

HB 1499-FN - AS AMENDED BY THE SENATE

19Feb2026... 0490h
05/07/2026 1772s

2026 SESSION

26-2449
06/07

HOUSE BILL **1499-FN**

AN ACT relative to additional grounds for eviction under the landlord and tenant statute.

SPONSORS: Rep. Alexander Jr., Hills. 29; Rep. Bean, Belk. 6; Rep. Beaulier, Graf. 1; Rep. Berry, Hills. 44; Rep. Kuttub, Rock. 17; Rep. Osborne, Rock. 2; Rep. Sweeney, Rock. 25; Sen. Innis, Dist 7; Sen. Lang, Dist 2

COMMITTEE: Housing

AMENDED ANALYSIS

This bill allows eviction if a tenant uses someone else's personal information to obtain the rental or if the tenant or an occupant has certain criminal convictions, including improper entry as a non-citizen or a conviction requiring registration as a sexual offender or offender against children. The landlord cannot use a conviction disclosed in writing before the start of the tenancy as grounds for eviction.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to additional grounds for eviction under the landlord and tenant statute.

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

1 1 New Subparagraphs; Termination of Tenancy. Amend RSA 540:2, II by inserting after
2 subparagraph (i) the following new subparagraphs:

3 (j)(1) Use of any personal identification that does not belong to the tenant or occupant to
4 obtain or maintain a tenancy.

5 (2) Personal identification in this subparagraph includes but is not limited to any
6 birth certificate, driver's license, government identification, passport, social security number, or
7 taxpayer identification number.

8 (k)(1) The tenant or any occupant of the rented premises has been convicted of any of the
9 following:

10 (A) Improper entry by alien under 8 U.S.C. section 1325(a) and the conviction is
11 less than 3 years prior to the service of the eviction notice;

12 (B) Any offense which requires registration as a "sexual offender" as defined by
13 RSA 651-B:1, IV, unless registration is no longer required prior to the service of the eviction notice;
14 or

15 (C) Any offense which requires registration as an "offender against children" as
16 defined by RSA 651-B:1, VI, unless registration is no longer required prior to the service of the
17 eviction notice.

18 (2) Any conviction disclosed in writing by the tenant or occupant to the landlord or
19 disclosed via a criminal background check run by the landlord prior to the start of any tenancy shall
20 prevent the landlord from later terminating the tenancy for any specific conviction disclosed. If the
21 landlord does not conduct a background check or request disclosure on the tenant application form,
22 the landlord shall not be entitled to the grounds for eviction established by subparagraph II(k)(1).

23 (3) If any provision of this subparagraph or the application thereof to any person or
24 circumstances is held invalid, such invalidity shall not affect other provisions or applications of the
25 subparagraph which can be given effect without the invalid provision or application, and to this end
26 the provisions of this subparagraph are declared to be severable.

27 2 New Paragraph; Termination of Tenancy. Amend RSA 540:2 by inserting after paragraph
28 VIII the following new paragraph:

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1 IX. Any eviction brought pursuant to RSA 540:2, II(j) or (k) shall name as defendant only the
2 person or persons alleged to have violated RSA 540:2, II(j) or (k) without naming remaining
3 members of the household and the court may enter judgment against only the named defendants.

4 3 Effective Date. This act shall take effect 60 days after its passage.

HB 1499-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT # 2026-1772s)

AN ACT relative to additional grounds for eviction under the landlord and tenant statute.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	Indeterminable Increase \$10,000 to \$100,000	Indeterminable Increase \$10,000 to \$100,000	Indeterminable Increase \$10,000 to \$100,000
<i>Revenue Fund(s)</i>	General Fund			
Expenditures*	\$0	Indeterminable Increase \$200,000 to \$700,000	Indeterminable Increase \$200,000 to \$700,000	Indeterminable Increase \$200,000 to \$700,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill expands the grounds for eviction to include use of another person’s personal identification to obtain or maintain a tenancy, convictions for improper entry under federal law within specified timeframes, and convictions requiring registration as a sexual offender or offender against children, subject to certain limitations. The bill also prohibits eviction based on convictions disclosed in writing by the tenant or occupant prior to the tenancy or disclosed through a criminal background check conducted by the landlord prior to the tenancy.

The Judicial Branch states the bill would require modification of its case management system, updates to training materials and forms, and would increase the number of eviction cases filed statewide. The Branch notes that in 2024 there were 5,736 landlord-tenant cases filed, most of which were eviction actions, and that expanding eligibility for eviction will increase caseloads by an indeterminable amount. To the extent eviction filings increase, the Branch anticipates a need for at least one additional judge and several court operations specialists. Because the total increase in filings and their distribution across Circuit Court District Divisions cannot be precisely determined, the Branch estimates increased General Fund expenditures of an indeterminable amount of more than \$200,000 and less than \$700,000 per year.

The Judicial Branch also anticipates increased filing fee revenue from additional landlord-tenant filings. At the current filing fee of \$150, the Branch estimates General Fund revenue will increase by an indeterminable amount of more than \$10,000 and less than \$100,000 annually.

AGENCIES CONTACTED:

Judicial Branch