

HB 1619 - AS INTRODUCED

2026 SESSION

26-2588

06/05

HOUSE BILL **1619**

AN ACT relative to the rights of property owners and limitations on municipal land use regulation, and repealing the workforce housing program.

SPONSORS: Rep. Soti, Rock. 35; Rep. Warden, Hills. 39; Rep. Aures, Merr. 13; Rep. Tom Mannion, Hills. 1; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Sellers, Graf. 10; Rep. Noble, Hills. 2; Rep. Ulery, Hills. 13; Rep. Polozov, Merr. 10; Rep. Slottje, Hills. 13; Sen. Murphy, Dist 16

COMMITTEE: Housing

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ANALYSIS

This bill affirms, codifies, and attempts to clarify property owners' rights and municipal limits on regulation. This bill also repeals the workforce housing program.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



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1 VIII. No property owner shall be subject to excessive or discriminatory property taxes. This  
2 chapter does not alter or affect existing property tax statutes.

3 IX. Property owners may challenge government actions that infringe their property rights  
4 through judicial or administrative review as provided by law.

5 X. Municipalities are encouraged to pursue market-based solutions to housing and  
6 development without reliance on public subsidies.

7 XI. Beyond minimal public regulations, use restrictions may only be imposed by private  
8 covenants or homeowners associations established by voluntary agreement among property owners.

9 XII. All warrant articles affecting property rights proposed at town or municipal meetings  
10 shall be reviewed for constitutional compliance by the courts.

11 XIII. No municipality shall provide taxpayer-funded subsidies, grants, tax incentives, or  
12 regulatory mandates promoting specific housing types, except as required for public health, safety,  
13 or welfare.

14 2 Repealing the Workforce Housing Program; InvestNH Program. Amend RSA 12-O:70 to read  
15 as follows:

16 12-O:70 InvestNH Program. The department shall establish a program to make grants and  
17 loans for the purpose of improving the ability to accelerate the approval of [~~affordable workforce~~  
18 ~~housing as defined in RSA 674:58, IV, and other types of~~] housing determined by the department to  
19 be important for the economic development of the state. Grants and loans may be made by the  
20 department to municipalities and to housing developers in which at least 20 percent of the housing  
21 units to be developed will be affordable for a period of at least 10 years. Such units will be affordable  
22 to and intended for occupancy by households with incomes up to 80 percent of the area median  
23 income, as established by the U.S. Department of Housing and Urban Development. The program  
24 shall be known as the InvestNH Program. The department shall adopt rules pursuant to RSA 541-A  
25 to implement the provisions of this subdivision no later than July 1, 2024.

26 3 Repealing the Workforce Housing Program; New Hampshire Housing Champion Designation.  
27 Amend RSA 12-O:71, III and IV to read as follows:

28 III. Qualifications to receive the New Hampshire housing champion designation shall  
29 include:

30 (a) Adoption of such land use regulations and ordinances which the department  
31 determines to be necessary to promote the development of [~~workforce housing, as that term is~~  
32 ~~defined in RSA 674:58, and other types of~~] housing necessary for the economic development of the  
33 state. In this subdivision, "land use regulations and ordinances" may include, but are not limited to,  
34 zoning ordinances adopted pursuant to RSA 674:16, innovative land use controls adopted pursuant  
35 to RSA 674:21, subdivision regulations adopted pursuant to RSA 674:35, and site plan regulations  
36 adopted pursuant to RSA 674:43.

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1 (b) Training of planning board and zoning board of adjustment members using training  
2 materials and programs, including online materials and programs, provided by the department  
3 pursuant to RSA 673:3-a; or training materials and programs, including online materials and  
4 programs, provided by the New Hampshire Municipal Association, that cover the processes,  
5 procedures, regulations, and statutes related to the board on which the member serves; or any other  
6 training materials and programs, including online materials and programs, approved by the  
7 department, that cover the processes, procedures, regulations, and statutes related to the board on  
8 which the member serves.

9 (c) Implementation of sewer and water infrastructure improvements intended to support  
10 the development of ~~[workforce housing, as that term is defined in RSA 674:58, and other types of]~~  
11 housing necessary for the economic development of the state.

