

HB 617 - AS AMENDED BY THE SENATE

6Mar2025... 0437h
05/01/2025 1727s

2025 SESSION

25-0603
09/08

HOUSE BILL

617

AN ACT relative to the homestead right.

SPONSORS: Rep. Litchfield, Rock. 32

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill modifies the amount of the homestead right and adds additional exemptions for its usage.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the homestead right.

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

1 1 The Homestead Right; Amount. Amend RSA 480:1 to read as follows:
2 480:1 Amount.

3 ***I.*** Every person is entitled to [~~\$120,000~~] ***\$350,000*** worth of his or her homestead, or of his or
4 her interest therein, as a homestead. The homestead right created by this chapter shall exist in
5 manufactured housing, as defined by RSA 674:31, which is owned and occupied as a dwelling by the
6 same person but shall not exist in the land upon which the manufactured housing is situated if that
7 land is not also owned by the owner of the manufactured housing. ***The homestead right shall***
8 ***also apply to the person's ownership interest in any mobile home, housing cooperative, and***
9 ***condominium, so long as the property is occupied as a dwelling.***

10 ***II.*** ***In order to claim this exemption, the residence must have been continuously used***
11 ***as a primary residence for the previous 12 months. However, proceeds from the sale of a***
12 ***qualifying residence, and such new residence, shall also be protected if reinvested within 6***
13 ***months in a new primary residence.***

14 ***III.*** ***Notwithstanding paragraph I, homestead exemptions, totaling not more than***
15 ***\$500,000, may be held or claimed, or \$350,000 for a single person under this section.***

16 ***IV.*** ***Notwithstanding paragraph I, the full market value of the property may be***
17 ***claimed as a homestead right if the debt for which attachment or levy is sought resulted***
18 ***from unpaid medical bills or other debts directly resulting from terminal or catastrophic***
19 ***injury or illness.***

20 ***V.*** ***The beneficiary of a qualifying trust may claim the exemption under paragraph***
21 ***I if the qualifying trust is the owner of the property and the other provisions of this chapter***
22 ***are met.***

23 2 The Homestead Right; Exemption. Amend RSA 480:4 to read as follows:
24 480:4 Exemption.

25 ***The homestead right does not cancel or erase any debt. Instead,*** the homestead right is
26 exempt from attachment during its continuance from levy or sale on execution, and from liability to
27 be encumbered or taken for the payment of debts, except in the following cases:

28 I. In the collection of taxes;

29 II. ***In the enforcement of liens to collect on forfeited bail bonds or domestic support***
30 ***obligations;***

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1 **III.** In the enforcement of liens of mechanics and others for debts created in the
2 construction, repair or improvement of the homestead;

3 ~~[III.]~~ **IV.** In the enforcement of mortgages which are made a charge thereon according to
4 law;

5 ~~[IV.]~~ **V.** In the enforcement of liens filed by homeowner associations or by condominium
6 associations under RSA 356-B, for unpaid assessments against the homestead, including collection
7 costs; ~~and]~~

8 **VI. For debts existing at the time that the homestead was purchased, unless**
9 **pursuant to RSA 480:1, II.**

10 **VII.** ~~[V.]~~ In the levy of executions as provided in this chapter.

11 3 Levy of Executions on Real Estate; Notice of Homestead Exemption. Amend RSA 529:20-a to
12 read as follows:

13 529:20-a Notice of Homestead Exemption. Along with the notice required under RSA 529:20,
14 the party in whose name the execution has issued shall provide to any person who resides or appears
15 to reside on the real estate to be sold, the following notice by certified mail:

16 NOTICE

17 IF YOU OR YOUR SPOUSE OWNS AND RESIDES IN THIS PROPERTY, YOU AND/OR YOUR
18 SPOUSE MAY BE ENTITLED TO A HOMESTEAD EXEMPTION PURSUANT TO RSA 480:1.
19 THIS EXEMPTS ~~[\$120,000]~~ **\$350,000** FOR A SINGLE PERSON AND ~~[\$240,000]~~ **\$500,000** FOR ~~[A~~
20 ~~MARRIED COUPLE]~~ **ALL PERSONS WITH AN INTEREST THEREIN.**

21 IN ORDER TO CLAIM THIS EXEMPTION, YOU MUST NOTIFY THE SHERIFF OF THE
22 COUNTY IN WHICH THE REAL ESTATE IS SITUATED AND THE JUDGMENT CREDITOR OF
23 THE AMOUNT OF YOUR HOMESTEAD CLAIM IN WRITING. IF YOU DO SO BEFORE THE
24 SALE, THE SHERIFF MUST PAY YOU THE AMOUNT OF YOUR HOMESTEAD EXEMPTION
25 BEFORE PAYING THE JUDGMENT CREDITOR FROM THE PROCEEDS OF THE SALE. IF,
26 HOWEVER, THE JUDGMENT CREDITOR FILES A MOTION IN COURT CHALLENGING YOUR
27 ENTITLEMENT TO OR THE AMOUNT OF THE HOMESTEAD EXEMPTION, THE SHERIFF
28 SHALL NOT DISTRIBUTE THE PROCEEDS FROM THE SALE UNTIL FURTHER ORDER OF
29 THE COURT.

30 IF YOU DO NOT NOTIFY THE SHERIFF AND THE CREDITOR OF YOUR EXEMPTION UNTIL
31 AFTER THE SALE, THE CREDITOR NEED NOT PAY YOU THE AMOUNT OF YOUR
32 HOMESTEAD EXEMPTION UNTIL THE EXPIRATION OF THE ONE-YEAR PERIOD DURING
33 WHICH YOU MAY REDEEM THE PROPERTY PURSUANT TO RSA 529:26.

34 IF THE SHERIFF RECEIVES YOUR NOTICE OF HOMESTEAD EXEMPTION PRIOR TO THE
35 SALE, THE SHERIFF MAY NOT SELL THE PROPERTY FOR LESS THAN THE AMOUNT OF
36 THE CLAIMED HOMESTEAD EXEMPTION WITHOUT FURTHER ORDER OF THE COURT.

37 4 Effective Date. This act shall take effect January 1, 2026.