

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 18

2026 Session

May 1, 2026



[Live Bill Tracker](#)
[Bill Hearings Schedule](#)

In this issue:

- Bad News on Land Use Bills
- The Finish Line is in Sight
- Risk Pool Update
- Senate to Vote on Multiple Municipal Bills
- Governor Signs Municipal Bills
- Follow Bills That Matter to You Online

Bad News on Land Use Bills

The [Senate Commerce Committee](#) voted this week to make multiple land use bills worse for municipalities, including bills supported by NHMA to bring clarity to previously passed zoning mandates, benefitting local officials, taxpayers, and property owners. Ignoring NHMA's efforts to reach a compromise, the committee recommended that the full Senate pass them—almost all on the consent calendar—with **last-minute amendments and no opportunity for public review or comment.**

Members need to **contact their [local senator](#) now to oppose this anti-local power grab, as all of the following bills are scheduled to be acted upon on Thursday, May 7.**

HB 1588 (am-1720s) was recommended ought to pass as amended (OTP-A). The bill, which NHMA was monitoring, has become **one of the most anti-local control bills of the session** with this substantial amendment adopted without any opportunity for public comment. The bill, as amended, would:

- Effectively **exempt** all proposed residential development on land zoned to permit commercial uses from all zoning ordinances except those ordinances regulating frontage, setbacks, and height.
- **Prohibit** municipalities from adopting zoning ordinances for residential development in commercial zones that differ from those for commercial development.
- **Prohibit** municipalities from requiring accessory parking spaces to be garaged.
- **Mandate** that municipalities reimburse private property owners “reasonable attorney’s fees” if they go to court over whether a proposed residential development in a commercial zone is legal and conforming.

The Senator from District 9 ensured **HB 1588** would receive a debate and floor vote by withholding consent after the committee adopted the amended bill, **creating an opportunity to kill the bill. Members and concerned citizens need to contact their [local Senator](#) now to oppose this bill.**

HB 1010 (am-1712s), relative to multi-family residential development on commercially zoned land, was recommended OTP-A. The bill is **now opposed** by NHMA. As amended by the House, this bill made 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, and representing a balance between land use regulation and development. However, the **Senate Commerce Committee amendment removes key provisions from the bill and expands the current universal mixed-use zoning mandate.** Further, it:

- Adds language requiring municipalities to permit residential development in commercial zones **by right**, rather than allowing municipalities to require a conditional use permit or special exception approval.
- Removes language clarifying how legal nonconforming structures could be converted into residential uses, and language ensuring that all state-mandated residential development in commercial zones remains subject to local site plan review regulations.
- “Waters down” the language in the bill that made it clear that municipalities could require a water supply study.

All in all, **the committee gutted the bill**, which had been previously negotiated by stakeholders in the House.

HB 1681 (am-1709s) was recommended OTP-A. The bill establishes standards for innovative housing structures, including tiny houses, tiny houses on wheels, and yurts; authorizes their use as single-family or accessory dwelling; 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 needed to be significantly updated to address technical flaws and establish clarity for municipal assessors and private property owners. Unfortunately, the amendment muddied the waters further and there is no language in the bill now regarding how these structures will be assessed, especially if they are used transiently. NHMA **opposes** the bill as amended due to these unresolved assessing issues.

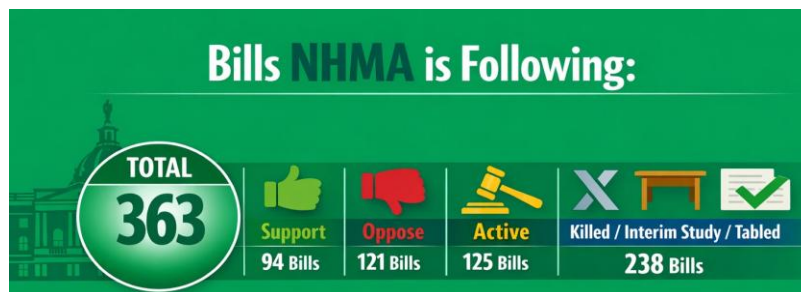
HB 1079 (am-1710s) was recommended OTP-A. The bill, **opposed** by NHMA, allows accessory dwelling units to be built within or attached to certain non-conforming structures. Although the bill was requested by NHMA to clarify a specific section of the state's ADU law, the House amended the bill to apply the vesting procedures for approved subdivisions in RSA 674:39 to approved building permits for ADUs. We are unsure how this could work in practice. The Senate Commerce Committee amended the bill but neglected to fix the problem. Instead, the Senate's amendment removed a section of the bill that sought to eliminate a redundant statute relative to detached ADUs.

