

SB 170 - AS INTRODUCED

2017 SESSION

17-0794

06/01

SENATE BILL **170**

AN ACT relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.

SPONSORS: Sen. Kahn, Dist 10; Rep. Bordenet, Ches. 5

COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill permits municipalities to issue bonds for the purpose of providing or expanding broadband infrastructure.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Seventeen

AN ACT relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.

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

1 1 Municipal Finance; Purpose of Issue of Bonds or Notes. Amend RSA 33:3 to read as follows:

2 33:3 Purpose of Issue of Bonds or Notes. A municipality or county may issue its bonds or notes
3 for the acquisition of land, for planning relative to public facilities, for the construction,
4 reconstruction, alteration, and enlargement or purchase of public buildings, for other public works
5 or improvements of a permanent nature including broadband infrastructure as defined in
6 RSA 38:38, I(e), ~~[to be purchased or constructed in areas not served by an existing broadband~~
7 ~~carrier or provider.]~~ for the purchase of departmental equipment of a lasting character, for the
8 payment of judgments, and for purposes of economic development which shall include public-private
9 partnerships involving capital improvements, loans, and guarantees. The public benefit in any
10 public-private partnership must outweigh any benefit accruing to a private party. Bonds or notes
11 for the purposes of economic development may be issued only after the governing body of the
12 municipality or county has held hearings and presented the public benefit findings to the public and
13 after such issuance has been approved by the legislative body. A municipality or county shall not
14 issue bonds or notes to provide for the payment of expenses for current maintenance and operation
15 except as otherwise specifically provided by law.

16 2 Definitions; Revenue-Producing Facilities. Amend RSA 33-B:1, VI to read as follows:

17 VI. "Revenue-producing facilities" means water works, broadband infrastructure as defined
18 in RSA 38:38, I(e), ~~[purchased or constructed in areas not served by an existing broadband carrier~~
19 ~~or provider.]~~ sewerage systems, sewage treatment or disposal facilities, solid waste disposal or
20 resource recovery facilities, parking facilities, facilities for the production, generation, transmission,
21 or distribution of electricity or gas, any other real or personal property or interests in a municipality
22 or regional water district owned or controlled by the municipality or regional water district, from
23 the operation of which revenues are or are expected to be derived by the municipality, or regional
24 water district, and qualifying energy conservation and clean energy improvements for which a
25 municipality provides financing pursuant to RSA 53-F.

26 3 Effective Date. This act shall take effect 60 days after its passage.