

SB 366-FN - AS INTRODUCED

2024 SESSION

24-3044

06/05

SENATE BILL

***366-FN***

AN ACT                   relative to restricting the purchase of real property on or around military installations.

SPONSORS:           Sen. Birdsell, Dist 19; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Bradley, Dist 3; Sen. Lang, Dist 2; Sen. Gendreau, Dist 1; Sen. Altschiller, Dist 24; Sen. Ward, Dist 8; Sen. Carson, Dist 14; Sen. Pearl, Dist 17; Sen. Innis, Dist 7; Sen. Murphy, Dist 16

COMMITTEE:       Commerce

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ANALYSIS

This bill prohibits the purchase of real property by the People's Republic of China on or within 10 miles of any military installations or critical infrastructure facilities.

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                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to restricting the purchase of real property on or around military installations.

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

1            1 New Section; Conveyances of Realty to Foreign Entities; Prohibited. Amend RSA 477 by  
2 inserting after section 22-a the following new section:

3            477:22-b Prohibition on Acquisition of Real Property on or around Military Installations;  
4 People's Republic of China.

5            I. Any company or development owned or controlled by a company that is owned, in whole or  
6 in part, by, or is a subsidiary of, a company that is owned by the People's Republic of China or the  
7 Chinese Communist Party or whose principal place of business is located within the People's  
8 Republic of China shall not own, lease, possess, or exercise any control over real property on or  
9 within 10 miles of any military installation or critical infrastructure facilities.

10           II. For purposes of this section:

11           (a) "Chinese Communist Party" includes all agencies, institutions, and instrumentalities  
12 of the Chinese Communist Party.

13           (b) "Company" or "development" means a sole proprietorship, organization, association,  
14 corporation, partnership, trust, venture, group, subgroup, or any other entity or organization, its  
15 subsidiary or affiliate that exists for-profit-making purposes or to otherwise secure economic  
16 advantage.

17           (c) "People's Republic of China" includes all agencies, institutions, instrumentalities, and  
18 political subdivisions of the People's Republic of China.

19           (d) "Military installation" means a base, camp, post, station, yard, center, homeport  
20 facility for any ship, or other activity under the jurisdiction of the Department of Defense or the  
21 state of New Hampshire, including any leased facility, which is located within any of the several  
22 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam,  
23 American Samoa, the Northern Marianas Islands, and any other U.S. territory.

24           (e) "Critical infrastructure" means systems and assets, whether physical or virtual, so  
25 vital to the United States or the state of New Hampshire that the incapacity or destruction of such  
26 systems and assets would have a debilitating impact on security, national economic security,  
27 national public health or safety, or any combination of those matters.

28           (f) "Critical infrastructure facility" means any of the following:

29           (1) Chemical, polymer, or rubber manufacturing facility.

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1                   (2) Communications facilities, including but not limited to privately owned  
2 communications infrastructure, including satellite, terrestrial, wireless communications and the  
3 Internet.

4                   (3) Critical manufacturing, including but not limited to primary metals  
5 manufacturing, machinery manufacturing, electrical equipment, appliance and component  
6 manufacturing, and transportation equipment manufacturing.

7                   (4) Dams, bridges, and tunnels.

8                   (5) Military installations, including but not limited to facilities conducting or  
9 overseeing research, design, production and maintenance of military weapons systems.

10                  (6) Emergency services, including but not limited to emergency management,  
11 emergency medical services, fire and rescue services, law enforcement, public works and other  
12 specialty emergency services.

13                  (7) Energy facilities, including but not limited to the production and distribution of  
14 electricity, oil, and natural gas.

15                  (8) Financial services facilities, including but not limited to banks, credit unions,  
16 insurance companies and investment institutions, or locations with the ability to deposit, withdraw,  
17 loan, invest, and transfer funds.

18                  (9) Food and agriculture facilities, including but not limited to farms, restaurants,  
19 and food manufacturing facilities.

20                  (10) Government facilities, including but not limited to federal, state, local and tribal  
21 government facilities; government offices, embassies, courthouses, schools, national monuments and  
22 election facilities.

23                  (11) Health care and public health facilities.

24                  (12) Information technology facilities.

25                  (13) Nuclear reactors, materials, and waste facilities, including but not limited  
26 nuclear power plants, medical radioactive sources, and radioactive material transportation facilities.

27                  (14) Transportation systems, including but not limited to highway and motor  
28 carriers, aviation, maritime transportation systems, mass transit and passenger rails, pipeline  
29 systems, freight rail, and postal and shipping facilities.

30                  (15) Water and wastewater facilities or pump stations, including but not limited to  
31 public water supplies and water treatment facilities.

32                  III. Any person who fails to comply with this section shall be guilty of a misdemeanor.

33                  2 Effective Date. This act shall take effect January 1, 2025.

**SB 366-FN- FISCAL NOTE  
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AN ACT relative to restricting the purchase of real property on or around military installations.

**FISCAL IMPACT:**      ☒ State              ☒ County              ☒ Local              ☐ None

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

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

**AGENCIES CONTACTED:**

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