

CHAPTER 32
HB 540-LOCAL - FINAL VERSION

20Mar2019... 0996h

2019 SESSION

19-0382
10/03

HOUSE BILL ***540-LOCAL***

AN ACT relative to the issuance of bonds by the county for redevelopment districts in unincorporated places.

SPONSORS: Rep. Tucker, Coos 5; Rep. Noel, Coos 3

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill permits the establishment by a county of a redevelopment district in an unincorporated place and allows the county to issue bonds for revitalization projects.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the issuance of bonds by the county for redevelopment districts in unincorporated places.

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

1 32:1 New Section; Municipal Finance Act; Redevelopment District Bonds. Amend RSA 33 by
2 inserting after section 19 the following new section:

3 33:20 Redevelopment Districts in Unincorporated Places and Redevelopment District Bonds. In
4 an unincorporated place, the county commissioners, with the approval of a majority of the county
5 convention present and voting, may: (i) separately from, and in addition to, bonds guaranteed
6 pursuant to RSA 162-I:9-a, authorize the issuance of bonds by the county, the source for repayment
7 of which shall be limited to assessment revenues generated by redevelopment districts created under
8 this section, and shall not be a general obligation of the county and not included in net indebtedness
9 as defined in RSA 33:1, III; and (ii) establish redevelopment districts to ensure that assessment
10 revenues generated hereunder from revitalization projects are sufficient to repay such bonds. The
11 boundaries of the redevelopment district shall be configured so that it includes, but is not limited to,
12 all of the property available to be developed, redeveloped, or revitalized through the issuance of such
13 bonds, or otherwise benefiting from the improvements financed, in whole or in part, with the
14 proceeds of any bonds issued by the county hereunder or bonds issued by the business finance
15 authority and guaranteed pursuant to RSA 162-I:9-a. Every owner of each lot or parcel located
16 within the redevelopment district shall be subject to an assessment. The amount of the assessment
17 shall be sufficient to provide for repayment of the debt service related to the bond. The terms of any
18 bonds to be issued by the county, and the amount of the assessment, payment terms and method for
19 collection, shall be established in a financing plan prepared by the bond recipient and adopted by the
20 county commissioners. The financing plan shall include the delegation of collection responsibilities
21 to the county. The county commissioners may enter into such agreements as they deem necessary to
22 ensure repayment and to implement the financing plan and including without limitation such terms
23 and conditions as is deemed necessary to provide for the segregation and pledge of the assessments
24 to secure repayment of the bonds. The assessment shall be used solely to pay debt service related to
25 the bond and pay the county's expenses of establishing and administering the redevelopment district
26 and issuing the bonds. The incremental increase in value of any project located in a redevelopment
27 district shall be exempt from all property taxes and shall not be considered in the apportionment of
28 county taxes to the unincorporated place, for so long as any bonds issued under this section or
29 guaranteed pursuant to RSA 162-I:9-a, I remain outstanding. The equalization and apportionment

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1 provisions of RSA 21-J shall be applied in a manner consistent with the foregoing sentence. Any
2 unpaid assessment under this chapter shall constitute a lien pursuant to RSA 80 on the assessed
3 property. Collection and enforcement of assessments under this section shall be in accordance with
4 RSA 80. The county commissioners may negotiate a payment in lieu of taxes agreement with the
5 project developer or developers in the redevelopment district who shall also pay all fees for an
6 independent bond counsel. In order to establish a redevelopment district, issue bonds, and adopt a
7 financing plan hereunder, the county commissioners must find that such actions will likely create,
8 revive, or preserve employment opportunities or increase the social or economic prosperity of the
9 county, any of which would be in the public interest. The county commissioners may negotiate with
10 the project developer or developers to arrange for administration of the redevelopment district,
11 including without limitation fire protection and public safety services, and to provide funding for
12 said administration and services through assessments on available valuation of property within the
13 redevelopment district, fees to property owners, direct payment by a developer or developers, or
14 other means. Under no circumstances shall the county or the unincorporated place, as issuer of a
15 bond under this section, have any obligation of any kind to repay any of the principal or interest of
16 the bond. In this section, "redevelopment district" in an unincorporated place means an eligible
17 facility in an unincorporated place designated as a redevelopment district by the county
18 commissioners.

32:2 Effective Date. This act shall take effect upon its passage.

Approved: May 15, 2019
Effective Date: May 15, 2019