

SENATE No. 1363

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to increase research and development in emerging industries..

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 38M of chapter 63 is hereby amended by adding at the end thereof
2 by inserting the following new paragraph: -

3 (4) Any corporation entitled to a credit under this section, may, assign, in whole or in
4 part, any portion of the credit that exceeds the it’s tax liability in a given year. The
5 commissioner of revenue shall certify the amount, if any, a corporation is entitled to assign by
6 January 30 each year for the preceding taxable year. The assignment shall be made for due
7 consideration not less than seventy-five per cent of the actual value of the assigned tax credit.

8 Any corporation who is the beneficiary of such assignment must apply said credit in the taxable
9 year commencing immediately after the year in which the credit is earned. Said credit may not
10 be carried over to subsequent tax years.

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