

Rep. Layon, Rock. 13
Rep. Donnelly, Rock. 25
March 3, 2026
2026-1013h
04/07

Amendment to HB 1093

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to public charter schools and governmental land use exemptions.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Chartered Public Schools; Governmental Use. Amend RSA 194-B:3, I(a) to read as follows:

8 (a) Except as otherwise provided in law, chartered public schools shall be fully exempt
9 from state laws and rules which otherwise apply to public or nonpublic schools, or local school boards
10 or districts. Notwithstanding the foregoing, chartered public schools shall have all the rights and
11 privileges of other public schools, ***including treatment as governmental use under RSA 674:54.***

12 2 Governmental Land Uses; Chartered Public School. Amend RSA 674:54, I through II to read
13 as follows:

14 I. In this section, "governmental use" means a use, construction, or development of land
15 owned or occupied, or proposed to be owned or occupied, by the state, university system, the
16 community college system of New Hampshire, or by a county, town, city, school district, ***chartered***
17 ***public school***, or village district, or any of their agents, for any public purpose which is statutorily
18 or traditionally governmental in nature.

19 II. The state, university system, community college system of New Hampshire, county, town,
20 city, school district, ***chartered public school***, or village district shall give written notification to the
21 governing body and planning board, if such exists, of a municipality of any proposed governmental
22 use of property within its jurisdiction, which constitutes a substantial change in use or a substantial
23 new use. Written notification shall contain plans, specifications, explanations of proposed changes
24 available at the time, a statement of the governmental nature of the use as set forth in paragraph I,
25 and a proposed construction schedule. Such notification shall be provided at least 60 days prior to
26 the beginning of construction. Either the governing body or planning board of the municipality may
27 conduct a public hearing relative to the proposed governmental use. Any such hearing shall be held
28 within 30 days after receipt of notice by the governing body or planning board. A representative of
29 the governmental entity which provided notice shall be available to present the plans, specifications,
30 and construction schedule, and to provide explanations. The governing body or planning board may
31 issue nonbinding written comments relative to conformity or nonconformity of the proposal with

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1 normally applicable land use regulations to the sponsor of the governmental use within 30 days after
2 the hearing.

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

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AMENDED ANALYSIS

This bill grants chartered public schools governmental-use status for land-use purposes and subjects them to the same municipal notification requirements as other governmental entities.