

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 14

2026 Session

April 3, 2026



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Oppose Removal of Limits on Dead-End Roads

On **Tuesday, April 7, at 11:00 a.m. in Government Place (GP) Room 231**, the [House Housing Committee](#) will hold a public hearing on SB SB 564, prohibiting municipal limits on dead-end road length if the road is compliant with the state fire code, and also prohibiting the number of lots allowed on such roads. Additionally, the bill allows

the placement of utilities within designated open space or perimeter buffer areas of subdivisions.

NHMA **opposes SB 564** because it would **undermine safe and effective local planning, creating safety risks, hindering emergency access, and encouraging poorly connected, high-density development**. The bill also conflicts with RSA 674:36, which allows municipalities to prevent scattered or premature development lacking adequate infrastructure or public services. Allowing utilities in open-space buffers could disrupt conservation easements and weaken long-standing planning tools such as open-space and cluster developments used by many municipalities. Overall, **SB 564** promotes unsafe, inefficient development patterns and imposes a **one-size-fits-all mandate** that ignores local conditions and established planning practices.

Please attend the hearing to oppose this new universal mandate; if that's not possible, [sign in](#) to oppose the bill and [email committee members](#).

SB 441 Meddles with Intermunicipal Relations

On **Tuesday, April 8, at 11:30 a.m. in GP Room 158**, the [House Health, Human Services and Elderly Affairs Committee](#) will hold a public hearing on **SB 441**. The bill, **opposed** by NHMA, requires a municipality that intends to transport a homeless individual or other person showing symptoms of addiction or incapacitation from substance use unrelated to an application for general assistance to another municipality for the purpose of receiving housing, shelter, addiction treatment, or related services to have in place a memorandum of understanding (MOU) with the receiving municipality. A \$5,000 fine will be assessed by the state Department of Health and Human Services (DHHS) on the sending municipality for a transfer to a municipality without an MOU. The state is charged with adopting rules regarding transportation of individuals covered in this bill.

The bill also provides a local option allowing a municipality to regulate or disallow messaging and harm reduction materials distributed by treatment or recovery organizations that operate under the Opioid Abatement Trust Fund or syringe service programs.

Please attend this hearing to share any concerns you have about this bill; if that's not possible, [sign in](#) to **oppose** the bill.

Hearing Set on Risk Pool Bill, Amendment

On **Tuesday, April 7, at 1:30 p.m. in Stae House (SH) Room 103**, the [Senate Finance Committee](#) will hold public hearing on [HB 1491](#), dealing with the oversight and regulation of risk pools, followed immediately by a public hearing on a proposed Senate [amendment \(am-1316s\)](#) that significantly changes the bill.

Risk pools are created by cities, towns, counties, and school districts to reduce risks and associated insurance costs, shifting risk from an individual political subdivision to the pool. Across the country, two primary types of risk pools exist: assessable and non-assessable. The Association of Governmental Risk Pools (AGRIP) recognizes both models.

HB 1491, as adopted by the House and **supported** by NHMA, introduces assessable risk pools into the statutory scheme, but as an alternative to non-assessable risk pools. Allowing both models provides clarity to local governments, helping them decide which model, if any, best suits their needs. Assessable pools would remain under the authority of the Secretary of State, while non-assessable pools will shift oversight to the Department of Insurance (DOI). However, NHMA has **serious concerns with the Senate amendment**.

If your community has been impacted by assessments or is concerned about the viability of risk pools, please **attend the hearing** and [reach out to your local Senator](#) to share your concerns.

NHMA supports the ability of members to establish and govern the pools and understands that clear regulations that protect the members and allow the pools to operate are necessary. With health insurance being a huge driver of municipal costs, regularly outpacing inflation, providing legislative clarity is crucial. It is important to keep in mind that the stability of healthcare risk pools is tied to the future stability of healthcare for thousands of public employees in our state.

The House has not yet scheduled a hearing in Senate-approved risk pool bill, [SB 661](#), which makes assessable pools the only model allowed and is **opposed** by NHMA.

Upcoming Hearings on Multiple Municipal Bills

The [Senate Election Law and Municipal Affairs Committee](#) will hold public hearings on five bills beginning at **9:15 a.m. on Tuesday, April 7, in SH Room 122-123**.

