

A 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 (ie., Revised Statutes Annotated, Rules, Case Law, Session Laws, etc.)

Questions specific to this Technical Information Release should be directed to the New Hampshire Department of Revenue Administration, Audit Division, 45 Chenell Drive, Concord, NH 03301 or (603) 271-2580.

LEGACY & SUCCESSION TAX

Filing of Inventory, Probate Court Form AOC 044-033 [8/97]

This is to advise all executors, administrators and practitioners who are responsible for the filing of estate inventories that the inventory needs to be filed ***by the executor, administrator or practitioner with both*** the Probate Court and the Department of Revenue Administration.

RSA 86:21 was amended, effective July 1, 1995, and now requires the executor, administrator or trustee filing the inventory [Probate Court Form AOC 044-033 8/97] to provide a copy to the Probate Court ***and*** the Department of Revenue Administration.

The filing of an inventory with the department within the 3 month period provided in the statute allows the department's Estate & Legacy Bureau to begin its preliminary review of information needed to examine the legacy & succession tax return when it is filed. In instances where the inventory is not filed timely with the department, the examination of the return can be significantly delayed while the bureau seeks to obtain a copy of the inventory and completes its work relating to the information contained on the inventory. The examination of the tax return cannot be completed until the work related to the inventory is finalized.

Please review RSA 86:21 so that you are fully informed of the requirements. Compliance with the provisions will enable the bureau to process the return in a timely fashion and assist you in eliminating delays for the Probate Court.