

HB 1057 - AS INTRODUCED

2022 SESSION

22-2040

05/10

HOUSE BILL **1057**

AN ACT relative to the tax exemption for the elderly.

SPONSORS: Rep. Deshaies, Carr. 6; Rep. J. MacDonald, Carr. 6; Rep. Crawford, Carr. 4; Rep. Marsh, Carr. 8

COMMITTEE: Municipal and County Government

ANALYSIS

This bill increases the income eligibility criteria for the elderly property tax exemption and lowers the ages for eligibility, and permits municipalities to phase in the revised eligibility criteria over a 3-year period.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the tax exemption for the elderly.

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

1 1 Property Taxes; Conditions for Elderly Exemption. Amend RSA 72:39-a, I to read as follows:

2 I. No exemption shall be allowed under RSA 72:39-b unless the person applying therefor:

3 (a) Has resided in this state for at least [~~3 consecutive years~~] **one year** preceding April 1
4 in the year in which the exemption is claimed.

5 (b) Had in the calendar year preceding said April 1 a net income from all sources, or if
6 married, a combined net income from all sources, of not more than the respective amount applicable
7 to each age group as determined by the city or town for purposes of RSA 72:39-b. Under no
8 circumstances shall the amount determined by the city or town be less than [~~\$13,400~~] **\$17,420** for a
9 single person or [~~\$20,400~~] **\$26,520** for married persons. The net income shall be determined by
10 deducting from all moneys received, from any source including social security or pension payments,
11 the amount of any of the following or the sum thereof:

12 (1) Life insurance paid on the death of an insured;

13 (2) Expenses and costs incurred in the course of conducting a business enterprise;

14 (3) Proceeds from the sale of assets.

15 (c) Owns net assets not in excess of the amount determined by the city or town for
16 purposes of RSA 72:39-b, excluding the value of the person's actual residence and the land upon
17 which it is located up to the greater of 2 acres or the minimum single family residential lot size
18 specified in the local zoning ordinance. The amount determined by the city or town shall not be less
19 than [~~\$35,000~~] **\$45,500**. A city or town may set a combined net assets amount for married persons in
20 such greater amount as the legislative body of the city or town may determine. "Net assets" means
21 the value of all assets, tangible and intangible, minus the value of any good faith encumbrances.
22 "Residence" means the housing unit, and related structures such as an unattached garage or
23 woodshed, which is the person's principal home, and which the person in good faith regards as home
24 to the exclusion of any other places where the person may temporarily live. "Residence" shall
25 exclude attached dwelling units and unattached structures used or intended for commercial or other
26 nonresidential purposes.

27 2 Property Taxes; Procedure for Adoption and Modification of Elderly Exemption. Amend RSA
28 72:39-b, II to read as follows:

29 II. An elderly exemption, based on assessed value for qualified taxpayers, may be granted
30 for a different dollar amount determined by the town or city, to a person [~~65~~] **60** years of age up to
31 [~~75~~] **70** years, to a person [~~75~~] **70** years of age up to 80 years, and to a person 80 years of age or older.

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1 To qualify, the person must have been a New Hampshire resident for at least [~~3 consecutive years~~]
2 **one year**, own the real estate individually or jointly, or if the real estate is owned by such person's
3 spouse, they must have been married to each other for at least 5 consecutive years. In addition, the
4 taxpayer must have a net income in each applicable age group of not more than a dollar amount
5 determined by the town or city of not less than [~~\$13,400~~] **\$17,420** or, if married, a combined net
6 income of not more than a dollar amount determined by the town or city of not less than [~~\$20,400~~]
7 **\$26,520**; and own net assets not in excess of a dollar amount determined by the town or city of not
8 less than [~~\$35,000~~] **\$45,500** excluding the value of the person's residence or, if married, combined
9 net assets not in excess of a dollar amount determined by the town or city of not less than [~~\$35,000~~]
10 **\$45,000** excluding the value of the residence. Under no circumstances shall the amounts of the
11 exemption for any age category be less than \$5,000. The combined net asset amount for married
12 persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving
13 spouse or until the remarriage of the surviving spouse.

14 3 Procedure for Adoption. A city or town that adopted an elderly property tax pursuant to RSA
15 72:39-a and RSA 72:39-b prior to January 1, 2023, may phase in the revised income eligibility
16 criteria provided in sections 1 and 2 of this act over a 3-year period pursuant to the procedure for
17 adoption in RSA 72:27-a.

18 4 Effective Date. This act shall take effect January 1, 2023.