- [HB 1516 \(9:15 a.m.\)](#), **opposed** by NHMA, allows municipalities to vote to require that pie charts, bar charts, and QR codes be placed on property tax bills depicting where and how tax dollars are being allocated.

- **[HB 1581 \(9:30 a.m.\)](#)**, **opposed** by NHMA, allows municipalities to adopt a requirement that property owners be given notice when the assessed value of their property changes by certain amounts.
- **[HB 1711 \(9:45 a.m.\)](#)**, **supported** by NHMA, amends RSA 674:54 to define “agents” as it relates to the governmental use of certain lands and requires that a public hearing be held regarding any change in use or new use of those properties. Currently, municipalities may hold a public hearing, but it is not required. The bill also lowers the standard for when the governing body must be provided written notification and hold a public hearing on any proposed governmental use of property within its jurisdiction from a “substantial” change in use or a “substantial” new use to any change of use or new use.
- **[HB 1756 \(10:00 a.m.\)](#)** allows organizations to file for property tax exemptions once and receive those exemptions unless and until a town assessor finds the organization ineligible for an exemption. NHMA is **neutral** on this bill, which was requested by some member municipalities.
- **[HB 1759 \(10:15 a.m.\)](#)**, **opposed** by NHMA, makes a land use board’s vote on whether a member should be disqualified binding rather than advisory, requiring recusal if a majority finds disqualification is warranted.

For detailed instructions on ways to share your position on these and any other bills, see “*How to Make Your Voice Heard*” below.

Post-Crossover Update: Where Things Stand

As the legislature moves into the home stretch, more than 200 of the 362 bills NHMA is following have been killed, tabled or referred to interim study. Our focus now is on the remaining 150-plus bills still in play. Here is an overview of the legislative landscape, organized by topic, with details on the most impactful remaining bills:

Town Meeting/Municipal Budgeting

A handful of legislators in the House are pushing to require that more questions be placed on the official ballot rather than on the warrant in towns that operate under the traditional form of town meeting. These same legislators also want more questions to use specific language prescribed by law, which may make it easier to introduce petitioned warrant articles. There are also the usual pushes to limit municipal and local decision-making over governing or spending. Key bills include:

[HB 1131](#) requires municipalities to place the question for adopting the official ballot referendum form of meeting (usually called “SB 2”) on the official ballot for electing officers. Currently, under the traditional form of town meeting, the question would be

placed on the warrant and debated like any other matter of business to be acted upon. The current process provides a vital forum for open debate on the question, which is especially valuable when voters are determining a municipality's form of government. NHMA **opposes**.

HB 1066 would greatly limit municipalities' ability to enter into lease agreements, including those with non-appropriation clauses, which are not debt. The bill would require leases for building or facility improvements that become "fixtures" to be placed on a special warrant article, like a bond, and approved by a three-fifths vote of the legislative body. It also requires all leases of \$500,000 to be placed on a special warrant article, like a bond, subject to its own public hearing, and approved by a three-fifths vote of the legislative body. Additionally, HB 1066 appears to inadvertently exempt cities from any process for approving leases of \$500,000 or more, which could be interpreted as allowing no process for entering into such leases. NHMA **opposes**.

HB 1526 would overhaul the process for adopting a budget committee in RSA 32:14 and other statutes. The bill repeals and replaces the straightforward language in current law, which states that the voting on the question shall be by ballot and voting will be open for an hour, and replaces it with a new process, mandating that one of four legally prescribed questions be used and placed on the official ballot for electing officers. This means the question wouldn't be a warrant article taken up at the business session, but would be acted on with no context in the voting booth. NHMA **opposes**.

HB 1309 requires municipalities to not only state the subject matter of all warrant articles to be acted upon, but also "the intent and effect ... stated clearly and without commentary or ambiguity." Currently, the selectmen are required to "distinctly state" each question on the warrant. While the intent of the bill was to prohibit commentary or ambiguity, the bill inadvertently requires commentary on the "intent and effect" or each warrant article. NHMA **opposes**.

