

## **Purpose Statement - Bill 1139 relating to ‘secured premises’ and ‘criminal trespass’**

Prime Sponsor: Rep. Deborah Aylward (Merr.5)

Jan. 7, 2026

Dear Chair and Members of the Criminal Justice and Public Safety Committee:

I submit this purpose statement in support of HB 1139 to clarify the Legislature’s intent regarding the definition of “secured premises” for purposes of the criminal trespass statute. The bill is intended to harmonize existing provisions of RSA 635:2 by expressly aligning the definition of secured premises with the posting requirements already set forth in RSA 635:4, thereby promoting consistency, predictability, and fair notice in the application of criminal trespass law.

This bill by expressly recognizes that private property which is properly posted on or within its boundaries constitutes secured premises for purposes of the criminal trespass statute.

The bill is intended to eliminate ambiguity regarding notice, promote consistent application of the law by courts and law enforcement, and ensure that individuals are not subject to criminal liability absent clear, reasonable notice that entry onto private property is restricted. In doing so, the bill seeks to balance the legitimate interests of landowners in protecting private property with due-process protections and clarity for members of the public regarding lawful access.

In addition, and under separate cover, I am submitting my analysis and comments regarding the fiscal note associated with HB 1139 for the committee’s consideration.

Respectfully submitted

Rep. Deborah Aylward