

HB 1759 - AS INTRODUCED

2026 SESSION

26-2741

06/05

HOUSE BILL **1759**

AN ACT relative to the disqualification of a member of a local land use board.

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

COMMITTEE: Municipal and County Government

ANALYSIS

This bill makes a land use board's vote on whether a member should be disqualified binding rather than advisory, requiring recusal if a majority finds disqualification is warranted.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the disqualification of a member of a local land use board.

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

1 1 Disqualification of Member. Amend RSA 673:14, II to read as follows:

2 II. When uncertainty arises as to the application of paragraph I to a board member in
3 particular circumstances, the board shall, upon the request of that member or another member of
4 the board, vote on the question of whether that member should be disqualified. ***A simple majority***
5 ***shall be considered evidence of an affirmative vote and the member shall not participate in***
6 ***the pending matter. In the event of a tie, the member shall be allowed to participate.*** Any
7 such request and vote shall be made prior to or at the commencement of any required public hearing.
8 Such a vote shall be [~~advisory and non-binding~~] ***binding***, and may not be requested by persons other
9 than board members, except as provided by local ordinance or by a procedural rule adopted under
10 RSA 676:1.

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