SB 2 Annual Town Meeting/Default Budget

Members of the House regularly attempt to amend the default budget calculations for the official ballot referenda form of annual meeting (SB 2) in an effort to limit local spending. Many believe the default budget should never increase more than the proposed budget, if at all. Some even believe the default budget should result in an automatic decrease from the previous year's approved budget. In reality, the needs of communities do not change simply because the state has limited municipalities' ability to raise and effectively appropriate funds. Key bills include:

HB 1224 would greatly impact the default budget calculation for SB 2 towns. The bill requires the default budget to be reduced by the amount equal to any reductions to line

items for transfers made for one-time expenditures, by the amount of any positions that have been vacant for more than a year (excluding public safety positions and town positions with snow removal duties under recruitment), and prohibits the default budget from including any salary or benefit increases issued after the last budget was adopted. In a nutshell, HB 1224 would micromanage municipalities' ability to adjust their budgets to meet ongoing and fluid needs and make it harder to hire necessary staff for unfilled positions or retain existing staff. NHMA **opposes**.

HB 1355 would eliminate the inclusion of a default budget in the operating budget warrant article for SB 2 towns. The bill would make it so that if the proposed operating budget fails, then the previous year's budget would be adopted. The bill also updates the procedures for holding a special meeting if the operating budgets fails and prohibits petitioned warrant articles from being amended if it would change the petitioned warrant article's purpose. HB 1355 would significantly limit a municipality's ability to meet all its voter-approved contractual obligations. NHMA **opposes**.

HB 1575 transfers the determination of the default budget to the budget committees. Under current law, the governing body prepares the default budget unless the legislative body adopts the provisions of RSA 40:14-b, which allows the legislative body to delegate the preparation of the default budget to the municipal budget committee. NHMA **opposes**.

Zoning/Planning/Land Use

While some state policymakers continued their efforts to override local decision-making concerning zoning, planning, and land use, there was much less appetite in the legislature this year for more statewide, universal mandates.

There was a push by some legislators in the House, supported by pro-business and free market organizations, to mandate commercial uses by right on all land where residential uses are permitted. Most of the bills enabling these uses—**HB 1023**, **HB 1351**, and **HB 1050**—did not make it out of the House. However, **HB 1195**—which overrides local zoning to permit more commercial child care centers—advanced to the Senate despite some significant flaws (*see below*).

In the Senate, an effort to limit municipal authority to cap dead-end road lengths or prevent connectivity requirements for roads once they reach a certain length advanced to the House. Additionally, there has been an effort to significantly limit or outright prohibit most subdivision or site plan regulations. The Senate has passed bills for the last two years attempting to make it so planning boards can only review subdivision or site plans once and to place limitations on conservation or open-space subdivisions and cluster development regulations. Not only do these bills run contrary to other existing statutes or

good municipal planning practices, they also could force planning boards to deny more incomplete subdivision or site plans because the plans do not meet local requirements, turning what should be a collaborative process into a bureaucratic nightmare for both landowners and municipalities.

Interestingly, statewide data released in January showed that New Hampshire's cities and towns issued building permits for 5,822 housing units in calendar year 2024, which was the highest annual number since 2006. This data is from the year before the state passed a plethora of bills preempting local choice on zoning and land use. The fact that such a high number of permits were issued before the state enacted several statewide land-use mandates in 2025 reinforces the argument made in NHMA's recent whitepaper, [*Room for Everyone*](#), which traces the state's housing deficit back to nearly two decades of economic, demographic, and market pressures. Key bills include:

[SB 508](#), relative to the zoning board of adjustments appeal period, requires municipalities to stamp and accept revised plans submitted by an applicant within 10 business days of submission. The acceptance of the plans would be contingent upon the revised plans reflecting specific requests made during the planning board's initial review, and the planning board would be prohibited from making any further requests to ensure the plans are compliant with local regulations. NHMA **opposes**.

[SB 564](#), *see article above*. NHMA **opposes**.

[HB 1195](#) greatly expands the current universal zoning mandates for commercial child care. The bill requires municipalities to permit home-based child care as an accessory use to any residential use, and updates it to:

- Require the municipality to allow the use by right rather than as a conditional use.
- Allow home-based child care to operate in an accessory structure by right, even if the structures violate current zoning ordinances.
- Prohibit municipalities from adopting additional requirements or enforcing existing ones greater than the rules adopted by the Department of Health and Human Services for child care.

