

HB 544-LOCAL - AS INTRODUCED

2025 SESSION

25-0372

07/02

HOUSE BILL

544-LOCAL

AN ACT

relative to an optional local public safety assessment on certain room occupancies.

SPONSORS:

Rep. D. Paige, Carr. 1; Rep. Buco, Carr. 1; Rep. J. Smith, Carr. 5; Rep. St. Clair, Belk. 5; Rep. Woodcock, Carr. 1; Sen. McConkey, Dist 3; Sen. Perkins Kwoka, Dist 21

COMMITTEE:

Municipal and County Government

ANALYSIS

This bill allows a municipality to collect a public safety assessment on hotel occupancies to address public safety concerns related to increased tourism and transient traffic.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to an optional local public safety assessment on certain room occupancies.

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

1 1 New Subdivision; Local Option; Public Safety Assessment. Amend RSA 353 by inserting after
2 section 10 the following new subdivision:

3 Public Safety Assessment

4 353:11 Public Safety Assessment.

5 I. The legislative body of a municipality may vote to collect a public safety assessment on
6 each occupancy, as defined in RSA 78-A:3, XI, of each hotel, and from each room facilitator, as
7 defined in RSA 78-A:3, XIX-a, for the purpose of establishing funding for municipal services as
8 described in paragraph II. No occupant shall be charged for more than 30 days during a single visit.
9 Under this section:

10 (a) "Hotel" means the same as defined under RSA 78-A:3, VII; and

11 (b) "Occupant" means the same as defined under RSA 78-A:3, XII.

12 II. The revenues collected shall be deposited in a capital reserve fund, tourism support fund,
13 revolving fund, or other special revenue fund as may be authorized by the legislative body of the
14 municipality. Such funds shall be used to augment funding for the cost of municipal services
15 associated with the increase in tourism and transient traffic. Any funds received shall not be
16 deemed part of the general fund accumulated surplus, nor shall any surplus be expended for any
17 purpose or transferred to any appropriation until such time as the town select board or legislative
18 body of the city shall have voted to appropriate a specific amount from the fund for a specific
19 purpose.

20 III. Any town or city may adopt the provisions of this section in the following manner:

21 (a) In a town, the question shall be placed on the warrant of a special or annual town
22 meeting under the procedures set out in RSA 39:3, and shall be voted on by ballot. In a city, the
23 legislative body shall vote on the question as provided in its charter.

24 (b) The selectmen or city council shall hold a public hearing on the question at least 15
25 days, but not more than 30 days before the question is to be voted on.

26 (c) Notice of the hearing shall be posted in at least 2 public places in the municipality
27 and published in a newspaper of general circulation at least 7 days before the hearing.

28 (d) The town or city shall specify in the wording of the question:

29 (1) The name of the fund and permitted uses of the fund; and

30 (2) The nature, amount, and manner of collection of the public safety assessment,
31 including the number of consecutive days to which the public safety assessment shall apply.

HB 544-LOCAL - AS INTRODUCED

- Page 2 -

1 (e) If a majority of those voting on the question vote "Yes," the public safety assessment
2 shall apply within the town or city on the date set by the selectmen or the city council.

3 (f) A town or city may consider rescinding its action in the manner described in
4 subparagraphs (a)-(c). The wording of the question shall be the same as that was adopted by the
5 town or city, except the word "adopt" shall be changed to "rescind." If a majority of those voting on
6 the question vote "Yes," following the action taken to rescind, the public safety assessment shall not
7 apply within the town or city, and any moneys already in the fund shall be used for the purposes
8 already voted.

9 IV. As authorized by the legislative body vote, the fee may be collected as a daily charge of
10 up to \$2 per occupancy per 24-hour period, or as a percentage of the price of the occupancy, provided
11 that the rate shall not exceed \$2 per occupancy per 24-hour period. If the average daily price of the
12 occupancy does not exceed \$40, the occupancy fee shall not be collected. The vote by the legislative
13 body shall specify the number of consecutive days to which the occupancy fee applies, provided that
14 the maximum number of consecutive days for which the fee may be collected for each occupancy
15 shall not exceed 30 days. Enforcement powers for nonpayment shall be the same as those provided
16 under RSA 31:39-c, RSA 31:39-d, and RSA 47:17-b, relative to enforcement of ordinances. An owner,
17 operator, or other person lawfully responsible for a hotel may retain up to 3 percent of a collected
18 daily charge, as outlined in this paragraph, for hotel maintenance and service-related purposes.

19 2 Effective Date. This act shall take effect upon its passage.