

SB 243-FN - AS INTRODUCED

2019 SESSION

19-0924

10/03

SENATE BILL **243-FN**

AN ACT relative to the low and moderate income homeowners property tax relief program.

SPONSORS: Sen. Morgan, Dist 23; Sen. Rosenwald, Dist 13; Sen. Sherman, Dist 24; Sen. Levesque, Dist 12; Sen. Hennessey, Dist 5; Sen. Fuller Clark, Dist 21; Sen. Cavanaugh, Dist 16; Sen. Feltes, Dist 15

COMMITTEE: Ways and Means

ANALYSIS

This bill increases the income limitations for applications for the low and moderate income homeowners property tax relief program, and provides for adjustment of the limitations according to the Consumer Price Index.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

19-0924

10/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the low and moderate income homeowners property tax relief program.

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

1 Low and Moderate Income Homeowners Property Tax Relief; Statewide Education Property Tax; Income and Property Criteria. Amend RSA 198:57, III and IV to read as follows:

III. An eligible tax relief claimant is a person who:

(a) Owns a homestead or interest in a homestead subject to the education tax;

(b) Resided in such homestead on April 1 of the year for which the claim is made, except such persons as are on active duty in the United States armed forces or are temporarily away from such homestead but maintain the homestead as a primary domicile; and

(c) Realizes total household income of:

(1) ~~[\$20,000]~~ **\$40,000** or less if a single person;

(2) ~~[\$40,000]~~ **\$80,000** or less if a married person or head of a New Hampshire household.

III-a. The commissioner shall biennially adjust the total household income limitations in subparagraph III(c), rounding to the nearest \$1,000 based on the 2-year (24-month) percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor using the amount published for the month of January immediately preceding the start of the application period.

IV. All or a portion of an eligible tax relief claimant's state education property taxes, RSA 76:3, shall be rebated as follows:

(a) Multiply the total local assessed value of the claimant's property by the percentage of such property that qualifies as the claimant's homestead;

(b) Multiply ~~[\$100,000]~~ **\$170,000** by the most current local equalization ratio as determined by the department of revenue administration;

(c) Multiply the lesser of the amount determined in subparagraph (a) or (b) by the education tax rate as shown on the tax bill under RSA 76:11-a;

(d) Multiply the product of the calculation in subparagraph (c) by the following percentage as applicable to determine the amount of tax relief available to the claimant[=

~~(1)]. If [a single person and] total household income is:~~

~~[(A)] (1) Less than [\$12,500] 60 percent of the total household income under paragraphs III and III-a, 100 percent;~~

~~[(B) \$12,500 but less than \$15,000] (2) More than 60 percent but less than 75 percent of the total household income under paragraphs III and III-a, 60 percent;~~

~~[(C) \$15,000 but less than \$17,500] (3) More than 75 percent but less than 90 percent of the total household income under paragraphs III and III-a, 40 percent; or~~

~~[(D) \$17,500 but less than or equal to \$20,000] (4) 90 percent or more of the total household income under paragraphs III and III-a, 20 percent.~~

~~[(2) If a head of a New Hampshire household or a married person and total household income is:~~

~~(A) less than \$25,000], 100 percent;~~

~~(B) \$25,000 but less than \$30,00, 60 percent;~~

~~(C) \$30,000 but less than \$35,000, 40 percent; or~~

~~(D) \$35,000 but less than or equal to \$40,000, 20 percent.]~~

(e) The amount determined by subparagraph (d) is the allowable tax relief in any year.

2 Application. RSA 198:57 as amended by section 1 of this act shall apply to statewide education property taxes assessed on and after April 1, 2019.

3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
19-0924
1/22/19

SB 243-FN- FISCAL NOTE AS INTRODUCED

AN ACT relative to the low and moderate income homeowners property tax relief program.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

Estimated Increase / (Decrease)			

STATE:	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[] General [X] Education [] Highway [] Other			

METHODOLOGY:

This bill makes the following modifications to the Low and Moderate Income Homeowner Property Tax Relief program:

1. doubles the household income amounts for both single and married persons eligible for the program and approximately doubles the amount of tax relief to be paid;
2. increases the claimant's minimum homestead amount multiplied by the applicable local equalization ratio from \$100,000 to \$170,000; and
3. requires the Department of Revenue Administration to biennially adjust the total household income limitations, rounding to the nearest \$1,000 on the 2-year percent change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics.

