTEE: Municipal and County Government

ANALYSIS

This bill:

I. Establishes the process for issuing, extending, and appealing no trespass orders for municipal and school properties.

II. Establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

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

1 1 Short Title. This act may be cited to and known as the "No Trespass Orders on Public
2 Property Act."

3 2 New Section; Criminal Trespass; Order Against Trespass on Public Property. Amend RSA 635
4 by inserting after section 2 the following new section:

5 635:2-a Order Against Trespass on Public Property.

6 I.(a) A governing body responsible for public property, or a person designated by the
7 governing body, may issue an emergency no trespass order (NTO) directing a person to leave or not
8 enter specified public property when immediate action is reasonably necessary to protect public
9 safety, prevent substantial disruption of governmental operations, or prevent damage to public
10 property.

11 (b) An emergency NTO issued under this paragraph shall:

12 (1) Be in writing;

13 (2) State the date and time of issuance;

14 (3) Identify the specific public property to which the order applies;

15 (4) Provide a brief statement of the factual basis for the emergency issuance; and

16 (5) State that the order is temporary specifying the expiration date and time, and is
17 subject to governing body review.

18 (c) An emergency NTO shall be effective immediately but shall expire automatically no
19 later than 72 hours after issuance, unless approved pursuant to paragraph II.

20 II.(a) If the governing body seeks to continue an NTO beyond the emergency period, the
21 governing body shall approve the NTO by at least a 3/5 vote taken at a duly noticed public meeting,
22 or at a non-public session if permitted under RSA 91-A and requested by the individual subject to
23 the NTO.

24 (b) Approval under this paragraph shall authorize the NTO for a period not to exceed 90
25 days from the original date of issuance, unless earlier rescinded.

26 (c) Failure to approve the NTO within the emergency period shall result in the
27 automatic expiration of the order.

28 (d) Any NTO issued or approved under this section shall include:

29 (1) The date of issuance;

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- 1 (2) The specific public property to which the order applies;
- 2 (3) A clear explanation of the reason for the NTO;
- 3 (4) The duration of the NTO;
- 4 (5) A statement informing the individual of the right to request a hearing to contest
- 5 the NTO;
- 6 (6) Instructions on how to request a hearing; and
- 7 (7) A statement informing the individual of the right to appeal an adverse decision to
- 8 the superior court.

9 IV.(a) An individual issued an NTO shall have the right to a hearing upon written request.

10 The request shall be made no later than 10 days from the date of issuance or governing body

11 approval of the NTO.

12 (b) The governing body shall hold the hearing as soon as reasonably possible, but no

13 later than 15 calendar days after receipt of the written request.

14 (c) If a hearing is not held within the timeframe required under this paragraph, the

15 NTO shall be automatically vacated, unless the delay is attributable to the individual requesting the

16 hearing.

17 V.(a) Following the hearing, the governing body shall issue a written decision, which shall

18 state whether the NTO is:

- 19 (1) Rescinded;
- 20 (2) Modified; or
- 21 (3) Continued for a defined period.

22 (b) Any NTO continued following a hearing shall expire no later than 90 days from the

23 original date of issuance, unless earlier rescinded.

24 VI. No administrative NTO issued under this section shall remain in effect beyond 90 days.

25 If the governing body determines that exclusion beyond 90 days is necessary, it shall seek a court-

26 issued restraining order or other judicial relief.

27 VII. An individual subject to an NTO may appeal a final decision of the governing body to

28 the superior court. Any appeal shall be filed within 30 days of the written decision.

29 VIII. All NTOs issued under this section shall expire by operation of law upon reaching their

30 authorized duration and shall not be renewed except in compliance with this section.

31 3 Effective Date. This act shall take effect 60 days after its passage.

LBA
26-2684
3/17/26

HB 1184-FN- FISCAL NOTE

AS AMENDED BY THE HOUSE (AMENDMENTS #2026-0756h and # 2026-1089h)

AN ACT relative to the issuance of no trespass orders on municipal or school district property.

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:

New Hampshire Municipal Association