

HOUSE No. 2904

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act requiring the review of tax expenditures..

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 six of Chapter fourteen of the Massachusetts General Laws is
2 hereby amended by adding a new subparagraph five as follows:—Section 6(5). Shall file with
3 the clerks of the Senate and the House of Representatives, on or before August 15th of each year,
4 a list of all tax expenditures which shall expire during that fiscal year in accordance with section
5 seven of chapter sixty-two, section thirty-one G of chapter sixty-three, and section six A of
6 chapter sixty-four H of the general laws and any other applicable provision of law. Each annual
7 filing shall include, for each expiring tax expenditure, the distribution of the benefit of the tax
8 expenditure among taxpayers by income and the amount of taxes paid, and in the case of
9 corporations, by industry type, and such other information available to the commissioner which
10 shall aid the legislature to review and consider whether said tax expenditures should be re-
11 enacted, modified or allowed to expire.

12 SECTION 2. The General Laws are hereby amended by adding the following as a new
13 section 7 of chapter 62:—Section 7. The statutory authority for those tax expenditures as defined
14 in section one of chapter 29 which are created by this chapter and were in effect on or before

15 June 30, 1992 shall expire on June 30, 2010. Notwithstanding any other provision of law, any tax
16 expenditure which is effective after June 30, 1992 shall expire not later than the last day of the
17 fiscal year following the third anniversary of its effective date.

18 SECTION 3. The General Laws are hereby amended by adding the following as a new
19 section 31G of chapter 63:—Section 31G. The tax expenditures as defined in section one of
20 chapter 29 which are created by this chapter and were in effect on or before June 30, 1992 shall
21 expire on June 30, 2010. Notwithstanding any other provision of the law, any tax expenditure
22 which is effective after June 30, 1992 shall expire not later than the last day of the fiscal year
23 following the third anniversary of its effective date.

24 SECTION 4. The General Laws are hereby amended by adding the following as a new
25 section 6A of chapter 64H:—Section 6A. The tax expenditures as defined in section one of
26 chapter 29 which are created by this chapter and were in effect on or before June 30, 1992 shall
27 expire on June 30, 2010. Notwithstanding any other provision of law, any tax expenditure which
28 is effective after June 30, 1992 shall expire not later than the last day of the fiscal year following
29 the third anniversary of its effective date.

30 SECTION 5. Section eighty-three of chapter sixty-two C is hereby amended by adding at
31 the end thereof the following:—(o) Each taxpayer required to report under this section shall
32 report the number of persons employed by the taxpayer on the first day of the taxable year
33 subject to the report and the number of persons employed by the taxpayer on the last day of the
34 taxable year subject to the report. For all such employees, the taxpayer shall specify the number
35 who are employed in Massachusetts on the first and last days of the taxable year subject to the
36 report.