

CA CR 16 - AS INTRODUCED

2026 SESSION

26-2640

06/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **16**

RELATING TO: property.

PROVIDING THAT: individuals may sleep on property they own or have a legal right to occupy.

SPONSORS: Rep. Read, Rock. 10; Rep. Newell, Ches. 4

COMMITTEE: Housing

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ANALYSIS

This constitutional amendment concurrent resolution affirms the individual right of persons to sleep on property they own or are legally entitled to occupy, ensuring protection from regulations or ordinances that would otherwise criminalize such activity.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: property.

PROVIDING THAT: individuals may sleep on property they own or have a legal right to occupy.

*Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:*

- 1 I. That the following new article of part I of the constitution after article 2-b:
- 2 [Art.] 2-c. [Right to Sleep on Owned or Occupied Property.] Persons who own real property or
- 3 have a legal right to be present on real property shall have the right to sleep, rest, or otherwise
- 4 occupy the property for temporary repose. No law or ordinance shall prohibit or unduly restrict such
- 5 activity solely on the basis of being present for sleeping purposes, provided the occupation is
- 6 otherwise lawful.
- 7 II. That the above amendment proposed to the constitution be submitted to the qualified
- 8 voters of the state at the state general election to be held in November, 2026.
- 9 III. That the selectmen of all towns, cities, wards and places in the state are directed to
- 10 insert in their warrants for the said 2026 election an article to the following effect: To decide
- 11 whether the amendments of the constitution proposed by the 2026 session of the general court shall
- 12 be approved.
- 13 IV. That the wording of the question put to the qualified voters shall be:
- 14 “Are you in favor of amending the first part of the constitution by inserting after article 2-b a
- 15 new article to read as follows:
- 16 [Art.] 2-c. [Right to Sleep on Owned or Occupied Property.] Persons who own real property or
- 17 have a legal right to be present on real property shall have the right to sleep, rest, or otherwise
- 18 occupy the property for temporary repose. No law or ordinance shall prohibit or unduly restrict such
- 19 activity solely on the basis of being present for sleeping purposes, provided the occupation is
- 20 otherwise lawful.”
- 21 V. That the secretary of state shall print the question to be submitted on a separate ballot
- 22 with other constitutional questions or on the official ballot. The ballot containing the question shall
- 23 include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the
- 24 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular
- 25 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by
- 26 the 2026 General Court” shall be printed in bold type at the top of the ballot.
- 27 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
- 28 becomes effective when the governor proclaims its adoption.

1 VII. Voters' Guide.

2 AT THE PRESENT TIME, there is no explicit constitutional right allowing property  
3 owners or those with a legal right to be on a property to sleep on such property.

4 IF THE AMENDMENT IS ADOPTED, it will ensure that persons owning property,  
5 or legally entitled to occupy property, may not be prohibited from sleeping on such property if their  
6 presence is otherwise lawful.