

HB 102-FN - AS INTRODUCED

2025 SESSION

25-0011

09/08

HOUSE BILL            ***102-FN***

AN ACT                relative to oversight of federal law enforcement actions.

SPONSORS:            Rep. Belcher, Carr. 4; Rep. Tom. Mannion, Hills. 1; Rep. Ammon, Hills. 42; Rep. Sabourin, Rock. 30

COMMITTEE:          Criminal Justice and Public Safety

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ANALYSIS

This bill provides county sheriffs with the duty to oversee all federal law enforcement actions in their respective counties, and provides them with authority to stop unauthorized or improperly conducted federal law enforcement actions.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to oversight of federal law enforcement actions.

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

1 1 New Paragraph; Sheriffs and Constables; Duties; Duty Added. Amend RSA 104:5 by inserting  
2 after paragraph IV the following new paragraph:

3 V. The sheriff and sheriff's deputies shall have oversight over all federal law enforcement  
4 actions within the sheriff's county. The sheriff and the sheriff's deputies shall have a  
5 nonparticipating presence, in addition to any participatory presence, at the service of all federal  
6 warrants and at all federal arrests within the county in order to ensure that the rights of New  
7 Hampshire residents are upheld at all times and that federal law enforcement actions are held to  
8 best practices for minimizing the application of deadly force. The sheriff shall require that all  
9 federal law enforcement agencies provide the sheriff with advance notice of any actions to be taken  
10 within the sheriff's county. The sheriff may, at his or her discretion, consider any imminent or  
11 ongoing federal law enforcement action in his or her county for which prior notice was not provided,  
12 for which reasonable lawful justification was not provided, or for which best practices for minimizing  
13 the application of deadly force are not observed, to be unauthorized and unlawful, and subject to  
14 termination by the sheriff or the sheriff's deputies.

15 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 102-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to oversight of federal law enforcement actions.

**FISCAL IMPACT:**

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

**METHODOLOGY:**

This bill provides county sheriffs with the duty to oversee all federal law enforcement actions in their respective counties, and provides them with authority to stop unauthorized or improperly conducted federal law enforcement actions. The New Hampshire Association of Counties indicates this bill would require a member of the county sheriff's office to be present at any serving of a federal warrant or federal arrest. The bill would also require the sheriff's office to receive advance notice of any federal activities. Required attendance at every serving of a federal warrant or arrest could lead to overtime costs for the sheriff's office, and such duties are currently outside their scope of work. In addition there is a requirement in the bill that the sheriff's office receive notification from the federal government of all action to be taken in their county. Since county government has no authority over federal actions and cannot compel the federal government to share information, this could lead to additional litigation at the county level. The Association states the potential additional costs to county governments are indeterminable.

The Department of Justice indicates it would not be involved in any changes to this law and therefore does not anticipate an impact on for revenue or expenditures for the Department.

It is assumed that any fiscal impact would occur after FY 2025.

**AGENCIES CONTACTED:**

New Hampshire Association of Counties and Department of Justice