

HB 1091 - AS AMENDED BY THE SENATE

5Mar2026... 0657h
04/23/2026 1544s

2026 SESSION

26-2510
09/08

HOUSE BILL ***1091***

AN ACT relative to unauthorized camping on private property.

SPONSORS: Rep. Newell, Ches. 4; Rep. A. Murray, Hills. 20; Rep. O'Rourke, Ches. 7; Rep. Scherr, Rock. 26; Rep. Wheeler, Hills. 33; Rep. D. Paige, Carr. 1; Rep. Beauchemin, Hills. 3; Sen. Fenton, Dist 10; Sen. Watters, Dist 4

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

 This bill prohibits camping without permission on another's private property and adds penalties for such violations.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to unauthorized camping on private property.

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

1 Findings and Purpose. The general court finds that:

I. Unauthorized camping on public and private property in densely populated municipalities presents significant challenges to public health, sanitation, and safety, and interferes with the rights of property owners.

II. Municipalities have an interest in ensuring that land is not used for habitation without appropriate consent, oversight, and provision for waste disposal and emergency access.

III. While current law prohibits camping on public rights-of-way and public property without permission, there is no parallel prohibition governing unauthorized camping on private land in larger municipalities, which has resulted in conflicts between landowners, municipalities, and law enforcement.

IV. It is therefore the purpose of this act to extend existing protections against unauthorized camping to private property in municipalities of more than 10,000 residents, to clarify the role of law enforcement in such matters, and to preserve both public order and private property rights.

2 Private Property Camping Restriction. Amend RSA 236:58 and the subdivision heading preceding RSA 236:58 to read as follows:

Camping Along Highways and on Public *and Private* Property

236:58 Camping Restricted.

I. No person shall pitch a tent or place or erect any other camping device or sleep on the ground within the public right-of-way or on public property unless permission is received from the governing board of the governmental authority having jurisdiction over such public right-of-way or property.

II.(a) In any municipality with a population greater than 10,000 as determined by the most recent federal decennial census, no person shall camp, erect a tent, place or erect any other camping device, or sleep on the ground upon private property unless:

(1) The person has written permission from the owner of the property; or

(2) The property owner is continuously present on the premises at the time of such camping and consents to the activity.

(b) This paragraph shall not apply to campsites or recreational campgrounds or camping parks regulated pursuant to RSA 216-I.

1 ***III. In enforcement of paragraph II of this section, law enforcement officials shall***
2 ***not be required to obtain or rely upon a written no trespass order from the property owner***
3 ***if the person cannot satisfy either subparagraph II(a)(1) or (2).***

4 3 Additional Penalty for Camping on Private Property. Amend RSA 236:59 to read as follows:

5 236:59 Penalty. Any person who violates RSA 236:58 shall be guilty of a violation if a natural
6 person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of
7 restoration for any damage caused to a highway easement or right-of-way ***or to private land***
8 ***disturbed by such unlawful camping.***

9 4 Effective Date. This act shall take effect January 1, 2027.

**HB 1091- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-1544s)**

AN ACT relative to unauthorized camping on private property.

FISCAL IMPACT:

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

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	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

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association