

HOUSE No. 3527

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega

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 reduce recidivism.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>1/20/2017</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>	<i>1/17/2018</i>
<i>Bud Williams</i>	<i>11th Hampden</i>	<i>1/17/2018</i>
<i>Juana B. Matias</i>	<i>16th Essex</i>	<i>1/17/2018</i>
<i>Gerard Cassidy</i>	<i>9th Plymouth</i>	<i>3/27/2017</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>3/22/2017</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>3/23/2017</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>3/22/2017</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>	<i>3/27/2017</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>3/24/2017</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>3/27/2017</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/22/2017</i>

HOUSE No. 3527

By Mr. Vega of Holyoke, a petition (accompanied by bill, House, No. 3527) of Aaron Vega and others for legislation to provide for employer tax credits for the employment of individuals formerly incarcerated. Revenue.

The Commonwealth of Massachusetts

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

An Act to reduce recidivism.

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. Section 6 of chapter 62 of the General Laws, as most recently amended by
2 section 72 of chapter 219 of the acts of 2016, is hereby amended by adding the following
3 subsection:-

4 (u)(1) As used in this subsection, the following words shall, unless the context clearly
5 requires otherwise, have the following meanings:-

6 “Eligible individual”, a person who has been released from county, state or federal
7 incarceration, including, but not limited to incarceration in the jail of house of correction of any
8 county in the commonwealth or the state prison, within 6 months of the date of hire.

9 “Existing employment opening”, an employment opening: (i) which existed prior to the
10 employment search process of the eligible individual and (ii) in which a business previously
11 employed an individual.

12 “New employment opening”, an employment opening which was created immediately
13 prior to the employment search process of the eligible individual.

14 (2) A business that employs an eligible individual in an existing employment opening for
15 10 or more months shall be allowed a credit against the tax liability imposed by this chapter in an
16 amount equal to \$1,500. A business that employs an eligible individual in a new employment
17 opening for 10 or more months shall be allowed a credit against the tax liability imposed by this
18 chapter in an amount equal to \$3,000.

19 (3) Credits under this subsection shall be allowed for the taxable year in which the
20 employment occurs; provided, however, that in no taxable year may the amount of the credit
21 allowed exceed the total tax due of the taxpayer for the relevant taxable year. A taxpayer allowed
22 a credit pursuant to this subsection for a taxable year may carry over and apply against such
23 taxpayer’s tax liability in any of the succeeding 5 taxable years, the portion, as reduced from year
24 to year, of those credits which exceed the tax for the taxable year.

25 SECTION 2. Chapter 63 of the General Laws is hereby amended by inserting after
26 section 38FF the following section:-

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

29 “Eligible individual”, a person who has been released from county, state or federal
30 incarceration, including, but not limited to incarceration in the jail of house of correction of any
31 county in the commonwealth or the state prison, within 6 months of the date of hire.

32 “Existing employment opening”, an employment opening: (i) which existed prior to the
33 employment search process of the eligible individual and (ii) in which a business previously
34 employed an individual.

35 “New employment opening”, an employment opening which was created immediately
36 prior to the employment search process of the eligible individual.

37 (b) A business that employs an eligible individual in an existing employment opening for
38 10 or more months shall be allowed a credit against the tax liability imposed by this chapter in an
39 amount equal to \$1,500. A business that employs an eligible individual in a new employment
40 opening for 10 or more months shall be allowed a credit against the tax liability imposed by this
41 chapter in an amount equal to \$3,000.

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

45 (d) Credits under this section shall be allowed for the taxable year in which the
46 employment occurs. A taxpayer allowed a credit pursuant to this section for a taxable year may
47 carry over and apply against such taxpayer’s tax liability in any of the succeeding 5 taxable
48 years, the portion, as reduced from year to year, of those credits which exceed the tax for the
49 taxable year.