

SB 329 - AS AMENDED BY THE HOUSE

02/03/2022 0344s  
5May2022... 1828h

2022 SESSION

22-3068  
11/04

SENATE BILL **329**

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

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Hennessey, Dist 1; Sen. Bradley, Dist 3; Sen. Whitley, Dist 15; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Sen. Kahn, Dist 10; Sen. Sherman, Dist 24; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Sen. D'Allesandro, Dist 20; Rep. Espitia, Hills. 31; Rep. DiLorenzo, Rock. 17

COMMITTEE: Health and Human Services

---

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.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 329 - AS AMENDED BY THE HOUSE

02/03/2022 0344s  
5May2022... 1828h

22-3068  
11/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

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

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

1            1 New Section; Commission Established. Amend RSA 674 by inserting after section 61 the  
2 following new section:

3            674:61-a Commission Established.

4            I. There is established a commission to study barriers to housing development in New  
5 Hampshire, including workforce and middle-income housing.

6            II. The members of the commission shall be as follows:

7                    (a) One member of the senate, appointed by the president of the senate.

8                    (b) One member of the house of representatives, appointed by the speaker of the house of  
9 representatives.

10                    (c) One representative of the New Hampshire Housing Finance Authority, appointed by  
11 the authority.

12                    (d) One representative of New Hampshire Legal Assistance, appointed by the  
13 organization.

14                    (e) One representative of the New Hampshire Association of Realtors, appointed by the  
15 organization.

16                    (f) One representative of a local housing authority, appointed by the governor.

17                    (g) One workforce housing developer, appointed by the governor.

18                    (h) One representative of the Business and Industry Association, appointed by the  
19 association.

20            III. Legislative members of the commission shall receive mileage at the legislative rate when  
21 attending to the duties of the commission.

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

24            V. The members of the commission shall elect a chairperson from among the members. The  
25 first meeting of the commission shall be called by the senate member. The first meeting of the  
26 commission shall be held within 45 days of the effective date of this section. Four members of the  
27 commission shall constitute a quorum.

**SB 329 - AS AMENDED BY THE HOUSE**

**- Page 2 -**

1 VI. The commission shall report its findings and any recommendations for proposed  
2 legislation to the president of the senate, the speaker of the house of representatives, the senate  
3 clerk, the house clerk, the governor, and the state library on or before November 1, 2022.

4 2 Repeal. RSA 674:61-a, relative to barriers to housing development in New Hampshire,  
5 including workforce and middle-income housing, is repealed.

6 3 Municipal Budget Law; Method to Override Local Tax Cap. RSA 32:5-b, III is repealed and  
7 reenacted to read as follows:

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

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

23 (b) When using the official ballot form of meeting under RSA 40:13, if the warrant  
24 article for the operating budget results in appropriations exceeding the tax cap under paragraphs I  
25 and I-a and receives less than 3/5 majority "yes" vote, the adopted operating budget shall be reduced  
26 by appropriations already raised to remain compliant with the tax cap under paragraphs I and I-a.

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

35 4 Effective Date.

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

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

**SB 329 - AS AMENDED BY THE HOUSE**  
**- Page 3 -**

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