LEGISLATIVE SUMMARY 2023

AUGUST 23, 2023



Bills of interest to the City

Revenue generating bills for municipalities

SB 262-Hotel Occupancy

IIL

Childcare

SB 221- Study Committee daycare affordability and access

Retained in Committee

SB 170- Adding several definitions of small group child daycare centers and family daycare homes to definition of child care to encourage creation of new daycare centers

Passed Chapter 218

Housing

SB 244- Housing Opportunity Zones- A bill that would have permitted municipalities to require 20% of new construction in Housing Opportunity Zones to be workforce housing

Re-referred

SB 47- Commission to study housing density-

Did not make out of Committee of Conference

Tenants' Rights

program for landlord tenant issues for SB 235- a bill that creates a study committee to consider creating a mediation All bills attempting to create greater notice and rights for tenants failed except

Passed Chapter 31

Municipal liability and local authority

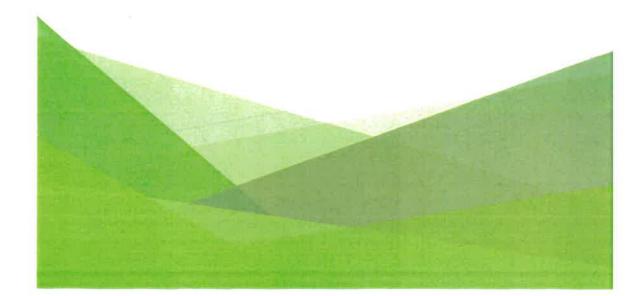
- HB 647 Elimination of governmental immunity Tabled
- HB 292 Theft by public servant. Created right of action against public session - ITL servant for payment of defense of legal claim except if approved in public
- HB 51 Restrictions on lobbying- ITL
- HB 361 Pease Board to add representatives from Rye and New Castle Retained in Committee

Legalization of Cannabis

- HB 544 Legalize cannabis for retail sale Retained in Committee
- HB 639 Legalize cannabis and regulate and associated appropriations ITL
- HB 643 Legalize cannabis for over 21 ITL
- HB 360 Legalize cannabis for over 21 Tabled
- HB 611 Establishes eligibility criteria for the therapeutic cannabis program the prohibition on the sale of hemp products containing certain levels of THC and establishes a commission to study state-controlled sales of cannabis and

Passed Chapter 237

Report out December 1, 2023



Retirement

HB 50 and SB 114 - Payment by state of a portion of retirement system contributions of political subdivision employers - *Tabled*

Note - HB 50 was added to HB 2 with support to appropriate \$50 million to reduce the unfunded actuarial accrued liability - Removed from HB 2

- SB 57 Changes retirement eligibility from age 65 to member's full retirement age for Social Security Passed included in HB 2
- SB 205 Relative to a cost-of-living adjustment for retirees who have been retired for 60 months *Passed included in HB 2*
- HB 555 Portion of state surplus towards payment of unfunded accrued liabilityTabled
- HB 278- Penalty assessed against municipalities for not filing employer compensation reports *Passed as Chapter 63*
- retirement position **HB 461 - Creates committee to study elimination by municipalities of a
- employees **HB 436 - Creates a commission to study retirement benefits and retention of

**Both of these bills were amended in HB 2 to create study committees. Both bills as originally written would have had a fiscal impact on municipal budgets. HB 436 as originally drafted would have added vesting to certain police and fire employees (1,824 members) which state would have funded municipal portion for next 20 would be passed on to municipalities years. Risk is that one legislature can't obligate another and concern was that costs

New Laws

Assessing and Exemptions

HB 237 - Clarification of date of asset evaluation for purposes of determining eligibility for property tax exemption for the disabled, deaf and elderly

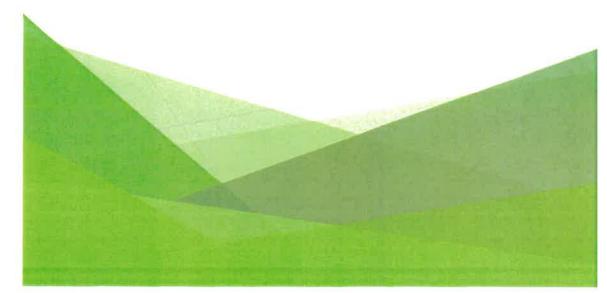
Passed as Chapter 39

HB 197- Clarifies formula for persons claiming tax exemption if they own a fractional interest in property

Passed as Chapter 119

SB 16- Creates stakeholders' group to address utility poles (could recommend changes in how these utilities are taxed)

Passed as Chapter 138



Miscellaneous

HB 286- Clarifies that member of candidate's campaign or local political committee of same party may remove political signs

Passed as Chapter 41

SB 103- Includes the raid on Fort William and Mary in Portsmouth in the planning of the America Revolution Sestercentennial Commission

Passed as Chapter 160

SB 110- Clarifies residency for recipients of welfare

Passed as Chapter 161

certain fire code regulations HB 296- Clarifies land use boards authority to regulate driveways notwithstanding

Passed Chapter 187

board without a hearing HB 42- Clarifies homeowner's associations may not dissolve if approved by land use

Passed Chapter 114

ConVal Litigation Update

state may only interpret and enforce statutes enacted by the legislature, basing its defense of this challenged in the lawsuit, and as such, are specifically excluded from adequacy. The state argues the education taxes. The state argues that those costs are not defined as adequacy in the statute amounts that vary greatly from one community to another through the assessment of the local schools, should all be paid by the state and are included in adequacy. If those costs are included, the other costs associated with the Administrative Rules that govern minimum standards for public statute is unconstitutional and challenged both the definition of adequacy and the cost to provide it. lawsuit on arguments relative to statutory construction and separation of powers. relieving the burden on local communities, especially those that need to raise significant funds in Petitioners argue that the adequacy amount per child is insufficient and needs to be increased, The Petitioners believe that the cost of school nurses, transportation, school facilities, custodians, and Case submitted. Decision likely rendered in September. The Petitioners argue that the adequacy

Rand v. State Update

motion for summary judgement issued. argues that the Petitioners lack standing, and that SWEPT is constitutional as it is uniform in rate, unconstitutional and that those funds should be remitted to the Education Trust Fund. The State 2.0, of which Portsmouth is a member, intervened on the narrow issue of the constitutionality of the reasonable, and proportional. All other matters are stayed until order on ConVal and order on cross retention of excess SWEPT. The Petitioners claim that the retention of excess SWEPT is There was a hearing last month on cross motions for summary judgment. The Coalition Communities