

SB 71-FN - AS INTRODUCED

2025 SESSION

25-0226

09/05

SENATE BILL **71-FN**

AN ACT relative to cooperation with federal immigration authorities.

SPONSORS: Sen. Gannon, Dist 23; Sen. Abbas, Dist 22; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Gray, Dist 6; Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. McConkey, Dist 3; Sen. Pearl, Dist 17; Sen. Rochefort, Dist 1; Sen. Sullivan, Dist 18; Sen. McGough, Dist 11; Sen. Murphy, Dist 16; Sen. Ricciardi, Dist 9; Rep. Khan, Rock. 30; Rep. Weyler, Rock. 14; Rep. Vose, Rock. 5; Rep. Litchfield, Rock. 32; Rep. L. Walsh, Rock. 15

COMMITTEE: Judiciary

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ANALYSIS

This bill provides that unless expressly prohibited by state or federal law, local governmental entities may not prohibit or impede any state or federal law enforcement agency from complying with federal immigration laws, and provides for remedies for violations.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 cooperation with federal immigration authorities.

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

1 1 New Chapter; Anti-Sanctuary City Act. Amend RSA by inserting after chapter 106-O the  
2 following new chapter:

3 CHAPTER 106-P

4 ANTI-SANCTUARY CITY ACT

5 106-P:1 Definitions. In this chapter:

6 I. "Law enforcement agency" means any agency charged with enforcement of state, county,  
7 municipal, or federal laws or with managing custody of detained persons in this state and includes  
8 municipal police departments, sheriff's offices, state police departments, state university and college  
9 police departments, county correctional agencies, and the department of corrections.

10 II. "Local governmental entity" means any county, municipality, or other political  
11 subdivision of this state.

12 106-P:2 Prohibition of Sanctuary Policies.

13 Except as otherwise expressly prohibited by state or federal law, local governmental entities may  
14 not prohibit or impede any state or federal law enforcement agency from complying with title 8 of the  
15 United States Code.

16 106-P:3 Enforcement.

17 I. Any local governmental entity that violates this chapter may be subject to action by the  
18 attorney general, who may file suit against a local governmental entity in a court of competent  
19 jurisdiction for a violation of this chapter. Relief for violations of this chapter shall be determined by  
20 the court and may include injunctive relief and punitive damages. Punitive damages may include a  
21 fine of up to 25 percent of the total state funds received by the local government entity in the fiscal  
22 year when the violation occurred. Any fines collected for violations of this chapter shall be lapsed to  
23 the general fund of the state of New Hampshire.

24 II. An order approving a consent decree or granting an injunction shall include written  
25 findings of fact that describe with specificity the existence and nature of the sanctuary policy that  
26 violates this chapter.

27 2 Effective Date. This act shall take effect January 1, 2026.

**SB 71-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to cooperation with federal immigration authorities.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	Indeterminable		
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations*</b>	\$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 provides that local governmental entities may not prohibit or impede state or federal law enforcement agencies from complying with Title 8 of the United States Code, which applies to the enforcement of immigration-related laws. Violation of this proposed Chapter may result in an enforcement action by the Attorney General, who may seek injunctive relief and/or punitive damages. The Department of Justice states it is uncertain what the number of enforcement actions may be, therefore this bill's impact on state expenditures is indeterminable. The Department states that if there are larger levels of enforcement actions, its litigation budget may increase up to \$100,000, and the Department of Justice would need an attorney to oversee those actions. The Department estimates the total cost of an unclassified assistant attorney general position to be approximately \$133,000 per year.

**AGENCIES CONTACTED:**

Department of Justice