

HB 1271 - AS INTRODUCED

2026 SESSION

26-2835

06/05

HOUSE BILL            **1271**

AN ACT                relative to third-party code review and inspection services for building permits.

SPONSORS:            Rep. Sweeney, Rock. 25

COMMITTEE:          Executive Departments and Administration

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ANALYSIS

This bill changes the state building code law to clarify definitions and expand the role of approved third-party inspection agencies and solar energy system projects.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 third-party code review and inspection services for building permits.

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

1 1 Definitions. Amend 2025, 246:3, I to read as follows.

2 I. In this act:

3 (a) "Applicable codes" means the New Hampshire state building code and any local  
4 technical amendments, excluding fire prevention and fire safety codes except as referenced by the  
5 state building code.

6 (b) "Approved agency" means an individual or entity that is authorized as permitted by  
7 this section to perform building code inspection services and construction document reviews as an  
8 alternative to those conducted by local government agencies. Private providers may include  
9 professionals such as engineers, architects, or ICC-certified building officials. ***For purposes of***  
10 ***solar energy systems, an approved agency may also include licensed master electricians***  
11 ***and ICC-certified electrical inspectors.***

12 (c) "Audit" means the process to assess that construction document review and  
13 inspection services have generally been performed properly by the private provider.

14 (d) "Approved agency services" means the review of construction documents and  
15 inspection services to determine compliance with applicable codes, each as required by the state  
16 building code. ***Approved agency services include the review of solar energy system permit***  
17 ***applications and the inspection of solar photovoltaic arrays and associated battery storage***  
18 ***systems.***

19 (e) "Construction documents" means written, graphic, and pictorial documents prepared  
20 or assembled for describing the design, location, and physical characteristics of the elements of a  
21 project necessary for obtaining a building permit. Construction documents do not include  
22 applications or documents generated for zoning or planning approvals.

23 (f) "Building inspection" means the inspection of an improvement to land as required by  
24 the state building code as part of a project to develop or improve an improvement to the land,  
25 building, or structure. ***The term shall include inspections of solar energy systems, including***  
26 ***photovoltaic arrays and associated battery storage, whether performed in-person or***  
27 ***remotely through photo or video documentation consistent with standards adopted by the***  
28 ***International Code Council (ICC) or the National Fire Protection Association (NFPA).***

29 (g) "Building permit or permit" means an official document or certificate issued by the  
30 building official that authorizes performance of a specified activity. ***For solar energy systems,***

1 *such permit may be issued through an instant permitting platform approved by the state*  
2 *building code review board.*

3 (h) "Building official" means the officer or other designated authority charged with the  
4 administration and enforcement of this act, or a duly authorized representative.

5 (i) "ICC" means the International Code Council.

6 (j) *"Instant permitting platform" means an online platform, approved by the*  
7 *state building code review board, for submission and automatic review of permit*  
8 *applications, revisions, and inspection affidavits for solar energy systems. A permit or*  
9 *revision submitted through such platform shall be deemed approved as a matter of law*  
10 *unless the building official identifies specific deficiencies in writing within 5 business*  
11 *days.*

12 2 Municipal Responsibilities. Amend 2025, 246:9, II to read as follows.

13 II.(a) If an owner or an owner's contractor contracts with an approved agency [~~to review~~  
14 ~~construction documents and/or to provide inspections required by this act~~], ***including for solar***  
15 ***energy systems pursuant to regular session law 2025, 246:3***, the building official shall provide  
16 equal access to all related documents to the approved agency, owner, or owner's authorized agent  
17 that would be provided to the building official in completing review of construction documents or  
18 inspections.

19 (b) If such access is normally provided by software that protects exempt records from  
20 disclosure, the regulatory authority shall provide requested permitting or inspection documents and  
21 reports to the independent provider, owner, or contractor within 2 business days of a request in  
22 electronic format.

23 (c) ***Municipalities shall accept applications, plans, revisions, and inspection***  
24 ***affidavits for solar energy systems submitted through the instant permitting platform***  
25 ***approved by the state building code review board.***

26 3 Effective Date. This act shall take effect 60 days after its passage.