

SENATE No. 1517

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

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 to promote housing creation for persons with disabilities.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-----------------------------|--|
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> |
| <i>Frank A. Moran</i> | <i>17th Essex</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> |
| <i>Timothy R. Madden</i> | <i>Barnstable, Dukes and Nantucket</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> |
| <i>Joan B. Lovely</i> | <i>Second Essex</i> |
| <i>Marcos A. Devers</i> | <i>16th Essex</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> |

SENATE No. 1517

By Mrs. L'Italien, a petition (accompanied by bill, Senate, No. 1517) of Barbara L'Italien, Frank A. Moran, Jason M. Lewis, Timothy R. Madden and other members of the General Court for legislation to promote housing creation for persons with disabilities. Revenue.

The Commonwealth of Massachusetts

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

An Act to promote housing creation for persons with disabilities.

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. Chapter 63 of the General Laws as appearing in the 2012 official edition is
2 hereby amended by inserting after section 38FF, the following section:-

3 Section 38GG. (a) A credit against taxes shall be allowed for donations to a fiduciary
4 organization for distribution to individual development accounts established under in line item
5 7004-9317 of chapter 139 of the acts of 2006. The credit shall equal the lesser of \$75,000 or 75
6 per cent of the donation amount.

7 (b) If a credit allowed under this section is claimed, the amount upon which the credit is
8 based that is allowed or allowable as a deduction from federal taxable income under section 170
9 of the Internal Revenue Code shall be added to federal taxable income in determining
10 Massachusetts taxable income. As used in this subsection, the amount upon which a credit is
11 based is the allowed credit divided by 75 per cent.

12 (c) The allowable tax credit that may be used in any 1 tax year shall not exceed the tax
13 liability of the taxpayer.

14 (d) Any tax credit otherwise allowable under this section that is not used by the taxpayer
15 in a particular year may be carried forward and offset against the taxpayer's tax liability for the
16 next succeeding tax year. Any tax credit remaining unused in the next succeeding tax year may
17 be carried forward and used in the second succeeding tax year. Any tax credit not used in the
18 second succeeding tax year may be carried forward and used in the third succeeding tax year, but
19 may not be carried forward for any tax year thereafter.

20 (e) Community based organizations that operate financial literacy and asset-specific
21 training for individual development account holders must include an option for individual
22 development account holders to receive such training in a manner appropriate to the learning
23 style of individuals with autism and other developmental disabilities.