

SENATE No. 1390

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

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 property tax relief for retired persons.

PETITION OF:

NAME:

Richard T. Moore

DISTRICT/ADDRESS:

Worcester and Norfolk

SENATE No. 1390

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 1390) of Richard T. Moore for legislation relative to property tax relief for retired persons. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to property tax relief for retired persons.

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. Chapter 59 of the General Laws, as appearing in the 2010 Official Edition,
2 is hereby amended by inserting after section 5M, the following new section: -

3 Section 5N. (a) For purposes of this section, the following words shall have the following
4 meaning, unless context clearly requires otherwise:

5 “Base tax,” means the property tax due on qualified principal residence at the time a city
6 or town accepts this section. If the qualified person did not qualify or did not own an eligible
7 residence when this section was adopted, “base tax” means the maximum property tax due on the
8 qualified residence for the year in which the person became a qualified person under this section.
9 If a qualified person reapplies after acquiring a new residence or after a period of ineligibility,
10 the base tax shall be recalculated for the year of reapplication and reestablishment of eligibility;

11 “Improvement,” means any change to a dwelling or dwelling lot that would properly
12 warrant a change by the assessor in the assessed value of the property for the year or portion of
13 the year in which the improvement is made;

14 “Qualified person,” means an elderly or disabled individual who receives: (1) old-age,
15 survivors, and disability insurance benefits under 42 USC chapter 7, section 402; (2) pension
16 disbursements or any benefits from the retirement system under sections 5, 6, 7 or 26 of chapter
17 32; or (3) any other form of fixed income that does not exceed the weighted average of the
18 median household income for the sixty-five years of age to seventy-four years of age group, as
19 reported by the department of revenue. Said person shall not receive any supplemental income
20 from any source, notwithstanding public relief or transitional assistance of any kind.

21 “Qualified principal residence” means a principal residence, as defined in section 1 of
22 chapter 188, in which a fifty-one (51) percent or greater interest is vested in one or more
23 qualified persons.

24 (b) Notwithstanding any law to the contrary under this chapter, upon acceptance of this
25 section by a city or town, the property taxes due on the residential property used as the principal
26 residence shall be the lesser of: (1) the actual tax due; or (2) the base tax.

27 (c) The base tax shall be adjusted to reflect any percentage increase in the value of the
28 property determined by the assessor to be attributed to improvements made or discovered after
29 the time the base tax was established.