

Amendment to HB 1091

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 Powers and Duties of Towns; Power to Make Bylaws. Amend RSA 31:39, III to read as  
4 follows:

5 III. Towns may enforce the observance of the bylaws by suitable penalties not exceeding  
6 \$1,000 for each offense to enure to such uses as the town may direct, ***except that for any***  
7 ***ordinance or bylaw prohibiting sleeping or camping outdoors, the town shall provide for a***  
8 ***nonmonetary penalty that may be elected in lieu of a financial penalty. Options for***  
9 ***nonmonetary penalties include, but are not limited to, community service, enrollment in a***  
10 ***program designed to assist the individual with obtaining stable housing, and verification***  
11 ***of secured stable housing. The option or options for a nonmonetary penalty shall:***

12 (a) ***Be stated clearly in the ordinance or bylaw language; and***

13 (b) ***Require that the individual who violates the ordinance or bylaw to elect the***  
14 ***nonmonetary penalty, and if there are multiple nonmonetary penalties available, which***  
15 ***penalty.***

16 2 New Paragraph; Power of City Councils; Bylaws and Ordinances. Amend RSA 47:17 by  
17 inserting after paragraph XX the following new paragraph:

18 XXI. For any ordinance or bylaw prohibiting sleeping or camping outdoors, the city council  
19 shall provide for a nonmonetary penalty that may be elected in lieu of a financial penalty. Options  
20 for nonmonetary penalties include, but are not limited to, community service, enrollment in a  
21 program designed to assist the individual with obtaining stable housing, and verification of secured  
22 stable housing. The option or options for a nonmonetary penalty shall:

23 (a) Be stated clearly in the ordinance or bylaw language; and

24 (b) Require that the individual who violates the ordinance or bylaw to elect the  
25 nonmonetary penalty, and if there are multiple nonmonetary penalties available, which penalty.