12 (d) Implementation of public transportation, sidewalks, or other walkability  
13 infrastructure intended to support the development of ~~[workforce housing, as that term is defined in~~  
14 ~~RSA 674:58, and other types]~~ of housing necessary for the economic development of the state.

15 IV. Qualifications to receive the New Hampshire housing champion designation may also  
16 include, but are not limited to adoption of financial tools that incentivize the development of  
17 ~~[workforce housing, including adoption of]~~ the community revitalization tax relief incentive program  
18 under RSA 79-E and establishment of municipal economic development and revitalization districts  
19 under RSA 162-K.

20 4 Repealing the Workforce Housing Program; Housing Planning and Regulation Municipal  
21 Grant Program. Amend RSA 12-O:72 to read as follows:

22 12-O:72 Housing Planning and Regulation Municipal Grant Program. The department shall  
23 establish a grant program for municipalities to assist them in promoting increased housing  
24 production. Subject to availability of funding, the department shall make grants to any municipality  
25 for the purpose of consultation or implementation of revising their master plans and land use  
26 regulations for the purpose of promoting the production of ~~[workforce housing, as that term is~~  
27 ~~defined in RSA 674:58, and other types of]~~ housing necessary for the economic development of the  
28 state, and to assist them to become eligible for New Hampshire housing champion designation  
29 pursuant to RSA 12-O:71. The department shall adopt rules establishing grant eligibility criteria,  
30 grant maximums, and grant program administration.

31 5 Repealing the Workforce Housing Program; Champion Benefits. Amend RSA 12-O:73, I to  
32 read as follows:

33 I. Housing production municipal grant program. The department shall establish a grant  
34 program for municipalities that have made a commitment to facilitating increased housing  
35 production. Municipalities that are designated by the department as New Hampshire housing  
36 champion communities will be eligible to apply for the grants. ~~[Subject to availability of funding, the~~  
37 ~~department shall make grants to any municipality with such a designation on a per-unit basis for~~

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1 ~~workforce housing units for which certificates of occupancy have been issued by the municipality in~~  
2 ~~the preceding state fiscal year.]~~ The department shall adopt rules establishing eligibility criteria,  
3 per-unit grant maximums, maximum grants per project, a maximum amount that may be granted to  
4 any municipality in a year, and grant program administration.

5 6 Repealing the Workforce Housing Program; New Hampshire Housing Champion Designation  
6 and Grant Program Fund. Amend RSA 12-O:74 to read as follows:

7 12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is  
8 hereby established in the state treasury the New Hampshire housing champion designation and  
9 grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72 and  
10 RSA 12-O:73, and the compilation of municipally and county-owned property determined to be  
11 appropriate for residential development pursuant to RSA ~~[12-O:72-a and]~~ 674:1, VII. The fund shall  
12 be non-lapsing and shall be continually appropriated to the department.

13 7 Repealing the Workforce Housing Program; Exceptions. Amend RSA 78-B:2, XXIII(a)(1)(B)(3)  
14 to read as follows:

15 (3) Such other federal, state, or local financing program requiring that the real  
16 estate remains subject to land use restriction and rental housing affordability covenants which limit  
17 allowable rents charged to individuals or families, consistent with ~~[(i) RSA 674:58, IV, pertaining to~~  
18 ~~workforce housing; or (ii) as otherwise required under the]~~ applicable federal, state, or local program.

19 8 Repealing the Workforce Housing Program; Powers. Amend RSA 674:44-i, I(b) to read as  
20 follows:

21 (b) Conduct activities to recognize, promote, enhance, and encourage the development of  
22 housing, particularly affordable ~~[and workforce]~~ housing.

23 9 Repeal. The following are repealed:

24 I. RSA 12-O:72-a, relative to workforce housing.

25 II. RSA 162-K:2, IX-a(a)(5), relative to workforce housing.

26 III. RSA 674:17, IV, relative to workforce housing.

27 IV. RSA 674:43, VII, relative to workforce housing.

28 V. RSA 674:44-i, I(b), relative to workforce housing.

29 VI. RSA 674:58 through 61, relative to workforce housing.

30 VII. RSA 674:72, X, relative to workforce housing.

31 VIII. RSA 679:5, III, relative to workforce housing.

32 10 Effective Date. This act shall take effect January 1, 2027.