

## Income/Franchise:

### New Hampshire: Finalized Rules Implement Adoption of BPT and BET Market-Based Sourcing Rules

*Conditional Approval: Rev 300 various; Rev 2400 various*, N.H. Dept. of Rev. Admin. (2/12/21). The New Hampshire Department of Revenue Administration has finalized lengthy proposed rules implementing legislation enacted in 2019 [see H.B. 4 (2019) and *State Tax Matters*, Issue 2019-39, for more details on these law changes] that revises New Hampshire provisions for some taxpayers in determining when certain sales other than sales of tangible personal property (*i.e.*, sales of services and intangibles) are derived from sources within New Hampshire for apportionment purposes under the state business profits tax (BPT) and the state business enterprise tax (BET) by moving from a “costs of performance” sourcing method to a market-based sourcing method for taxable periods ending on or after December 31, 2021, and including a sales factor “throw out” rule. This final rulemaking proposal is scheduled for review by the New Hampshire Joint Legislative Committee on February 19, 2021. Please contact us with any questions.

**URL:** <https://www.revenue.nh.gov/laws/documents/ca-mbs-rev300-rev2400-various.pdf>

**URL:**  
[http://gencourt.state.nh.us/bill\\_status/bill\\_status.aspx?lsr=1124&sy=2019&txtsessionyear=2019&txbillnumber=hb4&sortoption=](http://gencourt.state.nh.us/bill_status/bill_status.aspx?lsr=1124&sy=2019&txtsessionyear=2019&txbillnumber=hb4&sortoption=)

**URL:** [http://newsletters.usdbriefs.com/2019/Tax/STM/191004\\_6.html](http://newsletters.usdbriefs.com/2019/Tax/STM/191004_6.html)

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