

SB 281 - AS AMENDED BY THE SENATE

03/20/2025 0947s

2025 SESSION

25-1089

07/09

SENATE BILL **281**

AN ACT prohibiting municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

SPONSORS: Sen. Murphy, Dist 16; Sen. Innis, Dist 7; Sen. Pearl, Dist 17; Sen. Perkins Kwoka, Dist 21; Rep. Osborne, Rock. 2; Rep. Alexander Jr., Hills. 29

COMMITTEE: Commerce

ANALYSIS

This bill changes the requirements that allow a building to be constructed on a lot adjacent to a class VI roadway.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

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

1 1 Planning and Zoning; Local Land Use Planning and Regulatory Powers; Erection of Buildings
2 on Streets; Appeals. RSA 674:41, I(c) is repealed and reenacted to read as follows:

3 (c) Is a class VI highway, provided that the applicant:

4 (1) Signs a liability waiver acknowledging that the:

5 (A) Municipality shall not maintain the highway nor provide any services to any
6 lot accessible by the highway;

7 (B) Municipality shall not accept any responsibility for losses or damages caused
8 by a lack of services; and

9 (C) Responsibility for such services falls solely on the applicant; and

10 (2) Prior to the issuance of a building permit, produces evidence that this waiver has
11 been recorded in the county register of deeds; and

12 (3) Prior to the issuance of a building permit, proves the lot and any buildings
13 thereon are insurable; or

14 2 Effective Date. This act shall take effect July 1, 2026.