

HOUSE No. 2881

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to title V tax credits..

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. Subsection (i) of Section 6 of Chapter 62, as appearing in the 2002
2 Massachusetts General Laws Official Edition, is hereby amended by striking out the first
3 paragraph and inserting in place thereof the following:—Any owner of residential property
4 located in the commonwealth who is not a dependent of another taxpayer and who occupies said
5 property as his principal residence, shall be allowed a credit equal to 40 percent of the
6 expenditures for design and construction expenses for the repair or replacement of a failed
7 cesspool or septic system pursuant to the provisions of Title V as promulgated by the department
8 of environmental protection in 1995. Said expenditures shall be the actual cost of the taxpayer or
9 \$15,000, whichever is less; provided, however, that said credit shall be available to eligible
10 taxpayers beginning in the tax year in which the repair or replacement of said cesspool or septic
11 system was completed; and provided, further, that said credit shall not exceed \$1,500 in any tax
12 year and any excess credit may be applied over the following seven subsequent tax years up to
13 the aggregate maximum of \$6,000. The amount of any such credit shall be reduced by an amount
14 equal to the total interest subsidy or grant received from the commonwealth, whether directly or

15 indirectly, toward the cost of said expenditures. The department shall promulgate such rules and
16 regulations as are necessary to administer the credit afforded by this subsection, including, but
17 not limited to, a notification system by the commonwealth to recipients of said interest subsidy
18 or grant of the amount of the total subsidy provided by the commonwealth.