Additionally, **[HB 1195](#)** includes a second section that requires municipalities to permit commercial child care centers by right on land zoned to permit commercial uses. However, like the first section of the bill, it goes much further to:

- Prohibit municipalities from adopting additional requirements or enforcing existing ones greater than the rules adopted by the Department of Health and Human Services for commercial child care centers.

- Requires municipalities to permit commercial child care centers on land that permits industrial and manufacturing uses, as long as the child care center is for the exclusive use of employees of a business located in one of those zones.
- Allow an existing building or portion thereof to be converted to a child care center, provided that the exterior dimensions of the building do not change, even if it's a change of use.
- Exempt commercial child care centers with a licensed capacity of the 30 children or less from local site plan review regulations.

NHMA **opposes** the bill due to unaddressed concerns with tying local zoning and site plan review regulations to state rulemaking and exempting large commercial uses from local site plan review regulations.

SB 439 would define “data center” and require municipalities to permit data centers on land that permits commercial or industrial uses. It would also allow planning boards to adopt regulations through rulemaking. Currently, municipalities can determine whether to permit data centers, and planning boards can adopt local administrative procedures in accordance with state law without approval from the legislative body. NHMA **opposes**.

HB 1196 repeals the Housing Champion programs, which incentivizes municipalities to implement local policies to encourage residential development, earn a Housing Champion designation, and receive state grants to invest in infrastructure supporting residential development. NHMA **opposes**.

HB 1681 establishes standards for innovative housing structures, including tiny houses, tiny houses on wheels, and yurts, authorizes their use as single-family or accessory dwellings, sets construction, inspection, and off-site manufacturing requirements, and directs related rulemaking under the state building code and wastewater and modular building statutes. The bill is a local option; however, the bill’s requirements for assessing innovative housing structures are placed in RSA 674, the Local Land Use and Regulatory Powers, and need to be significantly updated to address technical flaws. NHMA **opposes** the bill unless the assessing language is updated to make **HB 1681** a workable local option for municipalities.

HB 1079 allows accessory dwelling units (ADUs) to be built within or attached to certain non-conforming structures. Although the bill was requested by NHMA to clarify a specific section of the state’s ADU law, the House amended the bill to apply the vesting procedures for approved subdivisions to approved building permits for ADUs. We are unsure how this could possibly work in practice. NHMA **opposes** the House version of **HB 1079** and will seek to get the bill fixed in the Senate.

HB 1010 makes significant positive updates to the 2025 universal zoning mandate requiring municipalities to permit multi-family residential uses on all land zoned to permit commercial uses. The bill:

- Allows planning boards to require applicants to demonstrate that existing infrastructure is adequate to support the proposed residential development on commercially zoned land.
- Allows municipalities to require the applicants to provide infrastructure if the existing infrastructure is not adequate.
- Requires the applicant to receive permission from the operator of a public water or sewer system to connect.
- Clarifies that nonconforming structures converted to multi-family dwelling units or mixed use provided that the structure is not altered to further violate zoning district dimensional requirements.
- Clarifies that multi-family residential development is multi-family dwelling units, as defined in RSA 674:43, I.
- Ensures that multi-family dwelling units on commercially zoned land are still subject to subdivision or site plan review regulations.

NHMA supports.

Legal Issues

HB 1064 eliminates municipal immunity regarding negligence that results in personal injury or property damage. It will allow liability for damages caused by municipal officials or employees acting within the scope of their authority and require that those officials and employees be indemnified provided those actions were within the scope of their employment. It also increases the liability limits from \$325,000 to \$475,000 per claimant and from \$1 million to \$1.425 million per incident, or the proceeds from any insurance policy, whichever is greater. Additionally, it clarifies that the provisions do not apply to claims based on acts of employees exercising due care or performing discretionary functions. While intended to expand liability and improve compensation for injured parties, **HB 1064** goes too far and creates serious financial risks for municipalities. Significantly raising liability caps will increase insurance and risk pool costs, which will lead to a combination of property tax increases and reductions in municipal services. **NHMA opposes.**

