

HB 164 - AS AMENDED BY THE SENATE

04/22/2021 1145s

2021 SESSION

21-0123

06/08

HOUSE BILL **164**

AN ACT relative to the acquisition, sale, or demolition of municipal land or buildings.

SPONSORS: Rep. Abrami, Rock. 19; Rep. Gilman, Rock. 18

COMMITTEE: Municipal and County Government

ANALYSIS

This bill authorizes selectmen to demolish municipal buildings. This bill also provides for review of any proposed demolition by the heritage commission and the historic district commission, if any.

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Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struck through~~.
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the acquisition, sale, or demolition of municipal land or buildings.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Selectmen; Demolition of Buildings. Amend the section heading of RSA 41:14-a to read as
2 follows:

3 41:14-a Acquisition or Sale of Land, Buildings, or Both; ***Demolition or Disposal of Buildings.***

4 2 Selectmen; Demolition of Land or Buildings. Amend RSA 41:14-a, I to read as follows:

5 I. If adopted in accordance with RSA 41:14-c, the ~~[selectmen]~~ ***select board*** shall have the
6 authority to acquire or sell land, buildings, or both~~;~~, ***and to demolish or otherwise dispose of***
7 ***buildings***, provided, however, they shall first submit any such proposed acquisition, ~~[or]~~ sale,
8 ***demolition, or disposal*** to the planning board, ~~[and to]~~ the conservation commission, ***the heritage***
9 ***commission, and the historic district commission if the building lies within a defined***
10 ***district*** for review and recommendation by those bodies, where ~~[a]~~ ***such*** board or ~~[commission or~~
11 ~~both,]~~ ***commissions*** exist. After the ~~[selectmen receive]~~ ***select board receives*** the recommendation
12 of the planning board, ~~[and]~~ the conservation commission, ***the heritage commission, and the***
13 ***historic district commission if the building lies within a defined district***, where such board
14 or ~~[commission or both]~~ ***commissions*** exist, they shall hold 2 public hearings at least 10 but not
15 more than 14 days apart on the proposed acquisition, ~~[or]~~ sale, ***demolition, or disposal***; provided,
16 however, upon the written petition of 50 registered voters presented to the ~~[selectmen]~~ ***select board***,
17 prior to the ~~[selectmen's]~~ ***select board's*** vote, according to the provisions of RSA 39:3, the proposed
18 acquisition, ~~[or]~~ sale, ***demolition, or disposal*** shall be inserted as an article in the warrant for the
19 town meeting. The ~~[selectmen's]~~ ***select board's*** vote shall take place no sooner than 7 days nor later
20 than 14 days after the second public hearing which is held.

21 3 New Paragraph; Demolition or Disposal of Municipal Buildings. Amend RSA 41:14-a by
22 inserting after paragraph II the following new paragraph:

23 III. The provisions of this section shall not apply to the demolition or disposal of, and the
24 selectmen shall have no authority to demolish or dispose of, any real estate that has been given,
25 devised, or bequeathed to the town for charitable or community purposes except as provided in RSA
26 498:4-a or RSA 547:3-d.

27 4 Application. This act shall be effective in all towns in which the provisions of RSA 41:14-a
28 have previously been adopted and remain in effect, without further action by the town.

29 5 Effective Date. This act shall take effect 60 days after its passage.