

CONSENT CALENDAR

April 5, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred SB 223,

AN ACT relative to requirements for recovery houses.

Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Jeffrey Goley

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	SB 223
Title:	relative to requirements for recovery houses.
Date:	April 5, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

Following implementation of RSA 153:10-d it was discovered that the requirement to have a minimum of 200 gross square feet per resident would be too restrictive and prevent approximately 25% of the existing facilities from obtaining the exemption for recovery houses. During the initial development of this language the 200 square feet per person was identified as an occupant load factor to be consistent with a typical residential load factor found in the state building and fire codes for residential occupancies. This typically is residential occupancies outside the definition of a single family home. The NARR standard requires 50 square feet per person in each sleeping room. This is consistent with the dormitory occupant loading found in the state building code. Rather than coming up with an arbitrary occupant load for NH recovery residences, this bill modify the language to align with the NARR standard and the state building code for dorm style residential space.

Vote 13-1.

Rep. Jeffrey Goley
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

SB 223, relative to requirements for recovery houses. **OUGHT TO PASS.**

Rep. Jeffrey Goley for Executive Departments and Administration. Following implementation of RSA 153:10-d it was discovered that the requirement to have a minimum of 200 gross square feet per resident would be too restrictive and prevent approximately 25% of the existing facilities from obtaining the exemption for recovery houses. During the initial development of this language the 200 square feet per person was identified as an occupant load factor to be consistent with a typical residential load factor found in the state building and fire codes for residential occupancies. This typically is residential occupancies outside the definition of a single family home. The NARR standard requires 50 square feet per person in each sleeping room. This is consistent with the dormitory occupant loading found in the state building code. Rather than coming up with an arbitrary occupant load for NH recovery residences, this bill modify the language to align with the NARR standard and the state building code for dorm style residential space. **Vote 13-1.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 223

BILL TITLE: relative to requirements for recovery houses.

DATE: April 5, 2022

LOB ROOM: 302-304

MOTIONS: OUGHT TO PASS

Moved by Rep. Goley

Seconded by Rep. P. Schmidt

Vote: 13-1

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



2022 SESSION

Executive Departments and Administration

Bill #: SB 223 Motion: OTP AM #: _____ Exec Session Date: 4-5-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn		X	
Lanzara, Tom E.			
Santonastaso, Matthew			
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.			
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.			
O'Brien, Michael B.	X		
TOTAL VOTE:			

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 223

BILL TITLE: relative to requirements for recovery houses.

DATE: April 5, 2022

LOB ROOM: 302-304

Time Public Hearing Called to Order: 10:00 a.m.

Time Adjourned: 10:40 a.m.

Committee Members: Reps. McGuire, Rhodes, Sytek, Yakubovich, S. Pearson, T. Lekas, Alliegro, Bailey, Lanzara, Goley, P. Schmidt, Jeudy, Schuett, Fellows, Fontneau, Grote, O'Brien and Marsh

Bill Sponsors:

Sen. D'Allesandro
Rep. Goley

Sen. Watters

Sen. Soucy

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sen. D'Allesandro, prime sponsor, introduced the bill and spoke on its behalf. He spoke of his involvement with recovery houses and previous legislation that sought to make sure they really were recovery houses. He described how the 200 sq. ft. number had been originally chosen. He said, however, the requirements were "too stringent" and that this bill brought the requirement of 50 gross sq. ft. per bed (like dormitories) per person in the sleeping room into conformity with national standards. He answered that there had been no opposition to the bill in the senate. There were many Committee questions concerning: were there aggregate space requirements? The meaning of "gross square footage. What about the children of those in recovery houses? Is there a limitation on the size of a recovery houses?

Rep. Goley spoke in favor and noted that this bill was only one piece of the exemptions statutorily granted to recovery houses. This affected only the sleeping quarters and nothing else in recovery houses.

Jake Berry, VP of Policy at New Futures spoke in support and said there was a shortage of recovery houses.

Kim Brock, Executive Director of NH Coalition of Recovery Residences, spoke in support. (Mr. Berry and Ms. Brock testified together.) She said that her organization does not run any recovery houses, rather it certifies that standards were met. She describes the daily operation of a recovery house – in particular, people do not stay in the sleeping quarters during the day. She described the importance of certification by her organization.

Sean Toomey, Fire Marshal, spoke in support. He described how we got into this situation from a code point of view. He gave a history of how code exceptions came to be for recovery houses. In answer to a Committee question, he said that there was still an annual inspection fire department.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB223 on 2022-04-05

Support: 1 Oppose: 0 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Soucy, Donna	Manchester, NH donna.soucy@leg.state.nh.us	An Elected Official	SD 18	Support	No	No	4/1/2022 4:13 PM

SB 223 - AS INTRODUCED

2022 SESSION

22-2911

07/05

SENATE BILL **223**

AN ACT relative to requirements for recovery houses.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Rep. Goley, Hills. 8

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill modifies the requirements for facility bedroom square-footage in order for recovery houses to be exempted from certain requirements of the state fire code by the state fire marshal.

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 Two

AN ACT relative to requirements for recovery houses.

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

1 1 State Board of Fire Control; Exemption for Recovery Houses; Minimum Facility Requirements
2 Modified. Amend RSA 153:10-d, I(i) to read as follows:

3 (i) The facility shall have a minimum of [~~200~~] **50** gross square feet per [~~resident~~] **bed per**
4 **sleeping room.**

5 2 Effective Date. This act shall take effect 60 days after its passage.