HB 1184 establishes a process for issuing no trespass orders (NTOs) on public property. It sets out that the governing body responsible for public property, or a person designated by the governing body, may issue an “emergency” NTO good for 72-hours “when immediate action is reasonably necessary to protect public safety, prevent substantial

disruption of governmental operations, or prevent damage to public property.” The NTO must be in writing and require certain details; it expires after 72 hours unless the governing body meets at a duly noticed public meeting and approves the continuance of the NTO for a period up to 90 days by a three-fifths vote. The bill also establishes administrative appeal rights for the individual issued the NTO to appear before the governing body, as well as to appeal to superior court. The bill requires that the governing body seek a restraining order should it find that extension of the NTO beyond 90 days is necessary. **NHMA opposes.**

HB 1788 prohibits the state and political subdivisions from entering into or renewing any contract that includes diversity, equity and inclusion (DEI)-related provisions, including requirements for contractors to implement DEI programs, conduct DEI training, or comply with DEI-related reporting obligations and require contracts to be void if they contain such language. It also allows any citizen to file a lawsuit against a municipality for having a contract that contains—or that someone thinks contains—DEI language. The bill is similar to language included in the state budget last year that is on hold pending the outcome of a lawsuit filed in federal court. **NHMA opposes.**

Local Welfare

How municipalities provide services for indigent persons was a surprisingly hot topic in 2026, with a pair of bills filed to address anecdotal claims that some municipalities send individuals seeking services to larger or more affluent communities.

HB 348, a bill supported by many local welfare officials, allows municipalities to adopt an optional proof of residency requirement as part of their local welfare guidelines. Temporary emergency assistance still must be provided, but a municipality would then coordinate with the alleged municipality of residency by either seeking reimbursement of costs, requesting that the municipality of residency undertake ongoing relief and maintenance of the applicant pursuant to the municipality of residency’s welfare guidelines, or request an intermunicipal hearing to determine residency and financial responsibility of the applicant. Should a municipality adopt proof of residency requirements, the bill requires a municipality to accept certain documentation or an attestation by specific public officials/social service providers to establish residency. It also creates exceptions to any residency requirements for an individual who is the victim of domestic violence, stalking, sexual assault or human trafficking. Because the bill was amended by the Senate, it was sent back to the House, which must concur, non-concur or request a committee of conference on the amended bill. **NHMA supports.**

SB 441 creates a more heavy-handed state intervention. (*See separate article above.*) **NHMA opposes.**

Risk Pools

See related article above.

Other Bills to Watch

[HB 164](#) authorizes the state to create and maintain a website for electronic records and allows municipalities to store electronic records on the website. This option could be useful for municipalities to be able to refer right-to-know requests to a website managed by State Archives instead of having to compile and supply the information directly. **NHMA supports.**

[HB 340](#) updates the statute regarding electioneering by public employees. While this bill is an improvement on another electioneering bill vetoed by the governor last year, NHMA believes the existing statute is effective and supports leaving it as-is. Because the bill was amended by the Senate, it was sent back to the House, which must concur, non-concur or request a committee of conference.

[HB 1602](#) creates a manufacturer-funded, third-party battery-recycling program for specific types of batteries. The bill would transfer the costs and burdens associated with battery disposal from municipalities and solid waste districts to manufacturers. Additionally, it would reduce fire hazards at municipal transfer stations. **NHMA supports.**

[SB 538](#) extends the eligibility terms for municipal energy projects to receive net metering compensation under alternative tariffs approved by the Public Utilities Commission. The bill will be heard by the **[House Science, Technology and Energy Committee](#) on Monday, April 6, 2026, at 9:30 a.m. at Granite Place Room 229.** **NHMA supports.**

Note: For the first time since the truncated COVID-19 legislative session in 2020, no bills related to the New Hampshire Retirement System (NHRS) advanced out of the House or Senate this year. The last “normal” session without a change to the NHRS statute was 2015. After the knock-down fight over benefit increases for a subset of first responders last year, only seven bills were filed this year. With the next decennial retirement commission set to convene to review NHRS funding and benefits in the summer of 2027, it’s likely to be another light session for retirement bills next year.

