

SENATE No. 1387

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to commercial property tax exemption..

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 59 of the General Laws, as appearing in the 2004 Official Edition,
2 is hereby amended by adding the following section: -

3 Section 5M. With respect to each parcel of real property classified as Class Three,
4 commercial, or Class Four, industrial, in each city or town certified by the commissioner to be
5 assessing all property at its full and fair cash valuation, and at the option of the board of
6 selectmen or mayor, with the approval of the city council, as the case may be, there shall be an
7 exemption equal to not more than \$1,000,000 of assessed value of all Class Three, commercial,
8 and Class Four, industrial, parcels within such city or town. This exemption shall be in addition
9 to any exemptions allowable under section 5; provided, however, that in no instance shall the
10 taxable valuation of such property after all applicable exemptions be reduced below 70 per cent
11 of its full and fair cash valuation.

12 Where, under the provisions of section 5, the exemption is based upon an amount of tax
13 rather than on valuation, the reduction of taxable valuation for purposes of the preceding
14 sentence shall be computed by dividing the said amount of tax by the commercial and industrial

15 class tax rate of the city or town and multiplying the result by \$1,000. For purposes of this
16 paragraph, "parcel" shall mean a unit of real property as defined by the assessors in accordance
17 with the deed for such property and shall include a condominium unit.

18 The value of exemptions granted under this section shall be borne by the combined value
19 of class three commercial property and class four industrial property.

20 In those cities and towns in which an exemption is made available hereunder, a taxpayer
21 aggrieved by the failure to receive such exemption may apply for such exemption to the
22 assessors, in writing, on a form approved by the commissioner within 3 months after the date on
23 which the bill or notice of assessment was sent.

24 A timely application filed hereunder shall, for the purposes of this chapter, be treated as a
25 timely filed application pursuant to section 59.”