SENATE DOCKET, NO. 215 FILED ON: 1/14/2013

SENATE . . . . . No. 1418

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 promote reusable energy use in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	*Second Middlesex and Norfolk*

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SENATE . . . . . No. 1418

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1418) of Karen E. Spilka for legislation to promote reusable energy use in the Commonwealth. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to promote reusable energy use in the Commonwealth.

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

SECTION 1. Chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after Section 6N the following new section:-

Section 6O. (a) An owner of residential property located in commonwealth shall be allowed a one-time credit against tax imposed by Chapter 62 of the General Laws for all energy efficient items purchased on or after September 1, 2012, but not later than March 31, 2014, for installation in said property. The credit allowed for such purchases for installation in any 1 residential building shall equal 50 per cent of the cost; provided further, that said credit shall not exceed $1000 for residential dwelling or $1,500 for a multi-unit dwelling. Joint owners of a residential property shall share any credit available to the property under this section in the same proportion as their ownership interest.

(b) The credit allowed under this section may be taken in taxable years between 2012 and 2014, regardless of the exact date on which any qualifying purchases were made. The amount of credit that exceeds the total tax due for the taxable year in which the credit is taken may be carried over, as reduced, and applied against the tax liability for the next taxable year; in no taxable year shall the amount of the credit allowed exceed the total tax due of the taxpayer for the relevant taxable year.

(c) The commissioner of revenue shall promulgate such rules and regulations as may be necessary for the implementation of this section. The commissioner shall also include in such rules and regulations eligibility provisions for a taxpayer who owns a condominium or a cooperative dwelling and for whom such purchases are accounted for in a common area fee or special assessment against such costs as may be reasonably attributed to the proportionate

ownership share of the condominium or cooperative dwelling costs. The department shall file a copy of any rules and regulations with the clerks of the senate and house of representatives and with the joint committee on revenue.

(d) As used in this section, the following words shall have the following meanings:

"Energy efficient heating items", shall include, but not be limited to, home insulation, new window installation, advanced programmable thermostats, fuel efficient furnaces, boilers, alternative fuel heating systems, solar domestic hot water systems, materials for insulation or sealing of a duct, attic, basement, rim joint or wall and pipe insulation for heating systems.

"Net expenditure", the total of the purchase price for all energy efficient items, plus installation cost, less any credits received pursuant to the Internal Revenue Code, any grants or rebates received from the United States department of housing and urban development, and any rebates or discounts received from an electric utility or gas utility.