July 14, 2021
2021-2070-EBA
11/08

Enrolled Bill Amendment to SB 102

The Committee on Enrolled Bills to which was referred SB 102

AN ACT adopting omnibus legislation on property taxation.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 102

This enrolled bill amendment makes technical changes to the bill to incorporate other legislation.

Enrolled Bill Amendment to SB 102

Amend Part I of the bill by replacing all after section 3 with the following:

4 Definition; Qualifying Structure. Amend RSA 79-E:2, II to read as follows:

II.(a) "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter.

(b) Qualifying structure shall also mean:

(1) Historic structures in a municipality whose preservation and reuse would conserve the embodied energy in existing building stock.

(2) A one or 2-family home or an attached multi-family home with not more than 4 units located in a residential property revitalization zone designated under RSA 79-E:4-b and which is at least 40 years old.

(c) Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals.

(d) Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

(e) In a city or town that has adopted the provisions of RSA 79-E:4-a, "qualifying structure" also means potentially impacted structures identified by the municipality within the coastal resilience incentive zone established under RSA 79-E:4-a.

(f) In a city or town that has adopted the provisions of RSA 79-E:4-c, "qualifying structure" also means a housing unit or units constructed in a housing opportunity zone established under RSA 79-E:4-c.

5 New Section; Community Revitalization Tax Relief Incentives; Housing Opportunity Zone. Amend RSA 79-E by inserting after section 4-b the following new section:

79-E:4-c Housing Opportunity Zone. A city or town may adopt the provisions of this section by vote of its legislative body, in accordance with the procedures described in RSA 79-E:3, to establish a housing opportunity zone. To be eligible for tax relief under this section, the qualifying structure and property shall be located within the housing opportunity zone established by the municipality. No less than one-third of the housing units constructed shall be designated for households with an income of 80 percent or less of the area median income as measured by the United States Department of Housing and Urban Development, or the housing units in a qualifying structure shall be designated for households with incomes as provided in RSA 204-C:57, IV. A qualifying structure under this section shall be eligible for tax assessment relief for a period of up to 10 years, beginning upon issuance of the certification of occupancy.

6 Nullification of Prior Legislation; Effective 2022. If this act becomes law, 2021, 81:1 and 81:2 shall not take effect and sections 4 and 5 of Part I of this act shall take effect April 1, 2022.

7 Effective Date.

I. Sections 4 and 5 of Part I of this act shall take effect as provided in section 6 of this act.

II. The remainder of Part I of this act shall take effect 60 days after its passage.