HOUSE DOCKET, NO. 2517 FILED ON: 1/17/2013

HOUSE . . . . . No. 2620

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act establishing a sales tax holiday in the Commonwealth for the year 2013.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Angelo L. D'Emilia	*8th Plymouth*
Keiko M. Orrall	*12th Bristol*
Leonard Mirra	*2nd Essex*
F. Jay Barrows	*1st Bristol*
Sheila C. Harrington	*1st Middlesex*
Paul K. Frost	*7th Worcester*
Randy Hunt	*5th Barnstable*
Todd M. Smola	*1st Hampden*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Donald H. Wong	*9th Essex*
Steven S. Howitt	*4th Bristol*

James J. Lyons, Jr.	*18th Essex*
Ryan C. Fattman	*18th Worcester*
Kevin J. Kuros	*8th Worcester*
Matthew A. Beaton	*11th Worcester*

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HOUSE . . . . . No. 2620

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2620) of Bradley H. Jones, Jr. and others for legislation to establish a sales tax holiday for the year 2013. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2535* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act establishing a sales tax holiday in the Commonwealth for the year 2013.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, for the days of August 10, 2013 and August 11, 2013, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.

SECTION 2. Notwithstanding any general or special law to the contrary, for the days of August 10, 2013 and August 11, 2013, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 10, 2013 and August 11, 2013. An excise erroneously or improperly collected during the days of August 10, 2013 and August 11, 2013, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.

SECTION 3. Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns

20 required by chapter 62C of the General Laws, shall remain in effect for sales for the days of
21 August 10, 2013 and August 11, 2013.

22 SECTION 4. On or before December 31, 2013, the commissioner of revenue shall certify
23 to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal
24 and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a
25 report with the joint committee on revenue and the house and senate committees on ways and
26 means detailing by fund the amounts under general and special laws governing the distribution of
27 revenues under chapter 64H of the General Laws which would have been deposited in each fund,
28 without this act.

29 SECTION 5. The commissioner of revenue shall issue instructions or forms or
30 promulgate rules or regulations, necessary for the implementation of this act.

31 SECTION 6. Eligible sales at retail of tangible personal property under sections 175 and
32 176 are restricted to those transactions occurring on August 10, 2013 and August 11, 2013.
33 Transfer of possession of or payment in full for the property shall occur on 1 of those days, and
34 prior sales or layaway sales shall be ineligible.