

HB 359-FN-A-LOCAL - AS INTRODUCED

2017 SESSION

17-0385

08/04

HOUSE BILL

359-FN-A-LOCAL

AN ACT

relative to returning a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located.

SPONSORS:

Rep. Chirichiello, Rock. 6; Rep. Baldasaro, Rock. 5; Rep. Beaudoin, Straf. 9; Rep. L. Ober, Hills. 37; Rep. Webb, Rock. 6; Rep. Bove, Rock. 5; Sen. Birdsell, Dist 19

COMMITTEE:

Ways and Means

ANALYSIS

This bill returns a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to returning a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located.

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

1 1 Recording Fees and Surcharge. Amend RSA 478:17-g, II(b) to read as follows:

2 (b) The collection of the assessment provided for by this section shall be administered by
3 the commissioner of the department of revenue administration, and all powers and duties available
4 to the commissioner to enforce and administer laws under RSA 21-J and RSA 78-B shall apply to
5 the administration and enforcement of this paragraph. The commissioner may adopt rules,
6 pursuant to RSA 541-A, relative to the administration of this paragraph. Each register of deeds
7 shall retain 4 percent of the total additional charges collected as payment for the service of
8 collecting the additional charges, which shall be deducted prior to remitting the revenue collected
9 ***and an additional 30 percent of the total additional charges collected which shall be used***
10 ***for conservation efforts within the collecting town or city.***

11 2 Effective Date. This act shall take effect July 1, 2017.

HB 359-FN-A-LOCAL- FISCAL NOTE
AS INTRODUCED

AN ACT relative to returning a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> LCHIP Trust Fund

LOCAL:

Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires the register of deeds to retain 30 percent of all LCHIP fees collected to be used for conservation efforts within the town or city in which the fee originated. Based on \$4,045,825 in fees collected in FY 2016, LCHIP funds remitted by the registers of deeds to the Department of Revenue Administration totaled \$3,883,992 pursuant to 478:17-g. Had the proposed legislation been in place during FY 2016, it would have resulted in \$1,213,748 (30 percent of \$4,045,825) being retained for conservation efforts within the collecting town or city. Without knowing the amount of fees that will be collected in future years, this bill would result in an indeterminable decrease to LCHIP funds and an indeterminable increase to local revenue and expenditures.

AGENCIES CONTACTED:

Land and Community Heritage Investment Program, Department of Revenue Administration, New Hampshire Municipal Association, and New Hampshire Association of Counties