

# Senate Judiciary Committee

*Brendan Bunnell 271-4063*

**HB 1156-FN**, requiring that probate court notices of acquisitions of real estate through inheritance or similar devise be recorded in a county's registry of deeds.

**Hearing Date:** March 3, 2026

**Time Opened:** 2:18 p.m.

**Time Closed:** 2:34 p.m.

**Members of the Committee Present:** Senators Gannon, Altschiller and Reardon

**Members of the Committee Absent:** Senators Abbas and Carson

**Bill Analysis:** This bill requires that probate court notices of acquisitions of real estate through inheritance or similar devise be recorded in a county's registry of deeds.

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**Sponsors:**

Rep. Walker

Rep. J. MacDonald

Rep. Maggiore

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**Who supports the bill:** Rep. David Walker, Joanie McIntyre (NH Realtors), Brodie Deshaies (NHMA), Jim Michaud, and Cory Stone.

**Who opposes the bill:** Tami Lanzillo Zeimetz.

**Who is neutral on the bill:** None.

**Summary of the testimony presented:**

**Representative David Walker**, introduced the bill, explaining that it would require real estate administrators to notify local officials of the inheritance of real estate and to certify this transfer with the probate court before filing the final account.

He stated that the notice must also be recorded at the county register of deeds which may charge a fee.

- Explained that, currently, towns rely on the executor or new owner to notify municipalities that they have inherited new property through probing. This process does not always occur.
- Explained that, by making it mandatory to go through the county register of deeds, the towns and cities will be notified via the same method they receive transfer deeds. This will allow ownership and addresses to be changed in a timely manner. The property tax bills, water and sewer bills will be mailed to

the accurate owner, allowing tax bills to be paid and possibly preventing leaning processes.

- Explained that the probate documents can be easily searched by any party once they go through the registry transaction.
- Senator Gannon asked what would happen in the scenario that his children inherited his property, and whether they would be required to notify officials under this bill.
  - Representative Walker explained that they would be if they resided at a separate address.
- Senator Reardon asked how this bill was going to fix this issue, when existing law around the notification of ownership is already not being followed in some circumstances.
  - Representative Walker stated that this bill would guarantee that town officials are notified immediately upon inheritance, before any potential issues arise.
- Senator Reardon asked whether, given that individuals are already required to notify the tax collector's office when they inherit property, the assessors are not currently being notified.
  - Representative Walker stated that they are not always notified currently.
- Senator Reardon asked how this bill would solve that issue, if there's already an interruption in the flow of how this process is meant to work.
  - Representative Walker stated that this bill would answer this by requiring the registry of deeds to be notified, whose computer process would notify the assessors.
- Senator Reardon asked why the legislature is attempting to add an additional step when the current laws around the notification of assessors are already not being followed. She asked why, if the individuals in question were not engaging in one process why they would follow another.
  - Representative Walker stated that this bill came about at the request of the Assessors Association, who would like to see this legislation executed in this way.
- Senator Altschiller asked if it was correct if the House committee had passed this with a 14-0 vote and if it had then passed the House floor.

- o Representative Walker stated that this was correct.

**Ms. Joanie McIntyre**, Vice-Chair of Public Policy at the New Hampshire Realtors Association, spoke in support of the bill. She explained that the first thing that she does when engaging in real estate business is to use the Registry of Deeds to check the ownership of that property. She stated that current ownership is the most important thing when buying or selling property and that this bill could make the process much easier.

- Senator Reardon stated that she understood that realtors wanted a deed to be placed on record to ensure the veracity of transactions. She stated that this bill would not require a deed to be made accessible, but would instead require a notice of inheritance without a specific legal description or a description of the property that has been inherited. She asked if the association would prefer that this bill be modified to include further details on the property inherited.
  - o Ms. McIntyre answered that she was unsure, but that it was probable.
- Senator Reardon posed a hypothetical where she owns a farm and then divides the property into lots, giving some of it to her children and another part to a neighbor. She stated that this bill would not assure an effective legal definition of the property being considered in this case, and questioned whether the association needed more than what they were asking for in this bill.
  - o Ms. McIntyre stated that could be the case.

**Mr. Jim Michaud**, Chief Assessor for the town of Hudson and the Chair of the legislative committee for the New Hampshire Association of Assessing Officials, spoke in support of the bill, explaining that the association had been involved in the conversation around its drafting. He explained that individuals typically rely on the Registry of Deeds to discover ownership, not probate court. He explained that the required notice would include the book and page of how that property is currently held, which will assist in the chain of title.

**Mr. Brodie Deshaies**, a representative of the New Hampshire Municipal Association, spoke in support of the bill. He explained that it was supported by the New Hampshire Municipal Association, New Hampshire Association of Assessing Officials, New Hampshire Association of Counties, the New Hampshire Registry of Deeds, and the New Hampshire Realtors Association.

- Stated that this bill modifies RSA 554:18-A.

- Expressed that it was the belief of his organization that requiring administrators to record the transfer of real estate with the registry of deeds will help local and county officials reduce the administrative burden associated with maintaining updated and proper lists for ownership and billing.
- Stated that this bill began with an individual serving on a town select board who saw the common issue of property ownership information not being passed along to local government or assessors. These towns were often having to place liens on individuals' property when bills were not being sent to the correct locations.
- Senator Gannon asked whether he had heard Senator Reardon's previous concerns, and how he would answer that.
  - Mr. Deshaies stated that there is currently no requirement to update the registry of deeds upon inheritance and that this will be much more likely to be passed on to local officials and to assessors. He argued that municipal officials are much less likely to be watching probate notices. He stated that these two laws would compliment each other and encourage the enforcement of each as the assessors communicate with the municipal governments.
- Senator Reardon spoke to the scenario that Senator Gannon had presented, saying that there will never be a probate file in the case of a property being divided.
  - Mr. Deshaies stated that he would believe that, but that he believed that this bill would capture many more real estate transfers from those that are missing. He stated that the scenario might require some work from private owners to make sure that bills are arriving to the right location, but that this bill would alleviate the issues of many other cases.