

HB 1711-FN - AS INTRODUCED

2026 SESSION

26-2746  
09/06

HOUSE BILL            ***1711-FN***

AN ACT                relative to governmental land uses.

SPONSORS:            Rep. Fracht, Graf. 16; Rep. Pauer, Hills. 36; Rep. Aylward, Merr. 5

COMMITTEE:          Municipal and County Government

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ANALYSIS

This bill defines agents as it relates to the governmental use of certain lands and requires that a public hearing be held regarding a change in use or new use of those properties.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Governmental Use of Property; Governmental Land Uses. Amend RSA 674:54, I - II-b to read  
2 as follows:

3 I. In this section, "governmental use" means a use, construction, or development of land  
4 owned or occupied, or proposed to be owned or occupied, by the state, university system, the  
5 community college system of New Hampshire, or by a county, town, city, school district, or village  
6 district, or any of their **authorized** agents, **contractors, or subcontractors** for any public purpose  
7 which is statutorily or traditionally governmental in nature.

8 II. The state, university system, community college system of New Hampshire, county, town,  
9 city, school district, or village district, **or any of their authorized agents, contractors, or**  
10 **subcontractors** shall give written notification to the governing body and planning board, if such  
11 exists, of a municipality of any proposed governmental use of property within its jurisdiction, which  
12 constitutes a [substantial] change in use or a [substantial] new use. Written notification shall  
13 contain plans, specifications, explanations of proposed changes available at the time, a statement of  
14 the governmental nature of the use as set forth in paragraph I, and a proposed construction  
15 schedule. Such notification shall be provided at least 60 days prior to the beginning of construction  
16 **or the change in use**. Either the governing body or planning board of the municipality [may] **shall**  
17 conduct a public hearing relative to the proposed governmental use. Any such hearing shall be held  
18 within [30] **45** days after receipt of notice by the governing body or planning board. A representative  
19 of the governmental entity **or any of their authorized agents, contractors, or subcontractors**  
20 which provided notice shall be available to present the plans, specifications, and construction  
21 schedule, **change in use**, and to provide explanations. The governing body or planning board may  
22 issue nonbinding written comments relative to conformity or nonconformity of the proposal with  
23 normally applicable land use regulations to the sponsor of the governmental use within 30 days after  
24 the hearing.

25 II-a. Any use, construction, or development of land occurring on governmentally owned or  
26 occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject  
27 to local land use regulations.

28 II-b. ***In this section, "authorized agent" means a person, contractor, or***  
29 ***subcontractor authorized to act on behalf of the state or a political subdivision of the state.***  
30 ***The governing body or planning board of the municipality may request that the authorized***  
31 ***agent provide documentation proving they are authorized to act on behalf of the state or a***

1 *political subdivision of the state, cite any applicable laws relative to the proposed*  
2 *governmental use, or require proof of any necessary licensure or certification necessary to*  
3 *carry out the governmental use.*

4 *II-c.* The construction and operation of any solid waste disposal facility on land owned or  
5 occupied by any city or town within another city or town shall be subject to local land use regulations  
6 to the same extent as if the land were owned and occupied by a private entity. Nothing in this  
7 paragraph shall affect the construction and operation of a solid waste facility on land owned by a  
8 solid waste management district formed under RSA 53-A or RSA 53-B or any combination of  
9 municipalities authorized by an act of the general court, if the land is located within a city or town  
10 that is part of the district.

11 2 Effective Date. This act shall take effect 60 days after its passage.

LBA  
26-2746  
12/10/25

**HB 1711-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                   relative to governmental land uses.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2026 through 2029.

**AGENCIES CONTACTED:**

Department of Administrative Services, New Hampshire Municipal Association, New Hampshire Association of Counties, and the University System of New Hampshire