HB 1540 was recommended OTP. The bill, **supported** by NHMA, regulates ADUs in protected shoreland districts. We hoped the bill could have been improved by an amendment, but the Senate Commerce Committee stuck with the House version, positing that more waterfront ADUs within the protected shoreland could create more affordable year-round housing.

Considered as a whole, the actions on **these bills are a full-on attack on local decision-making and an affront to the legislative process.** At this point, only one of these bills is on the regular calendar to be debated by the Senate. **Ask your local senator to pull the other bills off of consent and oppose the ought to pass motions.**

The Finish Line is in Sight

The House deadline to report any remaining Senate bills out of committee is **Thursday, May 7**, and the deadline for both chambers to act on all bills from the other chamber is **Thursday, May 14**. NHMA is following more than 100 bills still in play, although more than 40 of them will be voted on by the House or Senate next week.



Some important bills we're still waiting for committees act on include:

[House Municipal and County Government Committee](#), executive sessions, Tuesday, May 5, 10:30 a.m., Government Place (GP) Room 154.

- [SB 508](#), relative to the zoning board of adjustment appeal period, and requiring 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 on 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 comply with local regulations. This would establish a rushed process that forces municipalities to permit incomplete plans and conflicts with several existing state laws. NHMA **opposes**.
- [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**.
- [SB 435](#) clarifies the relatively confusing language in current law and replaces the term "unnecessary hardship" with "unreasonable restriction." The bill does not change how the criterion for a variance from the terms of a zoning ordinance is applied, usually called the "hardship requirement." The bill restates what already exists in law in a more easily understandable and accessible form for applicants and volunteer ZBA members. It aligns the new language with existing law and case law. NHMA **supports**.
- [SB 440](#) updates the local adoption process for energy efficient and clean energy districts by municipalities. NHMA **supports**.

Senate and House committees are also meeting next week to act on a pair of risk pool bills. (*see below*)

In addition to the bills above, we're hitting the point in the session where non-germane amendments will begin to pop up. These are, mostly, pieces of legislation that the originating body passed but the other body did not. As such, the originating body will tack the language of the bill onto an unrelated bill that it believes that the other body is interested in passing. Consequently, it is entirely possible that some remaining bills will get festooned with unrelated provisions as they move through the second body. Please keep reading the Legislative Bulletin to keep up with any non-germane amendments as they are published and become relevant to municipalities.

Risk Pool Update

Key Senate and House committees have until next Thursday to finish their work on a pair of competing pool regulatory bills already endorsed by the other chamber.

Risk pools are created by political subdivisions to reduce risks and associated insurance costs. Across the country, two primary types of risk pools exist: assessable and non-assessable. The Association of Governmental Risk Pools (AGRIP) recognizes both models.

The [Senate Finance Committee](#) will meet **Tuesday, May 5, at 1:30 p.m. in State House (SH) Room 103** for executive sessions on multiple bills, including [HB 1491](#), the House-passed risk pool bill. NHMA **supports** the original version of the HB 1491 but has concerns about the Senate's [preliminary attempt](#) at amending it. A revised amendment is expected to be introduced next week; from what we understand, it is substantially different—and better—than the prior amendment considered in Senate Finance.

The [House Commerce and Consumer Affairs Committee](#) will meet **Wednesday, May 6, at 10:00, in GP Room 229** to act on [SB 661](#), the Senate's take on this important and complicated topic. SB 661, **opposed** by NHMA, introduces assessable risk pools into the NH statutory scheme, which subjects members to potential unbudgeted, mid-year assessments at any time.

The expectation is that HB 1491 will almost certainly be amended to address some of the Senate's concerns, and SB 661 is likely to be updated, as well, so the bills may become more complimentary. The goal appears to be to pass both bills, with HB 1491 creating an insurance regulation option and SB 661 substantially changing 5-B, the current statute giving regulatory authority to the Secretary of State. Of course, things could still change, and a reasonable compromise may remain out of reach.

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. If your community has been impacted by assessments or is concerned about the long-term viability of risk pools, please reach out to your [local Senator](#) and [House delegation](#) to share your thoughts and concerns.

