

C-PACER Update:

A Guide for Municipalities



*A Joint Advisory of the New Hampshire Municipal Association,
the New Hampshire Business Finance Authority, and Clean Energy NH*
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Summary of Changes Pursuant to [2026 Chapter Law 250 \(SB 440\)](#)

Amendments to RSA Chapter 53-F, allowing governing body or legislative body to vote to establish a clean energy/energy efficiency district (C-PACER):

[2026 Chapter Law 250 \(SB 440\)](#) amends three sections of RSA Chapter 53-F.

C-PACER is a program that helps commercial property owners and developers access private-sector financing for improvements intended to decrease water or energy consumption or demand, provide clean energy to the property, or increase the resilience of a property. If a municipality adopts the program, it designates the portion(s) of that municipality where property might be eligible for financing. However, the financing itself comes from private entities (banks, credit unions, specialty finance firms) approved by the NH Business Finance Authority (BFA), and all of the program administration is performed by the NH-BFA, including billing and collections of the loan payments. The reason municipalities are involved at all is that the financing is secured by a special lien placed on the property in the same manner as a municipal tax lien. The C-PACER lien is subordinate to any actual tax liens but has priority over other liens. The municipality's obligations are, essentially, limited to executing documents (with the assistance of NH-BFA) and providing a certification when the financing is fully repaid.

The amendments in 2026 affect three sections of the statute. Two are quite minor terminology updates (RSA 53-F:1, VIII, unincorporated place; RSA 53-F:4, III, wording of recorded notice of special assessment on property). The main focus of the amendments, however, is in RSA 53-F:2, which has been repealed and replaced entirely. This section governs how towns, cities, village districts, and unincorporated places may adopt the C-PACER program by establishing a district within which owners of eligible property may seek funding for qualifying improvements. Previously, this could be done only by vote of the municipal legislative body (town/village district meeting, town council in charter towns, city council/board of aldermen). In a non-charter town, the question had to be placed on the town meeting warrant by the select board and could not be put there by petition.

Under the new version of RSA 53-F:2, there are more options:

- In a city or charter town, adoption is by the legislative body as provided by the charter. A peculiarity in the wording of the statute appears to require a public hearing to be held prior to adoption only in cities, non-charter towns and village districts, but a hearing presumably would also be appropriate in charter towns. Notice and hearing requirements are set forth in RSA 53-F:2, II.
- In a non-charter town and in village districts, there are two options. Either the select board or village district commissioners can put the question on the warrant for the annual meeting, or the select board or village district commissioners can vote to adopt RSA 53-A itself and establish a C-PACER district. If they choose to do the latter, the procedural requirements are spelled out in the statute (hold at least one public hearing prior to the vote with notice as required in the statute). However, if the select board/board of commissioners receives a written petition signed by at least 25 registered voters before taking their vote on the issue, the question must instead be inserted as an article in the warrant of the next annual meeting.
- For unincorporated places, the commissioners of the county in which it is located have authority to vote to adopt RSA 53-A by resolution and create one or more districts in those unincorporated places.
- Any municipality may vote in the same manner to rescind its action and dissolve any existing districts, although any outstanding financing agreements will be unaffected.
- In addition, any non-charter town or village district may vote at a town/district meeting by warrant article under RSA 39:3 to prohibit the establishment of C-PACER districts or dissolve any existing districts (although outstanding financing agreements will be unaffected), either by petitioned article or governing body article.

More information on the C-PACER program is available on the NH-BFA website here: <https://nhbfa.com/loans/c-pacer/>

To access NH-BFA's template Ordinance and Resolution and other helpful documents, you can locate them on this webpage: <https://nhbfa.com/loans/c-pacer/c-pacer-document-list/>

We encourage members to contact NH-BFA if they need further guidance.

Effective Date: July 2, 2026

Statutes Amended: RSA 53-F:1, VIII; RSA 53-F:2; RSA 53-F:4, II