

HB 1540 - AS AMENDED BY THE SENATE

11Mar2026... 0951h
05/07/2026 1842s

2026 SESSION

26-2743
06/07

HOUSE BILL **1540**

AN ACT relative to municipal health ordinances and accessory dwelling units and relative to on-premises licenses for licensed barbershops and salons.

SPONSORS: Rep. Fracht, Graf. 16; Rep. Rung, Hills. 12; Rep. Howland, Straf. 20; Rep. Maggiore, Rock. 23; Rep. J. MacDonald, Carr. 6; Rep. Ebel, Merr. 7; Rep. Grote, Rock. 24; Rep. N. Murphy, Hills. 12

COMMITTEE: Housing

AMENDED ANALYSIS

This bill:

I. Clarifies that municipalities retain authority to enforce local health ordinances related to septic and maintenance when regulating accessory dwelling units.

II. Implements an increase which separates the on-premises license for barbershops and salons into two tiers, one which allows for a single sale and one which allows for service without charge, and requires the liquor commission to make an annual report to the legislature regarding the issuance of licenses and the number of violations which occurred.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 municipal health ordinances and accessory dwelling units and relative to on-premises licenses for licensed barbershops and salons.

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

1 1 Accessory Dwelling Units. Amend RSA 674:72, I to read as follows:

2 I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this
3 chapter shall allow accessory dwelling units in all zoning districts that permit single-family
4 dwellings. One accessory dwelling unit, which may be either attached or detached, shall be allowed
5 as a matter of right. The municipality shall allow one accessory dwelling unit without additional
6 requirements for lot size, except as described by this section, setbacks, aesthetic requirements,
7 design review requirements, frontage, space limitations, or other controls beyond what would be
8 required for a single-family dwelling without an accessory dwelling unit. The municipality may not
9 impose greater requirements for a septic system for a single-family home with an accessory dwelling
10 unit than is required by the department of environmental services. ***Nothing in this section shall***
11 ***be interpreted to prohibit or restrict the adoption or enforcement of municipal health***
12 ***ordinances pursuant to RSA 147, related to the inspection, maintenance, upgrade, or***
13 ***replacement of subsurface sanitary disposal systems, or to ensure the safety and adequacy***
14 ***of subsurface sanitary disposal systems within the municipality.*** The municipality is not
15 required to allow more than one accessory dwelling unit for any single-family dwelling. The
16 municipality may prohibit accessory dwelling units associated with multiple single-family dwellings
17 attached to each other, such as townhouses. The municipality may prohibit accessory dwelling units
18 associated with rented or leased land. Subsequent condominium conveyance of any accessory
19 dwelling unit separate from that of the principal dwelling unit shall be prohibited, notwithstanding
20 the provisions of RSA 356-B:5, unless allowed by the municipality.

21 2 On-Premises License; Salon or Barbershop. Amend RSA 178:21, III to read as follows:

22 III. The commission may issue a license to a business currently licensed through the office of
23 professional licensure and certification, pursuant to RSA 313-A:19, as a salon or barbershop, as
24 defined under RSA 313-A:1, to serve one alcoholic beverage to customers who are receiving services
25 from said establishment. ***Such licenses shall be designated either as a tier 1 license or a tier***
26 ***2 license.***

27 (a)(1) Notwithstanding the provisions of RSA 179:44, a ***tier 1*** licensee under this
28 paragraph may serve alcoholic beverages and liquor ~~[for free]~~ ***without charge for on-premises***
29 ***consumption***, which shall be limited to one drink per customer in the amount not to exceed one 16-

1 ounce glass of beverage, 6-ounce glass of wine, or 1 1/2 ounces of liquor per person *per*
2 *appointment.*

3 *(2) The fee for a tier 1 license under this paragraph shall be \$100.*

4 *(3) The licensee shall keep records of the patron served. Such records shall be*
5 *retained by the licensed facility and shall be made available to the commission upon request.*

6 ~~(b)(1) [The fee for the license under this paragraph shall be \$100.]~~ *A tier 2 licensee*
7 *may sell alcoholic beverages and liquor for on-premises consumption only, which shall be*
8 *limited to one drink per customer in the amount not to exceed one 16-ounce glass of*
9 *beverage, 6-ounce glass of wine, or 1 1/2 ounces of liquor per person per appointment.*

10 *(2) The fee for a tier 2 license shall be \$480.*

11 *(3) Sales authorized under this paragraph shall be incidental to the*
12 *provision of barbering or cosmetology services and shall not constitute a standalone bar or*
13 *restaurant operation.*

14 *(4) The licensee shall keep records of alcoholic beverages sold under this*
15 *paragraph, which shall be retained by the licensed facility and shall be made available to*
16 *the commission upon request.*

17 (c) Nothing in this section shall allow the commission to issue a license to a salon or
18 barbershop located within a private residence.

19 *(d) For the purposes of this section, persons under the age of 21 years shall be*
20 *allowed in the salon but shall not be offered nor consume any alcoholic beverage or liquor.*

21 *(e) The licensee shall complete the management training seminar offered by the*
22 *commission.*

23 *(f) The liquor commission shall submit an annual report to the speaker of the*
24 *house of representatives and the president of the senate by November 1 of each year listing*
25 *the number of licenses applied for, granted, and denied, the number of inspections*
26 *performed, and the total number of violations which occurred within the reporting year.*

27 3 Effective Date.

28 I. Section 1 of this bill shall take effect July 1, 2026.

29 II. The remainder of this act shall take effect 60 days after its passage.

LBA
26-2743
05/15/2026

HB 1540- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-1842s)

AN ACT relative to municipal health ordinances and accessory dwelling units and relative to on-premises licenses for licensed barbershops and salons.

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 2026 through 2029.

AGENCIES CONTACTED:

Liquor Commission