

# Senate Commerce Committee

*Aaron Jones 271-2609*

**SB 440**, relative to the adoption of energy efficient and clean energy districts by municipalities.

**Hearing Date:** January 20, 2026

**Time Opened:** 10:12 a.m.

**Time Closed:** 10:16 a.m.

**Members of the Committee Present:** Senators Innis, Ricciardi, McGough, Fenton and Reardon

**Members of the Committee Absent :** Senator Murphy

**Bill Analysis:** This bill modifies the requirements for adoption of energy efficient and clean energy districts by municipalities.

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**Sponsors:**

Sen. Innis

Sen. Lang

Sen. Carson

Sen. Pearl

Sen. Abbas

Sen. Birdsell

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**Who supports the bill:** Senator Daniel Innis, Senator Howard Pearl, Deana Dennis (Community Power Coalition of NH), James Key-Wallace (NH BFA), Sandra Bravo, Stephen Bravo, Judith Lindsey, Abby Evankow, Susan Liebowitz, Debra Perry, Michele Varney, Heather Spears, Gary Dickerman, Patricia Martin, Virginia Riege-Blackman, Russell Siggelkoe, Jack Hurley, Susan Richman, John Gage, Nancy Wood, Gregory Davis, Lois Cote

**Who opposes the bill:** Carol Foss (NH Audubon), Gene Harrington (Animal Health Institute)

**Who is neutral on the bill:** No one

**Summary of testimony presented in support:**

***Senator Daniel Innis***

- The Legislature passed SB 4 last session, which helped to streamline a funding process, also known as C-PACER, to enable more construction of commercial and multi-family housing developments.
- With its passage, however, municipalities could only adopt C-PACER through their annual town meeting process. As a result, at least 15 municipalities have been stuck in limbo.

- Senator Innis introduced Amendment 26-0100s, which enabled municipalities to adopt C-PACER through an opt in selectboard hearing rather than an annual town meeting. The amendment clarified public notice requirements as well as the procedure for a municipality to opt-out of C-PACER if they would like to.
- Senator Innis thanked James Key-Wallace from the Business Finance Authority, and Brodie Deshaies from the New Hampshire Municipal Association, for their collaboration on the amendment.

***James Key-Wallace, Executive Director, New Hampshire Business Finance Authority***

- In New Hampshire, only cities and communities with charters can opt in to the C-PACER program via their town or city council. Most municipalities must wait until their annual town meeting, which causes complications because there are projects looking at private financing right now and they do not want to wait.
- Director Key-Wallace said this bill and its amendment would place the rest of the communities in the state on equal footing, preserve their right to opt-out of the program, clarify the public meeting process to ensure compliance with meeting notice requirements, and clarify that county commissioners in unincorporated areas can opt in on their behalf.

**Summary of testimony presented in opposition:** None

**Neutral Information Presented:** None

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Date Hearing Report completed: January 21, 2026