

HB 1479-FN - AS INTRODUCED

2024 SESSION

24-2781

12/05

HOUSE BILL ***1479-FN***

AN ACT relative to prohibiting the use of federal, state, or local funds for lobbying activities.

SPONSORS: Rep. Yokela, Rock. 32; Rep. Ammon, Hills. 42; Rep. Soti, Rock. 35

COMMITTEE: Legislative Administration

ANALYSIS

This bill regulates the use of public funds for lobbying activities and establishes certain additional enforcement mechanisms.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to prohibiting the use of federal, state, or local funds for lobbying activities.

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

1 1 Lobbyists; Prohibited Activities. RSA 15:5 is repealed and reenacted to read as follows:

2 15:5 Prohibited Lobbyist Activities.

3 I. In this section, "public funds" means a grant or appropriation of a state, county, town,
4 city, village district, unincorporated place, or school district.

5 II. No public funds shall be used to lobby, attempt to influence legislation, participate in
6 political activity, or contribute funds to any entity for the purpose of engaging in the same.

7 III. Any recipient of public funds that wishes to engage in any of the activities which would
8 require registration as a lobbyist under RSA 15:1, shall segregate public funds in such a manner
9 that such funds are physically and financially separate from any other funds that may be used for
10 any of these purposes. Mere bookkeeping separation of the public funds from other monies shall not
11 be sufficient.

12 IV. If an entity engages in an activity prohibited in paragraph II, a taxpayer or resident of
13 this state is entitled to appropriate injunctive relief to prevent further activity prohibited by that
14 paragraph and to prevent further payment of public funds related to that activity. A taxpayer or
15 resident who prevails in such an action is entitled to recover from the entity the taxpayer's or
16 resident's reasonable attorney's fees and costs incurred in bringing the action.

17 V. Notwithstanding any other provision of law, any person who knowingly authorizes
18 spending of public funds in violation of this section shall be shall be guilty of a Class A misdemeanor
19 and personally liable for an amount equal to 3 times the amount wrongfully paid or expended,
20 divided equally to the county, town, city, village district, unincorporated place, or school district
21 which provided the grants or appropriations.

22 VI. A knowing violation of this section is grounds for discharge of an employee.

23 VII. Nothing in this section shall be construed to limit an entity's ability to provide
24 information which does not advocate for or against political candidates or legislation.

25 2 Applicability. This act applies only to an expenditure or payment of public funds as defined in
26 RSA 15:5, I, that is made on or after the effective date of this act, including an expenditure or
27 payment of public funds that is made under a contract entered into before, on, or after the effective
28 date of this act.

29 3 Effective Date. This act shall take effect January 1, 2025.

**HB 1479-FN- FISCAL NOTE
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FISCAL IMPACT: State County Local None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
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			

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
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

The bill also provides for civil remedies. There is no way to predict how many such actions would occur, but the Judicial Branch has provided average cost information for civil cases in the Superior Court:

Superior Court	FY 2024	FY 2025
Complex Civil Case	\$1,321	\$1,347

Routine Civil Case	\$494	\$504
Superior Court Fees	As of 1/12/2020	
Original Entry Fee	\$280	
Third-Party Claim	\$280	
Motion to Reopen	\$160	

AGENCIES CONTACTED:

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