

CHAPTER 39  
HB 237 - FINAL VERSION

2023 SESSION

23-0416  
05/10

HOUSE BILL

***237***

AN ACT           relative to the date of asset evaluation for purposes of determining eligibility for certain property tax exemptions.

SPONSORS:       Rep. Pauer, Hills. 36; Rep. Jonathan Smith, Carr. 5; Rep. Maggiore, Rock. 23; Rep. Stavis, Graf. 13

COMMITTEE:      Municipal and County Government

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ANALYSIS

This bill establishes an asset evaluation date for purposes of determining eligibility for the property tax exemption for the disabled, for the deaf or severely hearing impaired, and for the elderly.

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Explanation:     Matter added to current law appears in ***bold italics***.  
                      Matter removed from current law appears ~~[in brackets and struck through.]~~  
                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Three*

AN ACT                      relative to the date of asset evaluation for purposes of determining eligibility for certain property tax exemptions.

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

1            39:1 Property Taxes; Exemption for the Disabled. Amend RSA 72:37-b, III(b) to read as follows:

2                      (b) Owns, ***on December 31 in the calendar year preceding said April 1***, net assets not in  
3 excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of  
4 the person's actual residence and the land upon which it is located up to the greater of 2 acres or the  
5 minimum single family residential lot size specified in the local zoning ordinance. The amount determined  
6 by the city or town shall not be less than \$35,000 or, if married, combined net assets in such greater  
7 amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible  
8 and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit,  
9 and related structures such as an unattached garage or woodshed, which is the person's principal home,  
10 and which the person in good faith regards as home to the exclusion of any other places where the person  
11 may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used  
12 or intended for commercial or other nonresidential purposes.

13            39:2 Exemption for Deaf or Severely Hearing Impaired Persons. Amend RSA 72:38-b, III(c) to read  
14 as follows:

15                      (c) Owns, ***on December 31 in the calendar year preceding said April 1***, net assets not in  
16 excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of  
17 the person's actual residence and the land upon which it is located up to the greater of 2 acres or the  
18 minimum single family residential lot size specified in the local zoning ordinance. The amount determined  
19 by the city or town shall not be less than \$35,000 or, if married, combined net assets in such greater  
20 amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible  
21 and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit,  
22 and related structures such as an unattached garage or woodshed, which is the person's principal home,  
23 and which the person in good faith regards as home to the exclusion of any other places where the person  
24 may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used  
25 or intended for commercial or other nonresidential purposes.

26            39:3 Conditions for Elderly Exemption. Amend RSA 72:39-a, I(c) to read as follows:

27                      (c) Owns, ***on December 31 in the calendar year preceding said April 1***, net assets not in  
28 excess of the amount determined by the city or town for purposes of RSA 72:39-b, excluding the value of  
29 the person's actual residence and the land upon which it is located up to the greater of 2 acres or the  
30 minimum single family residential lot size specified in the local zoning ordinance. The amount determined  
31 by the city or town shall not be less than \$35,000. A city or town may set a combined net assets amount  
32 for married persons in such greater amount as the legislative body of the city or town may determine.

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1 "Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith  
2 encumbrances. "Residence" means the housing unit, and related structures such as an unattached  
3 garage or woodshed, which is the person's principal home, and which the person in good faith regards as  
4 home to the exclusion of any other places where the person may temporarily live. "Residence" shall  
5 exclude attached dwelling units and unattached structures used or intended for commercial or other  
6 nonresidential purposes.

7 39:4 Applicability; Required. Pursuant to RSA 72:27-a, IV:

8 I. RSA 72:37-b, III(b), as amended by section 1 of this act, shall not require local re-adoption by  
9 the municipality and shall apply beginning with the 2024 property tax year.

10 II. RSA 72:38-b, III(c), as amended by section 2 of this act, shall not require local re-adoption by  
11 the municipality and shall apply beginning with the 2024 property tax year.

12 III. RSA 72:39-a, I(c), as amended by section 3 of this act, shall not require local re-adoption by  
13 the municipality and shall apply beginning with the 2024 property tax year.

39:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 19, 2023  
Effective Date: July 18, 2023