Senate to Vote on Multiple Municipal Bills

On **Thursday, May 7**, the Senate will take up a pair of high priority bills **opposed** by NHMA:

- [HB 1064](#), which eliminates municipal immunity regarding negligence that results in personal injury or property damage, is on the regular calendar as refer to interim

study. While intended to expand liability and improve compensation for injured parties, the bill 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 **supports** the interim study recommendation.

- [HB 1184](#), which outlines procedures for issuing, extending, and challenging no trespass orders (NTO) on public property, is on the consent calendar as ought to pass as amended (OTP-A). The amendment provides a more workable duration for an emergency NTO (45 days) and a more reasonable standard (majority vote of the governing body) for extending the NTO. Although NHMA continues to oppose the bill, we appreciate the work of the Senator from District 2 in crafting this amendment.

Additionally, a quartet of problematic bills dealing with town meeting are on the calendar:

- [HB 1131](#), on the consent calendar as OTP-A. The bill amends the method of adopting official ballot referendum form of meeting (“SB 2”) by placing the question at the top of the warrant. The amendment, which NHMA is **neutral** on, is a major improvement over the House version of the bill, which would have placed the question on the official ballot with no opportunity for deliberation.
- [HB 1224](#), on the consent calendar as inexpedient to legislate (ITL). The bill, **opposed** by NHMA, places draconian requirements on the default budget calculation for SB 2 towns.
- [HB 1319](#), on the consent calendar as refer to interim study. The bill, **opposed** by NHMA, enables towns, village districts, or school districts to adopt or rescind a local fiscal accountability committee for towns and schools.
- [HB 1355](#), on the consent calendar as refer to interim study. The bill, **opposed** by NHMA, eliminates the default budget from the official ballot referenda and prevents the purpose of a petitioned warrant article from being amended.

Besides the bills listed above, here are some other bills to be voted on by the Senate next week:

- [HB 164](#), on the consent calendar as ought to pass with amendment (OTP-A). The bill, **supported** by NHMA, 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. The amendment reduces the state appropriation to set up the website to \$50,000.

- [HB 1021](#), on the consent calendar as ought to pass with amendment (OTP-A). The member-requested bill, **supported** by NHMA, amends the date to provide written notice to a municipality of a taxpayer's election to be assessed under the low-income housing tax credit program.
- [HB 1187](#), on the consent calendar as OTP-A. The original bill, **opposed** by NHMA, mandated a town clerk's office to be open a mandated number of days to allow candidates for state representative may file their candidacy for a special election. The amendment removes the mandate and requires the clerk to post contact information for election officials authorized to accept the declaration of candidacy.
- [HB 1195](#), on the consent calendar as OTP. The bill, **opposed** by NHMA due to unaddressed technical issues, expands the current statewide zoning mandates for commercial and home-based childcare operations.
- [HB 1213](#), on the consent calendar as ITL. The bill, **opposed** by NHMA, regulates the number, selection, and terms of town highway agents and the appointment of an “expert highway agent.”
- [HB 1577](#), on the consent calendar as OTP-A. The bill, which NHMA is monitoring, allows the disclosure of utility customer data to municipalities for emergency response planning.

Note: The House is also meeting next **Thursday, May 7**, but there are no bills with significant municipal impact on the calendar.

Governor Signs Municipal Bills

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

- [HB 1204](#), relative to the grading and use of timber grown in New Hampshire.
- [HB 1246](#), relative to planning board members serving on other local boards.

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.

Information from the NHMA Legislative Bulletin may be republished online or in print with attribution to the New Hampshire Municipal Association. Light editing for

style or to shorten is allowed. Include a link to this page:

<https://www.nhmunicipal.org/legislative-bulletins>.

If you share NHMA content on social media, please mention our Linked In page:

<https://www.linkedin.com/company/new-hampshire-municipal-association>

NHMA Events Calendar
2025 Final Legislative Bulletin

Editorial Staff:

Margaret M.L. Byrnes, Executive Director
Marty Karlon, Editor in Chief, Policy & Research Analyst
Sarah Burke Cohen, Legislative Advocate
Brodie Deshaies, Legislative Advocate

Layout & Communications:

Miranda Blaikie, Communications Coordinator

New Hampshire Municipal Association

25 Triangle Park Drive

Concord, NH 03301

Tel: 603.224.7447

Email: advocacy@nhmunicipal.org

Website: www.nhmunicipal.org