

SB 27-FN - VERSION ADOPTED BY BOTH BODIES

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
16

COMMITTEE: Commerce

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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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