

SENATE No. 1232

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act limiting proposition 2 1/2 override elections and allowing an underide in all communities.

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 21 C of Chapter 59 of the General Laws, as most recently
2 appearing in the 2000 Official Edition is hereby amended by deleting subsection (h) and
3 replacing it with the following subsection:-

4 (h) In a city or town, if a majority of the local appropriating authority, or the people
5 having collected a number of signatures of registered voters equal to 5% of a city or town's
6 registered voters shall so require, there shall be a question placed on the ballot at a biennial state
7 election as to whether said city or town should be required to assess taxes by a specified amount
8 below that amount allowed pursuant to this section. The question submitted to the voters shall be
9 worded as follows:

10 "Shall the (city/town) of _____ be required to reduce the amount of real estate and
11 personal property taxes to be assessed for the fiscal year beginning July first, two thousand and
12 _____ by an amount equal to \$_____".

13 YES NO

14 Said question shall be deemed approved if a majority of the persons voting thereon shall
15 vote "yes".

16 SECTION 2. Section 21C of Chapter 59 of the General Laws, as most recently appearing
17 in the 2000 Official Edition is hereby amended, by deleting subsection (i) and replacing it with
18 the following subsection:-

19 (i) With regard to the referenda procedures set out in this section the local appropriating
20 authority shall direct that the questions be placed only upon the official ballot at a biennial state
21 election. The local appropriating authority may direct that not more than three override questions
22 be placed upon the official ballots for use in the city or town at a biennial state election, by filing
23 with the state secretary not later than the first Wednesday of August preceding that election a
24 copy of its vote attested by the city or town clerk.

25 SECTION 3. Section 21C of Chapter 59 of the General Laws, as most recently appearing
26 in the 2000 Official Edition is hereby amended, by deleting subsection (g) and replacing it with
27 the following subsection:

28 (g) The local appropriating authority of any city or town which is subject to the
29 provisions of paragraph (f) may, by majority vote, seek voter approval to assess taxes in excess
30 of amount allowed pursuant to said paragraph (f) by a specified amount.

31 Any question submitted to the voters shall be placed on the biennial state ballot and
32 worded as follows:

33 "Shall the (city/town) of _____ be allowed to assess an additional \$_____ in real estate
34 and personal property taxes for the purposes of (state the purpose(s) for which the monies from

35 this assessment will be used) for the fiscal year beginning July first, nineteen hundred and
36 _____?

37 YES _____ NO _____"

38 Said question shall be deemed approved if a majority of the persons voting thereon shall
39 vote "yes".