

HB 264-FN - AS INTRODUCED

2025 SESSION

25-0535

09/05

HOUSE BILL ***264-FN***

AN ACT relative to delegates to an Article V convention.

SPONSORS: Rep. Ulery, Hills. 13; Rep. Ohm, Hills. 10; Rep. Mooney, Hills. 12

COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS

This bill makes it a class B felony for a delegate to a convention called under Article V of the United States Constitution to support or approve proposing an amendment not authorized by the legislature.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 delegates to an Article V convention.

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

1 1 New Section; Unfaithful Delegates to an Article V Convention. Amend RSA 643 by inserting
2 after section 2 the following new section:

3 643:3 Unfaithful Delegates to an Article V Convention.

4 I. As used in this section:

5 (a) "Article V application" means an application or resolution passed by the general
6 court applying to Congress to call an Article V convention.

7 (b) "Article V convention" means a convention called for the purpose of proposing an
8 amendment to the United States Constitution as provided in the United States Constitution, Article
9 V.

10 (c) "Delegate" means an individual elected by the general court, or by any other method
11 provided by law, to represent the state at an Article V convention.

12 (d) "Legislative instructions" means instruction given by the general court to a delegate
13 before or during an Article V convention.

14 (e) "Unauthorized amendment" means a proposed amendment or change to the United
15 States Constitution that is outside the scope of the Article V application and legislative instructions.

16 II. A delegate from the state to an Article V convention shall not support or approve the
17 proposing of an unauthorized amendment to the United States Constitution by the convention.

18 III. A delegate who knowingly violates this section shall be guilty of a class B felony.

19 2 Effective Date. This act shall take effect January 1, 2026.

**HB 264-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to delegates to an Article V convention.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association