SB 492-FN - VERSION ADOPTED BY BOTH BODIES

01/29/2026 0114s
23Apr2026... 1443h
06/04/2026 2149EBA

2026 SESSION

26-2057
06/07

SENATE BILL ***492-FN***

AN ACT authorizing the department of military affairs and veterans services to license and lease property in which the department holds a property interest.

SPONSORS: Sen. Watters, Dist 4; Sen. Sullivan, Dist 18; Sen. Lang, Dist 2; Sen. Pearl, Dist 17; Sen. Fenton, Dist 10; Sen. Birdsell, Dist 19; Sen. Avard, Dist 12; Sen. Perkins Kwoka, Dist 21; Sen. Prentiss, Dist 5; Rep. Moffett, Merr. 4; Rep. Rollins, Sull. 3; Rep. Mandelbaum, Rock. 21; Rep. Seibert, Hills. 21

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill:

I. Authorizes the department of military affairs and veterans services to lease or license property under its jurisdiction.

II. Clarifies that when department property is leased or licensed to private entities that are not exempt from taxation, the property is subject to local property taxes as though privately owned.

III. Outlines the responsibilities of lessees and licensees to pay taxes, the penalties for nonpayment, and the municipality's authority to enforce collection through liens and legal action.

IV. Establishes a dedicated property fund for the department.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT authorizing the department of military affairs and veterans services to license and lease property in which the department holds a property interest.

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

1 New Paragraphs; National Guard Facilities. Amend RSA 110-B:28 by inserting after paragraph VI the following new paragraphs:

VII. The department of military affairs and veterans services shall have the authority to license or lease all property under its jurisdiction.

VIII. All department property that is leased or licensed by a person, other than by the department or any other entity exempted from taxation under RSA 72:23, shall include in the lease or other agreement the terms providing for the payment of properly assessed real and personal property taxes by the party using or occupying said property under the provisions of RSA 72:23.

2 New Section; Department of Military Affairs and Veterans Services Fund. Amend RSA 110-B by inserting after section 28-a the following new section:

110-B:28-b Department of Military Affairs and Veterans Services Property Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the department of military affairs and veterans services property fund, which shall be kept distinct and separate from all other funds. The fund shall consist of such moneys as may be appropriated to the department for each fiscal year relating to department property, department projects, or any activity of the department, as well as any gifts, grants, or donations received for such purpose. All moneys in the department of military affairs and veterans services property fund shall be nonlapsing and continually appropriated to the department.

II. Moneys credited to the fund may be expended by the department for the benefit of the department:

(a) To purchase, lease, acquire, own, improve, use, sell, convey, transfer, or otherwise deal in and with department property, department projects, or any interest therein, whether tangible or intangible, as authorized under this chapter.

(b) To pay the costs of operating, maintaining, improving, and repairing department property and department projects.

(c) To pay all administrative and operational expenses of the department authorized by law, including, but not limited to, wages, salaries, benefits, reasonable overhead expenses, and expenses allocated by law or authorized by the adjutant general, including any allocation or reimbursement to other department or authority funds, as permitted by law.

(d) To pay the principal of, and premium, if any, and the interest on any outstanding bonds of the state related to department property or department projects, as such obligations become due and payable.

(e) To create and maintain reserves as required by any bond resolution or security document relating to such bonds.

(f) To pay any payments in lieu of taxes required by law, if any, related to department property or department projects.

(g) To pay any and all other expenses incident to the management and operation of the department, its property, or its projects in furtherance of its statutory purposes.

III. Money in this fund shall be paid out on manifests approved by the governor and council in the same manner as other state claims are paid, provided that advances may be made to the treasurer of the department as requested and approved pursuant to this section. Manifests covering advances shall be submitted at the earliest practicable time for regular processing and audit as required by law.

IV. The department revenues or any other revenues, other than revenues from or associated with the department property or the department projects, received and due to the department shall be retained by the department and shall be used for the department property or the department projects in such manner as the adjutant general may determine consistent with the provisions of this section or as is otherwise provided by law or by the terms and conditions incident to any gift, grant, devise, bequest, trust, or security document.

3 New Subparagraph; Department of Military Affairs and Veterans Services Property Fund Established. Amend RSA 6:12, I(b) by inserting after subparagraph (410) the following new subparagraph:

(411) Moneys deposited in the department of military affairs and veterans services property fund established in RSA 110-B:28-b.

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

LBA
26-2057
4/29/26

SB 492-FN- FISCAL NOTE

AS AMENDED BY THE HOUSE (AMENDMENT # 2026-1443h)

AN ACT authorizing the department of military affairs and veterans services to license and lease property in which the department holds a property interest.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	**FY 2027**	**FY 2028**	**FY 2029**
Revenue	$0	Indeterminable	Indeterminable	Indeterminable
Revenue Fund(s)	Property Fund			
Expenditures*	$0	$105,000 (General Fund) Indeterminable (Property Fund)	$107,000 (General Fund) Indeterminable (Property Fund)	$112,000 (General Fund) Indeterminable (Property Fund)
Funding Source(s)	General Fund and Property Fund			
Appropriations*	$0	$0	$0	$0
Funding Source(s)	None			

***Expenditure = Cost of bill** ***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill authorizes the Department of Military Affairs and Veterans Services to lease or license property under its jurisdiction, and provides that property leased or licensed to non tax exempt entities is subject to local property taxation with the requirement being stated in the lease agreement. This bill also creates a dedicated, nonlapsing Department of Military Affairs and Veterans Services Property Fund.

The Department of Military Affairs and Veterans Services states this bill would authorize the Department to lease or license property and establish a dedicated, nonlapsing property fund to receive revenues generated from such activity, but the amount of revenues received into that fund is indeterminable. The Department states it does not currently lease or license property to private entities and therefore does not have existing lease or license revenue that would otherwise lapse to the General Fund. The Department states the creation of the property fund would not reduce the need for General Fund appropriations. To implement this bill, the Department requests one new full time position titled Property Manager. The Department estimates the cost of this position at $105,000 in FY 2027, $107,000 in FY 2028, and $112,000 in FY 2029. The bill does not authorize nor appropriate funds to support this position.

The Department states there is no direct fiscal impact on county or local expenditures; however, municipalities may receive property tax revenue when department property is leased or licensed to non tax exempt entities, as provided in the bill.

It is assumed any fiscal impact will occur after FY 2026.

AGENCIES CONTACTED:

Department of Military Affairs and Veterans Services