

NEW HAMPSHIRE IMMIGRANT RIGHTS NETWORK

BY ELECTRONIC DELIVERY

February 4, 2025

Representative Wayne MacDonald, Chair
House Health, Human Services and Elderly Affairs Committee
New Hampshire State House
107 N. State St.
Concord, NH 03301

RE: Opposition to HB 635-FN – An Act relative to taxing non-profit entities who settle illegal immigrants as for-profit entities

Dear Representative MacDonald and Members of the House Health, Human Services and Elderly Affairs Committee:

We are submitting this letter on behalf of the NH Immigrant Rights Network (NHIRN), a coalition of New Hampshire organizations and individuals working with and within immigrant communities to improve lives and ensure just treatment. We are adamantly **opposed** to HB 635-FN and we urge the members of this committee to vote it “inexpedient to legislate.”

This ill-conceived, convoluted and mean-spirited bill seeks to impose state tax consequences on nonprofit organizations and individuals who engage in the lawful provision of services to New Hampshire residents, some of whom may be undocumented (by which we mean without current legal status within the U.S.). The bill sets out a confusing definition of “illegal [sic] immigrant.” Its definition of “settling” and “resettling,” intentionally encompasses a broad swath of vital services that would trigger a negative tax consequence. The list of enumerated triggering services includes, among other things, the provision of legal advice or aid; nonlegal advice; translation services; or the provision of cash or other items of value; along with services designed to provide access to housing or other public benefits. Disturbingly, the bill also contains a “bounty” clause which charges the New Hampshire Department of Revenue Administration with responsibility for investigating reported violations and assessing bounty amounts, if any.

This unnecessary bill appears rooted in the misconception that noncitizens, even undocumented ones, are given public benefits. The reality is that undocumented noncitizens are barred from most public benefits and services and even many lawfully present noncitizens are subject to lengthy waiting periods before they would be eligible for benefits.

The breadth of the bill would place New Hampshire nonprofit organizations in the precarious position of making determinations about immigration statuses of the individuals and families seeking assistance, even in emergency situations. Since many people, including U.S. citizens, in need of services may not have proof of citizenship or status, nonprofits may end up denying help to many people who are actually eligible out of caution to avoid falling on the wrong side of

this law. The impact of this law will be to deny assistance to many in the state who are in need and could result in a significant reduction in nonprofit assistance to those who need services the most.

What is certain is that this bill penalizes the good work of New Hampshire nonprofit institutions as well as religious organizations. This is so even when the triggering activity is provided under the terms of a federal or state contract or through a grant from another nonprofit entity. It would affect religious organizations practicing the tenets of their beliefs by providing charitable assistance. It is designed to chill the provision of services to noncitizens and if enacted, it will surely harm the many New Hampshire organizations and individuals who provide bedrock services to the people of this state. For these reasons, we urge the members of this committee to vote HB 635-FN as “inexpedient to legislate.”

Sincerely,

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NH Alliance for Immigrants and Refugees
Manchester, NH

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Rebecca Beaulieu, Communications Director, 350 New Hampshire Action, Dover NH

William Maddocks, Bill Maddocks Consulting LLC, Amherst NH

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Ronald Schneider, First Congregational Church, Pelham NH

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