

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, February 3, 2026

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **SB 435**

AN ACT

relative to the zoning board of adjustment variance
criteria.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 2026-0499s

Senator Rebecca Perkins Kwoka
For the Committee

SB 435 seeks to eliminate the hardship requirement for approving zoning variances. Rather than eliminating it entirely, the amendment lowers the criteria by replacing the standard of "unnecessary hardship" with an "unreasonable restriction" test.

Jessica Bourque 271-2104

FOR THE CONSENT CALENDAR

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 435, relative to the zoning board of adjustment variance criteria.

Ought to Pass with Amendment, Vote 4-0.

Senator Rebecca Perkins Kwoka for the committee.

SB 435 seeks to eliminate the hardship requirement for approving zoning variances. Rather than eliminating it entirely, the amendment lowers the criteria by replacing the standard of "unnecessary hardship" with an "unreasonable restriction" test.