

SB 27-FN - AS AMENDED BY THE HOUSE

03/06/2025 0365s  
8Jan2026... 0022h

2025 SESSION

25-0972  
06/05

SENATE BILL        **27-FN**

AN ACT            relative to dwellings over water.

SPONSORS:        Sen. Lang, Dist 2; Sen. McConkey, Dist 3; Sen. Long, Dist 20; Sen. Murphy, Dist  
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COMMITTEE:      Commerce

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AMENDED ANALYSIS

This bill allows for expansion of existing dwellings over water, contingent upon approval by the department of environmental services and payment of a fee based on the square footage of the dwelling, to be deposited in the water resources fund.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to dwellings over water.

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

1 1 Restrictions on Use of Structures Built Over the Waters of the State; Dwellings Over Water.  
2 Amend RSA 482-A:26, III to read as follows:

3 III.(a) Existing dwellings over water which were constructed or converted to be made  
4 suitable for use as a dwelling in accordance with the law in effect at the time of construction or  
5 conversion, may be repaired or reconstructed, for maintenance purposes only, using any modern  
6 technologies, provided the result is a functionally equivalent use. Such repair or reconstruction may  
7 alter the interior design or existing cribwork, but no expansion of the existing footprint or outside  
8 dimensions shall be permitted, ***except as allowed in subparagraph (b)***. A condition of RSA 482-  
9 A:3 approval shall be the existence or installation of a sewage disposal system which has been  
10 approved pursuant to RSA 485-A:29-44. No permit shall be required for routine maintenance that  
11 does not involve work in the water.

12 (b) Without otherwise limiting the provisions of this section, [~~where the effect of repair~~  
13 ~~or reconstruction of a structure subject to the provisions of this section represents greater protection~~  
14 ~~of public water or the environment and where such repair or reconstruction does not change a~~  
15 ~~recreational, water-based activity to a land-based, residential or commercial activity, the~~  
16 ~~commissioner may waive the existing standards, provided that there shall be no expansion of the~~  
17 ~~existing footprint, outside dimensions, and square footage of floor space; and there shall be a net~~  
18 ~~reduction in the total square footage of kitchen, bathroom, shower, and toilet facilities.] ***the existing***  
19 ***footprint or outside dimensions of a structure subject to the provisions of this section may***  
20 ***be modified by adding or expanding legally existing exterior features only, such as decks,***  
21 ***balconies, stairs, rooflines, or eaves, provided that no such addition or expansion shall***  
22 ***result in an increase in interior floor space nor change a recreational, water-based activity***  
23 ***to a land-based, residential or commercial activity. The cumulative area across all added***  
24 ***or expanded exterior features shall not exceed 100 square feet for a subject property with***  
25 ***less than or equal to 100 linear feet of shoreline frontage and not more than one square***  
26 ***foot per linear foot of the subject property's shoreline frontage for properties that have***  
27 ***greater than 100 linear feet of shoreline frontage. Such modifications shall not result in***  
28 ***any penetration of the water or bank by any columns, supports, beams, or other like items.***  
29 ***Such modifications shall be approved by the department in accordance with rules adopted***  
30 ***by the commissioner. The department shall not approve any subsequent exterior feature***~~

1 *modifications that result in an exceedance of the foregoing square footage limitation.*  
2 *Approval by the department under this section shall be in addition to any local building*  
3 *code enforcement and approval process under RSA 155-A:7 and RSA 674:51.*

4 *(c) The commissioner shall adopt rules under RSA 541-A relative to the*  
5 *approval of such additions or expansions, the setting of the fee amount, the calculation of*  
6 *the fees, the collection of such fees, and ensuring the payment of such fees as provided*  
7 *herein. Revenues from such fees shall be deposited into the water resources fund*  
8 *established in RSA 482-A:3, III to be used for the purposes thereof.*

9 2 Applicability. The department of environmental services shall not approve any addition or  
10 expansion of structures pursuant to RSA 482-A:26, III, as amended by section 1 of this act, until the  
11 commissioner adopts rules under RSA 541-A as authorized by RSA 482-A:26, III(c). The  
12 commissioner shall adopt such rules within 120 days of the effective date of this section.

13 3 Effective Date. This act shall take effect 60 days after its passage.

LBA  
25-0972  
1/28/26

**SB 27-FN- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2026-0022h)

AN ACT                    relative to dwellings over water.

**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 2027 through 2029.

**AGENCIES CONTACTED:**

Department of Environmental Services