

Section 1 Header

2023 SESSION

23-0183.0
10/08

HOUSE BILL *[bill number]*

AN ACT relative to religious use of land and structures.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill prohibits zoning ordinances and **site plan review** regulations from burdening religious land and structures in their use as residential housing.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

Section 1 Header

2023 SESSION

23-0183.1
10/08

HOUSE BILL *[bill number]*

AN ACT relative to religious use of land and structures.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill prohibits zoning ordinances and **local land use** regulations from burdening religious land and structures in their use as residential housing.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

Section 2 Header

23-0183.0
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to religious use of land and structures.

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

- 1 1 Planning and Zoning; Religious Use of Land and Structures; Housing. Amend RSA 674:76 to
2 read as follows:
3 674:76 Religious Use of Land and Structures. No zoning ordinance or site plan review
4 regulation shall prohibit, regulate, or restrict the use of land or structures primarily used for
5 religious purposes, **including land or structures used for residential housing provided to**
6 **people**; provided, however, that such land or structures may be subject to objective and definite
7 regulations concerning the height of structures, yard sizes, lot area, setbacks, open space, and
8 building coverage requirements as long as said requirements are applicable regardless of the
9 religious or non-religious nature of the use of the property and do not substantially burden religious
10 exercise. **For the purposes of this section, "religious exercise" shall include the provision of**
11 **residential housing in accordance with one's religious beliefs.**
12 2 Effective Date. This act shall take effect 60 days after its passage.

Section 2 Header

23-0183.1
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to religious use of land and structures.

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

- 1 1 Planning and Zoning; Religious Use of Land and Structures; Housing. RSA 674:76 is repealed
2 and reenacted to read as follows:
3 674:76 Religious Use of Land and Structures.
4 I. No zoning ordinance or local land use regulation shall prohibit, regulate, or restrict the
5 use of land or structures based solely on the religious nature of the use.
6 II. No zoning ordinance or local land use regulation shall impose a substantial burden on the
7 religious exercise of a person, including a religious assembly or institution, unless the regulation is
8 in furtherance of a compelling governmental interest and is the least restrictive means of furthering
9 that compelling governmental interest. The building of housing to house the unhoused shall qualify
10 as religious exercise under this section.
11 2 Effective Date. This act shall take effect 60 days after its passage.