

HB 1103-FN - AS INTRODUCED

2024 SESSION

24-2048  
08/02

HOUSE BILL

***1103-FN***

AN ACT                   relative to revising the penalties of the shoreland protection act.

SPONSORS:           Rep. Rung, Hills. 12; Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 3; Rep. Coker, Belk. 2; Rep. Tanner, Sull. 5; Rep. Ebel, Merr. 7; Rep. Wolf, Merr. 7; Sen. Watters, Dist 4

COMMITTEE:       Resources, Recreation and Development

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ANALYSIS

This bill revises the penalties of the shoreland protection act.

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                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to revising the penalties of the shoreland protection act.

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

1            1 Penalties; Shoreland Protection Act. Amend the introductory paragraph of RSA 483-B:18, III  
2 to read as follows:

3            III. Persons violating the provisions of this chapter ~~[and damaging the public waterway who,~~  
4 ~~after notification by the department, fail to make a good faith effort at remediation and restoration]~~  
5 shall be subject to the following:

6            2 Effective Date. This act shall take effect January 1, 2025.

**HB 1103-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to revising the penalties of the shoreland protection act.

**FISCAL IMPACT:**    ☒ State            ☐ County            ☐ Local            ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>Revenue</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Revenue Fund(s)</i>	General Fund			
<b>Expenditures</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
<b>Appropriations</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>County Revenue</b>	\$0	\$0	\$0	\$0
<b>County Expenditures</b>	\$0	\$0	\$0	\$0
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

**METHODOLOGY:**

The Department of Environmental Services states the bill modifies the conditions under which the Department can seek civil penalties and administrative fines for violations of the law but it does not impact the amount the Department is authorized to seek per violation. The Department assumes, since the Department is already required to investigate such violations pursuant to RSA 483-B:5, I, there would be no significant additional workload. The revised criteria will remove impediments to the Department's ability to seek civil penalties and administrative fines for proven violations resulting in an increase of civil penalties and administrative fines assessed under RSA 483-B:18 and deposited to the general fund. The Department states it is not possible to predict the number or scope of violations of RSA 483-B

that may occur in any given year or the number of violations for which civil penalties or administrative fines may sought or the total amounts that may be imposed and collected. It is also not possible to predict the number or scope of violations that may be committed by municipalities, or the amount of penalties or administrative fines that may be imposed and collected from municipalities. There will no fiscal impact to the counties.

**AGENCIES CONTACTED:**

Department of Environmental Services