

Amendment to SB 277-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 New Paragraph; Taxation; Payment in Lieu of Taxes for Renewable Generation Facilities;
4 Transition to Payment of State Education Property Tax. Amend RSA 72:74 by inserting after
5 paragraph VII the following new paragraph:

6 VIII. In the case of an electric generating facility that is exempt from the utility property tax
7 pursuant to RSA 83-F:1, V(g) and making payments in lieu of taxes to a municipality pursuant to
8 RSA 72:74, if the payment in lieu of tax agreement was in effect as of July 1, 2027, then the facility
9 shall not be liable for payment of the state education tax under RSA 76:3 until that payment in lieu
10 of taxes agreement expires or until July 1, 2032, whichever occurs first. Once payment of the state
11 education tax under RSA 76:3 is required, it may be included in a payment in lieu of taxes
12 agreement pursuant to a new agreement reached under RSA 72:74, or be paid in addition to a
13 payment in lieu of taxes agreement if the underlying agreement has not expired or been reopened
14 and renegotiated. If, under RSA 76:3, the state education tax is paid separately from the payment in
15 lieu of taxes, then the amount of the state education tax owed by the facility shall be determined by
16 using the imputed value of the facility that is calculated and used by the department of revenue
17 administration for purposes of equalization under RSA 21-J:3, XIII.

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19 Amend the bill by replacing all after section 3 with the following:

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21 4 Utility Property Tax; Exemption from Education Tax; Reference Added. Amend RSA 83-F:9 to
22 read as follows:

23 83-F:9 Exemption From Education Tax. Persons and property subject to taxation under this
24 chapter shall not be subject to tax under RSA 76:3; provided, however, that nothing in this chapter
25 shall be construed to exempt such persons or property from local school, municipal, district, or
26 county taxation under RSA 76, **except as provided in RSA 72:74, VIII.**

27 5 Applicability. This act shall apply to tax periods beginning on or after April 1, 2028.

28 6 Effective Date. This act shall take effect July 1, 2027.