

**HB 1254 - AS INTRODUCED**

2022 SESSION

22-2455

08/11

HOUSE BILL            ***1254***

AN ACT                relative to the housing appeals board.

SPONSORS:            Rep. Homola, Hills. 27; Rep. Pauer, Hills. 26; Rep. Ammon, Hills. 40; Sen. Avard,  
Dist 12

COMMITTEE:          Judiciary

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ANALYSIS

This bill makes various changes to the housing appeals board.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Two*

AN ACT relative to the housing appeals board.

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

1 1 Housing Appeals Board; Establishment and Terms. Amend RSA 679:1 to read as follows:

2 679:1 Board Established. There is hereby established a housing appeals board, hereinafter  
3 referred to as the board, which shall be composed of 3 members who shall individually and  
4 collectively be learned and experienced in questions of land use law [~~or housing development or~~  
5 ~~both~~]. At least one member shall be an attorney licensed to practice **land use** law in the state of  
6 New Hampshire, and at least one member shall be either a professional engineer or **professional**  
7 land surveyor **licensed in New Hampshire**. The members of the board shall be full-time  
8 employees and shall not engage in any other employment, appointments, or duties during their  
9 terms that is in conflict with their duties as members of the board. **Board members shall not**  
10 **participate in any matter in which they, their spouses, or their dependents, have a private**  
11 **interest which may directly or indirectly affect or influence the performance of their duties.**

12 2 Quorum; Disqualification; Temporary Members. Amend RSA 679:8 to read as follows:

13 679:8 Quorum; Disqualification; Temporary Members.

14 I. In all matters a majority of the board shall constitute a quorum to transact business.

15 II. No member of the board shall represent a party or testify as an expert witness or render  
16 any professional service for any party or interest before the board, and any member having an  
17 interest in the subject matter shall be disqualified to act therein.

18 III. If, in the event of a disqualification or temporary disability of a member or members of  
19 the board, it shall become necessary to do so, [~~the board, subject to the approval of~~] the supreme  
20 court[~~]~~ shall appoint such number of temporary board members as shall be necessary to meet the  
21 requirements herein imposed. Such temporary board members shall serve with respect to such  
22 matter until the same has been fully disposed of before the board.

23 IV. Temporary board members shall have the same qualifications as regular board members  
24 in whose place they are acting.

25 V. A temporary board member shall be compensated at the rate of \$75 for each day devoted  
26 to the work of the board and shall be reimbursed the necessary and reasonable expenses incurred by  
27 him or her in the performance of his or her duties.

28 VI. In the event of a vacancy on the board, **if all parties to the matter agree**, the  
29 **involved parties** [~~appellant~~] may elect to continue the proceedings while awaiting the appointment  
30 of a successor board member.

31 3 Effective Date. This act shall take effect 60 days after its passage.