Governor Signs Trio of Bills

The governor recently signed into law three bills NHMA is following:

- **SB 94** (Chapter 0017), repealing the allowance for municipal amendments to the technical requirements of the state building code under certain conditions. Specifically, it removes the provision that allowed municipalities to make amendments if the state building code was more than two editions behind the published model codes, as long as those amendments were not more or less stringent than the state code. The new language establishes that no amendments to the technical requirements of the state building code are permitted. Additionally, the bill clarifies that municipalities may still make amendments related to the issuance of permits and the collection of fees, provided these amendments are not less stringent than the state building code. Effective July 1, 2026.
- **SB 103** (Chapter 0007), mandates that towns and cities provide a minimum of one polling location for every 15,000 registered voters during general elections for President of the United States. Municipalities with a single polling location serving more than 15,000 voters must submit a detailed plan for approval by the secretary of state and the attorney general. Effective September 16, 2026.
- **SB 189** (Chapter 0002), revises the procedures for the disposition of fetal remains, requiring an electronically generated burial permit from town clerks or licensed funeral directors. Effective June 6, 2026.

Quick Hits

Sessions

next

week:

The House and Senate will each meet on **Thursday, April 9**. Both agendas are fairly light on significant municipal bills, but one bill opposed by NHMA, **HB 1137**, is on the Senate consent calendar as inexpedient to legislate. The bill would make the representative of the governing body on the municipal budget committee an ex-officio, non-voting member.

Committee

nixes

electioneering

bill:

A Senate committee also recommended another problematic bill opposed by NHMA, **HB 686**, as inexpedient to legislate this week. The bill expands the definition of electioneering by prohibiting a public body or public employee acting in an official capacity from conducting or sponsoring surveys, polls, or questionnaires concerning candidates, political parties, ballot measures, or policies reasonably anticipated to be submitted to voters. The recommendation will be voted on at a future Senate session.

Legislative Policy Proposals Still Welcome

NHMA has a member-driven process by which it establishes the legislative policy positions to guide staff advocacy activities over the coming legislative biennium.

If there is a law affecting municipal government that you think needs to be fixed, or if you have an idea for how the functions of local government might be improved with legislation, this is your opportunity to propose a change—**but you must act soon!** To share your proposal, complete this [Legislative Policy Proposal](#) Form. Include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal and an explanation that describes the nature of the problem or concern from a municipal perspective and discusses the proposed action that is being advocated to address the problem. Mail to NHMA, 25 Triangle Park Drive, Concord, NH 03301; or e-mail to advocacy@nhmunicipal.org no later than the close of business on **April 17, 2026**.

How to Make your Voice Heard

If a bill is of importance to your municipality, it's always best to make your case – for or against – in person. Every Friday, NHMA posts a [Bill Hearings Schedule](#) for the upcoming week. However, if you can't make it to Concord, you can use the Legislature's online portal to put your position on the hearing record.

The House has an [online testimony submission system](#) that allows you to indicate your position on the bill with an option to attach testimony. If you want to email all the members of a House committee, you will have to copy their email addresses individually from the [committee page](#).

The Senate has [a remote sign-in sheet](#) where you can indicate whether you are supportive of a bill, opposed, or neutral. Written testimony can be submitted via the "Email Entire Committee" link found on the [Senate committee page](#).

If you have time to follow along, livestreams of [House](#) and [Senate](#) sessions and committee meetings are available on YouTube. Prior sessions and committee meetings are also archived.

Finally, if you just want to contact your local legislators, there are [Contact a Senator](#) and [Contact a Representative](#) links on the [General Court](#) website.

Note: For any readers who print these emails out, all of the above links can be found on the General Court website at: <https://gc.nh.gov/>

Follow Bills That Matter to You Online

In addition to our weekly Legislative Bulletin, NHMA provides members access to FastDemocracy, an online bill tracking platform, for efficient, real-time updates to

legislative activity of interest to members. Visit our online [Bill Tracker](#) page to learn more and feel free to subscribe to weekly or daily updates on subjects and bills of interest.

New Email Address!

There is a new email address to contact NHMA's legislative advocacy team: advocacy@nhmunicipal.org

The address was created to better reflect the work of the team. Messages sent to the government affairs email will be forwarded to the new mailbox for the foreseeable future, but please update your contacts now.

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NHMA Events Calendar **2025 Final Legislative Bulletin**

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