

HB 1713 - AS INTRODUCED

2026 SESSION

26-2950

06/09

HOUSE BILL **1713**

AN ACT relative to zoning conformity and redevelopment standards.

SPONSORS: Rep. Cole, Hills. 26; Rep. Alexander Jr., Hills. 29; Rep. J. Aron, Sull. 4; Rep. M. Aron, Sull. 8; Rep. A. Davis, Coos 2; Rep. Post, Hills. 42; Rep. Thackston, Ches. 12; Rep. Miles, Hills. 12

COMMITTEE: Housing

ANALYSIS

This bill revises RSA 204-D to define eligible housing and income thresholds, authorize the transfer of surplus state-owned property to the New Hampshire housing finance authority for housing development, establish procedures for property disposition and affordability restrictions, and require rulemaking to govern occupancy, resale, and mixed-income housing standards.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Definitions. Amend RSA 204-D:1 to read as follows:

2 204-D:1 Definitions. As used in this chapter:

3 I. "Authority" means the New Hampshire housing finance authority established under RSA
4 204-C.

5 II. "Committee" means the long range capital planning and utilization committee
6 established under RSA 17-M.

7 III. ***"Eligible housing" means single-family housing, multi-family housing,
8 manufactured housing parks or other housing configurations intended to be occupied by
9 eligible persons and subject to affordability controls under this chapter and as established
10 by authority rules.***

11 IV. ***"Eligible person" means persons of low income and persons of moderate income
12 as defined in this chapter and as established by authority rules.***

13 V. ***"Mixed income housing" means housing intended to be occupied by a
14 combination of eligible persons and non-eligible persons in proportions established by
15 authority rules.***

16 VI. "Persons of low income" means individuals or ~~families~~ **households** whose gross annual
17 income is equal to 80 percent or less of the median income of the geographic area in which they
18 reside as determined by the authority.

19 ~~IV.]~~ VII. "Persons of moderate income" means individuals or ~~families~~ **households** whose
20 gross annual income is equal to ~~[120]~~ **140** percent or less, **but greater than 80 percent** of the
21 median income ~~[of the geographic area in which they reside]~~ as determined by the authority.

22 ~~V.]~~ VIII. "State owned property" means real property owned by the state of New Hampshire
23 and under the jurisdiction of any department, agency, or institution of state government.

24 IX. ***"Transferred property" means state-owned property transferred to the authority
25 under this chapter.***

26 2 Transfer of Property. RSA 204-D:2 is repealed and reenacted to read as follows:

27 204-D:2 Transfer of Property. Notwithstanding the provisions of RSA 4:39-c or RSA 4:40, the
28 governor and council may transfer surplus state owned property to the authority for the
29 development of eligible housing. Transfer of property for this purpose shall occur under the
30 following procedure:

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1 I. When a state agency, department, or institution of state government determines that
2 state-owned property is surplus, it shall provide written notice to the executive director of the
3 authority and to the committee.

4 II. The authority shall then determine if the property is suitable for use as eligible housing.
5 If the authority concludes the property is suitable for eligible housing, the authority may notify the
6 agency and the committee that the authority wishes to acquire the property under this chapter.

7 III. If the committee determines that the property is suitable for eligible housing, the
8 authority may request that the governor and council transfer the property, without consideration, to
9 the authority.

10 IV. In addition to the notice in paragraph I, the authority may petition for the transfer of
11 state-owned property by asking the head of any department that has jurisdiction over property if the
12 agency considers such property to be surplus property. The department head shall review the
13 request and notify the authority and the committee in writing whether the department considers the
14 property surplus. If deemed surplus, the process in paragraphs II and III of this section shall be
15 followed.

16 3 Highway Fund. RSA 204-D:3 is repealed and reenacted to read as follows:

17 204-D:3 Highway Fund.

18 I. Surplus property held by the department of transportation which was acquired with
19 highway fund moneys shall be transferred to the authority under the procedures set out in RSA 204-
20 D:2.

21 II. The compensation for such property, subject to paragraph III below, may be for no
22 consideration, if acceptable to the department of transportation; or shall be for an amount mutually
23 acceptable to the department and the authority, provided the compensation shall not exceed the
24 original expenditure for the property from the highway fund.

25 III. Surplus property held by the department of transportation which was acquired, in whole
26 or in part, with federal or turnpike funds shall be transferred to the authority for the minimum
27 compensation required by federal law or controlling turnpike revenue bond resolution.

28 IV. To further the purposes of this chapter, the department of transportation shall work
29 with the authority, and when applicable the federal highway agency, to transfer the property in the
30 least restrictive way to provide the authority with the greatest capacity to fulfill the intent of this
31 chapter.

32 4 Housing Construction. RSA 204-D:4 is repealed and reenacted to read as follows:

33 204-D:4 Housing Construction.

34 I. Upon acquisition of the transferred property, the authority may sell, lease, or otherwise
35 convey the transferred property for use as eligible housing, subject to the requirements in
36 paragraphs II and III below.

1 II. The authority shall ensure for the continued affordability of housing units constructed on
2 transferred properties by obtaining contracts and recorded restrictions based on authority rules that
3 will establish the type and length of such restrictions.

4 III. Once a transferred property is developed, the authority shall provide the agency that
5 controlled the property and the committee a report of the use of such transferred property, including
6 the occupancy requirements and the details of the restrictions.

7 5 Disposition of Property. RSA 204-D:5 is repealed and reenacted to read as follows:

8 204-D:5 Disposition of Property. When the authority determines that a transferred property
9 cannot feasibly be used for eligible housing, the authority shall so notify the committee and the
10 agency that transferred the property to authority. The authority may then sell or otherwise transfer
11 the transferred property, provided that any proceeds received by the authority above the original
12 transfer price shall be returned to the department that transferred the property to the authority.

13 6 Rulemaking. RSA 204-D:6 is repealed and reenacted to read as follows:

14 204-D:6 Rulemaking. The authority shall adopt rules under RSA 204-C:53 relative to:

15 I. The income amounts for eligible persons.

16 II. The types of uses for transferred property.

17 III. The requirements related to the occupancy, resale, and affordability of eligible housing
18 including the type of restrictions and the time period for those restrictions.

19 IV. The required percentage of units in a mixed-income housing development that must be
20 occupied by eligible persons.

21 V. Such other matters necessary for the proper administration of this chapter.

22 7 Effective Date. This act shall take effect July 1, 2026.