

CHAPTER 250
SB 440 - FINAL VERSION

02/05/2026 0353s
06/04/2026 2141EBA

2026 SESSION

26-2025
06/05

SENATE BILL ***440***

AN ACT relative to the adoption of energy efficient and clean energy districts by municipalities.

SPONSORS: Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. Carson, Dist 14; Sen. Pearl, Dist 17; Sen. Abbas, Dist 22; Sen. Birdsell, Dist 19

COMMITTEE: Commerce

ANALYSIS

This bill modifies the requirements for adoption of energy efficient and clean energy districts by municipalities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the adoption of energy efficient and clean energy districts by municipalities.

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

1 250:1 Definitions; Energy Efficiency and Clean Energy Districts. Amend RSA 53-F:1, VIII to read as
2 follows:

3 VIII. "Municipality" means any city, town, unincorporated ***place***, ~~town, unorganized place,~~ or
4 village district, or the designated representative of the city, town, ***unincorporated place***, or village district.

5 250:2 Towns, Cities, Village Districts, and Unincorporated Places; Energy-Efficient and Clean Energy
6 Districts; Adoption by Municipality. RSA 53-F:2 is repealed and reenacted to read as follows:

7 53-F:2 Adoption by Municipality.

8 I. In a municipality that has adopted a charter pursuant to RSA 49-D, the legislative body or
9 governing body may consider and act upon the question in accordance with its municipal charter.

10 II. In a municipality that has not adopted a charter pursuant to RSA 49-D, or in a village district,
11 the question may be placed on the warrant of an annual meeting only by the governing body, or the
12 governing body has the authority to adopt the provisions of this chapter and create a district after the
13 governing body holds at least one public hearing in accordance with the provisions of this chapter.

14 (a) Notice of the time and place of each public hearing held under this section shall be at
15 least 10 calendar days before the hearing, excluding the day of posting and the day of the hearing. Notice
16 of each public hearing shall be published in a paper of general circulation in the municipality and shall be
17 posted in at least 2 public places.

18 (b) In lieu of publication in a paper of general circulation pursuant to subparagraph (a), notice
19 may be posted on the municipality's Internet website, if such exists. If notice is posted on the
20 municipality's website in lieu of publication in a paper of general circulation, the notice shall:

21 (1) Appear prominently on the municipality's website home page, or provide a clearly
22 labeled link on the home page that directs users to notice;

23 (2) Be posted at the time stated in subparagraph (a) and shall remain on the website until
24 the conclusion of the hearing; and

25 (3) Be posted in 2 other public places.

26 (c) The notice shall include:

27 (1) An adequate statement describing the area where the district shall be designated and
28 designating the place where a map for the proposed district is on file for public inspection; and

29 (2) To the greatest extent practicable and in easily understood language, any other
30 information to improve public understanding of the proposed district and this chapter.

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1 (d) Notwithstanding paragraph II, upon receipt of a written petition signed by at least 25
2 registered voters prior to the governing body's vote, the question of the adoption of this chapter and the
3 creation of a district shall be inserted as an article on the warrant for the next regular annual meeting.

4 III. In a county with an unincorporated place, the county commissioners shall have the authority
5 to adopt the provisions of this chapter and create one or more districts in one or more unincorporated
6 places by resolution.

7 IV. The district may cover all or a portion of the area within the municipality, village district, or
8 unincorporated place.

9 V. A municipality, village district, or county on behalf of an unincorporated place may vote to
10 rescind its action and dissolve the district in the same manner as it may vote to adopt, provided that all
11 agreements entered into with property owners and related legal obligations created prior to its vote to
12 rescind shall remain in effect.

13 VI. Notwithstanding this section and in accordance with RSA 39:3, a municipality that has not
14 adopted a charter pursuant to RSA 49-D, or a village district, may vote to prohibit the establishment of
15 new districts or dissolve any existing districts. All agreements entered into with property owners and
16 related legal obligations created prior to the vote of the municipality or village district to dissolve a district
17 shall remain in effect.

18 250:3 Agreements with Property Owners. Amend RSA 53-F:4, III to read as follows:

19 III. The municipality shall execute a notice of the assessment and lien, and an assignment of
20 notice of assessment and lien under this chapter for recording in the county registry of deeds. The notice
21 shall consist of the following statement or its substantial equivalent: "This property is subject to a special
22 assessment related to the installation of qualifying *improvements* under RSA 53-F."

250:4 Effective Date. This act shall take effect upon its passage.

Approved: July 02, 2026
Effective Date: July 02, 2026