

# Senate Election Law and Municipal Affairs Committee

*Jessica Bourque 271-2104*

SB 42, relative to notice of death affidavits.

**Hearing Date:** January 23, 2025

**Time Opened:** 9:20 a.m.

**Time Closed:** 9:29 a.m.

**Members of the Committee Present:** Senators Perkins Kwoka, Gray and Long

**Members of the Committee Absent :** Senators Lang and Rochefort

**Bill Analysis:** This bill requires beneficiaries of a transfer on death deed to file a notice of death affidavit with detailed information at the registry of deeds within 60 days of the transferor's death, thereby ensuring proper documentation and communication with the tax assessor.

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**Sponsors:**  
Sen. Gray

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**Who supports the bill:** Senator Gray, Jim Michaud, Kate Horgan, Margaret Byrnes

**Who opposes the bill:** No one

**Summary of testimony presented:**

**Senator Gray, Prime Sponsor**

- This bill requires beneficiaries of a transfer of a death deed to file a notice of death affidavit with the registry of deeds.

**Jim Michaud, Town of Hudson Assessor**

- This is a less expensive way for named beneficiaries to transfer property rather than having to go through an attorney.
- There is no mechanism for assessing officials to receive notice of a death.
- It is important at the local level to have accurate ownership records for reasons such as tax, water, and sewer bills. Accuracy is also important when considering land and abutter use.
- Worked with the County Registrars of Deeds on this.

Senator Long asked about the transfer of two properties and asked if one form would cover multiple properties.

- Mr. Michaud stated that he has not seen a death deed that transferred more than one property, although it is possible. If beneficiaries transferred two properties, then those could reference back to the original death deed.

Senator Perkins Kwoka asked why there needs to be a separate affidavit, why not require the beneficiary to transmit the copy of the deed directly to the cities and towns.

- As it is now, we don't know when that deed is going to be effective. Clerks are not allowed to share the information.

**Kate Horgan, NH Association of Counties**

- The NH Association of Counties worked with the NH Municipal Association over the summer and the registrars of deeds fully support this.