

CHAPTER 190
SB 502-FN - FINAL VERSION

01/29/2026 0116s
05/21/2026 1988EBA

2026 SESSION

26-2098
07/08

SENATE BILL ***502-FN***

AN ACT removing references to the department of business and economic affairs and the office of planning and development, and making various changes to how certain committees and commissions participate or operate.

SPONSORS: Sen. Pearl, Dist 17; Sen. Lang, Dist 2; Sen. McGough, Dist 11; Rep. Moffett, Merr. 4; Rep. Wood, Merr. 13; Rep. Aures, Merr. 13

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill removes references to the department of business and economic affairs and the office of planning and development, and makes various changes to how certain committees and commissions participate or operate.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT removing references to the department of business and economic affairs and the office of planning and development and making various changes to how certain committees and commissions participate or operate.

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

1 190:1 The State and Its Government; New Hampshire Geographic Information System Committee;
2 Geographic Information System (GIS) Committee Established. Amend RSA 4-F:1, II(a)(6) to read as
3 follows:

4 (6) ~~[Office of planning and development]~~ ***Department of business and economic affairs.***

5 190:2 The State and Its Government; Department of Business and Economic Affairs; Establishment;
6 Purpose. Amend RSA 12-O:2, I and II to read as follows:

7 I. There shall be a department of business and economic affairs under the executive direction of
8 a commissioner of business and economic affairs, consisting of but not limited to a division of economic
9 development, ***a division of planning and community development***, and a division of travel and tourism.
10 The department's purpose shall be to ensure the efficient coordinated function of the department,
11 economic development policies of the state of New Hampshire and the collaborative participation of all
12 related state departments, agencies, and authorities.

13 II. The purpose of this chapter is to improve the administration of state government by providing
14 unified direction of policies, programs, and personnel in the field of economic development, ***planning and***
15 ***community development***, and travel and tourism development making possible increased efficiency and
16 economies from integrated administration and operation of these related functions of the state
17 government.

18 190:3 The State and Its Government; Department of Energy; General Provisions. Amend RSA 12-
19 P:3, II to read as follows:

20 II. The department of energy is authorized to work with ~~[the department of business and~~
21 ~~economic affairs,]~~ the public utilities commission~~;~~ and the department of administrative services to
22 coordinate the implementation of the establishment of the department, and to transfer appropriations and
23 create the proper expenditure lines, if needed, for the establishment of their respective operations,
24 including but not limited to the relocation of personnel, work stations, books, papers, personnel record
25 files, and equipment, with the approval of the governor and council and of the director of personnel.

26 190:4 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions;
27 Purposes. Amend RSA 36:45 to read as follows:

28 36:45 Purposes. The purpose of this subdivision shall be to enable municipalities and counties to join
29 in the formation of regional planning commissions whose duty it shall be to prepare a coordinated plan for
30 the development of a region, taking into account present and future needs with a view toward encouraging

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the most appropriate use of land, such as for agriculture, forestry, industry, commerce, and housing; the facilitation of transportation and communication; the proper and economic location of public utilities and services; the development of adequate recreational areas; the promotion of good civic design; and the wise and efficient expenditure of public funds. The aforesaid plan shall be made in order to promote the health, safety, morals and general welfare of the region and its inhabitants. To promote these purposes the ~~[office of planning and development]~~ ***division of planning and community development*** shall delineate planning regions for the state so that each municipality of the state will fall within a delineated region and shall have the opportunity of forming or joining the regional planning commission for that planning region. In determining these regions the ~~[office]~~ ***division*** shall consider such factors as community of interest and homogeneity, existing metropolitan and regional planning agencies, patterns of communication and transportation, geographic features and natural boundaries, extent of urban development, relevancy of the region for provision of governmental services and functions and its use for administering state and federal programs, the existence of physical, social and economic problems of a regional character, and other related characteristics. To accommodate changing conditions, the ~~[office]~~ ***division*** may adjust the boundaries of the planning regions, after consultation with the respective regional planning commissions.

