

HB 1499-FN - AS AMENDED BY THE SENATE

19Feb2026... 0490h
05/07/2026 1772s
05/14/2026 1910s
05/14/2026 1952s

2026 SESSION

26-2449
06/07

HOUSE BILL **1499-FN**

AN ACT relative to additional grounds for eviction under the landlord and tenant statute, relative to the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost and making an appropriation therefor.

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:

I. 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.

II. Authorizes school boards to raise eligibility for free meals, requires the department of education to reimburse schools who raise eligibility, and provides an appropriation therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 additional grounds for eviction under the landlord and tenant statute, relative to the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost and making an appropriation therefor.

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.

1 2 New Paragraph; Termination of Tenancy. Amend RSA 540:2 by inserting after paragraph
2 VIII the following new paragraph:

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

6 3 New Paragraphs; Food and Nutrition Programs. Amend RSA 189:11-a by inserting after
7 paragraph VIII the following new paragraphs:

8 IX. Each school board may vote to raise eligibility for free meals to 200 percent of the federal
9 poverty level. Meals served to students who meet the federal income eligibility guidelines shall
10 continue to be reimbursed in accordance with federal law and regulations. Meals not reimbursed in
11 accordance with federal law and regulations shall be reimbursed by the state of New Hampshire at a
12 rate that covers 50 percent of the difference between the federal rate for a free meal and a reduced
13 price meal, or the difference between a free meal and a paid meal. The remainder of the costs shall
14 be covered by the local district.

15 X.(a) The department of education shall adopt rules under RSA 541-A requiring school
16 districts that opt into the optional program pursuant to paragraph IX to offer both online and
17 physical applications for free school meals.

18 (b) The department of education shall provide administrative or technical assistance to
19 school districts establishing an online application for free or reduced-price school meals, and whose
20 school meal programs are approved to operate through the United States Department of Agriculture.

21 (c) School districts eligible for administrative or technical assistance or funding under
22 this section shall be those approved to operate federal school meal programs through the United
23 States Department of Agriculture and accepted by the department of education to participate in this
24 expansion of free and reduced lunch benefits.

25 4 Appropriation; Department of Education; Food and Nutrition Program.

26 I. The amount of \$107,000 is appropriated to the department of education for the biennium
27 ending June 30, 2027, for administrative costs related to providing administrative or technical
28 assistance to school districts establishing an online application for free or reduced-price school
29 meals. The governor is authorized to draw a warrant for said sums out of any money in the treasury
30 not otherwise appropriated.

31 II. The amount of \$250,000 is appropriated to the department of education for the biennium
32 ending June 30, 2027, for disbursement to school districts to be reimbursed at a 50 percent rate
33 pursuant to RSA 189:11-a, X(a) and to purchase software related to the establishment of an online
34 application for free or reduced-price school meals. The governor is authorized to draw a warrant for
35 said sums out of any money in the treasury not otherwise appropriated.

36 5 Effective Date.

37 I. Sections 1 and 2 of this act shall take effect January 1, 2027.

1 II. The remainder of this act shall take effect July 1, 2026.

HB 1499-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENTS #2026-1910s and #2026-1952s)

AN ACT relative to additional grounds for eviction under the landlord and tenant statute, relative to the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost and making an appropriation therefor.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	Sections 1-2 Indeterminable Increase	Sections 1-2 Indeterminable Increase \$10,000 to \$100,000	Sections 1-2 Indeterminable Increase \$10,000 to \$100,000
<i>Revenue Fund(s)</i>	General Fund			
Expenditures*	\$0	Sections 1-2 Indeterminable Increase \$100,000 to \$350,000	Sections 1-2 Indeterminable Increase \$200,000 to \$700,000	Sections 1-2 Indeterminable Increase \$200,000 to \$700,000
		Sections 3-4 <u>NHED Position Costs</u> \$204K in FY 2026, \$208K in FY 2027, and \$214K in FY 2028 <u>NHED Meal Reimbursements</u> Indeterminable - Up to Approximately \$7M Per Year (see methodology below) <u>NHED Software Reimbursement</u> \$500,000 in FY 2026		
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	Sections 3-4 \$107,000 for NHED Administrative Costs and \$500,000 for Reimbursement to Districts for Software	\$0	\$0
<i>Funding Source(s)</i>	General Fund			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

Sections 1 and 2

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 effective date of this bill is January 1, 2027.

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 between \$200,000 and \$700,000 per year starting in FY 2028 and an estimated amount equal to half of the expenditures in FY 2027, due to a January 1, 2027 effective date.

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 starting in FY 2028 with an indeterminable amount in FY 2027.

Sections 3 and 4

This bill authorizes school boards to vote to increase eligibility for free meals to 200 percent of the federal poverty level, and provides general funds to the Department of Education for administrative costs (\$107,000 for the biennium ending June 30, 2026, which is assumed to be for FY 2026 only) and reimbursements to districts to purchase software related to the establishment of an online application for free or reduced-price school meals and to reimburse at a 50 percent rate pursuant to RSA 189:11-a (\$250,000 for the biennium ending June 30, 2026, which is assumed to be for FY 2026 only). Any unexpended amounts from these appropriations would lapse to the general fund at June 30, 2026.

