

HB 373-LOCAL - AS AMENDED BY THE HOUSE

27Mar2025... 0836h

27Mar2025... 1289h

2025 SESSION

25-0426

02/06

HOUSE BILL

373-LOCAL

AN ACT relative to the management and regulation of town real property.

SPONSORS: Rep. Pauer, Hills. 36; Rep. Edgar, Rock. 29; Rep. McGrath, Rock. 40; Rep. Muns, Rock. 29; Rep. Cole, Hills. 26; Rep. T. Dolan, Rock. 16; Rep. Franz, Graf. 6; Rep. Fracht, Graf. 16; Sen. Rochefort, Dist 1; Sen. Watters, Dist 4

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill:

I. Requires selectmen to obtain an approval vote to rent or lease a specified real property owned by the town for a period of more than one year and up to 99 years.

II. Provides that selectmen can enter into leases of any real property owned by the town for up to one year without action by the legislative body, and that selectmen may be granted universal authority by an approval vote of the legislative body to enter into leases of any real property owned by the town for up to 5 years.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the management and regulation of town real property.

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

1 1 Choices and Duties of Town Officers; Selectmen; Town Property. Amend RSA 41:11-a, II and
2 III to read as follows:

3 II. The authority under paragraph I shall include the power to rent or lease such property
4 during periods not needed for public use, [~~provided, however, that any rental or lease agreement for~~
5 ~~a period of more than one year shall not be valid unless ratified by vote of the town.~~] ***subject to the***
6 ***following provisions:***

7 (a) ***If the proposed lease is for one year or less, then the selectmen may lease the***
8 ***property without further action by the legislative body;***

9 (b) ***If the proposed lease is for more than one year, then the legislative body***
10 ***shall vote to authorize the selectmen to enter into the proposed lease for a specific***
11 ***municipal property up to 99 years by majority vote. This vote to authorize a proposed lease***
12 ***of a specific municipal property, when the lease is for up to 5 years, is not required when***
13 ***the selectmen have been provided the universal lease authorization by the legislative body***
14 ***pursuant to paragraph III.***

15 III. Notwithstanding paragraph II, the legislative body may vote to authorize the board of
16 selectmen to rent or lease ***any*** municipal property for a term of up to 5 years without further vote or
17 ratification of the town. Once adopted, this authority shall remain in effect until specifically
18 rescinded by the legislative body at any duly warned meeting provided that the term of any lease
19 entered into prior to the rescission shall remain in effect.

20 2 Applicability. RSA 41:11-a, II and III, as amended by section 1, shall not affect any leases in
21 effect prior to the effective date of this act.

22 3 Effective Date. This act shall take effect 60 days after its passage.