

LEGISLATIVE BULLETIN

Finito

The session started out with NHMA following nearly 400 bills and ended with only a handful of committees of conference. Several deeply concerning bills, such as [HB 51](#), the anti-lobbying bill, and [HB 647](#), the immunity repeal bill, were decisively defeated early on in the session. Others, such as [HB 307](#), the attorney's fees bill, were held for further consideration this summer.

This session saw bipartisan support in both chambers on many important bills, as well as a willingness to work with stakeholders to improve legislation. Below are some highlights that either have been signed or that we expect will be signed by the governor (see the "New Law" list for bills already signed by the governor):

[HB 1](#) and [HB 2](#), the largest bills of the year in both the literal and figurative sense, saw a number of municipal priorities included in its final version; \$145 million more will be headed to municipalities as compared to last biennium's budget. (We summarized that funding in [Bulletin #24](#) and will be providing more information as funding opportunities open and new programs are implemented.)

Two bills were passed with our support that will treat taxpayers more fairly. [HB 237](#) sets a definitive date for asset evaluations for property tax exemptions, meaning taxpayers know what paperwork to have ready regardless of where they live in the state. [HB 137](#) ensures that taxpayers are given their fair share of any credit or exemption.

The Right-to-Know law became a little clearer, with NHMA's support. [HB 321](#) clarifies the process around reviewing sealed minutes. (We are hopeful that we will be able to work with the House Judiciary Committee and other stakeholders over the summer to come to a compromise on the Right-to-Know bills that they held onto that make them workable for everyone.)

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On the housing front, we were able to make some progress to help make housing cheaper and more accessible. [HB 247](#), relative to well radii, updates state law in a manner that will allow decreases in minimum lot sizes, and there was some forward thinking with the adoption of updates to the state building and fire codes via [HB 564](#). (New Hampshire now appears to be on track for regular updates. Meanwhile, [SB 145](#), Housing Champions, was rolled into [HB 2](#). (Look for more information from us on that program in the near future.)

Not all the above-listed bills have yet been signed by the governor, but we are hopeful that they will obtain his support. For bills that have already been signed (and already are or will soon be in effect), please see the article on “New Laws” below. And please stay tuned for the publication of the *Final Bulletin* later this summer and our “[Legislative Wrap Up](#)” webinar on August 2.

Thank you to all the local officials who took time to speak with their legislators this session. Have a great summer!

New Laws

Elections

Candidate Sign Retrieval Broadened. [Chapter 41](#) (HB 286) allows members of a candidate’s campaign or local political committee to retrieve campaign items removed by the state, city, or town. **Statutes amended: RSA 664:17. E.D. July 18, 2023.**

Ballot Language Altered. [Chapter 43](#) (HB 336) changes the language on election ballots relative to the number of candidates from “vote for not more than” to “vote for not more than 1” (if only one position) or “vote for up to [number of positions]” (if multiple positions). **Statute amended: RSA 656:6. E.D. July 18, 2023.**

Energy & Environment

Electric Vehicle Charging Infrastructure Statutes Updated. [Chapter 66](#) (SB 52) modernizes the electric vehicle charging station statutes for electric vehicle infrastructure construction projects and establishes a committee to study electric vehicle charging infrastructure funding. **Statutes amended: RSA 236:132; 236:133. E.D. August 6, 2023.**

Ambient Groundwater Quality Standards Adoption Clarified. [Chapter 70](#) (SB 123) alters the language of the ambient groundwater quality standards statute to clarify that the Department of Environmental Services may adopt standards that are equivalent to the federal maximum contaminant level promulgated under the Federal Safe Drinking Water Act or stricter standards, including standards that are stricter than the state established maximum contaminant levels. **Statute amended: RSA 485-C:6, I. E.D. June 7, 2023.**

Community Electric Aggregation Plan Complaint Process Clarified. [Chapter 85](#) (HB 385) clarifies the procedure for complaints pertaining to actions undertaken or omitted by any municipal or county aggregator or electric distribution utility or applicable rules or orders of the commission shall be made to the department of energy. **Statute amended: RSA 53-E:2; 53-E:7. E.D. June 20, 2023.**

