

Rep. Aylward, Merr. 5  
Rep. Fracht, Graf. 16  
Rep. Pauer, Hills. 36  
February 7, 2025  
2025-0317h  
06/02

Amendment to HB 92

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT requiring recusal of members of zoning boards of adjustment and planning boards in  
4 certain circumstances.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 New Paragraph; Zoning Board of Adjustment Membership. Amend RSA 673:3 by inserting  
9 after paragraph IV the following new paragraph:

10 V. When a member also serves on a planning board, the individual shall recuse herself or  
11 himself from voting on matters previously decided by the planning board in a quasi-judicial capacity  
12 in which the member participated as a voting member.

13 2 Planning Board Members Serving on Other Boards. Amend RSA 673:7, I to read as follows:

14 I. Any 2 appointed or elected members of the planning board in a city or town may also serve  
15 together on any other municipal board or commission, except that no more than one appointed or  
16 elected member of the planning board shall serve on the conservation commission, the local  
17 governing body, or a local land use board as defined in RSA 672:7. ***When a member also serves on  
18 a zoning board of adjustment, the individual shall recuse herself or himself from voting on  
19 matters previously decided by the zoning board of adjustment in a quasi-judicial capacity  
20 in which the member participated as a voting member.***

21 3 Effective Date. This act shall take effect 60 days after its passage.

**Amendment to HB 92**  
**- Page 2 -**

2025-0317h

AMENDED ANALYSIS

This bill requires individuals serving on both the planning board and zoning board of adjustment to recuse themselves from voting on matters previously decided by the other board on which they serve.