

CHAPTER 20
HB 1246 – FINAL VERSION

2014 SESSION

14-2253
06/08

HOUSE BILL **1246**

AN ACT relative to the composition of public agency boards concerning housing standards.

SPONSORS: Rep. Raymond, Belk 4; Rep. Shepardson, Ches 10; Rep. Baber, Straf 14;
Rep. M. Mann, Rock 32; Rep. Perry, Straf 3; Sen. Forrester, Dist 2; Sen. Hosmer,
Dist 7

COMMITTEE: Municipal and County Government

ANALYSIS

This bill adds a category of public agency that may be established concerning housing standards.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the composition of public agency boards concerning housing standards.

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

1 20:1 Housing Standards; Provisions of Ordinances, Codes, and Bylaws; Establishment of Public
2 Agency. Amend RSA 48-A:3, I to read as follows:

3 I. That a public agency is established, consisting of such one of the following as the
4 governing body, at its option; shall expressly provide in such ordinance, code, or bylaw:

5 (a) A board consisting of at least 3 members 2 of whom shall be the head of the
6 municipal health department, and the head of the municipal fire department, if such offices exist,
7 and such other incumbents of municipal offices or positions as such ordinance, code, or bylaw shall
8 prescribe. Selectmen, and city and town managers, and members of the governing bodies of cities
9 shall be ineligible for membership on such board. No person shall serve concurrently as a member of
10 such board and as a member of the appointing authority.

11 (b) *A board consisting of at least 5 members, 2 of whom shall be the head of the*
12 *municipal health department and the head of the municipal fire department, if such*
13 *offices exist, and such other incumbents of municipal offices or positions as such*
14 *ordinance, code, or bylaw shall prescribe. A selectman who concurrently serves as the head*
15 *of the municipal health department may serve on such board, however he or she must*
16 *recuse himself or herself as an appointing authority and from his or her role as selectman*
17 *during an appeals process.*

18 (c) A minimum housing standards enforcement officer, under such title as the governing
19 body shall prescribe, who shall be qualified by training or experience to interpret, administer, and
20 enforce the provisions of such ordinance, code or bylaw, which shall be his **or her** principal duty and
21 responsibility.

22 ~~(e)~~ (d) Any other qualified department, officer, or employee of the municipality as the
23 governing body shall designate, other than an elected officeholder, city or town manager, or member
24 of the housing board of appeals hereinafter provided; the department, officer, or employee so
25 designated may perform the duties of the public agency in addition to his **or her** other duties, with or
26 without additional compensation, as the governing body shall determine.

27 20:2 Effective Date. This act shall take effect 60 days after its passage.

28 Approved: May 23, 2014

29 Effective Date: July 22, 2014