

SENATE No. 2298

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Wednesday, July 23, 2014

The committee on Ethics and Rules, to whom was referred the Senate Bill establishing a tax title collection revolving fund,- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2298).

For the committee,
Stanley C. Rosenberg

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In the Year Two Thousand Fourteen

An Act establishing a tax title collection revolving fund

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a tax title collection revolving funds in cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 Chapter 60 of the General Laws is hereby amended by inserting after section 15 the
2 following section:-

3 Section 15B. (a) Notwithstanding sections 53 and 55 of chapter 44, a city or town which
4 accepts this section may establish a tax title collection revolving fund for 1 or more of the
5 following officers: tax collector, treasurer and treasurer-collector. Such tax title collection
6 revolving fund shall be accounted for separately from all other monies in the city or town and to
7 which shall be credited any fees, charges and costs incurred by such officer under sections 15,
8 55, 62, 65, 68 or 79 and collected upon the redemption of tax titles and sales of real property
9 acquired through foreclosures of tax titles. Expenditures may be made from such revolving fund
10 without further appropriation, subject to this section; provided, however, that expenditures shall
11 not be made or liabilities incurred from this revolving fund in excess of the balance of the fund

12 nor in excess of the total authorized expenditures from this fund, nor shall any expenditures be
13 made unless approved in accordance with sections 52 and 56 of chapter 41.

14 (b) Interest earned on a tax title collection revolving fund balance shall be treated as
15 general fund revenue of the city or town. Expenditures from a tax title collection revolving fund
16 authorized for the tax collector, treasurer or treasurer-collector shall be spent to pay expenses
17 incurred by such officer under this chapter in connection with a tax taking or tax title foreclosure,
18 including, but not limited to, fees and costs of recording or filing documents and instruments,
19 searching and examining titles, mailing, publishing or advertising notices or documents,
20 petitioning the land court, serving court filings and documents and paying legal fees.

21 (c) A tax title collection revolving fund for the tax collector, treasurer or treasurer-
22 collector may be established under this section by by-law, ordinance or vote of the annual town
23 meeting in a town, upon recommendation of the board of selectmen, and by vote of the city
24 council in a city, upon recommendation of the mayor or city manager in Plan E cities and in any
25 other city or town by vote of the legislative body upon the recommendation of the chief
26 administrative or executive officer. Such authorization shall be made not later than the beginning
27 of the fiscal year in which fund shall begin.

28 (d) The officer having charge of such tax title collection revolving fund shall annually
29 report to the board of selectmen, the mayor of a city or city manager in a Plan E city or in any
30 other city or town to the chief administrative or executive officer, the total amount of receipts
31 and expenditures for the tax title collection revolving fund under its control for the prior fiscal
32 year, by the date the by-law, ordinance or vote prescribes, together with other information as
33 such by-law, ordinance or vote requires.

34 (e) Upon revocation of this section, or termination of any fund, the balance in the fund at
35 the end of that fiscal year shall revert to surplus revenue.

36 The director of accounts may issue guidelines further regulating a tax title collection
37 revolving fund established under this section.