

SB 55 - AS INTRODUCED

2025 SESSION

25-0969

07/05

SENATE BILL **55**

AN ACT providing temporary exemptions from the land use change tax for qualifying housing projects.

SPONSORS: Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. McGough, Dist 11; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. Pearl, Dist 17; Sen. Murphy, Dist 16; Sen. Sullivan, Dist 18; Rep. Edwards, Rock. 31; Rep. Alexander Jr., Hills. 29

COMMITTEE: Commerce

ANALYSIS

This bill provides temporary exemptions from the land use change tax for qualifying housing projects.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT providing temporary exemptions from the land use change tax for qualifying housing projects.

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

1 1 New Section; Taxation; Current Use Taxation; Land Use Change Tax. Amend RSA 79-A by
2 inserting after section 7 the following new section:

3 79-A:7-a Exemption for Qualifying Housing Projects.

4 I. For the purposes of this section, "qualifying projects" shall mean any project that:

5 (a) Involves changing the current use of residential or commercial land; and

6 (b) Creates a minimum of 20 residential units.

7 II. Any qualifying housing project that has received approval by a municipal planning board,
8 in compliance with RSA 674, shall be exempt from the land use change tax under RSA 79-A:7. Any
9 project approved prior to the effective date shall not qualify for a land use change tax exemption.

10 III. Any qualifying project that fails to satisfy the following conditions shall forfeit its
11 eligibility for an exemption from the land use change tax:

12 (a) Active and substantial development or building has begun on the project by the
13 owner or the owner's successor in interest in accordance with the approved subdivision plat within
14 36 months after the date of approval, or in accordance with the terms of the approval, and, if a bond
15 or other security to cover the costs of roads, drains, or sewers is required in connection with such
16 approval, such bond or other security is posted with the city, town, or county in which there are
17 located unincorporated towns or unorganized places, at the time of commencement of such
18 development;

19 (b) Project development remains in full compliance with the public health regulations
20 and ordinances specified in RSA 674; and

21 (c) The subdivision plat or site plan conforms to the subdivision regulations, site plan
22 review regulations, and zoning ordinances then in effect at the location of such subdivision plat or
23 site plan.

24 IV. Municipal assessing officials shall have the authority to administer the provisions of this
25 section and verify compliance with project completion requirements.

26 V. The department of revenue administration shall adopt rules under RSA 541-A to
27 implement the provisions of this section, including creating, distributing, and reviewing
28 documentation required to apply for an exemption under this section and procedures for assessing a
29 project for under RSA 79-A:7.

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- 1 2 Repeal; Prospective Repeal. RSA 79-A:7-a, relative to exempting housing projects from the
- 2 land use change tax, is repealed on March 31, 2031.
- 3 3 Effective Date. This act shall take effect 60 days after its passage.