

SB 27-FN - AS INTRODUCED

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

ANALYSIS

This bill allows improvements to certain dwellings over water.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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;
2 Dwellings Over Water. 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, **or improved** for maintenance purposes ~~[only]~~ **or to**
6 **bring the dwelling into compliance with any state or applicable local building code**, using
7 any modern technologies, provided the result is a functionally equivalent use. Such repair or
8 reconstruction may alter the interior design or existing cribwork, but no expansion of the existing
9 footprint or outside dimensions **which would result in an increase in interior living space** shall
10 be permitted. **Without intending to limit the foregoing, the addition of a means of egress to**
11 **a dwelling over water required under the state or applicable local building code shall not**
12 **be deemed an impermissible expansion of the existing footprint or outside dimensions.** A
13 condition of RSA 482-A:3 approval shall be the existence or installation of a sewage disposal system
14 which has been approved pursuant to RSA 485-A:29-44. No permit shall be required for routine
15 maintenance that does not involve work in the water.

16 (b) Without otherwise limiting the provisions of this section, where the effect of repair,
17 ~~[or]~~ reconstruction **or improvement** of a structure subject to the provisions of this section
18 represents greater protection of public water or the environment and where such repair or
19 reconstruction does not change a recreational, water-based activity to a land-based, residential or
20 commercial activity, the commissioner may waive the existing standards **in order to allow a**
21 **structure to be expanded**, provided that there shall be no **negative impact to the environment**,
22 expansion of the existing footprint, ~~[outside dimensions,]~~ and square footage of ~~[floor]~~ **living space**;
23 ~~and there shall be a net reduction in the total square footage of kitchen, bathroom, shower, and toilet~~
24 ~~facilities].~~

25 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
25-0972
1/2/25

**SB 27-FN- FISCAL NOTE
AS INTRODUCED**

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 2025 through 2028.

AGENCIES CONTACTED:

Department of Environmental Services