HB 1104 - AS INTRODUCED

2026 SESSION

26-2517
12/08

HOUSE BILL ***1104***

AN ACT modifying the priority of applications for school building aid grants.

SPONSORS: Rep. Hill, Merr. 2; Rep. Kofalt, Hills. 32; Rep. Notter, Hills. 12; Rep. Peternel, Carr. 6; Rep. Potucek, Rock. 13; Sen. Avard, Dist 12; Sen. Lang, Dist 2; Sen. Pearl, Dist 17; Sen. Sullivan, Dist 18

COMMITTEE: Education Funding

ANALYSIS

This bill removes the prioritization of school construction project applications that received insufficient funds in the previous fiscal year and applications with critical needs over newer applications.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT modifying the priority of applications for school building aid grants.

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

1 School Building Aid; Priority of Applications. Amend RSA 198:15-c, II to read as follows:

II.(a) The commissioner shall accept school building aid grant applications based upon completeness and submit a preliminary school building aid grant list, with applications ranked in accordance with subparagraph II(b) and rules of the department, to the school building authority established pursuant to RSA 195-C by August 1 each year. The school building authority shall verify the ranking submitted by the commissioner and submit a list in descending rank order to the state board of education for approval. If the ranking submitted to the school building authority differs from the preliminary school building aid grant list, the school building authority shall justify the new ranking using the same criteria in subparagraph II(b) and in rules of the department. The school building authority shall submit the school building aid rank order listing with written report of findings to the state board no later than October 15, each year. The state board of education shall verify the ranking submitted by the school building authority. If the ranking submitted to the state board of education differs from the preliminary school building aid grant list submitted by the commissioner, the state board of education shall justify the new ranking using the same criteria in subparagraph II(b) and rules of the department. The state board of education shall approve and publish the descending rank order list of approved eligible school construction projects by November 15 each year. School districts and chartered public schools which have projects approved for funding shall be notified by the department of education of the projected amount to be funded within 10 days of approval. The project rating system and criteria used to rate project applications which shall include an administrative review process for appeal of a school district's or chartered public school's project point rating, shall be developed by the department of education and approved by the state board of education.

(b) The commissioner of the department of education shall accept school building construction proposals based upon completeness. The department of education shall consider and score each proposal based on the following criteria:

(1) Unsafe conditions.

(2) Facilities not in compliance with the Americans With Disabilities Act, or obsolete, inefficient, or unsuitable facilities or mechanical and building systems.

(3) Overcrowding and associated influences to instructional areas and programming.

(4) Enrollment projections and population shifts.

(5) A school district's or chartered public school's fiscal capacity based on measurable criteria such as the percentage of pupils eligible for free and reduced price meals.

(6) School security design and integration of security systems.

(7) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.

(8) High performance of design that provides environments that are energy and resource efficient. Energy and resource efficient designs are those that improve indoor air quality, air temperature, or water quality; reduce heating costs; provide better lighting; and increase average attendance.

(9) Any other criteria that the state board of education may determine are necessary.

~~(c) Except as provided in subparagraph (d), applications on the approved ranked list the previous fiscal year, including the school construction projects on the descending rank order list approved by the state board of education on November 10, 2022, but did not receive a grant due to insufficient funds in the previous fiscal year, shall be ranked ahead of any application that was not on the list in the previous fiscal year provided that construction of the project has not started.~~

(c) Applications shall be funded to the extent of available appropriations in the fiscal year. School districts or chartered public schools with projects for which there is insufficient state grant funding during the biennial budget may resubmit those projects to the department for future consideration in the next biennial budget cycle.

~~(d) Applications with critical needs pursuant to subparagraph II(b) and substantial deficiencies, as defined by the department of education's school construction rules, may be ranked ahead of applications received in the prior fiscal year.~~

(d) The department of education shall make rules in accordance with RSA 541-A to effectuate the provisions of subparagraph (c).

(e) Projects that did not receive approval from the school district's legislative body or chartered public school board of trustees may resubmit those projects to the department for future consideration.

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