

CHAPTER 339
HB 1184-FN - FINAL VERSION

12Mar2026... 0756h
12Mar2026... 1089h
05/07/2026 1738s
4Jun2026... 2078CofC

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

AMENDED 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.

III. Requires all applicable existing NTOs to be reviewed by the governing body and either reissued or rescinded within 90 days, or those NTOs not acted upon become void.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 339:1 Short Title. This act may be cited to and known as the "No Trespass Orders on Public Property
2 Act."

3 339:2 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 governing
7 body, may issue an emergency no trespass order (NTO) directing a person to leave or not enter specified
8 public property when immediate action is reasonably necessary to protect public safety, prevent
9 substantial disruption of governmental operations, or prevent damage to public property.

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

11 (1) Be in writing;

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

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

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

15 (5) State the expiration date and time of the NTO; and

16 (6) State that the person may request a hearing on the NTO.

17 (c) An emergency NTO shall be effective immediately but shall expire automatically no later
18 than 35 days after issuance, unless approved pursuant to paragraph II.

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

23 (b) Any NTO issued or approved under this section shall include:

24 (1) The date of issuance;

25 (2) The specific public property to which the order applies;

26 (3) A clear explanation of the reason for the NTO;

27 (4) The duration of the NTO, not to exceed one year;

28 (5) A statement informing the individual of the right to request a hearing to contest the
29 NTO;

30 (6) Instructions on how to request a hearing; and

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1 (7) A statement informing the individual of the right to appeal an adverse decision to the
2 superior court.

3 III.(a) An individual issued an NTO shall have the right to a hearing upon written request. The
4 request shall be made no later than 10 days from the date of issuance or governing body approval of the
5 NTO.

6 (b) The governing body shall hold the hearing at the next regularly scheduled meeting.

7 (c) If a hearing is not held within the timeframe required under this paragraph, the NTO shall
8 be automatically vacated, unless the delay is attributable to the individual requesting the hearing.

9 IV. Following the hearing, the governing body shall issue a written decision, which shall state
10 whether the NTO is:

11 (1) Rescinded;

12 (2) Modified; or

13 (3) Continued for a defined period.

14 V. An individual subject to an NTO may appeal a final decision of the governing body to the
15 superior court. Any appeal shall be filed within 30 days of the written decision.

16 VI. All NTOs issued under this section shall expire by operation of law upon reaching their
17 authorized duration and shall not be renewed except in compliance with this section.

18 VII. The governing body shall review within 90 days all NTOs in effect as of the effective date of
19 this section and reissue or rescind them in accordance with this section. If no action is taken by the
20 governing body on an NTO subject to this paragraph within 90 days, such NTO shall be void.

21 339:3 Repeal. RSA 635:2-a, VII, relative to the review of existing NTOs by governing bodies, is
22 repealed.

23 339:4 Effective Date.

24 I. Section 3 of this act shall take effect one year after its passage.

25 II. The remainder of this act shall take effect 60 days after its passage.

26
VETOED July 10, 2026 / Veto Overridden August 19, 2026.

Enacted in accordance with Article 44, Part II of the N.H. Constitution, without the signature of the
governor August 19, 2026.

Effective:

I. Section 3 effective August 19, 2027

II. Remainder effective October 18, 2026