190:5 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions; Formation of Regional Planning Commissions. Amend RSA 36:46, I-II to read as follows:

I. If no regional planning commission exists in any specific planning region as delineated by the ~~[office of planning and development]~~ ***division of planning and community development***, then 2 or more municipalities in said planning region and having planning boards may, by ordinance or resolution adopted by the respective legislative bodies of said municipalities, form a regional planning commission.

II. If a regional planning commission already exists in any specific planning region as delineated by the ~~[office of planning and development]~~ ***division of planning and community development***, then any municipality in said planning region and having a planning board may, by ordinance or resolution adopted by the respective legislative body of said municipality, become a member of the regional planning commission. A regional planning commission may also include municipalities located in an adjacent state.

190:6 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions; General Powers and Duties. Amend RSA 36:47, III to read as follows:

III. In preparing a comprehensive plan for the development of the region within its jurisdiction, each regional planning commission may use the framework for the state's comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan shall be updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption, the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region, and to the ~~[office of planning and development]~~ ***division of planning and community development***. The regional planning commission shall address in writing all comments received prior to the publication of a final draft. A public hearing shall be held by the regional planning commission with 30 days' notice published in all newspapers of general circulation in the region, and shall state where the document can be viewed, the time and place of the public hearing, and shall allow for written comments.

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For each regional plan, the ~~[office of planning and development]~~ *division of planning and community development* shall offer comments as to its consistency with the state plan. The first regional development plans affected by this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at least every 5 years thereafter.

190:7 Public Safety and Welfare; Community Development Block Grant Program; The New Hampshire Community Development Advisory Committee. Amend RSA 162-L:15, II to read as follows:

II. The committee shall consist of 11 voting members as follows:

(a) The chairperson of the board of directors of the community development finance authority, or designee, who shall serve as chairperson of the committee.

~~[(b) The director of the division of planning and community development, or designee.]~~

~~[(c)]~~ (b) The executive director of the New Hampshire housing finance authority, or designee.

~~[(d)]~~ (c) The director of the division of economic development, department of business and economic affairs, or designee.

~~[(e)]~~ (d) The executive director of a regional development organization, appointed by the governor.

~~[(f)]~~ (e) ~~[Six]~~ **Seven** public members, at least [3] **4** of whom shall be municipal officials, who shall be appointed by and serve at the pleasure of the governor.

190:8 Housing and Redevelopment; Housing Finance Authority; General Powers. Amend RSA 204-C:8, V to read as follows:

V. Collect and correlate information regarding housing projects and housing laws either within or without the state, and upon request furnish local housing authorities, cities or towns, information and advice in connection with any housing project; conduct studies of housing needs in the state and use information gained thereby in planning how best to carry out the purposes of this chapter; work with other state and federal agencies in such studies and planning; develop such plans with the United States Department of Housing and Urban Development, the ~~[office of planning and development]~~ *department of business and economic affairs* and other state agencies; and when in the opinion of the authority it is feasible to do so, select projects to fund consistent with the requirements of the plan;

190:9 Public Recreation; Expansion of State Park System; Development Plan. Amend RSA 216-A:3-c, V to read as follows:

V. In developing the plan, the department shall solicit local input. The director shall also consult with the division of historical resources of the department of natural and cultural resources. The ~~[office of planning and development]~~ *division of planning and community development* shall provide the director of parks and recreation with such information on the recreational needs of the state and other technical assistance as is necessary for the division to properly perform its responsibilities under this section.

190:10 Water Management and Protection; General Provisions; Authority of Commissioner. Amend RSA 481:3, X-a to read as follows:

X-a. To provide technical assistance to the ~~[division of economic development of the department of business and economic affairs when the division]~~ *department of business and economic affairs when the department* requests such assistance in the promotion or development of a hydro-energy project;

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190:11 Water Management and Protection; New Hampshire Rivers Management and Protection Program; River Corridor Management Plans. Amend RSA 483:10, I to read as follows:

I. The rivers coordinator shall provide technical assistance to local river management advisory committees, regional planning commissions, and municipalities, and shall encourage the development and implementation of local river corridor management plans pursuant to RSA 483:8-a, III(c). In developing these plans, the department shall coordinate with the department of natural and cultural resources, the department of fish and game, the ~~[office of planning and development]~~ ***division of planning and community development***, the department of agriculture, markets, and food, the department of transportation, the department of safety, and the division of historical resources.

