

**SENATE . . . . . No. 229**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Anthony W. Petruccelli*

*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 relative to a restaurant and hotel community reinvestment program.

PETITION OF:

NAME:

*Anthony W. Petruccelli*

DISTRICT/ADDRESS:

*First Suffolk and Middlesex*

**SENATE . . . . . No. 229**

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By Mr. Petruccelli, a petition (accompanied by bill, Senate, No. 229) of Anthony W. Petruccelli for legislation relative to a restaurant and hotel community reinvestment program. Economic Development and Emerging Technologies.

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**The Commonwealth of Massachusetts**

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

An Act relative to a restaurant and hotel community reinvestment program.

*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 is hereby amended by adding after section  
2 38FF the following new section:

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

5           “Certified applicant”, a person, corporation, or other entity issued a certificate by the  
6 Department.

7           “Department”, the Massachusetts Office of Business Development.

8           “Director”, the Executive Director of the Massachusetts Office of Business Development.

9           “Incremental sales tax revenue increase”, the difference between the average sales tax  
10 collected by the certified applicant in the three years prior to the scheduled project completion

11 date described in the application submitted under this section, and the annual sales tax collected  
12 by the certified applicant following the completion of the project.

13 “Qualified applicant”, a person, corporation, or other entity which owns and operates a  
14 hotel or restaurant in the Commonwealth.

15 “Qualified hotel”, a hotel with a minimum renovation expenditure of two million dollars  
16 for costs incurred for repair, renovation, improvements and upgrades of guest rooms or suites  
17 and common areas provided that such investment shall have a minimum expenditure of ten  
18 thousand dollars per guest room or suite.

19 “Qualified restaurant”, a restaurant with a minimum expenditure of one hundred thousand  
20 dollars for costs incurred for repair, renovation, improvements and upgrades relating to dining  
21 areas, restrooms, kitchens and common areas, as well as exterior upgrades such as signage,  
22 façade and landscaping.

23 "Qualified renovation expenditure", actual costs incurred by a certified applicant for  
24 repair, renovation, improvements and upgrades relating to guest rooms or suites of a project or  
25 actual costs for repair renovation, improvements and upgrades relating to dining areas,  
26 restrooms, kitchens and common areas as well as exterior upgrades such as signage, façade and  
27 landscaping for a project defined in this section. All costs shall be verified by an independent  
28 third-party Certified Public Accountant licensed to do business in the Commonwealth of  
29 Massachusetts. Applicant shall pay all costs for the third-party verification. Approved project  
30 costs may not increase regardless of the actual costs incurred by the project.

31 “Incremental sales tax revenue increase”, the difference between the average annual sales  
32 tax collected by the certified applicant in the three years prior to the scheduled project

- 33 completion date described in the application submitted under this section, and the annual sales
- 34 tax collected by the certified applicant following the completion of the project.