

HB 135 - AS AMENDED BY THE HOUSE

8Apr2021... 0473h

2021 SESSION

21-0011

08/04

HOUSE BILL

**135**

AN ACT requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution.

SPONSORS: Rep. Boehm, Hills. 20; Rep. Lascelles, Hills. 20; Rep. Notter, Hills. 21

COMMITTEE: Judiciary

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ANALYSIS

This bill requires parties deemed responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution.

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

1 1 New Section; Drinking Water Pollution; Responsibility for Damages. Amend RSA 485 by  
2 inserting after section 17-a the following new section:

3 485:17-b Drinking Water Pollution; Responsibility for Damages. Whenever the commissioner  
4 finds a public or private corporation, individual, partnership, or other entity has violated the  
5 provisions of this chapter, any rules in force hereunder, or any condition in a permit issued under  
6 this chapter, then:

7 I. The public or private corporation, individual, partnership, or other entity shall connect  
8 any residence or business affected by such violation to a commercial or municipal water supply at  
9 the public or private corporation, individual, partnership, or other entity's cost.

10 II. The public or private corporation, individual, partnership, or other entity shall supply  
11 drinking water to the affected residence or business until the connection required in paragraph I is  
12 made, at the a public or private corporation, individual, partnership, or other entity's cost.

13 III. If the connection required in paragraph I cannot be made in 6 months or less, the public  
14 or private corporation, individual, partnership, or other entity shall pay for the temporary  
15 installation of a whole house water filter and the maintenance of such filter until the connection can  
16 be made.

17 IV. The public or private corporation, individual, partnership, or other entity shall pay the  
18 owner of the residence or business affected by the violation a monthly sum based on the average  
19 water usage and billing of comparable residences or businesses for 2 years from the date of the  
20 connection required under paragraph I or until the residence or business is sold to a different owner,  
21 whichever comes first.

22 V. Any owner of a residence or business that was affected by such a violation on or after  
23 January 1, 2016 may inform the public or private corporation, individual, partnership, or other  
24 entity of such effect in order to qualify for the remedies under paragraphs I through IV.

25 2 Effective Date. This act shall take effect upon its passage.