

HB 227 - AS AMENDED BY THE HOUSE

4Mar2015... 0362h

2015 SESSION

15-0033
01/10

HOUSE BILL **227**

AN ACT relative to eminent domain on public lands.

SPONSORS: Rep. J. Belanger, Hills 27; Rep. Coffey, Hills 25; Rep. Rappaport, Coos 1;
Rep. Grenier, Sull 7; Rep. Frazer, Merr 13; Rep. Gardner, Straf 15; Rep. Gargas,
Hills 27

COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires the approval of the appropriate legislative body before acquisition of land acquired with public funds or land donated to a public entity.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 227 - AS AMENDED BY THE HOUSE

4Mar2015... 0362h

15-0033
01/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to eminent domain on public lands.

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

1 1 New Subdivision; Land Acquired with Public Funds and Donated Land. Amend RSA 371 by
2 inserting after section 24 the following new subdivision:

3 Land Acquired with Public Funds and Donated Land

4 371:25 Land Acquired With Public Funds and Donated Land. Whenever any party, having
5 power of eminent domain or not, seeks to violate the covenants and conservation easements or both,
6 placed on land which has been acquired with public funds or land which has been donated to a public
7 entity, the proposal shall require the approval of the legislative body of the affected municipality or
8 unincorporated place. No lands or rights of way or easements shall be taken by eminent domain
9 without the approval of the affected legislative body as evidenced by a vote of the affected legislative
10 body, at a duly called special or regular meeting of the legislative body. This subdivision shall not
11 apply to state-owned lands.

12 2 Effective Date. This act shall take effect 60 days after its passage.