

Technical Information Release is designed to provide immediate information of changes in tax laws administered by the Department for the policy positions of the Department as a service to taxpayers and practitioners. A Technical Information Release represents the position of the Department on the limited issues discussed herein based on current law and Department interpretation. For the current status of any tax law, practitioners and taxpayers should consult the source documents (i.e., Revised Statutes Annotated, Rules, Case Law, Session Laws, etc.)

The purpose of this release is to provide information regarding the provisions of House Bill 1200-FN. Questions should be directed to the Hardship Relief Bureau, Taxpayer Assistance, at (603) 271-6000.

ELIGIBILITY FOR STATE EDUCATION PROPERTY TAX HARDSHIP RELIEF

On May 15, 2000, Governor Shaheen signed into law HB 1200-FN, relative to the application of education property tax hardship relief to estate planning trusts and relative to eligibility for hardship relief.

The bill makes the following changes to eligibility for hardship relief:

- Persons eligible for hardship relief must have resided in the homestead for a period of one year as of November 3, 1999.
- Persons possessing equitable title, or the beneficial interest for life in the homestead may qualify for hardship relief.
- The definition of "household income" has been modified to include all income of any trust through which a claimant holds equitable title or the beneficial interest for life, in the homestead.
- Claimants asserting ownership in a homestead through equitable title, or the beneficial interest for life, must submit to the department a copy of the document creating such interest and a copy of the federal tax return, if any, of the trust holding legal title to the homestead.
- The hardship relief application period has been reopened for those persons who qualify for relief as a result of the changes made by HB 1200-FN, only. Such claimants have until June 15, 2000, to submit additional information on a previously filed claim or to make an original claim.

New information or original applications should be submitted to:

NH DEPARTMENT OF REVENUE ADMINISTRATION, DOCUMENT PROCESSING DIVISION, PO BOX 299, CONCORD, NH 03302-0299.