

From Housing Action NH, this summary of bills on housing and zoning and their status now that the 2025 NH Legislative Session is over. Some bills we'll see again next year if they were retained in committee; some passed (but may still be awaiting the Governor's signature); others were killed one way or another.

Report of June 27, 2025.

Program and Financing Tools

SB 4, relative to C-PACE program

- Status: **Signed**
- Summary: SB 4 enabled the C-PACE program in New Hampshire. The C-PACE program provides a new financing tool for energy efficiency and clean energy building components. This will help lower development costs by pulling applicable costs out of the base financing. SB 4 was signed by the Governor.

SB 81, relative to the Affordable Housing Fund

- Status: **Killed via Table**
- Summary: SB 81 doubled the annual appropriation from the Real Estate Transfer Tax revenue to the Affordable Housing Fund from \$5 million to \$10 million per year, and made a one-time \$25 million appropriation. SB 81 passed the Senate unanimously and was tabled for consideration in the budget; however, it was not included in the budget. HB 530, which also doubled the RETT transfer, died on the table in the House. The budget currently contains the \$5 million per year transfer to the Affordable Housing Fund that is required by law.

SB 86, relative to a new loan guarantee program

- Status: **Killed via Table**
- Summary: SB 86 created a state-backed loan guarantee program at New Hampshire Housing for below-market-rate housing. This would have helped with lower financing costs by reducing lending risk. SB 86 passed the Senate unanimously and was tabled for consideration in the budget; however, it was not included in the budget.

SB 113, relative to state shelter support

- Status: **Killed via Table**
- Summary: SB 113 made appropriations to address homelessness. This included increasing the shelter contract funding from the current \$7.93 million per year to \$12 million per year and appropriating an additional \$3 million per year to housing stabilization programs. SB 113 passed the Senate unanimously and was tabled for consideration in the budget; however, it was not included in the budget.

SB 158, relative to the CDFA tax credit.

- Status: **Killed via Table**
- Summary: SB 158 doubled the CDFA tax credit from \$5 million to \$10 million per year. The CDFA tax credit supports economic development projects throughout New Hampshire, including affordable housing development. SB 158 passed the Senate unanimously and was tabled for consideration in the budget; however, it was not included in the budget. The budget currently contains the existing \$5 million per year in tax credits that is required by law.

SB 279, relative to the Housing Champions Program.

- Status: **Killed via Table**
- Summary: SB 279 appropriated \$5 million to the Housing Champions Program. This incentive-based program rewards communities that take pro-housing steps by

designating them “housing champion” communities. The housing champion designation opens up grant opportunities. SB 279 passed the Senate unanimously and was tabled for consideration in the budget; however, it was not included in the budget. The housing champions program still exists in state law without the municipal grant component.

HB 465, relative to the housing opportunity zone program.

- Status: **Retained In Committee**
- Summary: HB 465 aimed to increase flexibility with the 79-E housing opportunity zone program. The House Housing Committee retained HB 465 for additional amendments.

HB 572, relative to the partners in housing program.

- Status: **Retained In Committee**
- Summary: HB 572 created a new partners in housing program designed to help municipalities that would like to convert municipal land into housing. As introduced, the program created a loan fund, streamlined process for developing municipal land, and inventoried potential land. HB 572 was retained in the House Finance Committee. The streamlined process for municipal land development was included in the HB 2.

HB 604, relative to ADU financing

- Status: **Retained In Committee**
- Summary: HB 604 created a new financing program at New Hampshire Housing for the purposes of providing loans for low-moderate income homeowners to develop ADUs. The goal was to increase financing options for ADUs. The House Housing Committee retained the legislation for additional work.

Land Use Reform

SB 84, relative to minimum lot sizes

- Status: **Retained In Committee**
- Summary: SB 84, also called the starter homes act, created minimum baseline standards on minimum lot size requirements for municipalities. The minimum sized was determined by available infrastructure. Nothing in the law prohibited owning more than the minimum amount of land, but it addresses large lot minimums that drive up housing costs. The House Housing Committee retained SB 84 for more work. HB 459, which aimed to address lot sizes through soil based standards, was also retained by the House Housing Committee.

SB 284, relative to parking reform

- Status: **Passed**
- Summary: SB 284 prohibits municipalities from requiring more than one parking spot per unit. Nothing in SB 284 prohibits a developer from building more than one parking spot.

SB 291, relative to religious housing

- Status: **Passed**
- Summary: SB 291 allows religious institution to to rent existing parsonages while maintaining religious purpose of the structure. SB 291 was introduced as a Yes In God’s Backyard Bill to allow for multi-family housing on religious land, but was modified throughout the legislative process.

HB 342, relative to context based density

- Status: **Killed via Non-Concur**

- Summary: HB 342 allowed property owners to bypass the zoning variance process regarding density if their density met the average of 51 percent of properties within a 1,000-foot radius.

HB 399, relative to establishing a commission to study the zoning enabling act

- Status: **Signed**
- Summary: HB 399 establishes a commission to review the Zoning Enabling Act and make recommendations to the legislature.