The Department has provided the following detail as to the requirements of this bill:

- Each school board may vote to increase the eligibility rate for a child that qualifies based on a household income less than or equal to 200 percent of the federal poverty guidelines will be provided meals without cost.
- The state will reimburse the participating school districts for any meals, at a rate of 50 percent of the difference in reimbursement rates of free and paid, or free and reduced. The local level will need to cover the additional 50 percent of the meal reimbursement from non-federal funds.
- The implementation of this bill will impact public schools that are currently serving a breakfast and/or lunch meal. It would increase the number of meals at no cost to students.
- The Department would be required to adopt rules requiring districts to offer online and paper free and reduced meals applications if the school board has adopted the increase of meal eligibility.
- The Department will be required to provide administrative or technical assistance to school districts in establishing online applications for free or reduced-priced meals to those schools who operate the Increased income eligibility.

The Department has provided the following data and assumptions relative to this bill:

- School participation was pulled from September 2024.
- Any school not operating the School Breakfast Program (SBP) is not serving breakfast under the USDA Program.
- Number of schools in NH operating National School Lunch Program (NSLP) = 449.
- Number of schools in NH operating NSLP but not operating SBP = 28.
- Number of public charter schools not operating SPB or NSLP = 38.
- It is unknown the number of public charter school above who currently provide breakfast or lunch to their students.
- The state currently pays reimbursement for each breakfast meal served under the federal program at a rate of \$0.03 per each free and paid meal and \$0.30 per reduced priced meal.
- Current federal reimbursement rates are \$2.37 free breakfast, \$2.07 reduced breakfast, \$0.39 paid breakfast, \$4.52 free lunch, \$4.12 reduced lunch, \$0.51 paid lunch.
 - Fifty percent (50%) of the difference is calculated at \$0.99 for paid breakfast, \$0.20 per reduced lunch and \$2.00 per paid lunch for both the state and local level.
- There is no state reimbursement for lunch.
- The number of school days is 180.
- Free and Reduced Priced Enrollment Data is from October 1, 2024, and is as follows:
 - Free Eligible Students = 31,632

- Reduced Priced Eligible Students = 6,384
- Paid Eligible Students = 124,644
- Demographic data in NH shows that median household income in 2023 was \$95,628 per the US Census Bureau.
 - Under U.S. Poverty Guidelines for 2024, 200% of the federal poverty rate for a family of four is \$62,400. It is estimated that approximately 10% of the paid student population would fall under the 200% threshold.

State Impact

Ultimately, this bill's impact is unknown as it cannot be predicted how many school boards may elect to increase eligibility for free meals. It should also be noted this bill provides no funding for additional state nutrition reimbursements. Using the information and assumptions above, the Department estimates possible reimbursement costs could be approximately \$6,937,949 (\$2,221,085 + \$4,487,040 + \$229,824):

- To provide funding for the breakfast reimbursement of the difference between a paid reimbursement and a free reimbursement for the students whom income is between the federal reduced priced guideline of 185% to the proposed 200% is estimated at \$ 2,221,085:
 - Total paid eligible students (124,644) * 10% = 12,464 potential eligible students
 - Possible Paid Students who could receive meals at no cost 12,464
 - Potential breakfast state payment = \$0.99
 - 12,465 students * \$0.99) * 180 school days = \$2,221,085
- To provide funding for the lunch reimbursement of the difference between a paid reimbursement and a free reimbursement for the students whom income is between the federal reduced priced guideline of 185% to the proposed 200% is estimated at \$4,487,040:
 - Total paid eligible students (124,644) * 10% = 12,464 potential eligible students
 - Possible Paid Students who could receive meals at no cost 12,464
 - Potential lunch state payment = \$2.00
 - 12,464 students * \$2.00 * 180 school days = \$4,487,040
- To provide funding for the lunch reimbursement of the difference between a reduced priced reimbursement and a free reimbursement for the students whom income is between the federal reduced priced guideline of 185% to the proposed 200% is estimated at \$229,824:
 - Reduced Eligible Students = 6,384
 - Potential reduced priced lunch state payment = \$0.20
 - 6,384 students * \$0.20 * 180 school days = \$229,824

In addition to the reimbursement estimates, the Department states it would need two positions; one to administer this system as there would need to be a new process to determine eligibility as the current process is under the USDA and one to provide the administrative or technical assistance to the schools in establishing and maintaining the online systems. Both would be miscellaneous business operator specialists' (SOC 13-5, step 3) at an estimated per position cost of \$102,000 in FY 2026, \$104,000 in FY 2027 and \$107,000 in FY 2028, assuming a start date of July 1, 2025. This bill provides funding sufficient to cover the cost of one of the two positions in FY 2026 only.

Local School District Impact

Using the above assumptions and calculations, and given it is not known how many school boards may elect to raise eligibility for free meals, the Department states the fiscal impact of this bill is indeterminable at the local level. The cost would be determined at the school's level which would include their unique startup costs, labor start-up costs, labor costs, cost of meal pricing, projected participation, actual participation and continuous ongoing costs for operation of the programs. It can be determined that there will be an increase to their general fund to pay for the 10% meal reimbursement to allow students who fall below 200% of poverty to receive meals at no cost. Districts will receive an indeterminable increase in revenue associated with reimbursements illustrated above, as well as from this bill's \$250,000 appropriation relative to software for the establishment of an online application for free or reduced-price school meals.

AGENCIES CONTACTED:

Judicial Branch and Department of Education