

Amendment to SB 329

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a commission to study barriers to specific housing development in New  
4 Hampshire and establishing a procedure for overriding a local tax cap.

5

6 Amend RSA 674:61-a, IV as inserted by section 1 of the bill by replacing it with the following:

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8 IV. The commission shall study barriers to housing development in New Hampshire,  
9 including workforce and middle-income housing, manufactured housing, and 3-D printed houses.

10

11 Amend the bill by replacing all after section 2 with the following:

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13 3 Municipal Budget Law; Method to Override Local Tax Cap. RSA 32:5-b, III is repealed and  
14 reenacted to read as follows:

15 III. The legislative body may override the cap by the usual procedures applicable to annual  
16 meetings of the legislative body, provided that: when a proposed appropriation will cause the  
17 amount of local taxes raised by the town or district to exceed the tax cap under paragraphs I and I-a  
18 or the total amount already raised and appropriated has caused the amount of local taxes raised by  
19 the town or district to exceed the tax cap under paragraphs I and I-a, voting on the appropriation  
20 question shall be by ballot, but the question shall not be placed on the official ballot used to elect  
21 officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA  
22 40:13 or under a charter adopted pursuant to RSA 49-D. If a 3/5 majority or the super majority as  
23 determined under a charter pursuant to RSA 49-D of those voting on the question vote "yes," the  
24 appropriation is approved. Only votes in the affirmative or negative shall be included in the  
25 calculation of the 3/5 majority or the super majority as determined under a charter pursuant to RSA  
26 49-D.

27 (a) For warrant articles proposing bonds, notes, or other multi-year expenditures, only  
28 the first year estimated costs shall be used in counting appropriations for the tax cap under  
29 paragraphs I and I-a.

30 (b) When using the official ballot form of meeting under RSA 40:13, if the warrant  
31 article for the operating budget results in appropriations exceeding the tax cap under paragraphs I

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1 and I-a and receives less than 3/5 majority “yes” vote, the adopted operating budget shall be reduced  
2 by appropriations already raised to remain compliant with the tax cap under paragraphs I and I-a.

3 (c) School districts that have adopted the school administrative unit (SAU) alternative  
4 budget procedure under RSA 194-C:9-b shall place the warrant article for the SAU budget at the  
5 beginning of school district warrant, immediately after any warrant articles proposing bonds or  
6 notes. For school districts using a traditional meeting and when the outcome of the SAU budget vote  
7 is pending on balloting from the other school districts in the SAU, the higher of the school district's  
8 assigned portion of the proposed SAU budget or the school district's assigned portion of the adjusted  
9 SAU budget shall be assumed as raised and appropriated for the purpose of determining when the  
10 override provisions under paragraph III apply.

11 4 Effective Date.

12 I. Section 2 of this act shall take effect November 1, 2022.

13 II. Section 3 of this act shall take effect 60 days after its passage.

14 III. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill establishes a commission to study barriers to specific housing development in New Hampshire. The bill also establishes a procedure for overriding a local tax cap.