

State of New Hampshire Property Tax Assessments Statutes

Basis for Property Tax Assessments – Market Value

Property subject to taxation is assessed at its full and true value in money as determined by the amount the property would be valued at if it were offered in payment of a debt (RSA 75:1).

Real Property Defined

Property means and includes the land, the buildings, all improvements and structures thereon, all owned or leased, all easements, rights, and appurtenances belonging thereto, and all articles of personal property intended for use in connection therewith (RSA 479-A:1). The statutes give no standard or definitions for distinguishing real property from personal property; however, the following property is taxed as real estate: (1) structures, machinery, dynamos, apparatus, poles, wires, fixtures, and pipe lines employed in the generation, production, supply, distribution, transmission, or transportation of electric power or natural gas, crude petroleum, and refined petroleum products (RSA 72:8); (2) structures, poles, towers, and conduits used in the transmission of telecommunication, cable, or commercial mobile radio services (RSA 72:8-a); and (3) buildings, mills, wharves, ferries, toll-bridges, locks, and canals and aqueducts owned by private parties, any portion of the water of which is sold or rented for pay, are taxable as real estate (RSA 72:8-a).

Municipalities may exempt or partially exempt the following: (1) property equipped with qualified solar energy systems (RSA 72:62); (2) property equipped with a wind-powered energy system (RSA 72:65, RSA 72:66); and (3) wood heating energy systems (RSA 72:69, RSA 72:70)

Personal Property Defined

The following is considered personal property exempt from taxation as real estate: (1) ski area machinery and equipment, except tramway towers, that are used in the operation of a passenger tramway or in the production of man-made snow, that are not permanently affixed to the real estate and that are capable of being removed from the real estate (RSA 72:12-c); and (2) radio antennas, towers, and related or



supporting structures used exclusively in the operation of a qualified amateur communications station (RSA 72:7-c). According the Supreme Court of New Hampshire in Appeal of Town of Pelham (No. 96-561 5/11/99, citing N.E. Tel. & Tel. Co. v. City of Franklin (NH SCt 1996) 141NH 449, 453, 685 A2d 913, 916-917), CCH NEW HAMPSHIRE TAX REPORTS, ¶ 200-584, “whether an item of property is properly classified as personalty or a fixture turns on several factors, including: the item’s nature and use; the intent of the party making the annexation; the degree and extent to which the item is specially adapted to the realty; [and] the degree and extent of the item’s annexation to the realty. . . .”

Intangible Property Taxes

Exempt.