

SB 493 - AS INTRODUCED

2026 SESSION

26-2058

08/06

SENATE BILL **493**

AN ACT relative to cyanobacteria and other emerging environmental water quality issues.

SPONSORS: Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Pearl, Dist 17; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5; Sen. Birdsell, Dist 19; Sen. Altschiller, Dist 24; Rep. N. Murphy, Hills. 12; Rep. W. Thomas, Hills. 12; Rep. N. Germana, Ches. 15; Rep. Rung, Hills. 12

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill allows for the creation of village districts for the purpose of addressing cyanobacteria and other related water quality issues.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to cyanobacteria and other emerging environmental water quality issues.

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

1 1 New Subparagraph; Village Districts; Inclusion of Mitigation of Cyanobacteria and Water
2 Quality. Amend RSA 52:1, I by inserting after subparagraph (n) the following new subparagraph:

3 (o) Mitigation of cyanobacteria and water quality protection.

4 2 New Section; Village Districts; Cyanobacteria and Water Quality Protection Projects. Amend
5 RSA 52 by inserting after section 1-a the following new section:

6 52:1-b Cyanobacteria Mitigation and Water Quality Protection. Any village district organized
7 under the provisions of this chapter may at a regular or special village district meeting vote to
8 cooperate or act jointly with other village districts or with towns to defray expenses and take other
9 appropriate action necessary to implement cyanobacteria mitigation projects and to participate in
10 programs supported by state or federal agencies and funding. Such village district may enter into
11 agreements with other districts or towns for the purposes hereof and in such case the agreement
12 shall be governed by the conditions set.

13 3 New Section; Village Districts; Cyanobacteria Mitigation and Water Quality Protection
14 Contingency and Reserve Funds. Amend RSA 52 by inserting after section 4-a the following new
15 section:

16 52:4-b Cyanobacteria Mitigation and Water Quality Protection Contingency and Reserve Funds.
17 Every village district annually by an article in the warrant may establish and contribute to a
18 contingency and reserve fund to meet the cost of unanticipated expenses that may arise during the
19 year, and to create a reserve fund for cyanobacteria mitigation and water quality protection. Such
20 contingency fund shall not exceed one percent of the amount appropriated exclusive of capital
21 expenditures and amortization of debt by such village district during the preceding year. Such
22 reserve fund appropriation shall be limited to an amount determined by warrant article sufficient for
23 anticipated projects. A detailed report of all expenditures from the contingency and reserve funds
24 shall be made annually by the commissioners and published with their report. For the purposes of a
25 cyanobacteria mitigation and water quality protection contingency and reserve fund adopted by a
26 village district, the agreement may establish a common bonding authority under RSA 33. The
27 village district may apply for funds available under RSA 487:15 through 25, RSA 485-A:58 through
28 61, and any other state or federal sources.

29 4 Definitions; Cyanobacteria Mitigation and Water Quality Protection. Amend RSA 52-A:1, I to
30 read as follows:

1 I. ***"Cyanobacteria mitigation and water quality protection" means addressing***
2 ***public facilities and public services performed to mitigate cyanobacteria and related water***
3 ***quality issues, including erosion control, phosphate sources mitigation, and treatment of***
4 ***affected water bodies.***

5 ***I-a.*** "Improvement plan" means the plan for the special assessment district which sets forth
6 the supplemental public services and facilities to be provided in the district and a plan for providing
7 such services and facilities, including a budget and fee structure, which is approved by the municipal
8 governing body as part of the creation of the special assessment district. An improvement plan shall
9 be updated at least once every 3 years by the governing body.

10 5 Authority; Special Assessment Districts; Cyanobacteria Mitigation and Water Quality
11 Protection. Amend RSA 52-A:2 to read as follows:

12 52-A:2 Authority.

13 I. Consistent with the provisions of this chapter, any town or city, ***or towns and cities, or***
14 ***village districts established under RSA 52:1***, may establish special assessment districts for a
15 part of the area of the town or city, ***or towns and cities, or village districts established under***
16 ***RSA 52:1***, within which may be provided public facilities and services from funds derived from
17 service charges, special assessments, or other charges within the special assessment district.

18 II. For the purpose of providing public facilities and services within any special assessment
19 district, the town or city, ***or towns and cities, or village districts established under RSA 52:1***
20 may levy and collect service charges, special assessments, or other charges within the district, and
21 borrow and expend money, and issue bonds, notes, and other obligations of indebtedness, which
22 powers shall be exercised in the manner and subject to the limitations provided by this chapter and
23 by the general laws of the state.

24 ***II-a. For the purposes of providing public facilities and services within any special***
25 ***assessment district, the town or city, or towns and cities, or village districts established***
26 ***under RSA 52:1 may apply jointly for funds available under RSA 487:15 through 25 and***
27 ***RSA 485-A:58 through 61, and any other state or federal sources.***

28 III. The provisions of this chapter shall not affect or limit any other provisions of law
29 authorizing or providing for the furnishing of public facilities and services or the raising of revenue
30 for these purposes. A town or city, ***or towns and cities, or village districts established under***
31 ***RSA 52:1*** may use the provisions of this chapter instead of, or in conjunction with, any other method
32 of financing part or all of the cost of providing the public facilities and services authorized under this
33 chapter.

34 6 Effective Date. This act shall take effect 60 days after its passage.