

HB 1229 - AS INTRODUCED

2024 SESSION

24-2798

11/08

HOUSE BILL

1229

AN ACT relative to the purchase and sale of any interest in real property abutting public waters.

SPONSORS: Rep. Rung, Hills. 12; Rep. Coker, Belk. 2; Rep. Wolf, Merr. 7; Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 3; Sen. Watters, Dist 4

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill requires buyers, lessees and transferees of shoreland property to acknowledge minimum requirements for compliance with the shoreland water quality protection act.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the purchase and sale of any interest in real property abutting public waters.

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

1 1 New Section; Shoreland Real Estate Transfer. Amend RSA 483-B by inserting after section
2 483-B:9 the following new section:

3 483-B:9-a Shoreland Real Estate Transfer.

4 I. Prior to the sale, lease, or transfer of any shoreland protected real property, the seller,
5 lessor or transferor, or their agent, shall provide the intended purchasers, lessees or transferees, or
6 their agent, the "minimum standards" document, as published by the shoreland section of the
7 department of environmental services. The buyers, lessees or transferees shall acknowledge by
8 signature that they have read and understood the document.

9 II. A copy of the signed acknowledgment shall be included in the buyer's closing binder or
10 incorporated by reference into the lease, or in the case of a non-contractual transfer of occupancy,
11 given to the transferees. It shall be inferred that the signatories of the document have full
12 knowledge of the requirements for compliance with the shoreland water quality protection act, as
13 outlined in RSA 483-B.

14 III. A copy of the signed form shall be sent within 7 days of signing to the shoreland section
15 of the department of environmental services.

16 IV. Any violation of this section, coupled with any violation of RSA 483-B or the
17 department's rules and regulations regarding shoreland protection by the buyers, lessees or
18 transferees, shall result in a civil penalty against the property owner of \$1,000 dollars for a first
19 offense and \$2,000 for each subsequent offense. Payment of the civil penalty shall be remitted to the
20 department of environmental services. A civil penalty shall not preclude a judgment in equity or
21 law.

22 V. If any shoreland requirements are ultimately relaxed or rescinded, those changes shall
23 not be applied retroactively.

24 2 Effective Date. This act shall take effect January 1, 2025.