

Changes to Building Code Laws: *A Guide for Municipalities*



*A Joint Advisory of the New Hampshire Municipal Association and
the New Hampshire Building Officials Association
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Summary of Changes Pursuant to 2026 Chapter Law 318 (HB 244), 2026 Chapter Law 330 (HB 1681), and 2026 Chapter Law 17 (SB 94)

Amendments to RSA 673, RSA 674, RSA 676 and RSA 155-A, updating and recodifying the municipal enforcement of the building and fire code:

[2026 Chapter Law 318](#) (HB 244) repeals building and fire code related statutes in the Planning and Zoning chapters of the statutory scheme and recodifies them in RSA 155-A, the New Hampshire Building Code Chapter. Below is a table demonstrating what has been repealed and where it has been recodified:

Repealed	Recodified
RSA 673:1, III and V	RSA 155-A:3, III(b)-(c) and V
RSA 673:3, IV	RSA 155-A:3-d, III
RSA 673:22, II	RSA 155-A:3-d, XXI
RSA 674:34	RSA 155-A:3-d, I-II
RSA 674:52-a	RSA 155-A:3, XII-XIII
RSA 676:11	RSA 155-A:3, III(d)
RSA 676:13	RSA 155-A:4, V-X

During this recodification, there were also amendments to the language of the statutes that have the following effect:

- RSA 155-A:3, VII makes it clear that local ordinances, rules, or regulations that amend, override, or deviate from the State Building Code are prohibited unless specifically permitted by statute.
- RSA 155-A:3-d revises and streamlines the appeal process for orders, decisions, or determinations made by the building official or fire official. Appeal claims can be based on the code being incorrectly interpreted or applied, or that an equally good or better form of construction is proposed. Appeals will be heard locally if the municipality has an established Building Code Board of Appeal. These local

boards do not have the authority to simply waive the State Building or Fire Code requirement being appealed. Appeals in municipalities that do not have a local board of appeals or zoning board of adjustments, acting as the board of appeals, shall be heard by the State Building Code Review Board.

Additionally, as a reminder, RSA 155-A:3 was amended in 2025 (See [2025 Chapter Law 276](#) (HB 428)) and [NHMA/NHBOA 2025 Joint Guidance](#)). The amendment recodified and revised a new framework for municipal administration and enforcement of the State Building Code under RSA 155-A. Municipalities may establish a local enforcement agency and designate a building official to administer and enforce the State Building Code, including reviewing construction documents, issuing permits, conducting inspections, issuing certificates of occupancy, and taking appropriate enforcement action. While subsequent legislation has further clarified statewide code requirements and limited local technical amendments, municipalities continue to retain responsibility for local administration and enforcement where an enforcement mechanism has been established.

In practice, municipalities should review their ordinance, update statutory references, update forms, and their appeals process, as well as conduct any necessary training.

Effective Date: July 1, 2026

Amendments to RSA 155-A:1, IV, relative to updating the state building code: [2026 Chapter Law 49](#) (HB 1159) amends RSA 155-A:1, IV. This amendment updates and adopts specific editions of the internal codes as follows:

International Code	Edition
IBC	2024
IEBC	2024
IPC	2024
IMC	2024
ISPSC	2024
IRC	2024
IECC	2018
NEC	2023

Effective Date: July 1, 2026

Statutes Amended: RSA 673, RSA 674, RSA 676 and RSA 155-A

Amendments to RSA 155-A:2, II, repealing municipal amendments to technical requirements of the state building code in certain circumstances:

[2026 Chapter Law 17](#) (SB 94) amends RSA 155-A:2, II and creates a uniform state building, fire and energy code by eliminating the ability of municipalities to adopt new technical amendments. Technical amendments that were adopted prior to the statutory cutoff remain valid. Technical amendments to the state building code by municipalities are no longer permitted; however, administrative amendments will still be allowed. This means that municipalities will continue to have authority over permitting, fees, certificates of occupancy, and other administrative functions, subject to the statutory confirmation requirements. This statutory revision does not eliminate municipal enforcement of the state building code, after local adoption of an enforcement mechanism.

Effective Date: July 1, 2026

Statute Amended: RSA 155-A:2, II

Amendments to RSA 153:8-a and RSA 155-A:7, relative to the administration and enforcement of the state fire code: [2026 Chapter Law 231](#) (HB 1555) amends RSA 153:8-a and RSA 155-A:7 and in doing so clarifies the authority of the State Fire Marshal.

The new statutory language in RSA 153:8-a, III outlines the appeals process of decisions made by local fire chiefs pursuant to the authority granted in RSA 154:2. It outlines the process and timeline of an appeal, which will be to the State Fire Marshal. It also explicitly states that the appeal hearing shall be *de novo* and not bound by formal rules of evidence. Following the hearing, the State Fire Marshal may affirm, modify, or reverse any decision made by a local fire chief pursuant to RSA 154:2. The State Fire Marshal's decision may be appealed to the Building Code Review Board in accordance with RSA 155-A:11.

Statutory revisions to RSA 155-A:7, VI give the State Fire Marshal authority to approve or disapprove alternative materials, designs, construction methods, equipment, and code modifications to the *State Building Code*, not just the State Fire Code.

Effective Date: July 1, 2027

Statute Amended: 153:8-a, RSA 155-A:7

Amendments to RSA 674:81, RSA 155-A:3-d, RSA 485-A:41, RSA 205-C:4, new subdivision relative to innovative housing structures: [2026 Chapter Law 330](#) (HB 1681) adds a new section, RSA 674:81-83 (contingent renumbering to RSA 674:82-84), defines innovative housing structures, and provides a local option to permit these structures to be placed or built on an individual house lot where single-family dwellings are allowed or to be used as an accessory dwelling unit pursuant to RSA 674:72. Innovative housing structures shall be treated as single-family dwellings or

accessory dwelling units for zoning purposes, be subject to all applicable land use requirements and state laws and regulations regarding drinking water supply and wastewater treatment and disposal. RSA 155-A:3-d provides a pathway for construction and inspection of these structures to ensure that they meet state building code requirements. It includes that off-site construction elements must undergo review and inspection either by local building officials or the State Fire Marshal to ensure compliance with the state building code. Further, the Building Code Review Board will review and amend the state building code to reflect the provisions and definitions contained in these changes related to innovative housing structures. This statutory change does not address assessing these structures for tax purposes.

Effective Date: September 13, 2026

Statute Amended: RSA 674:81, RSA 155-A:3-d, RSA 485-A:41, RSA 205-C:4