

**HB 314-FN - AS INTRODUCED**

2025 SESSION

25-0489

07/05

HOUSE BILL

**314-FN**

AN ACT

prohibiting the use of federal, state, or local funds for lobbying activities.

SPONSORS:

Rep. Potenza, Straf. 19; Rep. Bailey, Straf. 2; Rep. Bernardy, Rock. 36; Rep. Burnham, Straf. 2; Rep. Cambrils, Merr. 4; Rep. DeRoy, Straf. 3; Rep. Tom. Mannion, Hills. 1; Rep. Sabourin, Rock. 30; Rep. Soti, Rock. 35; Rep. Bjelobrk, Graf. 5

COMMITTEE:

Legislative Administration

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ANALYSIS

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

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 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 RSA 15:5 is repealed and reenacted to read as follows: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 guilty of a Class A misdemeanor and  
19 personally liable for an amount equal to 3 times the amount wrongfully paid or expended, divided  
20 equally to the county, town, city, village district, unincorporated place, or school district which  
21 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, 2026.

LBA  
25-0489  
12/4/24

**HB 314-FN- FISCAL NOTE  
AS INTRODUCED**

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

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
<b>Expenditures*</b>		Indeterminable		
<i>Funding Source</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

\*Expenditure = Cost of bill      \*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>		Indeterminable		
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>		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](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:

**NH Judicial Branch Average Civil Case Estimates for LBA**

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

#### **Common Civil Case Fees**

<b>Superior Court Fees</b>	<b>As of 2/12/2020</b>
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