

SB 47 - AS AMENDED BY THE SENATE

01/26/2023 0123s

2023 SESSION

23-0984

10/05

SENATE BILL

**47**

AN ACT                    establishing a commission to study barriers to increased density of residential development in New Hampshire.

SPONSORS:            Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Chandley, Dist 11; Sen. Whitley, Dist 15; Sen. Soucy, Dist 18; Rep. DiLorenzo, Rock. 10; Rep. Preece, Hills. 17; Rep. Read, Rock. 10

COMMITTEE:        Election Law and Municipal Affairs

---

ANALYSIS

      This bill establishes a commission to study barriers to increased density of residential development in New Hampshire.

-----

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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                establishing a commission to study barriers to increased density of residential development in New Hampshire.

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

1            1 New Section; Office of Planning and Development; Commission to Study Barriers to Increased  
2 Density of Residential Development in New Hampshire. Amend RSA 12-O by inserting after section  
3 58 the following new section:

4            12-O:58-a Commission to Study Barriers to Increased Density of Residential Development in  
5 New Hampshire.

6            I. There is established a commission to study barriers to increased density of residential  
7 development in New Hampshire. The membership of the commission shall be as follows:

8            (a) Two members of the senate, one of whom shall serve on the election law and  
9 municipal affairs committee and one of whom shall serve on the energy and natural resources  
10 committee, appointed by the senate president.

11            (b) Six members of the house of representatives, 2 of whom shall serve on the municipal  
12 and county government committee and 2 of whom shall serve on the environment and agriculture  
13 committee, appointed by the speaker of the house of representatives.

14            (c) The commissioner of the department of business and economic affairs, or designee.

15            (d) The commissioner of the department of environmental services, or designee.

16            (e) The executive director of the New Hampshire housing finance authority, or designee.

17            (f) One representative of the New Hampshire Association of Realtors, appointed by the  
18 association.

19            (g) One person to represent builder and business interests, chosen jointly by the New  
20 Hampshire Home Builders Association and the New Hampshire Business and Industry Association.

21            (h) One person to represent planning interests, chosen jointly by the New Hampshire  
22 Planners Association, the New Hampshire Association of Regional Planning Commissions, and the  
23 New Hampshire Municipal Association.

24            (i) One person to represent conservation interests, chosen jointly by the Society for the  
25 Protection of New Hampshire Forests, the Nature Conservancy, and the New Hampshire Association  
26 of Conservation Commissions.

27            II. The commission shall study issues related to the density of residential development in  
28 New Hampshire. The commission's duties shall include revisiting the actions of the commission  
29 established in 2019, 300:1, and shall specifically include but not be limited to:

**SB 47 - AS AMENDED BY THE SENATE**

**- Page 2 -**

1 (a) Determining minimum standards of residential development density for different  
2 housing types by considering the availability of public water and sewer infrastructure or other  
3 appropriate alternatives and account for variability of environmental conditions.

4 (b) Considering possible property tax incentives to promote residential density  
5 development, particularly workforce housing.

6 (c) Exploring possible methods of enforcement of the shared community responsibility of  
7 workforce housing under RSA 674:58-61.

8 (d) Studying the impacts of development, specifically impacts on school enrollment and  
9 property values.

10 (e) Examining potential model ordinances to support municipalities in their planning  
11 work.

12 (f) Examining build out potential of existing residential properties, including single-  
13 family homes, duplexes, triplexes, quadplexes, and other existing property types, based on the  
14 existence of water/sewer infrastructure or lack thereof.

15 (g) Examining department of environmental services requirements for individual sewage  
16 disposal systems contained in New Hampshire code of administrative rules chapter Env-Wq 1000  
17 relative to overall load limit requirements, subdivision lot size requirements, flexibility for shared  
18 systems and innovative/alternative technologies, and consideration for implementation of septic  
19 systems on large tracts of land, which but for department of environmental services regulations do  
20 not require subdivision.

21 (h) Recommending any proposed legislation resulting from the work of the commission.

22 III. The members of the commission shall elect a chairperson and clerk from among the  
23 members. The first meeting of the commission shall be called by the first-named senate member.  
24 The first meeting of the commission shall be held within 45 days of the effective date of this section.  
25 A majority of the commission shall constitute a quorum. The commission shall be administratively  
26 attached to the department of business and economic affairs, office of planning and development.

27 IV. Legislative members of the commission shall receive mileage at the legislative rate when  
28 attending to the duties of the commission.

29 V. The commission shall submit an interim report of its findings and any recommendations  
30 for proposed legislation to the president of the senate, the speaker of the house of representatives,  
31 the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023  
32 and shall submit a final report on or before November 1, 2024.

33 2 Repeal. RSA 12-O:58-a, relative to the commission to study increased density of residential  
34 development in New Hampshire, is repealed.

35 3 Effective Date.

36 I. Section 2 of this act shall take effect November 1, 2024.

37 II. The remainder of this act shall take effect upon its passage.