The Department of Revenue Administration is unable to determine the impact this bill will have on state expenditures due to not possessing all the necessary information. The Department anticipates the increase in the income thresholds will result in more claimants seeking tax relief under this bill.

Therefore, an increase in rebates being paid from the education trust fund will occur by an indeterminable amount.

AGENCIES CONTACTED:

Department of Revenue Administration

HB 479-FN - AS INTRODUCED

2019 SESSION

19-0697
10/05

HOUSE BILL

479-FN

AN ACT relative to eligibility for the low and moderate income homeowners property tax relief.

SPONSORS: Rep. Fellows, Graf. 8; Rep. Gordon, Graf. 9; Rep. Ames, Ches. 9; Rep. Ellison, Merr. 27; Rep. Weston, Graf. 8

COMMITTEE: Municipal and County Government

ANALYSIS

This bill increases the income and property value criteria for claimants of the low and moderate income homeowners property tax relief against statewide education property taxes.

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 Nineteen

AN ACT relative to eligibility for the low and moderate income homeowners property tax relief.

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

1 1 Low and Moderate Income Homeowners Property Tax Relief; Statewide Education Property
2 Tax; Income and Property Criteria. Amend RSA 198:57, III and IV to read as follows:

3 III. An eligible tax relief claimant is a person who:

4 (a) Owns a homestead or interest in a homestead subject to the education tax;

5 (b) Resided in such homestead on April 1 of the year for which the claim is made, except
6 such persons as are on active duty in the United States armed forces or are temporarily away from
7 such homestead but maintain the homestead as a primary domicile; and

8 (c) Realizes total household income of:

9 (1) [~~\$20,000~~] **\$35,000** or less if a single person;

10 (2) [~~\$40,000~~] **\$45,000** or less if a married person or head of a New Hampshire
11 household.

12 IV. All or a portion of an eligible tax relief claimant's state education property taxes, RSA
13 76:3, shall be rebated as follows:

14 (a) Multiply the total local assessed value of the claimant's property by the percentage
15 of such property that qualifies as the claimant's homestead;

16 (b) Multiply [~~\$100,000~~] **\$170,000** by the most current local equalization ratio as
17 determined by the department of revenue administration;

18 (c) Multiply the lesser of the amount determined in subparagraph (a) or (b) by the
19 education tax rate as shown on the tax bill under RSA 76:11-a;

20 (d) Multiply the product of the calculation in subparagraph (c) by the following
21 percentage as applicable to determine the amount of tax relief available to the claimant:

22 (1) If a single person and total household income is:

23 (A) less than [~~\$12,500~~] **\$21,900**, 100 percent;

24 (B) [~~\$12,500~~] **\$21,900** but less than [~~\$15,000~~] **\$26,300**, 60 percent;

25 (C) [~~\$15,000~~] **\$26,300** but less than [~~\$17,500~~] **\$30,600**, 40 percent; or

26 (D) [~~\$17,500~~] **\$30,600** but less than or equal to [~~\$20,000~~] **\$35,000**, 20 percent.

27 (2) If a head of a New Hampshire household or a married person and total
28 household income is:

29 (A) less than [~~\$25,000~~] **\$28,100**, 100 percent;

30 (B) [~~\$25,000~~] **\$28,100** but less than [~~\$30,000~~] **\$33,800**, 60 percent;

HB 479-FN - AS INTRODUCED

- Page 2 -

1 (C) ~~[\$30,000]~~ **\$33,800** but less than ~~[\$35,000]~~ **\$39,400**, 40 percent; or

2 (D) ~~[\$35,000]~~ **\$39,400** but less than or equal to ~~[\$40,000]~~ **\$45,000**, 20 percent.

3 (e) The amount determined by subparagraph (d) is the allowable tax relief in any year.

