

HB 462-FN - AS INTRODUCED

2025 SESSION

25-0712

09/08

HOUSE BILL **462-FN**

AN ACT establishing a cause of action for unwarranted video imaging of residential premises.

SPONSORS: Rep. Payeur, Merr. 8; Rep. Caplan, Merr. 8; Rep. Hill, Merr. 2; Rep. S. Pearson, Rock. 13; Rep. Read, Rock. 10; Sen. Innis, Dist 7

COMMITTEE: Judiciary

ANALYSIS

This bill establishes a private right of action against a person who installs a video imaging device on property adjoining residential real property in order to video activities in the backyard of the property in order to harass, annoy, alarm, or threaten another person.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing a cause of action for unwarranted video imaging of residential premises.

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

1 1 New Section; Proceedings in Special Cases; Wilful Trespass; Unwarranted Video Imaging of
2 Residential Premises. Amend RSA 539 by inserting after section 9 the following new section:

3 539:10 Private Right of Action for Unwarranted Video Imaging of Residential Premises.

4 I. Any owner or tenant of residential real property shall have a private right of action for
5 damages against any person who installs or affixes a video imaging device on property adjoining
6 such residential real property:

7 (a) For the purpose of videotaping or taking moving digital images of the recreational
8 activities which occur in the backyard of the residential real property without the written consent
9 thereto of such owner or tenant; and

10 (b) With intent to harass, annoy, or alarm another person or with intent to threaten the
11 person or property of another person.

12 II. The provisions of this section shall not apply to any law enforcement personnel engaged
13 in the conduct of their authorized duties.

14 III. For the purposes of this section, "backyard" shall mean that portion of the parcel on
15 which residential real property is located which extends beyond the rear footprint of the residential
16 dwelling situated thereon, and to the side and rear boundaries of such parcel extending beyond the
17 rear footprint of such residential dwelling.

18 2 Effective Date. This act shall take effect January 1, 2026.

**HB 462-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a cause of action for unwarranted video imaging of residential premises.

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
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill establishes a private right of action against a person who installs a video imaging device on property adjoining residential real property in order to video activities in the backyard of the property in order to harass, annoy, alarm, or threaten another person. This new private right of action may have an impact on the number of civil cases filed in the courts. There is no way to determine this impact, however the Judicial Branch has provided the following average cost information for civil cases.

Judicial Branch Average Cost	FY 2025	FY 2026
Superior Court Complex Civil Case	\$1,430	\$1,473
Superior Court Routine Civil Case	\$535	\$552

Superior Court Fees	As of 2/12/2020
Original Entry Fee	\$280
Third-Party Claim	\$280
Motion to Reopen	\$160

AGENCIES CONTACTED:

Judicial Branch

