

Amendment to SB 86-FN

1 Amend section 1 of the bill by replacing Part III with the following:

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3 Part III. Relative to structures built prior to legislation restricting heating and energy systems.

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5 Amend Part III of the bill by replacing it with the following:

6
7 PART III

8 Relative to Structures Built Prior to Legislation Restricting Heating and Energy Systems.

9 1 New Paragraph; State Building Code. Amend RSA 155-A:2 by inserting after paragraph V-a
10 the following new paragraph:

11 V-b. Notwithstanding paragraph V, any city, town, village, local land use board, or other
12 subdivision of this state that adopts an ordinance, regulation, code, or administrative practice,
13 hereafter collectively known as "ordinances", to restrict the form of heating or energy sources, shall
14 permit any structure that predates such ordinance to continue using its current form of heating or
15 energy sources and shall not make any requirements of such properties that they comply with such
16 new ordinances.

17 2 New Paragraph; Local Land Use Planning; Power to Amend State Building Code. Amend RSA
18 674:51 by inserting after paragraph V the following new paragraph:

19 VI. Notwithstanding paragraph I, any city, town, village, local land use board, or other
20 subdivision of this state that adopts an ordinance, regulation, code, or administrative practice,
21 hereafter collectively known as "ordinances", to restrict the form of heating or energy sources, shall
22 permit any structure that predates such ordinance to continue using its current form of heating or
23 energy sources and shall not make any requirements of such properties that they comply with such
24 new ordinances.

25 3 Effective Date. Part III of this act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. Third party inspections conducted pursuant to a planning board approval.
- II. Establishing the New Hampshire housing and conservation planning program.
- III. Prohibiting municipalities that adopt an ordinance, regulation, code, or administrative practice from enforcing it against a structure that predates such ordinance, regulation, code, or administrative practice.