

HOUSE No. 4250

The Commonwealth of Massachusetts

PRESENTED BY:

Kate D. Campanale

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 adoption of the accompanying bill:

An Act establishing a tax credit and personal income tax deduction for student loan assistance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kate D. Campanale</i>	<i>17th Worcester</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>

<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>

HOUSE No. 4250

By Ms. Campanale of Leicester, a petition (subject to Joint Rule 12) of Kate D. Campanale and others for legislation to establish tax credits and personal income tax deductions for student loan assistance. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act establishing a tax credit and personal income tax deduction for student loan assistance.

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

1 SECTION 1. Paragraph (a) of Part B of section 3 of chapter 62 of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by adding the following
3 subparagraph:-

4 (19) An amount equal to the amount of student loan payment assistance received by an
5 individual from their employer during the taxable year. For the purposes, of this subparagraph
6 “student loan payment assistance” shall mean the payment of principal or interest on a qualified
7 education loan, as defined in section 221 of the Code.

8 SECTION 2. Section 6 of said chapter 62, as so appearing, is hereby amended by adding
9 the following subsection:-

10 (t)(1) As used in this subsection, the following words shall, unless the context clearly
11 requires otherwise, have the following meanings:-

12 “Qualified education loan”, as defined in section 221 of the Code.

13 “Qualified employee”, with respect to a particular taxpayer, any individual who, under
14 the usual common-law rules applicable in determining the employer-employee relationship, has
15 the status of an employee of that taxpayer and who is domiciled in the commonwealth.

16 “Student loan payment assistance”, the payment of principal or interest on a qualified
17 education loan.

18 (2) Any business that provides student loan payment assistance to a qualified employee
19 or directly to the holder of the employee’s qualified education loan shall be allowed a credit
20 against the tax liability imposed by this chapter in an amount equal to 100 per cent of the student
21 loan assistance paid; provided however, that a credit under this section shall not exceed \$4,500
22 dollars per qualified employee in any tax year.

23 (3) Credits under this subsection shall be allowed for the taxable year in which the
24 student loan payment assistance is provided; provided, however, that in no taxable year may the
25 amount of the credit allowed exceed the total tax due of the taxpayer for the relevant taxable
26 year. A taxpayer allowed a credit pursuant to this subsection for a taxable year may carry over
27 and apply against such taxpayer’s tax liability in any of the succeeding 5 taxable years, the
28 portion, as reduced from year to year, of those credits which exceed the tax for the taxable year.

29 SECTION 3. Chapter 63 of the General Laws is hereby amended by inserting after
30 section 38FF the following section:-

31 Section 38GG. (a) As used in this section, the following words shall, unless the context
32 clearly requires otherwise, have the following meanings:-

33 “Qualified education loan”, as defined in section 221 of the Code.

34 “Qualified employee”, with respect to a particular taxpayer, any individual who, under
35 the usual common-law rules applicable in determining the employer-employee relationship, has
36 the status of an employee of that taxpayer and who is domiciled in the commonwealth.

37 “Student loan payment assistance”, the payment of principal or interest on a qualified
38 education loan.

39 (b) A business corporation who provides student loan payment assistance to a qualified
40 employee or directly to the holder of the employee’s qualified education loan shall be allowed a
41 credit against the tax liability imposed by this chapter in an amount equal to 100 per cent of the
42 student loan assistance paid; provided, however, that a credit under this section shall not exceed
43 \$4,500 dollars per qualified employee in any tax year.

44 (c) The credit allowed in this section for any taxable year shall not reduce the excise to
45 less than the amount due under subsection (b) of section 39, section 67 or any other applicable
46 section.

47 (d) Credits under this subsection shall be allowed for the taxable year in which the
48 student loan payment assistance is provided. A taxpayer allowed a credit under this subsection
49 for a taxable year may carry over and apply against such taxpayer’s tax liability in any of the
50 succeeding 5 taxable years, the portion, as reduced from year to year, of those credits which
51 exceed the tax for the taxable year.