

**HOUSE . . . . . No. 2696**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Alice Hanlon Peisch*

*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 continue tax basis rules for property acquired from decedents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/17/2013</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	

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By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 2696) of Alice Hanlon Peisch and Paul A. Schmid, III for legislation to continue the tax basis rules for property acquired from decedents. Revenue.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3915 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act to continue tax basis rules for property acquired from decedents.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the continuation of the pre-2010 Massachusetts rules governing the basis of property acquired from decedents, irrespective of the change in such rules applicable to the United States income tax for 2010 and thereafter, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           Subclause (C) of paragraph (2) of subsection (b) of section 6F of chapter 62 of the  
2 General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the  
3 following sentence:-

4           In the case of a decedent dying after December 31, 2009 and before January 1, 2011, for  
5 property acquired from said decedent within the meaning of section one thousand and fourteen  
6 (b) of the Code, the initial basis of such property shall be determined under section one thousand  
7 and fourteen of the Code, without reference to sections one thousand fourteen (d) and (f) of the  
8 Code; except that in the case of an election by the executor pursuant to § 301(c) of the Tax  
9 Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312),  
10 the initial basis of property acquired from said decedent shall be determined under section one  
11 thousand and twenty two of the Code as amended and in effect on January 1, 2005.