

HOUSE No. 3612

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to encourage retirement savings..

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 2 of Chapter 62 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking out subparagraph D of paragraph (1) of
3 subsection (d).

4 SECTION 2. Chapter 62C of the General Laws, as appearing in the 2006 Official
5 Edition, is hereby amended by inserting after section 87 the following section:

6 Section 88. The Department of Revenue shall not assess an individual who is an
7 employee or owner-employee within the meaning of section four hundred and one (c) of the
8 Code and who excluded or deducted elective contributions to plans defined in section four
9 hundred one (k) within the limitations set out in section four hundred and two (g)(1) of the Code
10 for tax years prior to 2009.