4 2 Application. RSA 198:57 as amended by section 1 of this act shall apply to statewide
5 education property taxes assessed on and after April 1, 2019.

6 3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
19-0697
1/7/19

**HB 479-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to eligibility for the low and moderate income homeowners property tax relief.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input type="checkbox"/> General	<input checked="" type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill makes the following modifications to the Low and Moderate Income Homeowner Property Tax Relief program:

- 1) increases the household income amounts for both single and married persons eligible for the program;
- 2) increases the claimant's minimum homestead amount multiplied by the applicable local equalization ratio from \$100,000 to \$170,000; and
- 3) increases the single person and total household income amounts used to determine the percentage of the tax relief rebate to be made available to the claimant.

The Department of Revenue Administration is unable to determine the impact this bill will have on State expenditures due to not possessing all the necessary information. The Department anticipates the increase in the income thresholds will result in more claimants seeking tax relief under this bill. Therefore, an increase in rebates being paid from the education trust fund will occur by an indeterminable amount.

AGENCIES CONTACTED:

Department of Revenue Administration

HB 693-FN – AS INTRODUCED

2005 SESSION

05-0826

10/09

HOUSE BILL **693-FN**

AN ACT making the low and moderate income homeowners property tax relief program a tax cap and applicable to current year tax liability.

SPONSORS: Rep. Solomon, Graf 10

COMMITTEE: Ways and Means

ANALYSIS

This bill modifies the low and moderate income homeowners property tax relief program for statewide education taxes by allowing all eligible claimants full relief against current state education tax liability.

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.

05-0826

10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Five

AN ACT making the low and moderate income homeowners property tax relief program a tax cap and applicable to current year tax liability.

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

1 Findings and Purpose. The general court finds that the state of New Hampshire is unique in the nation in its dependency on property tax for exacting revenue from its citizenry. While this system minimizes wasteful bureaucracy, New Hampshire is also unique in that it does not provide a safety net for those of its citizens who are uniquely disadvantaged compared with residents of most other states. Other states, which do not depend exclusively on citizen property taxation, do recognize the need and provide for such a safety net. In view of New Hampshire's exclusive dependency on property taxation of its private citizenry, it is particularly inhumane that here this safety net is lacking. Despite economic fluctuations, property taxes historically have risen. However, the ability of citizens to pay these taxes has for many not increased but decreased, as in the case of retired persons. The result for many New Hampshire citizens is the ludicrous situation whereby they must pay thousands of dollars in property tax and interest and dividends tax to the state of New Hampshire, but have little or no federal tax liability because their taxable income is too low. In no other state is this allowed to occur. For these disadvantaged citizens it might be said that the state of New Hampshire deprives them of their rights to life, liberty and the pursuit of happiness. The general court therefore finds that an income based property tax cap, sorely needed in the state of New Hampshire, would be a public benefit. With negligible additional cost or bureaucracy, this would extend the "New Hampshire advantage" to citizens who are presently disadvantaged in New Hampshire.

2 Statewide Education Tax Relief; Procedure for Claims. RSA 198:57, IV is repealed and reenacted to read as follows:

IV. The entire amount of an eligible tax relief claimant's state education property taxes, RSA 76:3, shall be paid by the state. The commissioner of revenue administration shall notify local tax collectors of the taxpayer and property identity, tax relief amount, and any other necessary information related to the statewide education tax to be paid by the state in satisfaction of the claimant's tax liability under RSA 76:3. Payment by the state shall be noted on the claimant's tax bill.

3 Application Procedure; Payment. Amend RSA 198:57, VI to read as follows:

VI.(a) Complete applications for state tax relief shall be filed with the department of revenue administration between May 1 and June 30 following ~~[the due date of the final tax bill as defined in RSA 76:1-a for state education property taxes]~~ ***the first day of the applicant's property tax year.***

(b) The commissioner may accept late filed, but complete, applications filed on or before November 1, under the following circumstances:

(1) The claimant satisfies the commissioner that the claimant was prevented from timely filing the application due to accident, mistake or misfortune.

