

HB 402 - AS INTRODUCED

2021 SESSION

21-0483

05/04

HOUSE BILL **402**

AN ACT relative to takings of property in a declared emergency.

SPONSORS: Rep. Sylvia, Belk. 6; Rep. A. Lekas, Hills. 37

COMMITTEE: Judiciary

ANALYSIS

This bill requires a two-thirds vote of the legislature for the taking of property in a declared emergency under RSA 4:46.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to takings of property in a declared emergency.

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

1 1 Taking of Private Property; Compensation and Use; Assent of the Legislature. Amend the
2 introductory paragraph of RSA 4:46, I to read as follows:

3 I. Whenever a state of emergency is declared or invoked and the taking of real or personal
4 property is required, the governor with the advice and consent of the executive council, ***and with***
5 ***the assent of two-thirds of the senate and two-thirds of the house of representatives***, may, by
6 warrant specifying the particular real property and the personal property by specification of the
7 types, quantities, and general location, together with the names of the owners, when known,
8 authorize the commissioner of safety, by his or her agents, to:

9 2 Effective Date. This act shall take effect 60 days after its passage.