

SENATE No. 1352

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to a small business gas tax credit..

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. Chapter 62 of the General Laws is hereby amended by inserting after
2 section 6 the following section:—

3 Section 6½. (a) As used in this section the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:—

5 “Department”, the department of revenue.“Small Business”, a sole proprietorship,
6 partnership, limited liability company, corporate trust, corporation or other business, including
7 its affiliates that is: (i) independently owned and operated, (ii) not dominant in the field of
8 operation in which it is bidding on government contracts, (iii) qualifies as a small business under
9 the criteria and size standards of the Small Business Administration regulations and (iv) is under
10 500 employees in the manufacturing and mining industries or under100 employees for all
11 wholesale trade industries or does under \$6 million of business annually for retail and service
12 industries or does under \$28.5 million of business annually for general & heavy construction
13 industries or does under \$12 million of business annually for all special trade contractors and
14 under \$0.75 million of business for agricultural industries “Creditable amount”, the monetary

15 amount actually paid by a small business to provide gasoline or diesel for vehicles either owned
16 by company or driven by employees in the normal course of business.

17 (b) There is hereby established a credit against the tax liability imposed by this chapter
18 for small businesses to be known as the “Small Business Tax Credit”.

19 (c) The amount of the “Small Business Tax Credit” shall be up to 15 per cent of the
20 creditable amount purchased in the taxable year.

21 (d) The commissioner shall promulgate rules and regulations relative to the
22 administration and enforcement of this section.