

HOUSE No. 2630

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

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 relative to the tax expenditure budget.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|------------------------|------------------|
| <i>Jay R. Kaufman</i> | <i>15th Middlesex</i> | <i>1/14/2013</i> |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> | <i>2/1/2013</i> |
| <i>Denise Andrews</i> | <i>2nd Franklin</i> | <i>1/31/2013</i> |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Ruth B. Balser</i> | <i>12th Middlesex</i> | |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | |
| <i>Michael J. Barrett</i> | <i>Third Middlesex</i> | |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | |
| <i>Angelo M. Scaccia</i> | <i>14th Suffolk</i> | |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i> | |

HOUSE No. 2630

By Mr. Kaufman of Lexington, a petition (accompanied by bill, House, No. 2630) of Jay R. Kaufman and others relative to further defining "tax expenditures" and providing for an investigation by a special commission (including members of the General Court) relative to said tax expenditures. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2540 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the tax expenditure budget.

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: The tax expenditure commission, established in chapter 68 of the acts of
2 2011, shall meet on or before June 30, 2017.

3 SECTION 2: Chapter 62 of the General Laws is hereby amended by inserting a new
4 section after Section 64 with the following:

5 (a) Tax expenditures, as defined by Section 1 of Chapter 29 of the General Laws,
6 created by this chapter on or after January 1, 2011, shall include the following criteria upon
7 passage:

8 (1) Stated public policy objective for said tax expenditure including, but not limited
9 to, the intended impact of the expenditure with estimates of both the cost and benefit to the
10 Commonwealth

11 (2) Metrics the tax expenditure shall meet by the date referenced in paragraph (3) of
12 this section

13 (3) Date by which the legislature shall review the tax expenditure to determine its
14 effectiveness and its cost and benefit to the Commonwealth

(4) An evaluation that considers whether or not a sunset or clawback provision should be applied

(b) Any future expenditure must be matched by the repeal of one or more existing expenditures under Chapter 62 that constitutes a cost to the Commonwealth as determined by the annual tax expenditure estimates required by Section 5B of Chapter 29 of the General Laws that is equal to or exceeds the newly created tax expenditure. For any unmatched elimination or reduction of expenditure under Chapter 62, the legislature shall consider a corresponding reduction in the rate, as defined by subsection (b) of Section 4 of Chapter 62.

SECTION 3: Chapter 63 of the General Laws is hereby amended by inserting a new section after Section 81 with the following:

(a) Tax expenditures, as defined by Section 1 of Chapter 29 of the General Laws, created by this chapter on or after January 1, 2011, shall include the following criteria upon passage:

(1) Stated public policy objective for said tax expenditure including, but not limited to, the intended impact of the expenditure with estimates of both the cost and benefit to the Commonwealth

(2) Metrics the tax expenditure shall meet by the date referenced in paragraph (3) of this section

(3) Date by which the legislature shall review the tax expenditure to determine its effectiveness and its cost and benefit to the Commonwealth

(4) An evaluation that considers whether or not a sunset or clawback provision should be applied

(b) Any future expenditure must be matched by the repeal of one or more existing expenditures under Chapter 63 that constitutes a cost to the Commonwealth as determined by the annual tax expenditure estimates required by Section 5B of Chapter 29 of the General Laws that is equal to or exceeds the newly created tax expenditure. For any unmatched elimination or reduction of an expenditure under Chapter 63, the legislature shall consider a corresponding reduction in the rate, as defined by subsection (b) of Section 2 of Chapter 63.

SECTION 4: Chapter 64H of the General Laws is hereby amended by inserting a new section after Section 33 with the following:

(a) Tax expenditures, as defined by Section 1 of Chapter 29 of the General Laws, created by this chapter on or after January 1, 2011, shall include the following criteria upon passage:

47 (1) Stated public policy objective for said tax expenditure including, but not limited
48 to, the intended impact of the expenditure with estimates of both the cost and benefit to the
49 Commonwealth

50 (2) Metrics the tax expenditure shall meet by the date referenced in paragraph (3) of
51 this section

52 (3) Date by which the legislature shall review the tax expenditure to determine its
53 effectiveness and its cost and benefit to the Commonwealth

54 (4) An evaluation that considers whether or not a sunset or clawback provision should
55 be applied

56 (b) Any future expenditure must be matched by the repeal of one or more existing
57 expenditures under Chapter 64H that constitutes a cost to the Commonwealth as determined by
58 the annual tax expenditure estimates required by Section 5B of Chapter 29 of the General Laws
59 that is equal to or exceeds the newly created tax expenditure. For any unmatched elimination or
60 reduction of an expenditure under Chapter 64H, the legislature shall consider a corresponding
61 reduction in the rate, as defined by Section 2 of Chapter 64H.

62 SECTION 5: Subsection (b)(4) of Section 14C of Chapter 7 of the General Laws is
63 hereby amended by adding the following “(v) information required by Section 5B of Chapter 29
64 of the General Laws;”

65 SECTION 6: The sections of this bill shall take effect on January 1, 2014.