

HB 1521 - AS AMENDED BY THE HOUSE

28Mar2024... 0902h

2024 SESSION

24-2609

10/08

HOUSE BILL

1521

AN ACT relative to recovery houses.

SPONSORS: Rep. Potenza, Straf. 19; Rep. Germana, Ches. 1; Rep. Mazur, Hills. 44; Rep.
Comtois, Belk. 7

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill makes changes to the definition of recovery house and specifies how a recovery house ought to be treated when interpreting zoning ordinances.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Recovery House; Definition. Amend RSA 153:10-d, II to read as follows:

2 II. In this section, "recovery house" means a ~~[residence]~~ **primarily non-transient**
3 **dwelling or dwelling unit** that provides a ~~[safe, healthy, family-like,]~~ substance-free living
4 environment that supports individuals in recovery from addiction **living as a single household**
5 and is centered on peer support and a connection to services that promote long-term recovery;
6 provided that "recovery housing" shall not include **a boarding house, a rooming house**, a halfway
7 house, or any other facility requiring a license pursuant to RSA 151.

8 2 New Paragraph; Purposes of Zoning Ordinances; Recovery Houses. Amend RSA 674:17 by
9 inserting after paragraph IV the following new paragraph:

10 V. A recovery house, as defined in RSA 153:10-d, II, that is located within a single-family, 2-
11 family, or multi-family structure shall be treated in every zoning ordinance as a single-family, 2-
12 family, or multi-family use, respectively, and shall not be subject to permitting or approval processes
13 that a zoning ordinance or other land use regulation adopted under this title does not similarly
14 require of other such uses. Use of an existing multi-family structure as a recovery house under this
15 paragraph shall not require site plan review. For purposes of this paragraph, a recovery house shall
16 be certified pursuant to RSA 172-B:2, V(a)(2) or shall be actively pursuing certification and achieve
17 certification within one year after beginning operations. For a recovery house to be included under
18 this paragraph, its operator shall first provide written notification to the local governing body at
19 least 30 days prior beginning operations, and the local governing body may seek to ensure that the
20 recovery house is either certified or seeking certification, as well as to ensure that the requirements
21 of RSA 153 and RSA 155-A are met.

22 3 Effective Date. This act shall take effect 60 days after its passage.