

SB 27-FN - AS AMENDED BY THE SENATE

03/06/2025 0365s

2025 SESSION

25-0972

06/05

SENATE BILL **27-FN**

AN ACT relative to dwellings over water.

SPONSORS: Sen. Lang, Dist 2; Sen. McConkey, Dist 3; Sen. Long, Dist 20; Sen. Murphy, Dist 16

COMMITTEE: Commerce

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ANALYSIS

This bill allows improvements to certain dwellings over water.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to dwellings over water.

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

1           1 Restrictions on Use of Structures Built Over the Waters of the State; Dwellings Over Water.

2 Amend RSA 482-A:26, III to read as follows:

3           III.(a) Existing dwellings over water which were constructed or converted to be made  
4 suitable for use as a dwelling in accordance with the law in effect at the time of construction or  
5 conversion, may be repaired, ~~or~~ reconstructed, **or improved** for maintenance purposes ~~only~~ **or to**  
6 **bring the dwelling into compliance with any state or applicable local building code**, using  
7 any modern technologies, provided the result is a functionally equivalent use. Such repair or  
8 reconstruction may alter the interior design or existing cribwork, but no expansion of the existing  
9 footprint or outside dimensions **which would result in an increase in interior living space** shall  
10 be permitted. **Without intending to limit the foregoing, the addition of a means of egress to**  
11 **a dwelling over water required under the state or applicable local building code shall not**  
12 **be deemed an impermissible expansion of the existing footprint or outside dimensions.** A  
13 condition of RSA 482-A:3 approval shall be the existence or installation of a sewage disposal system  
14 which has been approved pursuant to RSA 485-A:29-44. No permit shall be required for routine  
15 maintenance that does not involve work in the water.

16           (b) Without otherwise limiting the provisions of this section, where the effect of  
17 repair, ~~or~~ reconstruction, **or improvement** of a structure subject to the provisions of this section  
18 represents greater protection of public water or the environment, and where such repair or  
19 reconstruction does not change a recreational, water-based activity to a land-based, residential or  
20 commercial activity, the commissioner may waive the existing standards **in order to allow a**  
21 **structure to be expanded**, provided that ~~[there shall be no expansion of the existing footprint,~~  
22 ~~outside dimensions, and square footage of floor space; and there shall be a net reduction in the total~~  
23 ~~square footage of kitchen, bathroom, shower, and toilet facilities]~~ **this expansion shall not cause**  
24 **new penetrations of the water by any added columns, nor expansion of the existing**  
25 **footprint, nor addition to the existing square footage of living space.**

26           2 Effective Date. This act shall take effect 60 days after its passage.

LBA  
25-0972  
3/7/25

**SB 27-FN- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2025-0365s)

AN ACT           relative to dwellings over water.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2025 through 2028.

**AGENCIES CONTACTED:**

Department of Environmental Services