

CHAPTER 206
HB 696-FN - FINAL VERSION

05/08/2025 1844s

2025 SESSION

25-0533
06/02

HOUSE BILL

696-FN

AN ACT relative to the application of utility property taxes and statewide education property taxes to electric generating facilities.

SPONSORS: Rep. Vose, Rock. 5; Rep. Janigian, Rock. 25; Rep. J. MacDonald, Carr. 6; Rep. McFarlane, Graf. 18; Rep. C. McGuire, Merr. 27; Rep. Ulery, Hills. 13; Sen. Watters, Dist 4; Sen. Lang, Dist 2

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill provides:

I. That an electric generating facility exempt from the utility property tax and making a payment in lieu of taxes to the municipality shall not be responsible for payment of the state education tax until such agreement expires or until July 1, 2032, whichever occurs first.

II. For calculation and payment of the utility property tax in future agreements.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 206
HB 696-FN - FINAL VERSION

05/08/2025 1844s

25-0533
06/02

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the application of utility property taxes and statewide education property taxes to electric generating facilities.

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

1 206:1 New Paragraph; Taxation; Payment in Lieu of Taxes for Renewable Generation Facilities;
2 Transition to Payment of State Education Property Tax. Amend RSA 72:74 by inserting after paragraph
3 VII the following new paragraph:

4 VIII. In the case of an electric generating facility that is exempt from the utility property tax
5 pursuant to RSA 83-F:1, V(g) and making payments in lieu of taxes to a municipality pursuant to RSA
6 72:74, if the payment in lieu of tax agreement was in effect as of July 1, 2027, then the facility shall not be
7 liable for payment of the state education tax under RSA 76:3 until that payment in lieu of taxes agreement
8 expires or until July 1, 2032, whichever occurs first. Once payment of the state education tax under RSA
9 76:3 is required, it may be included in a payment in lieu of taxes agreement pursuant to a new agreement
10 reached under RSA 72:74, or be paid in addition to a payment in lieu of taxes agreement if the underlying
11 agreement has not expired or been reopened and renegotiated. If, under RSA 76:3, the state education
12 tax is paid separately from the payment in lieu of taxes, then the amount of the state education tax owed
13 by the facility shall be determined by using the imputed value of the facility that is calculated and used by
14 the department of revenue administration for purposes of equalization under RSA 21-J:3, XIII.

15 206:2 New Subparagraph; Utility Property Tax; Definitions; Exemptions. Amend RSA 83-F:1, V by
16 inserting after subparagraph (f) the following new subparagraph:

17 (g) Property used for the purposes of generating electricity, except such property owned by
18 entities as defined in RSA 362:2, I that are engaged in the distribution or transmission of electricity.

19 206:3 New Subparagraph; Taxation; Utility Property Taxation; Payment Forms. Amend RSA 83-F:5,
20 V by inserting after subparagraph (b) the following new subparagraph:

21 (c) As of May 1 of each year the owners of property exempted from the definition of utility
22 property under RSA 83-F:1, V(g) shall file a form, designated by the commissioner, that collects sufficient
23 information so that the department can identify utility and non-utility property and maintain an inventory of
24 assets that are and are not subject to the utility property tax. The form shall be signed by an authorized
25 representative, subject to the pains and penalties of perjury. If by May 1 the taxpayer is unable to file the
26 form required under this subparagraph, the taxpayer shall request an extension from the department.
27 Such extension shall be valid only upon written confirmation from the department, and shall not exceed 30
28 days per request. No more than 2 extensions shall be granted in a given tax year.

29 206:4 Utility Property Tax; Exemption from Education Tax; Reference Added. Amend RSA 83-F:9 to
30 read as follows:

31 83-F:9 Exemption From Education Tax. Persons and property subject to taxation under this chapter
32 shall not be subject to tax under RSA 76:3; provided, however, that nothing in this chapter shall be

CHAPTER 206
HB 696-FN - FINAL VERSION
- Page 2 -

1 construed to exempt such persons or property from local school, municipal, district, or county taxation
2 under RSA 76, *except as provided in RSA 72:74, VIII.*

3 206:5 Applicability. This act shall apply to tax periods beginning on or after April 1, 2028.

4 206:6 Effective Date. This act shall take effect July 1, 2027

Approved: July 15, 2025
Effective Date: July 01, 2027

