

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT establishing a universal charitable credit.

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

1 New Section; Universal Charitable Credit. Amend RSA 77 by inserting after
2 section G the following new section:

3 **77-H: Universal Charitable Credit.**

4 **1. Definitions.** – The following definitions shall apply in this chapter:

5 I. “Qualified charitable organization” means a charitable organization that is exempt
6 from federal income taxation under [section 501\(c\)\(3\) of the Internal Revenue Code](#),
7 incorporated in the State of New Hampshire, in good standing with the New Hampshire
8 Department of Revenue, and not under suspension per [section 501\(p\) of the Internal](#)
9 [Revenue Code](#), or revocation per the [Internal Revenue Bulletin](#) at the time of the
10 contribution.

11 **2. Universal Charitable Credit.**

12 I. For taxable years beginning on or after January 1, 2019, there shall be allowed as a
13 credit against the “net tax” as defined by RSA 77-A: Business Profits Tax and RSA
14 77-E: Business Enterprise Tax, an amount equal to the amount donated by the
15 taxpayer during the taxable year to a qualified charitable organization, subject to
16 paragraph II.

17 II. (a) A credit allowed under this section shall not exceed the lesser of one thousand
18 dollars (\$1,000) or the actual tax due, and shall not be carried over to the next tax year.

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1 (b) Taxpayers taking a credit authorized by this section for monetary contributions to a
2 qualified charitable organization shall provide the name of the qualified charitable
3 organization and the amount of the contribution to the Department of Revenue on
4 forms provided by the Department of Revenue.

5 (c) Taxpayers choosing to make voluntary cash contributions through an umbrella
6 charitable organization that collects donations on behalf of member charities shall
7 designate that the donations be directed only to member charitable organizations that
8 would qualify under this section on a stand-alone basis.

9 **3. Department of Revenue Administration; Requirements.**

10 I. The Department of Revenue shall compile and make available to the public a list of
11 qualified charitable organizations as defined by this section.

12 II. A deduction shall not be allowed under this part for amounts taken into account
13 under this section in calculating the credit allowed by this section.

14 2 New Paragraph; Business Profits Tax; Amend RSA 77-A:5 by inserting after
15 paragraph XV the following new paragraph:

16 ***XVI. The Universal Charitable Credit as compiled in RSA 77-H.***

17 3 New Paragraph; Business Enterprise Tax; Amend RSA 77-E:3 by inserting after
18 subparagraph d the following new subparagraph:

19 ***77-E:3-e Universal Charitable Credit. – The universal charitable credit as***
20 ***computed by RSA 77-H shall be allowed against the tax due under this chapter.***

21 4 Effective date: This law shall take effect immediately.