

**HB 1583 - AS INTRODUCED**

2026 SESSION

26-3235

04/09

HOUSE BILL            **1583**

AN ACT                permitting municipalities to establish special assessment districts for infrastructure improvements.

SPONSORS:            Rep. Sweeney, Rock. 25

COMMITTEE:          Municipal and County Government

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ANALYSIS

This bill authorizes municipalities to establish infrastructure-based special assessment districts to finance public improvements that directly benefit new development.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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                    permitting municipalities to establish special assessment districts for infrastructure improvements.

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

1            1 New Subdivision; Infrastructure-Based Special Assessment Districts for New Development.

2 Amend RSA 52-A by inserting after section 12 the following new subdivision:

3                            Infrastructure-Based Special Assessment Districts for New Development

4            52-A:13 Authority.

5            Consistent with the provisions of this subdivision, any town or city may establish one or more  
6 infrastructure-based special assessment districts for the purpose of financing public infrastructure  
7 improvements necessary to serve new development. Such districts may be established by a two-  
8 thirds vote of the governing body and a majority of the legislative body.

9            52-A:14 Public Facilities Authorized.

10            I. Public facilities eligible for financing under this subdivision shall include but are not  
11 limited to:

12                            (a) Roads, sidewalks, street lighting, and traffic control devices;

13                            (b) Water mains, sanitary sewer lines, storm water management systems, and related  
14 appurtenances;

15                            (c) Utility extensions and connections directly serving the district; and

16                            (d) Street scape or parking improvements incidental to development.

17            II. Public facilities shall not include general government buildings, schools, or other facilities  
18 that do not directly and specially benefit the properties subject to assessment within the district.

19            52-A:15 Apportionment of Costs. Special assessments levied within an infrastructure-based  
20 special assessment districts shall not exceed a proportionate share of benefits received by the  
21 property upon which the assessments are imposed. The governing body shall determine the method  
22 of apportionment, which may include, but is not limited to, frontage, lot size, number of units,  
23 assessed value, or other reasonable metric that reflects the special benefit conferred. Assessments  
24 shall be levied only upon properties that receive a direct and ascertainable benefit from the public  
25 facilities financed under this subdivision.

26            52-A:16 Financing.

27            I. A municipality may borrow money and issue bonds or notes to finance the public facilities  
28 within an infrastructure-based special assessment district, provided that such bonds or notes shall  
29 be repaid solely from special assessments levied under this subdivision.

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1           II. Special assessments may be collected in annual installments over a period not to exceed  
2 20 years, as determined by the governing body.

3           III. Special assessments shall constitute a lien on the assessed property, with the same  
4 priority and enforceability as property taxes under RSA 80.

5           52-A:17 Procedure for Establishment.

6           I. Prior to the establishment of an infrastructure-based special assessment district, the  
7 governing body shall hold a public hearing on the proposed district, with notice provided to each  
8 affected property owner by mail and published in a newspaper of a general circulation at least 14  
9 days prior to the hearing.

10          II. Following the hearing, the governing body may adopt an order establishing the district by  
11 a two-third vote, subject to ratification by a majority vote of the legislative body at the next regular  
12 municipal election or meeting.

13          III. The order shall include a description of the district boundaries, the public facilities to be  
14 financed, the method of assessment, and the estimated cost and duration of the assessments.

15          52-A:18 Appeals. Any property owner subject to a special assessment under this subdivision  
16 may appeal the apportionment of costs to the governing body within 30 days of receiving written  
17 notice of the assessment. A final decision of the governing body may be appealed to the superior  
18 court in accordance with RSA 677.

19          52-A:19 Dissolution. An infrastructure-based special assessment district created under this  
20 subdivision shall not be dissolved until all debt incurred with respect to the district has been fully  
21 discharged and all special assessments levied for the purpose of paying such debt have been paid or  
22 otherwise satisfied. Upon satisfaction of these conditions, the governing body may vote to dissolve  
23 the district. Any remaining funds in the special assessment account shall be transferred to the  
24 municipality's general fund accumulated surplus, unless otherwise provided by vote of the legislative  
25 body.

26          2 Effective Date. This act shall take effect 60 days after its passage.