

January 29, 2026

The Honorable John Hunt  
Chairman  
House Commerce and Consumer Affairs  
The General Court of New Hampshire  
107 North Main Street  
Concord, NH 03301-4951

The Honorable John Potucek  
Vice Chairman  
House Commerce and Consumer Affairs  
The General Court of New Hampshire  
107 North Main Street  
Concord, NH 03301-4951

**Re: New Hampshire HB1124, relative to the right to compute**

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Chairman Hunt, Vice Chairman Potucek, and Members of the Committee:

My name is Jake Morabito, and I serve as Senior Director of Policy at the American Legislative Exchange Council (ALEC). I appreciate the opportunity to share ALEC's nonpartisan research and analysis as you consider how new and emerging technologies such as artificial intelligence (AI) will impact the State of New Hampshire, and to explore solutions that promote American innovation and economic opportunity for all.

Last summer, President Trump's Office of Science and Technology Policy published a [Federal AI Action Plan](#), which laid out an ambitious agenda meant to accelerate AI innovation, encourage the creative and transformative application of AI systems across the U.S. economy, and support worker-first policies that view AI as a tool to augment and support American workers, not to replace them entirely. However, even though today's advanced generative AI software tools have only been publicly available for about three years—a relatively recent phenomenon—the legal and regulatory response from local, state, and federal policymakers has been significant in that short amount of time.

At the state level alone, over 2,000 unique bills have been filed across the 50 states since 2022 that seek to regulate artificial intelligence, automation, algorithms, and automated decision-making in some form. Many of these proposed AI laws seek to prohibit or strictly regulate the use of artificial intelligence in areas such as education and health care, or otherwise restrict Americans from using AI tools for lawful purposes. There is a significant risk that the growing legal complexity and regulatory burden will be particularly problematic for the thousands of American small and medium-sized businesses interested in leveraging AI tools but could suffer the tradeoff of vulnerability to liability or extensive reporting and legal compliance obligations.

And that is how HB1124 can make a positive difference for your citizens and help the Granite State stand out as a beacon for responsible entrepreneurs looking to implement AI tools in the marketplace. In fact, HB1124 respects the individual liberties and fundamental private property rights that New Hampshire has a history of strongly defending.

Similar to legislation enacted in Montana in 2025, HB1124 would enshrine a new “Right to Compute” into state law by recognizing that an individual’s right to “own and make use of technological tools, including computational resources” is protected under the New Hampshire Constitution’s guaranteed rights to acquire, possess, and protect property. Therefore, any restrictions proposed by the government that would infringe on an individual’s Right to Compute must be demonstrably necessary and narrowly tailored to fulfill a compelling government interest. This flips the burden of proof from the citizen to the government, which would then be forced to justify any new regulatory burdens before they can take effect.

HB1124 builds on many of the key principles from ALEC's model [Right to Compute Act](#), which is featured as one of ALEC's [Essential Policy Solutions for 2026](#). This approach to technology regulation preserves individual liberties and limits government overreach by requiring government agencies to focus on tangible, proven threats that may arise from the proliferation of new technologies, not limiting fundamental rights.

However, it is important not to misinterpret the Right to Compute as a blank check or carveout for bad actors to get away with harmful or illegal conduct. HB1124 defines "compelling government interest" to include, but not limit to, legislative and regulatory efforts to protect citizens from scams and fraud; protecting adults and minors from harm caused by deceptive deepfake media and other synthetic content; monitoring the risk management practices in place at your state's critical infrastructure facilities; and addressing common law nuisances created by physical data center infrastructure. This allows government the flexibility necessary to address clear, proven concerns, while placing a high bar for any regulations that go beyond.

As New Hampshire considers its legislative response to meet this AI moment, the Right to Compute is an excellent first step to future-proof your state code with regulation that respects fundamental liberties, is technology-neutral, and ensures scarce government resources and bandwidth are spent protecting citizens from proven harms and illegal activity.

Respectfully submitted,

Jake Morabito  
Senior Director, Policy  
American Legislative Exchange Council (ALEC)