

SB 74-FN - AS AMENDED BY THE SENATE

03/20/2025 0975s

2025 SESSION

25-0965

06/05

SENATE BILL

74-FN

AN ACT relative to real property annual reporting requirements of state departments for permitting programs.

SPONSORS: Sen. Pearl, Dist 17

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill requires all state departments administering permitting programs to annually report detailed information on their permitting activities to the senate president, speaker of the house, and relevant committee chairs.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 real property annual reporting requirements of state departments for permitting programs.

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

1 1 New Section; Reporting Requirements. Amend RSA 20 by inserting after section 6 the
2 following new section:

3 20:6-a Reporting Requirements. All state departments administering permitting programs that
4 regulate the use of real property or the construction or operation of stationary structures,
5 infrastructure, or facilities on real property shall, beginning on February 28, 2026, and on each
6 February 28 thereafter, report in writing to the senate president, the speaker of the house of
7 representatives, the chair of the senate executive departments and administration committee, and
8 the chair of the house executive departments and administration committee on the previous calendar
9 year's permitting activity. Such reports shall identify each permitting program administered by the
10 department, enumerate the categories of permits the department has the authority to issue within
11 each program, and for each such category of permit state:

12 I. The number of applications for such permits and the number of such permits the
13 department granted or denied.

14 II. The number of applications pending as of January 1 of the year that is the subject of the
15 report and when each such application was submitted to the department.

16 III. For any application that was pending at any time without decision more than 90 days
17 after submission to the department:

18 (a) The date on which the department notified the applicant that the application was
19 incomplete or the department requested further information from the applicant.

20 (b) The date on which the applicant submitted further information to the department in
21 response to an incompleteness determination or a request for further information.

22 (c) The number and length of any extensions requested by the department of any
23 applicable deadline set by statute or rule for a decision on the application.

24 (d) The date of any public hearing on the application.

25 (e) The date on which the department rendered a decision on the application.

26 2 Effective Date. This act shall take effect 60 days after its passage.

SB 74-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0975s)

AN ACT relative to real property annual reporting requirements of state departments for permitting programs.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures*	\$0	Indeterminable Increase to General Fund more than \$200,000 to \$500,000 or less per fiscal year \$165,000 Increase to Highway Fund		
Funding Source(s)	General Fund and Highway Fund			
Appropriations*	\$0	\$0	\$0	\$0
Funding Source(s)	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill requires that all state departments managing permitting programs related to the use of real property or the construction and operation of stationary structures, infrastructure, or facilities must, by February 28, 2026, and annually on each February 28 thereafter, submit a written report on the prior calendar year's permitting activities to the Senate President, the Speaker of the House of Representatives, the Chair of the Senate Executive Departments and Administration Committee, and the Chair of the House Executive Departments and Administration Committee.

The Department of Environmental Services manages over 90 permitting programs, handling upwards of 21,000 permitting actions. Most of these programs and actions regulate real property, infrastructure, stationary structures, or facilities on such property, either directly or indirectly. As a result of the new reporting requirements, the Department would potentially require additional staff with an estimated fiscal impact ranging between \$200,000 and \$500,000.

The Fish and Game Department states that it is not obliged to submit any reports to the legislature since it isn't a permitting agency. However, they expect to collaborate with the Department of Environmental Services on reporting requirements, which is expected to result in a fiscal impact of less than \$10,000.

The Department of Transportation states that it cannot currently track the specific dates required by this legislation due to the limitations of its existing permitting software. As a result, each permit exceeding the 90-day time frame would need to be reviewed manually, which the Department estimates would take 128 hours and cost approximately \$15,000. Furthermore, to streamline the process, the Department would need the software developer to modify the existing system, at an estimated cost of \$150,000 to the Highway Fund in fiscal year 2026, providing the software can be modified.

The Department of Administrative Services states that permit applications are received by the Division of Plant and Property, and all information required by this bill is maintained within the Division. The only additional task is to compile the information into a report to be submitted annually, which will be completed by the current staff. Therefore, this bill will not result in significant costs to the Department.

The Department of Natural and Cultural Resources Division of Historical Resources, State Historic Preservation and Division of Forests and Lands states that this bill will have no fiscal impact on the Department.

AGENCIES CONTACTED:

Departments of Administrative Services, Environmental Services, Natural and Cultural Resources, Transportation, and Fish and Game