

HB 1055 - AS INTRODUCED

2022 SESSION

22-2039

05/10

HOUSE BILL

1055

AN ACT relative to the property tax exemption for individuals with disabilities and individuals who are deaf or severely hearing impaired.

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 and asset eligibility criteria for the property tax exemption for disabled persons and for deaf or severely hearing impaired persons.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 property tax exemption for individuals with disabilities and individuals who are deaf or severely hearing impaired.

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

1 1 Property Taxes; Exemption for the Disabled. Amend RSA 72:37-b, III to read as follows:

2 III. No exemption shall be allowed under paragraph I or I-a unless the person applying for
3 an exemption:

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

11 (1) Life insurance paid on the death of an insured.

12 (2) Expenses and costs incurred in the course of conducting a business enterprise.

13 (3) Proceeds from the sale of assets.

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

25 (c) Has [~~been a New Hampshire resident for at least 5 years~~] **resided in the state for**
26 **at least one year preceding April 1 of the year in which the exemption is claimed.**

27 2 Property Taxes; Exemption for Deaf or Severely Hearing Impaired Persons. Amend RSA
28 72:38-b, III to read as follows:

29 III. No exemption shall be allowed under paragraph I unless the person applying therefor:

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1 (a) Has resided in this state for at least [~~5 consecutive years~~] **one year** preceding April 1
2 in the year in which the exemption is claimed.

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

10 (1) Life insurance paid on the death of an insured.

11 (2) Expenses and costs incurred in the course of conducting a business enterprise.

12 (3) Proceeds from the sale of assets.

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

24 3 Procedure for Adoption. A city or town that adopted an exemption for the disabled under RSA
25 72:37-b or an exemption for deaf or severely hearing impaired persons RSA 72:38-b prior to January
26 1, 2023, may phase in the revised income eligibility and net asset amounts provided in sections 1 and
27 2 of this act over a 3-year period pursuant to the procedure for adoption in RSA 72:27-a.

28 4 Effective Date. This act shall take effect January 1, 2023.