

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, January 21, 2026

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **SB 439**

AN ACT relative to municipal data center zoning.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 2026-0176s

Senator Timothy Lang
For the Committee

SB 439 allows municipalities to regulate data centers in commercial and industrial zones. The committee amendment clarifies that a "data center" does not include facilities that occupy less than twenty-five percent of the total on-site gross floor area, restricts data centers to districts zoned as either commercial or industrial, and makes them subject to local land use regulations. For these reasons, the Election Law and Municipal Affairs Committee recommends Ought to Pass with Amendment on SB 439.

Jessica Bourque 271-2104

FOR THE CONSENT CALENDAR

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 439, relative to municipal data center zoning.

Ought to Pass with Amendment, Vote 5-0.

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