C-PACE Clarified. [Chapter 91](#) (HB 576) clarifies the use of a commercial property assessed clean energy (C-PACE) model in a clean energy efficiency and clean energy district under RSA 53-F. Further, the law clarifies that the C-PACE lien priority is the same as other property tax liens and may be collected in the same manner. **Statute amended: RSA 53-F:3; 53-F:8. E.D. August 19, 2023.**

Landfill Study Committee Created. [Chapter 100](#) (SB 159) establishes a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire. **Statute amended: None. E.D. June 20, 2023.**

Finance

Equalization Manual Incorporated. [Chapter 33](#) (HB 285) allows the department of revenue administration to incorporate by reference the New Hampshire equalization manual into the administrative rules of the department and to develop such forms or returns as may be necessary. **Statute amended: RSA 541-A:21, V. E.D. July 16, 2023.**

PDIP Oversight Changed to State Treasurer. [Chapter 36](#) (HB 595) changes the oversight of the public deposit investment pool from the banking department to the state treasurer. **Statutes created: RSA 6:45 – :47. Statutes repealed: RSA 383:22 – :24. E.D. July 16, 2023.**

Asset Evaluation Date Established. [Chapter 39](#) (HB 237) establishes an asset evaluation date of December 31 for purposes of determining eligibility for the property tax exemption for the disabled, for the deaf or severely hearing impaired, and for the elderly. **Statutes amended: RSA 72:37-b; 72:38-b; 72:39-a. E.D. July 18, 2023.**

Notice of Tax Lien Time Extended. [Chapter 42](#) (HB 335) extends the time period for notifying the commissioner of health and human services of the execution of a municipal or state tax lien on real estate subject to a lien for certain public assistance to 60 days from 45 days. **Statute amended: RSA 80:68. E.D. July 18, 2023.**

State Budget and Trailer Bill. [Chapter 106](#) (HB 1) and [Chapter 79](#) (HB 2) increases state aid to municipalities by an estimated \$145 million over the biennium as compared to last biennium. Numerous changes were made to individual funding programs and new programs were created to fund water and wastewater infrastructure, local roads and bridges, PFAS remediation, cyanobacteria mitigation, and housing, among other provisions. **Statute amended: Many. E.D. July 1, 2023 (Majority of Provisions).**

Land Use

Building & Fire Code Updates Adopted. [Chapter 46](#) (HB 564) ratifies amendments to the state building code approved by the state building code review board, ratifies amendments to the state fire code approved by the fire marshal and state board of fire control, and adds a fire protection engineer to the state board of fire control. **Statutes amended: RSA 155-A:1, IV; 153:2. E.D. May 19, 2023.**

Electric Vehicle Charging for Renters Study Committee Established. [Chapter 81](#) (HB 111) establishes a committee to study electrical vehicle charging for residential renters. **Statutes amended: None. E.D. June 20, 2023.**

Landowner Liability Under Hazardous Waste Cleanup Fund Clarified. [Chapter 96](#) (SB 62) clarifies landowner liability provisions relative to the hazardous waste cleanup fund by updating the language to clearly state “owner or former owner” and updates references to the term “hazardous substances” by replacing that term with “hazardous wastes or hazardous materials.” **Statutes amended: RSA 147-B:10-a. E.D. June 20, 2023.**

Local Authority

Police Matron Statute Repealed. [Chapter 52](#) (SB 29) repeals the (outdated) authority for select boards to appoint “police matrons.” **Statute amended: RSA 105:1. E.D. July 31, 2023.**

Lucky 7 Sales Hours Expanded. [Chapter 77](#) (SB 192) allows lucky 7 tickets sold in conjunction with bingo games to be sold starting at 8 a.m., instead of noon. **Statute amended: RSA 287-E:21, II(c). E.D. June 7, 2023.**

