HB 1034 - AS INTRODUCED

2024 SESSION

24-2471
05/10

HOUSE BILL ***1034***

AN ACT relative to enabling municipalities to adopt a homestead property tax exemption.

SPONSORS: Rep. D. Paige, Carr. 1; Rep. Woodcock, Carr. 1; Rep. Buco, Carr. 1; Rep. Baldwin, Graf. 4; Rep. Coker, Belk. 2; Rep. Preece, Hills. 17

COMMITTEE: Municipal and County Government

ANALYSIS

This bill enables municipalities to adopt a homestead property tax exemption.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-2471
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to enabling municipalities to adopt a homestead property tax exemption.

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

1 New Section; Homestead Exemption. Amend RSA 72 by inserting after section 39-b the following new section:

72:39-c Homestead Exemption. A town or city may adopt or modify the homestead exemption granted under this section by the procedure in RSA 72:27-a.

I. Each person owning residential property in the town or city as his or her place of principal residence shall be granted an exemption against the assessed value of the person's residence. The amount of the homestead exemption available under this section shall be a fixed dollar amount determined annually by the municipality pursuant to the procedure in RSA 72:27-a and shall not exceed an amount equal to 35 percent of the average assessed residential property value in the municipality. Only one exemption may be granted for each homestead. An exemption granted under this section may be in addition to any other exemption or credit for which the individual is eligible under this chapter, provided, however, that in no instance shall the taxable valuation of such property after all applicable exemptions and credits be reduced below zero dollars.

II. For purposes of this section:

(a) "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

(b) Ownership requirements for a homestead exemption shall be that the property is:

(1) Owned by a resident, or the resident's spouse, either of whom meets the requirement for the exemption.

(2) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirement for the exemption.

(3) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the requirement for the exemption.

III. Procedures for application, investigation of applications, and appeals shall be as provided in RSA 72:33, RSA 72:34, and RSA 72:34-a.

IV. The department of revenue administration may adopt rules under RSA 541-A relative to the adoption and administration of the homestead exemption.

2 Property Tax Credit; Adoption Procedure; Reference Added. Amend the introductory paragraph of RSA 72:27-a, I to read as follows:

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, ***RSA 72:39-c,*** RSA 72:62, RSA 72:66, RSA 72:70, RSA 72:76, or RSA 72:82 in the following manner:

3 Definitions; Reference Added. Amend RSA 72:29, VI to read as follows:

VI. For purposes of RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 33, 35, 36-a, 37, 37-a, 37-b, 38-a, 39-a, ***39-c,*** 62, 66, and 70, the ownership of real estate, as expressed by such words as "owner," "owned" or "own," shall include those who have placed their property in a grantor/revocable trust or who have equitable title or the beneficial interest for life in the subject property.

4 Property Taxation; Application Procedure; Reference Added. Amend the introductory paragraph of RSA 72:33, I to read as follows:

I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, ***39-c,*** 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application. The form shall include the following and such other information deemed necessary by the commissioner:

5 Appeals; Reference. Amend RSA 72:34-a to read as follows:

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 28-b, 28-c, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, ***39-c,*** 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.

6 Effective Date. This act shall take effect April, 1, 2025.