

HOUSE No. 1698

The Commonwealth of Massachusetts

PRESENTED BY:

Robert M. Koczera

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the historical rehabilitation tax credit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Robert M. Koczera</i>	<i>11th Bristol</i>	<i>1/19/2011</i>
<i>Stephen R. Canessa</i>	<i>12th Bristol</i>	<i>2/3/2011</i>
<i>Jennifer L. Flanagan</i>		<i>2/3/2011</i>
<i>Bruce E. Tarr</i>		<i>2/4/2011</i>
<i>David B. Sullivan</i>	<i>6th Bristol</i>	<i>2/4/2011</i>
<i>John D. Keenan</i>	<i>7th Essex</i>	<i>1/28/2011</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>	<i>1/31/2011</i>

HOUSE No. 1698

By Mr. Koczera of New Bedford, a petition (accompanied by bill, House, No. 1698) of Robert M. Koczera and others for legislation to establish a historical rehabilitation tax credit. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2800 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act amending the historical rehabilitation 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. Subsection (a) of section 6J of Chapter 62 the General Laws, as appearing
2 in the 2006 Official Edition, is hereby amended by inserting after the definition of “Certified
3 rehabilitation” the following definition:-

4 “Gateway municipality”, any city or town that according to the United States census has:
5 i) a population greater than 35,000 persons; ii) a median household income below the state
6 average; iii) a per capita income below the state’s average; and iv) an educational attainment rate
7 of a city or town below the state’s average with a minimum attainment of a bachelor’s degree or
8 higher.

SECTION 2. Paragraph (1) of subsection (b) of said section 6J of chapter 62 of the General Laws, as so appearing, is hereby amended by striking subparagraph (i) and inserting in place thereof following subparagraph:

The commissioner, in consultation with the Massachusetts historical commission, shall authorize annually, January 1, 2010 under this section together with section 38R of chapter 63, an amount not to exceed \$100,000,000. Said amount shall increase to an amount not to exceed \$150,000,000 calendar year 2011; an amount not to exceed \$200,000,000 in calendar year 2012; and continue indefinitely at an amount not to exceed \$200,000,000. The Massachusetts historical commission shall determine the criteria for eligibility for the credit, the criteria to be set forth in regulations promulgated under this section; but, at least 25 per cent of the tax credits shall be allowed to projects that contain affordable housing whenever possible and consistent with the criteria. Further, at least 50 per cent of the tax credits shall be allowed to projects in gateway municipalities.

SECTION 3. Subsection (a) of section 38R of Chapter 63 the General Laws, as so appearing, is hereby amended by inserting after the definition of "Certified rehabilitation" the following definition:-

"Gateway municipality", any city or town that according to the United States census has:
i) a population greater than 35,000 persons; ii) a median household income below the state average; iii) a per capita income below the state's average; and iv) an educational attainment rate of a city or town below the state's average with a minimum attainment of a bachelor's degree or higher.

SECTION 4. Paragraph (1) of subsection (b) of Section 38R of chapter 63 of the General Laws, as so appearing, is hereby amended by striking subparagraph (i) and inserting the following subparagraph:

The commissioner, in consultation with the Massachusetts historical commission, shall authorize annually, beginning January 1, 2010 under this section together with section 6J of chapter 62, an amount not to exceed \$100,000,000. Said amount shall increase to an amount not to exceed \$150,000,000 in calendar year 2011 and an amount not to exceed \$200,000,000 in calendar year 2012; and continue indefinitely at an amount not to exceed \$200,000,000. The Massachusetts historical commission shall determine the criteria for eligibility for the credit, the criteria to be set forth in regulations promulgated under this section; but, at least 25 per cent of the tax credits shall be allowed to projects that contain affordable housing whenever possible and consistent with the criteria. Further, at least 50 per cent of the tax credits shall be allowed to projects in gateway municipalities.

SECTION 5. This act shall take effect on January 1, 2010.