

**SENATE . . . . . No. 1304**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael J. Barrett***

*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 providing for local property tax relief.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>

**SENATE . . . . . No. 1304**

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By Mr. Barrett, a petition (accompanied by bill, Senate, No. 1304) of Michael Barrett, Kenneth I. Gordon and Paul McMurtry for legislation to create a local option municipal income tax to provide property tax relief. Revenue.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3375 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act providing for local property tax relief.

*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. (a) Notwithstanding the provisions of chapter 59 of the general laws, or any  
2 other general law or special act to the contrary, the legislative body of a municipality may vote to  
3 accept the provisions of this act to replace a portion of its residential real estate property tax by a  
4 local income tax to be collected as a surcharge on the taxable personal income of residents of the  
5 municipality. The adoption of a local option income tax and the amount of said surcharge shall  
6 be voted by the legislative body of the city or town and approved at a municipal election by a  
7 majority of those voting at the polls.

8           (b) The controls and limits on the property tax levy as established in chapter 59 of the  
9 General Laws and the method of real estate property tax assessment as set forth in said chapter  
10 shall not be changed as a consequence of local adoption of this option. The amount of income  
11 tax received, as provided by this act, shall be used solely to reduce the residential property tax  
12 levy and shall permanently adjust the residential property tax levy limit by an equivalent amount.

13           (c) The local income tax shall be collected by the department of revenue as a surcharge  
14 on the taxable personal income of residents residing within the municipality. The department of  
15 revenue shall provide space on the personal state income tax return for the surcharge to be  
16 calculated and added to the total tax to be paid. The department of revenue shall return the

17 revenues collected from the surcharge to the appropriate municipality within the quarter  
18 immediately following the calendar quarter of collection.

19 (d) The amount collected from said surcharge on residents of a municipality shall be used  
20 solely to reduce the residential property tax levy in said municipality. All other categories of real  
21 estate shall continue to pay the property tax as levied under existing law.

22 (e) If the implementation of such tax results in a surplus, such surplus shall reduce the  
23 residential property tax levy for the succeeding fiscal year. If the implementation of such tax  
24 results in a calculated shortfall, the amount of the shortfall shall be added to the residential  
25 property tax levy for the succeeding fiscal year.

26 (f) The legislative body of the municipality may also vote to accept the following  
27 exemption from the surcharge: residents of the municipality who qualify for low-income housing  
28 or low or moderate income senior housing under state standards.

29 SECTION 2. This act shall take effect in any city or town upon the approval of the  
30 legislative body, followed by acceptance by the voters at a municipal election pursuant to section  
31 4 of chapter 4 of the general laws.