

CHAPTER 14
SB 27-FN - FINAL VERSION

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

2026 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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six

AN ACT relative to dwellings over water.

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

1 14:1 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 suitable for
4 use as a dwelling in accordance with the law in effect at the time of construction or conversion, may be
5 repaired or reconstructed, for maintenance purposes only, using any modern technologies, provided the
6 result is a functionally equivalent use. Such repair or reconstruction may alter the interior design or
7 existing cribwork, but no expansion of the existing footprint or outside dimensions shall be permitted,
8 ***except as allowed in subparagraph (b).*** A condition of RSA 482-A:3 approval shall be the existence or
9 installation of a sewage disposal system which has been approved pursuant to RSA 485-A:29-44. No
10 permit shall be required for routine maintenance that does not involve work in the water.

11 (b) Without otherwise limiting the provisions of this section, [~~where the effect of repair or~~
12 ~~reconstruction of a structure subject to the provisions of this section represents greater protection of public~~
13 ~~water or the environment and where such repair or reconstruction does not change a recreational, water-~~
14 ~~based activity to a land-based, residential or commercial activity, the commissioner may waive the~~
15 ~~existing standards, provided that there shall be no expansion of the existing footprint, outside dimensions,~~
16 ~~and square footage of floor space; and there shall be a net reduction in the total square footage of kitchen,~~
17 ~~bathroom, shower, and toilet facilities.] ***the existing footprint or outside dimensions of a structure subject***
18 ***to the provisions of this section may be modified by adding or expanding legally existing exterior features***
19 ***only, such as decks, balconies, stairs, rooflines, or eaves, provided that no such addition or expansion***
20 ***shall result in an increase in interior floor space nor change a recreational, water-based activity to a land-***
21 ***based, residential or commercial activity. The cumulative area across all added or expanded exterior***
22 ***features shall not exceed 100 square feet for a subject property with less than or equal to 100 linear feet***
23 ***of shoreline frontage and not more than one square foot per linear foot of the subject property's shoreline***
24 ***frontage for properties that have greater than 100 linear feet of shoreline frontage. Such modifications***
25 ***shall not result in any penetration of the water or bank by any columns, supports, beams, or other like***
26 ***items. Such modifications shall be approved by the department in accordance with rules adopted by the***
27 ***commissioner. The department shall not approve any subsequent exterior feature modifications that***
28 ***result in an exceedance of the foregoing square footage limitation. Approval by the department under this***
29 ***section shall be in addition to any local building code enforcement and approval process under RSA 155-***
30 ***A:7 and RSA 674:51.***~~

31 (c) *The commissioner shall adopt rules under RSA 541-A relative to the approval of such*
32 *additions or expansions, the setting of the fee amount, the calculation of the fees, the collection of such*

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1 *fees, and ensuring the payment of such fees as provided herein. Revenues from such fees shall be*
2 *deposited into the water resources fund established in RSA 482-A:3, III to be used for the purposes*
3 *thereof.*

4 14:2 Applicability. The department of environmental services shall not approve any addition or
5 expansion of structures pursuant to RSA 482-A:26, III, as amended by section 1 of this act, until the
6 commissioner adopts rules under RSA 541-A as authorized by RSA 482-A:26, III(c). The commissioner
7 shall adopt such rules within 120 days of the effective date of this section.

8 14:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: March 27, 2026
Effective Date: May 26, 2026

