HB 688-FN-LOCAL - AS INTRODUCED

2025 SESSION

25-0392
07/02

HOUSE BILL ***688-FN-LOCAL***

AN ACT authorizing municipalities to tax charitable gaming facilities based on their enterprise value.

SPONSORS: Rep. Ohm, Hills. 10; Rep. Almy, Graf. 17; Rep. Manohar, Hills. 9; Rep. Cloutier, Sull. 6

COMMITTEE: Ways and Means

ANALYSIS

This bill:

I. Establishes a charitable gaming facilities tax.

II. Allows cities or towns to vote to choose not to collect the charitable gaming facilities tax.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

25-0392
07/02

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT authorizing municipalities to tax charitable gaming facilities based on their enterprise value.

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

1 New Sections; Tax. Amend RSA 72 by inserting after section 1-d the following new sections:

72:1-e Enterprises Liable. On April 1, a tax amounting to 2 times the assessed property value of an enterprise, to be known as the "enterprise tax," shall be assessed on every historic horse racing and charitable gaming facility, as governed by RSA 284, with 100 or more machines. Any enterprise, unless otherwise exempted by this section, in the state after April 1 and prior to December 1 of any year shall be assessed the enterprise tax.

72:1-f Optional Collection of Enterprise Tax.

I. Notwithstanding any other provision of law, any town or city by majority vote of the legislative body may elect not to assess, levy, and collect the enterprise tax pursuant to RSA 72:1-e. All municipalities which elect not to assess, levy, or collect said enterprise tax shall be exempt from all provisions of law relating to it.

II. The legislative body of any town or city may adopt the provisions of paragraph I by approving the following question: "Shall we adopt the provisions of RSA 72:1-f which authorize any town or city to elect not to assess, levy and collect an enterprise tax?" If a majority of those voting on the question vote "Yes", RSA 72:1-e shall not apply within the town or city on April 1 following the approval of the question. Any town or city may rescind the provisions of RSA 72:1-f in the same manner, except the word "adopt" shall be changed to "rescind" in the question.

2 Effective Date. This act shall take effect April 1, 2026.

LBA
25-0392
Revised 1/24/25

HB 688-FN-LOCAL- FISCAL NOTE
AS INTRODUCED

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FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2025	**FY 2026**	**FY 2027**	**FY 2028**
County Revenue	$0	$0	$0	$0
County Expenditures	$0	$0	$0	$0
Local Revenue	$0	$0	Indeterminable Increase	Indeterminable Increase
Local Expenditures	$0	$0	$0	$0

METHODOLOGY:

This bill establishes a charitable gaming facilities tax to a facility with 100 or more machines. The tax, which is due annually on April 1st, will amount to two times the assessed property value of the enterprise. Additionally, collection of the tax is optional for municipalities as this bill allows them to vote whether or not to collect the tax.

The Department of Revenue Administration (DRA) indicates that this bill would have no fiscal impact on the state. Local revenues would increase if a municipality were to assess the tax. The tax amount would not be significant enough to cause casinos to close or relocate. The DRA would need to establish a requirement for all charitable gaming facilities to report the number of machines they have on an annual basis, and this cost would be absorbed into the DRA's current operating budget.

The New Hampshire Municipal Association also states that this legislation would lead to an indeterminable increase in local revenues if a municipality were to assess the tax.

The Lottery Commission anticipates that by the end of fiscal year 2025, there will be nine facilities with 100 or more machines. However, this bill does not directly impact the Lottery Commission.

Due to this bill's effective date of April 1, 2026 it is assumed any revenue increase would not be significant for the last three months of fiscal year 2026.

AGENCIES CONTACTED:

Department of Revenue Administration, Lottery Commission, and New Hampshire Municipal Association