SB 258 - AS INTRODUCED

2023 SESSION

23-1014
09/05

SENATE BILL ***258***

AN ACT relative to the disposal of highway or turnpike funded real estate.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10; Rep. Maggiore, Rock. 23

COMMITTEE: Transportation

ANALYSIS

This bill creates an exception for the disposal of highway or turnpike funded real estate under fair market value for the preservation of public interest.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-1014
09/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the disposal of highway or turnpike funded real estate.

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

1 New Paragraph; Powers of the Governor and Council in Certain Cases; Disposal of Highway, Federal, or Turnpike Funded Real Estate; Public Interest Protected. Amend RSA 4:39-c by inserting after paragraph I the following new paragraph:

I-a. When the commissioner shows that an exception is in the overall public interest based on historical, social, environmental, or economic benefits, or is for non-proprietary governmental use, the subject property may be disposed or leased at less than fair market value, as determined by the governor and council. The department will convey such property with the necessary covenants and restrictions to ensure the benefit to the public interest justifiably outweighs any special benefit realized by the party to which the property is being conveyed at less than fair market value.

2 Acquisition and Disposal of Real Estate; Disposal of Highway or Turnpike Funded Real Estate; Commissioner's Exception Allowed. Amend RSA 4:39-c, II to read as follows:

II. ***Except as provided in paragraph I-a,*** sales of real property under this section shall be at not less than current market value of the subject property, as may be determined by the governor and council. If the town, city, or county decides to resell the property, it shall first offer the property to the state at the market value at the time of sale.

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