

SB 174 - AS AMENDED BY THE HOUSE

22May2025... 1639h
22May2025... 2343h

2025 SESSION

25-1099
06/08

SENATE BILL **174**

AN ACT prohibiting planning boards from considering the number of bedrooms a given unit or development has during the hearing and approval process.

SPONSORS: Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Innis, Dist 7; Rep. Alexander Jr., Hills. 29; Rep. Osborne, Rock. 2

COMMITTEE: Commerce

ANALYSIS

This bill prohibits planning boards from differentiating based on the number of bedrooms in a residential development during the hearing and approval process.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT prohibiting planning boards from considering the number of bedrooms a given unit or development has during the hearing and approval process.

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

1 1 New Subdivision; Prohibiting Differentiation Based on the Number of Bedrooms. Amend RSA
2 674 by inserting after section 76 the following new subdivision:

3 Prohibiting Differentiation Based on the Number of Bedrooms

4 674:77 Definitions. In this subdivision:

5 I. "Residential development" means any housing project that includes one or more dwelling
6 units, regardless of whether they are intended for rent or purchase.

7 II. "Bedroom" means a furnished room with a bed, primarily intended for sleeping purposes,
8 unless otherwise specified by local regulations.

9 674:78 Prohibition on Differentiation Based on Number of Bedrooms.

10 I. If a residential development proposal adequately provides for water supply and sewage
11 disposal in accordance with RSA 485-A, and, if applicable, the planning board's site plan review
12 regulations or subdivision regulations, planning boards shall not use the number of bedrooms as a
13 basis to reject the application.

14 II. Nothing in this section shall be construed to affect the department of environmental
15 services' regulations for individual sewage disposal systems.

16 III. Nothing in this section shall prevent the authority having jurisdiction or a building
17 inspector from considering the number of bedrooms when determining whether a residential
18 development has sufficient water and sewage disposal capacity in accordance with RSA 485-A before
19 issuing a building permit or occupancy permit, pursuant to RSA 676:13, I.

20 IV. Applications may utilize workforce housing standards under RSA 674:59, IV, requiring
21 at least 50 percent of the units to contain 2 or more bedrooms.

22 2 Effective Date. This act shall take effect 60 days after its passage.