

SB 436 - AS INTRODUCED

2026 SESSION

26-2220

06/09

SENATE BILL **436**

AN ACT relative to zoning board of adjustment membership criteria.

SPONSORS: Sen. Abbas, Dist 22; Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18; Sen. Watters, Dist 4; Sen. Murphy, Dist 16; Sen. Birdsell, Dist 19

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill replaces the existing recusal provision for zoning board of adjustment members with a conflict of interest standard requiring recusal whenever a member's impartiality might reasonably be questioned and including prior quasi-judicial involvement on another board.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to zoning board of adjustment membership criteria.

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

1 1 Appointment and Terms of Local Land Use Board Members; Zoning Board of Adjustment and
2 Building Code Board of Appeals. RSA 673:3, V is repealed and reenacted to read as follows:

3 V. Any member of a zoning board of adjustment who has a conflict of interest in a matter
4 before the board shall recuse himself or herself from acting or voting on that matter. A conflict of
5 interest shall include any circumstance in which the member's impartiality might reasonably be
6 questioned, including prior involvement in the matter in a quasi-judicial capacity as a voting
7 member of another board.

8 2 Effective Date. This act shall take effect 60 days after its passage.