

Sen. Perkins Kwoka, Dist 21
January 27, 2026
2026-0352s
04/09

Floor Amendment to SB 439

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to energy and environmental review requirements for data centers.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 New Section; Statutory Construction; Data Centers. Amend RSA 21 by inserting after section
8 55 the following new section:

9 21:56 Data Centers. "Data center" means a facility use primarily for the storage, processing,
10 management, and transmission of digital data. "Data center" does not include a facility that does
11 not exceed 10 percent of the gross floor area of all on-site buildings, is used to serve the enterprise
12 functions of the on-site property owner, and is not used to lease data services to third parties.

13 2 New Section; Data Center Review. Amend RSA 162-H by inserting after section 24 the
14 following new section:

15 162-H:25 Data Center Review Process. Any facility that meets the definition of "data center"
16 under RSA 21:56 shall submit an application to the department of energy for an analysis of potential
17 effects on energy prices and the department of environmental services for an analysis of
18 environmental impacts.

19 3 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill establishes energy and environmental review requirements for data centers.