Tenure of Public Librarians Clarified. [Chapter 80](#) (HB 72) inserts the phrase “may serve” into the librarian tenure statute. It now reads: “[t]he librarian shall be appointed by the board of library trustees for a term of office agreed to at the time of employment and may serve until a successor is appointed and qualified.” **Statute amended: RSA 202-A:15. E.D. August 19, 2023.**

Agricultural Exemption from Municipal Noise Ordinances Process Altered. [Chapter 83](#) (HB 252) exempts farming and agricultural operations, excluding agritourism activities, from municipal noise ordinances under RSA 31:39. Pursuant to RSA 674:32-c, II, new, re-established, or expanded agricultural operations were already exempt from municipal noise ordinances under certain circumstances, as determined by the local zoning board of adjustment, on a case-by-case basis. **Statute amended: RSA 31:39, I(n). E.D. August 19, 2023.**

Public Safety

Law Enforcement-School Official Communications Statute Clarified. [Chapter 68](#) (SB 109) clarifies the ability of law enforcement to disclose information about juvenile or criminal proceedings involving a juvenile to school officials where there exists a “serious threat to school safety” pursuant to RSA 169-B:2, XIV, or, in other circumstances, in accordance with court order for use by school officials. **Statute amended: RSA 193-D:7. E.D. August 6, 2023.**

Definition of “Way” Applied to Additional Statutes. [Chapter 76](#) (SB 182) expands the definition of “way” under RSA 259:125, II to apply to the implied consent statutes (RSA 265-A:4 and :25) and the Administrative License Suspension statute (RSA 265-A:31). **Statute amended: RSA 259:125, II. E.D. January 1, 2024.**

Committee to Study Emergency Dispatcher Training. [Chapter 84](#) (HB 376) establishes a committee to study the current education, training, and requirements for personnel employed as emergency dispatchers and 911 telecommunicators for police, fire, and emergency medical organizations. **Statute amended: None. E.D. June 20, 2023.**

Retirement

Changes to Retirement System Administration. Chapter 19 (HB 193) clarifies the definition of “job sharing” for teachers, the definition of “special duty” for details and other work activities provided to third-parties, procedures for military service credit, and alters some terminology. **Statute amended: RSA 100-A:1; 100-A:3; 100-A:4; 100-A:5.** E.D. July 3, 2023.

Employer Compensation Report Requirement Ratified. Chapter 63 (HB 278) ratifies the requirement in RSA 100-A:16, VII for the retirement system to receive employer compensation reports and assess a penalty for noncompliance. **Statute amended: None.** E.D. June 1, 2023.

Roads & Transportation

Pedestrian Control Signals Now Match MUTCD. Chapter 28 (HB 153) aligns the definition of pedestrian control signals with the Manual on Uniform Traffic Control Devices and allows crossing during “Don’t Walk” signals if such crossing does not interfere with vehicular traffic. **Statute amended: RSA 265:11.** E.D. July 16, 2023.

Recodification of Transportation Network Companies Chapter. Chapter 30 (HB 219) repeals or moves several RSA chapters no longer administered by the Public Utilities Commission resulting in a recodification of the chapter on transportation network companies and creates a legislative committee to study statutory provisions no longer associated with administration by the department of energy or the public utilities commission. **Statute repealed: RSA chapter 376-A. Statute created: RSA chapter 359-U.** E.D. July 1, 2023.

Reestablishing Road Toll Alternative Commission. Chapter 87 (HB 412) reestablishes a commission to study revenue alternatives to the road toll for the funding of improvements to the state’s highways and bridges and their resulting improvements. **Statute repealed and reenacted: RSA chapter 21-J:49.** E.D. June 20, 2023.

2023 NHMA UPCOMING MEMBER EVENTS

July 12	Webinar: Exploring Current Trends in Citizen Engagement – 12:00 p.m.
July 20	Webinar: The Workings of a Planning Board – 12:00 p.m.
Aug. 2	Webinar: Legislative Wrap-up – 12:00 p.m.
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming events. Click on the Events & Training tab to view the calendar.	
For more information, please call NHMA’s Workshop registration line: (603) 230-3350.	