

SB 440 - AS INTRODUCED

2026 SESSION

26-2025

06/05

SENATE BILL **440**

AN ACT relative to the adoption of energy efficient and clean energy districts by municipalities.

SPONSORS: Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. Carson, Dist 14; Sen. Pearl, Dist 17; Sen. Abbas, Dist 22; Sen. Birdsell, Dist 19

COMMITTEE: Commerce

ANALYSIS

This bill modifies the requirements for adoption of energy efficient and clean energy districts by municipalities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the adoption of energy efficient and clean energy districts by municipalities.

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

1 1 Towns, Cities, Village Districts, and Unincorporated Places; Energy-Efficient and Clean
2 Energy Districts; Adoption by Municipality. RSA 53-F:2 is repealed and reenacted to read as
3 follows:

4 53-F:2 Adoption by Municipality or County. A city, town, village district, or county on behalf of
5 an unincorporated place may adopt the provisions of this chapter in the following manner:

6 I. In a city, county on behalf of an unincorporated place, or town that has adopted a charter
7 pursuant to RSA 49-D, the legislative body or governing body may consider and act upon the
8 question in accordance with its normal procedures for passage of resolutions, ordinances, and other
9 legislation.

10 II. In a town other than a town that has adopted a charter pursuant to RSA 49-D, or in a
11 village district, the governing body has the authority to adopt the provisions of this chapter and
12 create a district after they hold at least one public hearing.

13 (a) The governing body's vote may occur at the conclusion of the public hearing, or at a
14 subsequent public meeting noticed pursuant to RSA 91-A. Public notice of the time and place of the
15 public hearing shall be posted at least 10 calendar days before the public hearing and shall be posted
16 in at least 2 public places, one of which may be the entity's website, provided that the notice itself, or
17 a direct link to the notice, appears predominantly on the home page, and remains until the
18 conclusion of the last public hearing.

19 (b) The public notice shall contain a description of the boundaries of the proposed
20 district, and either the full text of the proposed C-PACER ordinance, or an adequate statement
21 describing the proposal and designating the place where the proposed ordinance is on file for public
22 inspection.

23 (c) An additional public hearing shall be held if the proposed ordinance is substantively
24 altered by the governing body during or after the public hearing. Subsequent public hearings shall
25 be held at least 14 days after the prior public hearing and with the notice provided herein.

26 (d) Notwithstanding this paragraph, upon the written petition of 50 registered voters
27 presented to the governing body prior to the governing body's vote, the question of the adoption of
28 this chapter and the creation of a district shall be inserted as an article in the warrant for the next
29 available annual meeting.

1 III. The C-PACER district may cover all or a portion of the area within the municipality or
2 unincorporated place.

3 IV. A city, town, village district, or county on behalf of an unincorporated place may vote to
4 rescind its action and dissolve the district in the same manner as it may vote to adopt, provided that
5 all agreements entered into with property owners and related legal obligations created prior to its
6 vote to rescind shall remain in effect.

7 2 Agreements with Property Owners. Amend RSA 53-F:4, III to read as follows:

8 III. The municipality shall execute a notice of the assessment and lien, and an assignment of
9 notice of assessment and lien under this chapter for recording in the county registry of deeds. The
10 notice shall consist of the following statement or its substantial equivalent: "This property is subject
11 to a special assessment related to the installation of qualifying *improvements* under RSA 53-F."

12 3 Effective Date. This act shall take effect upon its passage.