

**HB 63 - AS INTRODUCED**

2023 SESSION

23-0183

10/08

HOUSE BILL           **63**

AN ACT               relative to religious use of land and structures.

SPONSORS:         Rep. Gallagher, Merr. 20; Rep. Rung, Hills. 12; Rep. Mooney, Hills. 12

COMMITTEE:       Judiciary

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ANALYSIS

This bill prohibits zoning ordinances and local land use regulations from burdening religious land and structures in their use as residential housing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to religious use of land and structures.

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

1           1 Planning and Zoning; Religious Use of Land and Structures; Housing. RSA 674:76 is repealed  
2 and reenacted to read as follows:

3           674:76 Religious Use of Land and Structures.

4           I. No zoning ordinance or local land use regulation shall prohibit, regulate, or restrict the  
5 use of land or structures based solely on the religious nature of the use.

6           II. No zoning ordinance or local land use regulation shall impose a substantial burden on the  
7 religious exercise of a person, including a religious assembly or institution, unless the regulation is  
8 in furtherance of a compelling governmental interest and is the least restrictive means of furthering  
9 that compelling governmental interest. The building of housing to house the unhoused by a religious  
10 organization shall qualify as religious exercise under this section.

11          2 Effective Date. This act shall take effect 60 days after its passage.