

SENATE No. 1623

The Commonwealth of Massachusetts

PRESENTED BY:

Richard J. Ross

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 limiting proposition 2 1/2 override elections and allowing an underride in all communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Citizens for Limited Taxation</i>	<i>PO Box 1147 Marblehead, MA 01945</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/14/2017</i>

SENATE No. 1623

By Mr. Ross, a petition (accompanied by bill, Senate, No. 1623) of Richard J. Ross, Citizens for Limited Taxation and Bruce E. Tarr for legislation to limit proposition 2 1/2 override elections and allowing an underide in all communities. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1552 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act limiting proposition 2 1/2 override elections and allowing an underide in all communities.

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. Section 21C of chapter 59 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out subsection (h) and replacing it with the
3 following subsection:-

4 (h) In a city or town, if a majority of the local appropriating authority, or the people
5 having collected a number of signatures of registered voters equal to 5% of a city or town’s
6 registered voters shall so require, there shall be a question placed on the ballot at a biennial state
7 election as to whether said city or town should be required to assess taxes by a specified amount
8 below that amount allowed pursuant to this section. The question submitted to the voters shall be
9 worded as follows:-

10 "Shall the (city/town) of _____ be required to reduce the amount of real estate and
11 personal property taxes to be assessed for the fiscal year beginning July first, two thousand and
12 _____ by an amount equal to \$_____.

13 YES_____ NO_____ "

14 Said question shall be deemed approved if a majority of the persons voting thereon shall
15 vote "yes".

16 SECTION 2. Section 21C of chapter 59 of the General Laws, as so appearing, is hereby
17 amended by striking out subsection (i) and replacing it with the following subsection:-

18 (i) With regard to the referenda procedures set out in this section the local appropriating
19 authority shall direct that the questions be placed only upon the official ballot at a biennial state
20 election. The local appropriating authority may direct that not more than 3 override questions be
21 placed upon the official ballots for use in the city or town at a biennial state election, by filing
22 with the state secretary not later than the first Wednesday of August preceding that election a
23 copy of its vote attested by the city or town clerk.

24 SECTION 3. Section 21C of chapter 59 of the General Laws, as so appearing, is hereby
25 amended by striking out subsection (g) and replacing it with the following subsection:-

26 (g) The local appropriating authority of any city or town which is subject to the
27 provisions of paragraph (f) may, by majority vote, seek voter approval to assess taxes in excess
28 of amount allowed pursuant to said paragraph (f) by a specified amount.

29 Any question submitted to the voters shall be placed on the biennial state ballot and
30 worded as follows:-

31 "Shall the (city/town) of _____ be allowed to assess an additional \$ _____ in real estate
32 and personal property taxes for the purposes of (state the purpose(s) for which the monies from
33 this assessment will be used) for the fiscal year beginning July first, two thousand and _____?

34 YES _____ NO _____"

35 Said question shall be deemed approved if a majority of the persons voting thereon shall
36 vote "yes".