

HB 71-FN - AS AMENDED BY THE HOUSE

10Apr2025... 0555h

2025 SESSION

25-0064

02/05

HOUSE BILL

71-FN

AN ACT

prohibiting the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States and relative to department of health and human services contracts.

SPONSORS:

Rep. J. Harvey-Bolia, Belk. 3; Rep. Hill, Merr. 2; Rep. Pauer, Hills. 36; Rep. Peternel, Carr. 6; Rep. Sweeney, Rock. 25; Rep. Freeman, Belk. 8; Rep. Sabourin, Rock. 30; Rep. Thibault, Merr. 25; Sen. Murphy, Dist 16

COMMITTEE:

Education Policy and Administration

AMENDED ANALYSIS

This bill prohibits the use of public schools or institutions of higher learning from providing shelter for specified aliens who have not been admitted to the United States, absent a specified disaster.

This bill also requires the department of health and human services to include references to the patients' bill of rights in contracts and contract addenda.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT prohibiting the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States and relative to department of health and human services contracts.

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

- 1 1 New Section; Prohibition on Use of School and Institution Facilities to Shelter Certain Aliens.
- 2 Amend RSA 126-A by inserting after section 32 the following new section:
- 3 126-A:32-a Prohibition on Use of School and Institution Facilities to Shelter Certain Aliens.
- 4 I. In this section:
- 5 (a) "Shelter or housing":
- 6 (1) Means emergency shelter or housing provided exclusively to specified aliens
- 7 under order of the federal government, a state, or a unit of local government; and
- 8 (2) Does not include short-term emergency shelter made necessary by a specified
- 9 disaster.
- 10 (b) "Short-term" means for a duration not to exceed 72 hours.
- 11 (c) "Specified alien" means an alien, as defined in section 101(a) of the Immigration and
- 12 Nationality Act, 8 U.S.C. section 1101(a), who has not been admitted, as so defined.
- 13 (d) "Specified disaster" means any fire, flood, hurricane, tornado, storm, high water,
- 14 tidal wave, earthquake, or snowstorm, for which a disaster declaration is made by the federal
- 15 government or a state.
- 16 II. As a condition on receipt of state financial assistance under any applicable program by a
- 17 district public school, chartered public school, public academy, or an institution of higher learning,
- 18 the facilities of the school or institution shall not be used to provide shelter or housing for specified
- 19 aliens.
- 20 2 Department of Health and Human Services; Contracts. All department of health and human
- 21 services contracts or contract amendments shall include a provision requiring the contractor to
- 22 comply with the patients' bill of rights as applicable pursuant to RSA 151:21.
- 23 3 Applicability. Section 2 of this act shall apply to contracts or contract amendments entered
- 24 into on or after the effective date of that section.
- 25 4 Repeal. Section 2 of this act, relative to department of health and human services contracts, is
- 26 repealed.
- 27 5 Effective Date.
- 28 I. Section 4 of this act shall take effect November 30, 2026.
- 29 II. The remainder of this act shall take effect 60 days after its passage.

HB 71-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-0555h)

AN ACT prohibiting the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education to provide shelter for aliens who have not been admitted into the United States and relative to department of health and human services contracts.

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

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures*	\$0	Indeterminable		
Funding Source(s)	None			
Appropriations*	\$0	\$0	\$0	\$0
Funding Source(s)	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill prohibits certain educational facilities from being used to provide shelter to specified aliens who have not been admitted into the United States. The Department of Health and Human Services suggests that the bill may conflict with federal guidance, potentially resulting in the loss of federal funding from the Office of Refugee Resettlement and the Department of Housing and Urban Development. In the worst-case scenario in which all such funding were withheld, the Department estimates the loss of federal revenue at \$12 to \$18 million per year. The fiscal impact, therefore, ranges from \$0 to \$18 million.

The Department of Education states that the bill will have no impact on that Department.

AGENCIES CONTACTED:

Departments of Education and Health and Human Services