

HB 1148 - AS INTRODUCED

2022 SESSION

22-2360

12/10

HOUSE BILL **1148**

AN ACT relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy.

SPONSORS: Rep. Plett, Hills. 6

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill prohibits a county or municipality from restricting the types or fuel sources of energy production which may be supplied to customers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy.

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

1 1 New Section; Public Utilities; Preemption Over Utility Service Restrictions. Amend RSA 362
2 by inserting after section 8 the following new section:

3 362:9 Preemption Over Utility Service Restrictions.

4 I.(a) No county, town, city, village district, or unincorporated place shall enact or enforce a
5 resolution, ordinance, rule, code, policy, or take any action that restricts or prohibits or has the effect
6 of restricting or prohibiting the types or fuel sources of energy production which may be used,
7 delivered, converted, or supplied to customers.

8 (b) Notwithstanding the restrictions of this section, this section shall not prevent the
9 board of a municipality utility or other governmental entity which owns or operates and directly
10 controls an electric or natural gas utility, from adopting rules, regulations, or policies governing the
11 utility.

12 (c) This section shall not expand or alter the jurisdiction of the public utilities
13 commission or the department of energy.

14 II. Any county, town, city, village district, or unincorporated place charter, resolution,
15 ordinance, rule, code, policy, or action that is preempted by this section, and which existed on or
16 before the effective date of this act, is hereby void.

17 2 Effective Date. This act shall take effect upon its passage.