HB 410, relative to extraordinary restrictions on property owners

- Status: **Retained In Committee**
- Summary: HB 410 aimed to limit local property regulations to those that have a demonstrated public health or safety implication.

HB 457, relative to ordinances that utilize familial or educational status

- Status: **Passed**
- Summary: HB 457 prohibits municipalities from enforcing regulations that limit based on familial status, less than two people per bedroom, or educational status.

HB 577, relative to ADUs

- Status: **Passed**
- Summary: HB 577 allows detached and attached ADUs on all single-family properties by right. This extends New Hampshire's existing ADU law to apply to detached ADUs and prohibits discretionary hearings for ADU applications that conform with local ordinances.

HB 631, relative to residential uses in commercial zones

- Status: **Passed**
- Summary: HB 631, also known as "Homes Near Jobs", allows multi-family housing to be built where retail and office spaces are allowed.

HB 685, relative to manufactured housing

- Status: **Killed via Committee of Conference**
- Summary: HB 685 allows manufactured housing to be built wherever single-family homes are allowed. This ends the discrimination against manufactured housing and treats it like any other type of construction. The Committee of Conference report for HB 685 was not agreed to.

Permitting and Regulatory Reform

SB 153, relative to expedited DOT permit approvals

- Status: **Passed**
- Summary: SB 153 establishes a 60-day expedited timeline for the Department of Transportation to approve or deny driveway permits for multi-family buildings with 20 or more units.

SB 163, relative to prohibited local building permit moratoriums

- Status: **Killed via Table**
- Summary: SB 163 prohibited municipalities from enacting building permit moratoriums.

SB 165, relative to audit thresholds for cooperative associations

- Status: **Passed**
- Summary: SB 165 raises the required audit threshold for cooperative associations from \$100,000 to \$1,000,000 in annual business. Financial audits are costly, and that cost is included in cooperative member rents. The audit threshold had not been raised in decades.

- SB 170, relative to aligning local ordinances with Department of Environmental Services rules
- Status: **Killed via Table**
 - Summary: SB 170 included numerous provisions aimed at expediting and standardizing approvals. SB 170 sought to align local ordinances with Department of Environmental Services rules, create an approval timeline for communities with a technical review process, and prohibit the enforcement of familial or educational status ordinances (HB 457).
- SB 173, relative to LIHTC assessing
- Status: **Passed**
 - Summary: SB 173 standardized the assessment formula for LIHTC projects to align their assessed value for property tax purposes with their below-market-rate purpose. This increases predictability and financial stability for these developments.
- SB 174, relative to prohibiting a planning board from considering the number of bedrooms in a unit
- Status: **Killed via Table**
 - Summary: SB 174 would have prohibited planning boards from considering the number of bedrooms in a housing unit for the purpose of approval or denial of a project. The board could consider infrastructure and septic implications, but could not solely use bedrooms. This proposal aimed to prevent municipal boards from denying projects that might attract more children.
- SB 188, relative to independent licensed building inspections
- Status: **Passed**
 - Summary: SB 188 allows for independent, licensed building inspections in order to speed up building approvals in areas where there is a backlog or no local official is available.
- SB 281, relative to building permits on class VI roads
- Status: **Passed**
 - Summary: SB 281 allows for development on class VI roads provided that there is a liability waiver and insurance.
- SB 282, relative to single-stair construction
- Status: **Passed**
 - Summary: SB 282 allows for the construction of single-stair buildings up to four stories, provided other safety conditions are met.
- SB 283, relative to below-grade square footage in floor area ratio calculation
- Status: **Passed**
 - Summary: SB 283 prohibits municipalities from including below-grade square footage in their calculation of floor area ratio
- HB 2, relative to state permit approvals
- Status: **Passed**
 - Summary: HB 2, the policy trailer bill for the state budget, includes permitting reforms that consolidate all state permits for housing development from the Department of Transportation, Fish and Game, Department of Natural and Cultural Resources, and Department of Environmental Services to the Department of Transportation and Department of Environmental Services. It also puts a 60 day timeline on state permits in an effort to expedite and streamline permitting.
- HB 296, relative to approvals on private roads and zoning board appeals
- Status: **Passed**
 - Summary: HB 296 provides another pathway to authorization for local governing bodies to erect buildings along private roads and removes the zoning board of

adjustment's discretion for determining when to take an appeal and replaces it with a non-discretionary 30-day period.

HB 413, relative to subdivision approvals

- Status: **Passed**
- Summary: HB 413 extends existing subdivision approvals to 7-years without requiring changes to codes or ordinances. This essentially grandfathers in the regulations that the project was originally approved under for an extended period of time.

HB 428, relative to prohibiting municipal amendments to the state building code

- Status: **Passed**
- Summary: HB 428 prohibited municipalities from amending the state building code in order to streamline and standardize housing development. The Senate version of this proposal, SB 94, was retained in the House Executive Departments and Administration Committee.