

**CHAPTER 26**  
**HB 377 - FINAL VERSION**

2021 SESSION

21-0455  
10/05

HOUSE BILL                    **377**

AN ACT                    relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

SPONSORS:            Rep. Connors, Hills. 15; Rep. Cornell, Hills. 18; Rep. Goley, Hills. 8; Rep. Snow, Hills. 19; Sen. D'Allesandro, Dist 20

COMMITTEE:        Executive Departments and Administration

---

ANALYSIS

      This bill allows substance-free recovery houses to be granted an exemption by the state fire marshal for certain requirements of the state fire code.

-----

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**CHAPTER 26**  
**HB 377 - FINAL VERSION**

21-0455  
10/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                      relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

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

1            26:1 New Section; Fire Marshal; Exemption for Recovery Houses. Amend RSA 153 by inserting  
2 after section 10-c the following new section:

3            153:10-d Exemption for Recovery Houses.

4            I. An owner or operator of a recovery house which is in compliance with rules adopted by the  
5 commissioner of health and human services under RSA 172-B:2, V for the voluntary registry for  
6 operators of recovery houses or who is certified by the New Hampshire Coalition of Recovery  
7 Residences may apply to the state fire marshal and maybe granted an exemption under RSA 153:5,  
8 IV from certain requirements of the state fire code, provided the following requirements are in place:

9                      (a) A properly maintained electrical system.

10                     (b) A properly maintained heating system, inspected and tagged annually by a qualified  
11 service technician, including a domestic sprinkler head over the unit and smoke separation from  
12 living area.

13                     (c) Properly maintained cooking appliances.

14                     (d) Street number of the recovery house posted and visible from the street.

15                     (e) No smoking within 10 feet of the building unless approved by the local fire  
16 department.

17                     (f) A written evacuation plan submitted to and approved by the local fire department.

18                     (g) Monthly evacuation drills must be conducted with documentation available for  
19 review onsite.

20                     (h) Basement living spaces shall have an exit directly to grade.

21                     (i) The facility shall have a minimum of 200 gross square feet per resident.

22                     (j) At least one escape window in each sleeping room. An escape window shall comply  
23 with the state fire marshal's most recent informational bulletin document relative to size and  
24 dimensions.

25                     (k) Installed interconnected smoke and carbon monoxide alarms, electrically powered  
26 with battery backup, on each level and in each sleeping room. Ten-year battery alarms with wireless  
27 interconnectivity may be substituted for electrically powered alarms. For occupancies exceeding 8  
28 occupants, the installation of a complete fire alarm system, with carbon monoxide detection,  
29 including automatic notification to the local fire department shall be required.

**CHAPTER 26**  
**HB 377 - FINAL VERSION**  
**- Page 2 -**

1                   (l) Annual compliance inspection by the local fire department.

2                   (m) If the travel distance to an exit is greater than 75 feet, or for occupancies with living  
3 space above the second floor regardless of travel distance, there shall be 2 remote means of egress  
4 from each floor.

5                   (n) A 24-hour emergency contact person with contact information and the approved  
6 building occupant load shall be posted in the common area of the building so it is readily visible to  
7 the fire department.

8                   II. In this section, "recovery house" means a residence that provides a safe, healthy, family-  
9 like, substance-free living environment that supports individuals in recovery from addiction and is  
10 centered on peer support and a connection to services that promote long-term recovery; provided that  
11 "recovery housing" shall not include a halfway house or any other facility requiring a license  
12 pursuant to RSA 151.

26:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 06, 2021  
Effective Date: July 05, 2021