190:12 Water Management and Protection; Shoreland Water Quality Protection Act; Enforcement by Commissioner; Duties. Amend RSA 483-B:5, I to read as follows:

I. The commissioner, with the advice and assistance of the ~~[office of planning and development]~~ ***division of planning and community development***, department of natural and cultural resources and department of agriculture, markets, and food, shall enforce the provisions of this chapter.

190:13 Water Management and Protection; Shoreland Water Quality Protection Act; Shoreland Exemptions. Amend RSA 483-B:12, III to read as follows:

III. With the advice of the ~~[office of planning and development]~~ ***division of planning and community development***, the commissioner shall approve or deny the request for an exemption and shall issue written findings in support of his decision. A request for an exemption shall be approved only if the municipality demonstrates, using the evidence required under paragraph II, that special conditions of urbanization exist along the portion of shoreland to be exempted.

190:14 New Paragraph; New Hampshire Retirement System; Independent Investment Committee. Amend RSA 100-A:14-b by inserting after paragraph III the following new paragraph:

IV. Notwithstanding RSA 91-A or any other provision of law to the contrary, independent investment committee members shall be permitted to participate in meetings by telephone, video conference, or other electronic means, provided that any independent investment committee member so participating shall be able to be heard by and to hear every other member of the committee participating in the meeting and, unless the committee is meeting in a nonpublic session as permitted by RSA 91-A:3, shall be able to be heard by all members of the public attending the meeting. Voting members of the independent investment committee participating electronically shall be treated as present at the meeting for all purposes, including the establishment of a quorum. Any meeting at which one or more committee members are participating electronically shall be recorded verbatim by magnetic tape or otherwise, and such recording shall be made available for public inspection to the same extent as minutes of the meeting, provided that the accidental destruction of a recording or the accidental failure to record any meeting shall not invalidate any action taken at that meeting.

190:15 New Paragraph; New Hampshire Health Care Workplace Safety Commission; Duties. Amend RSA 151-J:2 by inserting after paragraph II the following new paragraph:

III. Notwithstanding RSA 91-A or any other law to the contrary, commission members shall be permitted to participate in meetings by video or telephone, provided that any member so participating

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1 shall be able to be heard by and to hear every other member of the commission participating in the
2 meeting. Voting members participating by video or telephone shall be treated as present at the meeting
3 for all purposes, including the establishment of a quorum.

4 190:16 New Paragraph; Department of Labor; Labor Commissioner; Penalty Appeal Board. Amend
5 RSA 273:11-b by inserting after paragraph V the following new paragraph:

6 VI. The penalty appeal board shall be an administratively attached agency under RSA 21-G:10,
7 to the department of labor, but shall operate independently from the department. The commissioner shall
8 hire and appoint an administrator for the board from department of labor staff, who shall serve at the
9 pleasure of the commissioner. The administrator shall perform all the administrative duties of the board,
10 including but not limited to, scheduling the docket, record keeping, providing liaison between the public
11 and board members, conducting board meetings, and assigning committees to address regulatory,
12 legislative and policy issues.

13 190:17 Safety and Health of Employees; Generally; Elevator Law. Amend RSA 277:1-a to read as
14 follows:

15 277:1-a Elevator Law. The provisions of ***RSA 157-A and*** RSA 157-B also apply to all places covered
16 by RSA 277:1.

17 190:18 Repeals. The following are repealed:

18 I. RSA 187-A:31, relative to the innovation research center grant program.

19 II. RSA 187-A:33-b, relative to fees collected by the innovation research center.

20 190:19 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 19, 2026
Effective Date: August 18, 2026

