

HB 1709-FN - AS INTRODUCED

2026 SESSION

26-2669

04/09

HOUSE BILL            ***1709-FN***

AN ACT                relative to prohibiting the rental of residential property to individuals unlawfully present in the United States.

SPONSORS:            Rep. Alexander Jr., Hills. 29; Rep. Berry, Hills. 44; Rep. Kuttab, Rock. 17; Rep. Peternel, Carr. 6; Rep. Rice, Hills. 38; Rep. Perez, Rock. 16; Sen. Innis, Dist 7; Sen. Sullivan, Dist 18

COMMITTEE:          Housing

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ANALYSIS

This bill requires individuals applying for residential rental housing in New Hampshire to disclose if they are not United States citizens or lawfully present in the United States.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to prohibiting the rental of residential property to individuals unlawfully present in the United States.

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

1 1 New Section; Disclosure of Immigration of Citizenship Status by Rental Applicants. Amend  
2 RSA 540 by inserting after section 30 the following new section:

3 540:31 Rental Nondisclosure of Immigration Status.

4 I. A person commits an offense if such person, when applying for residential housing in New  
5 Hampshire, knowingly fails to disclose in writing that the person is not a United States citizen or  
6 not lawfully present in the United States.

7 II. For purposes of this section, a person shall be regarded as lawfully present in the United  
8 States only if their immigration status has been verified by the federal government pursuant to 8  
9 United States Code, section 1373(c). No landlord or property manager shall attempt to  
10 independently determine an applicant's immigration status.

11 III. An applicant shall be presumed to be lawfully present if they present one of the  
12 following forms of identification:

13 (a) A valid, unexpired New Hampshire driver's license or nondriver identification card.

14 (b) A valid tribal enrollment card or other tribal identification bearing a photograph or  
15 biometric identifier.

16 (c) A valid federal or state government-issued identification bearing a photograph or  
17 biometric identifier, issued by an entity that requires proof of lawful presence.

18 (d) A foreign passport with an unexpired United States visa and a corresponding  
19 Department of Homeland Security admission stamp.

20 (e) A foreign passport from a visa waiver country with a valid entry stamp and  
21 unexpired duration of stay annotation or I-94W form.

22 IV. Any person who violates paragraph I shall be guilty of a class B felony.

23 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1709-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to prohibiting the rental of residential property to individuals unlawfully present in the United States.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>	Indeterminable			
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill      \*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	Indeterminable			
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	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](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