(2) The claimant or other adult member of the household requested an extension of time to file his or her federal income tax return.

(3) The claimant making a late filing shall be liable for full payment of the property tax due for the homestead and receive a refund of the tax relief as provided in RSA 198:61.

4 Payment of Tax Claims. Amend RSA 198:61 to read as follows:

198:61 ***Payment or Refund of Tax Claims.*** The department of revenue administration shall review a ***timely filed*** claim for tax relief filed with it and, if such claim is determined to be valid, shall certify such amount to the state treasurer within 120 days who shall pay such claims from funds in the education trust fund ***directly to the claimant's local tax collector.*** ***Payment of late filed claims shall be made as a refund to the claimant.*** Such sums are hereby appropriated and the governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the commissioner of the department of revenue administration shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the payment of valid claims. The department shall notify a claimant whose claim is rejected in whole or in part of such determination within 90 days of the department's receipt of the claim and all required documentation.

5 Effective Date. This act shall take effect July 1, 2005.

LBAO

05-0826

Revised 2/7/05

HB 693 FISCAL NOTE

AN ACT making the low and moderate income homeowners property tax relief program a tax cap and applicable to current year tax liability.

FISCAL IMPACT:

The Department of Revenue Administration indicates this bill will increase state education trust fund expenditures by \$4,720,000 in FY 2006. The Department did not estimate a fiscal impact for FY 2007 and beyond. There will be no fiscal impact to state, county and local revenue or county and local expenditures.

METHODOLOGY:

The Department made the following assumptions when estimating the fiscal impact for FY 2006:

- The median value of owner occupied housing is \$150,000.
- The applicable tax rate in FY 2006 is \$2.90
- The number of claimants in FY 2006 will equal the number in FY 2004, 27,861.
- The FY 2004 expense under the current statute for low and moderate income homeowners property tax relief, \$7,400,000, will remain constant through FY 2006.

Calculation:

Median Value - Owner Occupied Housing \$ 150,000

Tax Rate Per Thousand 2.90

Amount of Rebate per Claimant \$ 435

Number of Claimants 27,861

Total Rebate (rounded) \$12,120,000

Current Rebate 7,400,000

Increase in Expenditures \$ 4,720,000

2002

HB 294-FN - AS AMENDED BY THE HOUSE

2jan02...2051h

2001 SESSION

01-0214

09/10

HOUSE BILL **294-FN**

AN ACT excluding certain pension income from household income for purposes of determining low and moderate income homeowners property tax relief.

SPONSORS: Rep. Cox, Rock 24; Rep. Langley, Rock 24; Rep. Alger, Graf 9; Rep. Leone, Sull 2; Rep. Shultis, Rock 33; Sen. Cohen, Dist 24

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill excludes pension income up to \$14,000 in pension payments received in lieu of social security payments from household income for purposes of determining low and moderate income homeowners property tax relief.

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.

2jan02...2051h

01-0214

09/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand One

AN ACT excluding certain pension income from household income for purposes of determining low and moderate income homeowners property tax relief.

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

1 Definition; Household Income. Amend RSA 198:56, III to read as follows:

III. "Household income" means the sum of the adjusted gross income for federal income tax purposes of the claimant and any adult member of the claimant's household who resides in the homestead for which a claim is made, ***less up to \$14,000 in pension payments for each claimant or household member who was ineligible for social security and receives a pension in lieu of social security payments.*** "Household income" shall also include all income of any trust through which the claimant holds equitable title, or the beneficial interest for life, in the homestead.

2 Effective Date. This act shall take effect July 1, 2002 at 12:01 a.m..

LBAO

01-0214

Revised 8/23/01

HB 294 FISCAL NOTE

AN ACT excluding certain pension income from household income for purposes of determining education property tax hardship relief.

FISCAL IMPACT:

The Department of Revenue Administration indicates this bill will have an indeterminable fiscal impact on state restricted expenditures in FY 2002. There is no fiscal impact on state, county and local revenue or county and local expenditures.

METHODOLOGY:

The Department could not project the fiscal impact of this bill because the Department does not currently have a data set that differentiates pension types on an individual basis.