

HB 366-FN-A - AS AMENDED BY THE HOUSE

7Jan2026... 3082h

2025 SESSION

25-0410

02/09

HOUSE BILL

366-FN-A

AN ACT

modifying the priority of applications for school building aid grants.

SPONSORS:

Rep. M. Cahill, Rock. 10; Rep. Cloutier, Sull. 6; Rep. Edgar, Rock. 29; Rep. Weinstein, Rock. 10; Sen. Fenton, Dist 10; Sen. Perkins Kwoka, Dist 21; Sen. Long, Dist 20

COMMITTEE:

Education Funding

AMENDED ANALYSIS

This bill removes the prioritization of school construction project applications that received insufficient funds in the previous fiscal year and applications with critical needs over newer applications.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT modifying the priority of applications for school building aid grants.

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

1 1 School Building Aid; Priority of Applications. Amend RSA 198:15-c, II to read as follows:

2 II.(a) The commissioner shall accept school building aid grant applications based upon
3 completeness and submit a preliminary school building aid grant list, with applications ranked in
4 accordance with subparagraph II(b) and rules of the department, to the school building authority
5 established pursuant to RSA 195-C by August 1 each year. The school building authority shall verify
6 the ranking submitted by the commissioner and submit a list in descending rank order to the state
7 board of education for approval. If the ranking submitted to the school building authority differs
8 from the preliminary school building aid grant list, the school building authority shall justify the
9 new ranking using the same criteria in subparagraph II(b) and in rules of the department. The
10 school building authority shall submit the school building aid rank order listing with written report
11 of findings to the state board no later than October 15, each year. The state board of education shall
12 verify the ranking submitted by the school building authority. If the ranking submitted to the state
13 board of education differs from the preliminary school building aid grant list submitted by the
14 commissioner, the state board of education shall justify the new ranking using the same criteria in
15 subparagraph II(b) and rules of the department. The state board of education shall approve and
16 publish the descending rank order list of approved eligible school construction projects by November
17 15 each year. School districts and chartered public schools which have projects approved for funding
18 shall be notified by the department of education of the projected amount to be funded within 10 days
19 of approval. The project rating system and criteria used to rate project applications which shall
20 include an administrative review process for appeal of a school district's or chartered public school's
21 project point rating, shall be developed by the department of education and approved by the state
22 board of education.

23 (b) The commissioner of the department of education shall accept school building
24 construction proposals based upon completeness. The department of education shall consider and
25 score each proposal based on the following criteria:

- 26 (1) Unsafe conditions.
- 27 (2) Facilities not in compliance with the Americans With Disabilities Act, or
28 obsolete, inefficient, or unsuitable facilities or mechanical and building systems.
- 29 (3) Overcrowding and associated influences to instructional areas and programming.
- 30 (4) Enrollment projections and population shifts.

HB 366-FN-A - AS AMENDED BY THE HOUSE
- Page 2 -

1 (5) A school district's or chartered public school's fiscal capacity based on measurable
2 criteria such as the percentage of pupils eligible for free and reduced price meals.

3 (6) School security design and integration of security systems.

4 (7) The project contributes to operational cost efficiencies, consolidation, or reduced
5 property taxes.

6 (8) High performance of design that provides environments that are energy and
7 resource efficient. Energy and resource efficient designs are those that improve indoor air quality,
8 air temperature, or water quality; reduce heating costs; provide better lighting; and increase average
9 attendance.

10 (9) Any other criteria that the state board of education may determine are necessary.

11 ~~(e) Except as provided in subparagraph (d), applications on the approved ranked list the~~
12 ~~previous fiscal year, including the school construction projects on the descending rank order list~~
13 ~~approved by the state board of education on November 10, 2022, but did not receive a grant due to~~
14 ~~insufficient funds in the previous fiscal year, shall be ranked ahead of any application that was not~~
15 ~~on the list in the previous fiscal year provided that construction of the project has not started.~~

16 ***(c) Applications shall be funded to the extent of available appropriations in the***
17 ***fiscal year. School districts or chartered public schools with projects for which there is***
18 ***insufficient state grant funding during the biennial budget may resubmit those projects to***
19 ***the department for future consideration in the next biennial budget cycle.***

20 ~~(d) Applications with critical needs pursuant to subparagraph II(b) and substantial~~
21 ~~deficiencies, as defined by the department of education's school construction rules, may be ranked~~
22 ~~ahead of applications received in the prior fiscal year.~~

23 ***(d) The department of education shall make rules in accordance with RSA 541-***
24 ***A to effectuate the provisions of subparagraph (c).***

25 (e) Projects that did not receive approval from the school district's legislative body or
26 chartered public school board of trustees may resubmit those projects to the department for future
27 consideration.

28 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0410
1/22/26

**HB 366-FN-A- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-3082h)**

AN ACT modifying the priority of applications for school building aid grants.

FISCAL IMPACT:

This bill removes the current requirement that qualified school building applications that had been ranked in prior years could not be ranked below school building aid applications received in subsequent years, and, for projects that did not receive a school building aid grant in a given year, this bill allows the applicant to resubmit their application for consideration in subsequent years.

The Department of Education states this bill does not materially change the school building aid application process from what currently exists, and the process for new applications in a given year will remain unchanged. For previously submitted applications, rather than submitting a notice of intent form to request to stay on the approved list, a district would simply submit their prior application. As such, there is no anticipated increase in effort, or state expenditures, relative to processing school building aid applications by Department staff.

The Department states this bill is also not expected to impact local revenue or expenditures. Currently, if a project on the approved list remains unchanged, the district is only required to submit a notice of intent form to the Department to stay on the approved list. If the project has materially changed from that which was ranked prior, the district is required to submit a new updated application subject to reranking. Under this bill, the districts are required to submit either their prior unchanged application or the updated application for consideration in the new round of ranking. As such, the process change dictated by this bill does not materially change the effort, or related costs, for a district to submit the information necessary for the Department to undertake the ranking process.

AGENCIES CONTACTED:

Department of Education