SENATE DOCKET, NO. 71 FILED ON: 1/14/2011

SENATE . . . . . No. 1443

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 to freeze the property taxes for certain seniors..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	

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SENATE . . . . . No. 1443

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1443) of James B. Eldridge for legislation to freeze the property taxes for certain seniors. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1264* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to freeze the property taxes for certain seniors..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 59 of the General Laws, is hereby amended by inserting after section 5J the following section:

Section 5K. In any city or town which accepts the provisions of this section, the real property of a person who has reached his sixty-fifth birthday prior to the current taxable year, or if a person owns the same jointly with his spouse, either of whom has reached his sixty-fifth birthday prior to the current taxable year, said person shall have the option to be taxed at the same amount as he was taxed in the fiscal year immediately prior to reaching his sixty-fifth birthday and for subsequent year thereafter, provided that the dwelling on said property is occupied by said person as his domicile and provided further that such person or persons had gross receipts from all sources of less than $40,000 in current taxable year.

In computing the gross receipts of a person under this section ordinary business expenses and losses may be deducted, but not personal or family expenses and losses may be deducted, but not personal or family expenses, and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government of any city, town, county or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse both of whom are sixty-five years of age or older. Any person who elects to be taxed under the provisions of this section shall not be eligible for any abatement or deferral of taxes under the provisions of clause Forty-first, Forty-first A, Forty-first B or Forty-first C of section Five.