

HOUSE No. 1480

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 promoting student loan repayment.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|-----------------------------------|------------------|
| <i>Kate D. Campanale</i> | <i>17th Worcester</i> | <i>1/11/2017</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> | <i>2/3/2017</i> |
| <i>Claire D. Cronin</i> | <i>11th Plymouth</i> | <i>1/17/2017</i> |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> | <i>2/3/2017</i> |
| <i>Peter J. Durant</i> | <i>6th Worcester</i> | <i>1/11/2017</i> |
| <i>Paul K. Frost</i> | <i>7th Worcester</i> | <i>1/12/2017</i> |
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> | <i>1/11/2017</i> |
| <i>Ryan C. Fattman</i> | <i>Worcester and Norfolk</i> | <i>1/20/2017</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> | |
| <i>Solomon Goldstein-Rose</i> | <i>3rd Hampshire</i> | |
| <i>Joseph W. McGonagle, Jr.</i> | <i>28th Middlesex</i> | <i>1/24/2017</i> |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> | |
| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> | |
| <i>James J. Dwyer</i> | <i>30th Middlesex</i> | |
| <i>Brian Murray</i> | <i>10th Worcester</i> | |
| <i>Gerard Cassidy</i> | <i>9th Plymouth</i> | |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> | |

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| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | |
| <i>Kevin J. Kuros</i> | <i>8th Worcester</i> | |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | |
| <i>Randy Hunt</i> | <i>5th Barnstable</i> | |
| <i>James M. Cantwell</i> | <i>4th Plymouth</i> | |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | |
| <i>Leonard Mirra</i> | <i>2nd Essex</i> | |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | |
| <i>William Driscoll</i> | <i>7th Norfolk</i> | |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | |
| <i>Diana DiZoglio</i> | <i>14th Essex</i> | |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | |
| <i>Adrian Madaro</i> | <i>1st Suffolk</i> | |
| <i>Todd M. Smola</i> | <i>1st Hampden</i> | |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | |
| <i>Donald H. Wong</i> | <i>9th Essex</i> | |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | |
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> | |
| <i>Nicholas A. Boldyga</i> | <i>3rd Hampden</i> | |
| <i>David M. Rogers</i> | <i>24th Middlesex</i> | |

HOUSE No. 1480

By Ms. Campanale of Leicester, a petition (accompanied by bill, House, No. 1480) of Kate D. Campanale and others relative to providing for certain student loan repayment income tax deductions. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act promoting student loan repayment.

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.