SENATE DOCKET, NO. 908 FILED ON: 1/17/2013

SENATE . . . . . No. 1323

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 relief of mortgage debt.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sal N. DiDomenico	*Middlesex and Suffolk*
Christopher G. Fallon	*33rd Middlesex*
Daniel A. Wolf	*Cape and Islands*
John P. Fresolo	*16th Worcester*
Denise Andrews	*2nd Franklin*
Michael D. Brady	*9th Plymouth*
Benjamin Swan	*11th Hampden*
Michael O. Moore	*Second Worcester*

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By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1323) of Sal N. DiDomenico, Christopher G. Fallon, Daniel A. Wolf, John P. Fresolo and other members of the General Court for legislation relative to the relief of mortgage debt. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the relief of mortgage debt.

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

Paragraph (a) of part B of section 3 of chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby further amended by adding the following subparagraph:-

(17) Income attributable to the discharge of debt on a principal residence including debt reduced through mortgage restructuring, as well as mortgage debt forgiven in connection with a foreclosure, shall qualify for tax relief provided that no more than $1,000,000 of forgiven debt is eligible for this exclusion, except if married filing jointly, up to $2,000,000 may be excluded. The exclusion shall not apply if the discharge is due to services performed for the lender or any other reason not directly related to a decline in the home's value or the taxpayer's financial condition. The commissioner of the department of revenue shall promulgate regulations to effectuate this provision.