

CHAPTER 81  
HB 154-LOCAL - FINAL VERSION

2021 SESSION

21-0116  
05/10

HOUSE BILL            ***154-LOCAL***

AN ACT                relative to community revitalization tax relief incentives.

SPONSORS:            Rep. Conley, Straf. 13; Rep. Vann, Hills. 24; Rep. Grassie, Straf. 11; Rep. Andrew  
Bouldin, Hills. 12; Rep. Cleaver, Hills. 35; Sen. Watters, Dist 4

COMMITTEE:          Ways and Means

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ANALYSIS

This bill enables municipalities to offer community revitalization tax incentives for the construction of additional housing in designated areas. The bill also revises the criteria for assistance from the affordable housing fund administered by the housing finance authority.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to community revitalization tax relief incentives.

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

1 81:1 Definition of Qualifying Structure. Amend RSA 79-E:2, II to read as follows:

2 II. "Qualifying structure" means a building located in a district officially designated in a  
3 municipality's master plan, or by zoning ordinance, as a downtown, town center, central business  
4 district, or village center, or, where no such designation has been made, in a geographic area which,  
5 as a result of its compact development patterns and uses, is identified by the governing body as the  
6 downtown, town center, or village center for purposes of this chapter. Qualifying structure shall also  
7 mean historic structures in a municipality whose preservation and reuse would conserve the  
8 embodied energy in existing building stock. Cities or towns may further limit "qualifying structure"  
9 according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts  
10 that meet certain age, occupancy, condition, size, or other similar criteria consistent with local  
11 economic conditions, community character, and local planning and development goals. Cities or  
12 towns may further modify "qualifying structure" to include buildings that have been destroyed by  
13 fire or act of nature, including where such destruction occurred within 15 years prior to the adoption  
14 of the provisions of this chapter by the city or town. In a city or town that has adopted the  
15 provisions of RSA 79-E:4-a, "qualifying structure" also means potentially impacted structures  
16 identified by the municipality within the coastal resilience incentive zone established under RSA 79-  
17 E:4-a. ***In a city or town that has adopted the provisions of RSA 79-E:4-b, "qualifying***  
18 ***structure" also means a housing unit or units constructed in a housing opportunity zone***  
19 ***established under RSA 79-E:4-b.***

20 81:2 New Section; Community Revitalization Tax Relief Incentives; Housing Opportunity Zone.  
21 Amend RSA 79-E by inserting after section 4-a the following new section:

22 79-E:4-b Housing Opportunity Zone. A city or town may adopt the provisions of this section by  
23 vote of its legislative body, in accordance with the procedures described in RSA 79-E:3, to establish a  
24 housing opportunity zone. To be eligible for tax relief under this section, the qualifying structure  
25 and property shall be located within the housing opportunity zone established by the municipality.  
26 No less than one-third of the housing units constructed shall be designated for households with an  
27 income of 80 percent or less of the area median income as measured by the United States  
28 Department of Housing and Urban Development, or the housing units in a qualifying structure shall  
29 be designated for households with incomes as provided in RSA 204-C:57, IV. A qualifying structure

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1 under this section shall be eligible for tax assessment relief for a period of up to 10 years, beginning  
2 upon issuance of the certification of occupancy.

3 81:3 Affordable Housing Fund; Definitions of Person of Low Income, Person of Moderate Income,  
4 and Person of Very Low Income. Amend RSA 204-C:56, IV and V to read as follows:

5 IV. "Person of low income" means any single individual or any family whose gross income is  
6 ~~[less than 50]~~ **greater than 50 percent and less than or equal to 60** percent of the median  
7 income of, respectively, all single persons or all families, adjusted for number of members, residing  
8 in the applicable geographical area of the state.

9 V. "Person of moderate income" means any single individual or any family whose gross  
10 income is ~~[between 50 and]~~ **greater than 60 percent and less than or equal to 80** percent of the  
11 median income of, respectively, all single persons or all families, adjusted for the number of  
12 members, residing in the applicable geographical area of the state.

13 **VI. "Person of very low income" means any single individual or any family whose**  
14 **gross income is less than or equal to 50 percent of the median income of, respectively, all**  
15 **single persons or all families, adjusted for the number of members, residing in the**  
16 **applicable geographical area of the state.**

17 81:4 Affordable Housing Fund. RSA 204-C:57, IV is repealed and reenacted to read as follows:

18 IV. The authority shall only provide financial assistance under this subdivision for projects  
19 that meet one of the following criteria:

20 (a) At least 50 percent of the units shall be affordable to persons of very low, low, or  
21 moderate income;

22 (b) At least 40 percent of the units shall be affordable to persons of very low or low  
23 income; or

24 (c) At least 20 percent of the units shall be affordable to persons of very low income.

81:5 Effective Date. This act shall take effect April 1, 2022.

Approved: June 18, 2021  
Effective Date: April 01, 2022