

June 23, 2026
2026-2194-EBA
09/05

Enrolled Bill Amendment to HB 1588-FN

The Committee on Enrolled Bills to which was referred HB 1588-FN

AN ACT relative to the regulation of accessory parking for vehicles by local legislative bodies and multifamily housing within commercial districts by municipalities.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1588-FN

This enrolled bill amendment amends the title of the bill to reflect its contents; inserts a contingent renumbering to avoid a conflict with 2026, 95 (HB 1444) as well as HB 1433 of the 2026 general legislative session, should it become law; and inserts a contingency to incorporate changes made by HB 1010 of the 2026 general legislative session should it become law.

Enrolled Bill Amendment to HB 1588-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to the regulation of accessory parking for vehicles by local legislative bodies and multifamily housing within commercial districts by municipalities; establishing special assessment districts; and relative to expanding the housing infrastructure municipal grant program and making an appropriation therefor.

Amend the bill by replacing all after section 5 with the following:

6 Multi-Family Residential Development on Commercially Zoned Land; Amendment to Zoning Regulations; Conversion of Multi-Family Dwelling Units Permitted. Amend RSA 674:80, V to read as follows:

V. ~~[A municipality shall provide an exemption to any requirements regarding setbacks, height, or frontage of a building being converted to multi-family or mixed-use through adaptive reuse, provided that the building's floor area, height, and setbacks do not change.]~~ ***Nothing in this section shall be construed to alter municipal authority under RSA 674:43, I to require site plan review for multi-family dwelling units. Consistent with the purpose of this section, for***

multi-family dwelling units proposed in commercial districts existing, created, or expanded after July 1, 2026, municipalities may impose frontage, setbacks, and height requirements; provided that such requirements shall not differ from what is allowed for commercial development. Multi-family dwelling units shall be allowed as a matter of right, and municipalities shall not enforce additional requirements unless expressly authorized by this section. Nothing in this section shall prohibit enforcement of applicable state fire, building, and other requirements under RSA 153, RSA 155-A, and RSA 485-A.

VI. A municipality shall allow pre-existing nonconforming structures to be converted to multi-family dwelling units or mixed use provided that the structure's envelope is not altered to further violate zoning district dimensional requirements.

VII. Any owner of commercially-zoned property improperly denied an application for multi-family housing, or who is subjected to requirements beyond those allowed in this section, and who is thereby required to file suit against the municipality in order to exercise the property rights thus recognized, shall be entitled to be reimbursed reasonable attorney's fees incurred as a direct result.

7 Contingency. If HB 1010 of the 2026 regular legislative session becomes law, section 2 of this act shall not take effect and section 6 of this act shall take effect 60 days after its passage. If HB 1010 of the 2026 regular legislative session does not become law, section 2 of this act shall take effect 60 days after its passage and section 6 of this act shall not take effect.

8 Contingent Renumbering. If HB 1433 of the 2026 regular legislative session becomes law: RSA 162-V as inserted by section 3 of this act shall be renumbered as RSA 162-X. If HB 1433 of the 2026 regular legislative session does not become law: RSA 162-V as inserted by section 3 of this act shall be renumbered as RSA 162-W.

9 Effective Date.

I. Sections 2 and 6 of this act shall take effect as provided in section 7 of this act.

II. The remainder of this act shall take effect 60 days after its passage.