

**HOUSE . . . . . No. 2612**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Peter V. Kocot***

*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 fire sprinkler installation incentives.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>1/19/2017</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/24/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/26/2017</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/3/2017</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/31/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2017</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/24/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/24/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/3/2017</i>

**HOUSE . . . . . No. 2612**

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 2612) of Peter V. Kocot and others relative to providing tax incentives for the installation of fire sprinklers. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4523 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to fire sprinkler installation incentives.

*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 2014 Official Edition,  
2 is hereby amended by adding the following section:—

3 Section 50. (a) In any city or town which accepts the provisions of this section, the board  
4 of selectmen, in the case of a town, the town council, in the case of a municipality having a town  
5 council form of government, the city council, in the case of a city having a Plan D or Plan E  
6 charter, or the city council with the approval of the mayor, in the case of any other city, may  
7 reduce the real property tax obligations for an owner of a two-family or multifamily residential  
8 premises who pays for the installation of a fire protection sprinkler system, as defined in section  
9 81 of chapter 146 and meeting minimum qualifications as required by the executive office of  
10 public safety and security, in the amount equal to 30 per cent of the cost of installation, provided

11 that the owner is not otherwise required to install such system pursuant to federal law or sections  
12 26A½, 26G, 26G½ or 26H of chapter 148.

13 (b) Reductions under this section shall be allowed for the taxable year in which system is  
14 installed; provided, however, that a reduction allowed under this section shall not reduce the tax  
15 owed below zero. A taxpayer allowed a reduction under this section for a taxable year may carry  
16 over and apply against such taxpayer's tax liability in any of the succeeding 5 taxable years, the  
17 portion, as reduced from year to year, of those reductions which exceed the tax for the taxable  
18 year.

19 (c) Municipalities may abate any increase in the value of the property resulting from the  
20 installation of the fire protection sprinkler system until such time as the property is conveyed.

21 SECTION 2. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby  
22 amended by adding the following subsection:—

23 (t)(1) Any owner of a two-family or multifamily residential premises who pays for the  
24 installation of a fire protection sprinkler system, as defined in section 81 of chapter 146 and  
25 meeting minimum qualifications as required by the executive office of public safety and security,  
26 shall be allowed a credit against the tax liability imposed by this chapter in the amount equal to  
27 30 per cent of the cost of installation, provided that the owner is not otherwise required to install  
28 such system pursuant to federal law or sections 26A½, 26G, 26G½ or 26H of chapter 148.

29 (2) Credits under this subsection shall be allowed for the taxable year in which system is  
30 installed; provided, however, that a tax credit allowed under this subsection shall not reduce the  
31 tax owed below zero. A taxpayer allowed a credit under this subsection for a taxable year may  
32 carry over and apply against such taxpayer's tax liability in any of the succeeding 5 taxable

33 years, the portion, as reduced from year to year, of those credits which exceed the tax for the  
34 taxable year.

35 SECTION 3. Chapter 63 of the General Laws, as so appearing, is hereby amended by  
36 adding the following section:—

37 Section 38GG. (a) Any owner of a two-family or multifamily residential premises who  
38 pays for the installation of a fire protection sprinkler system, as defined in section 81 of chapter  
39 146 and meeting minimum qualifications as required by the executive office of public safety and  
40 security, shall be allowed a credit against the tax liability imposed by this chapter in the amount  
41 equal to 30 per cent of the cost of installation, provided that the owner is not otherwise required  
42 to install such system pursuant to federal law or sections 26A½, 26G, 26G½ or 26H of chapter  
43 148.

44 (b) The credit allowed in this section for any taxable year shall not reduce the excise to  
45 less than the amount due under subsection (b) of section 39, section 67 or any other applicable  
46 section.

47 (c) Credits under this section shall be allowed for the taxable year in which system is  
48 installed. A taxpayer allowed a credit under this section for a taxable year may carry over and  
49 apply against the taxpayer's tax liability in any of the succeeding 5 taxable years, the portion, as  
50 reduced from year to year, of those credits which exceed the tax for the taxable year.