

HOUSE No. 2501

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan

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 sustain community preservation revenue.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>
<i>Nick Collins</i>	<i>First Suffolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>

HOUSE No. 2501

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 2501) of Kevin G. Honan and others for legislation to further regulate expenditures for mortgages from the Community Preservation Trust Fund. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2615 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to sustain community preservation revenue.

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. Within 60 days of the effective date of this act, the commissioner of
2 revenue shall determine if the estimated Massachusetts Community Preservation Trust Fund
3 balance on the date of the next scheduled distribution will be sufficient to support a 50 per cent
4 first round match distribution, pursuant to Section 10 of Chapter 44B of the General Laws, for all
5 cities and towns that have accepted sections 3 to 7, inclusive.

6 If the Massachusetts Community Preservation Trust Fund balance is insufficient to
7 support a 50 per cent first round match distribution, the surcharges pursuant to Section 8 of said
8 Chapter 44B shall be increased. The new surcharge values shall be determined by the
9 commissioner of the department of revenue and shall be sufficient to support, by the
10 commissioner’s best reasonable estimate, a 50 per cent first round match distribution for all cities

11 and towns that have accepted Sections 3 to 7, inclusive, of said Chapter 44B as of the effective
12 date of this act, with each fee rounded to the nearest dollar. The estimate shall be calculated
13 using the total revenue collected for the Massachusetts Community Preservation Trust pursuant
14 to Section 8 of said Chapter 44B during the most recent fiscal year, and the estimated total local
15 surcharge that would have been collected during the most recent fiscal year, pursuant to Section
16 4 of said Chapter 44B, for all cities and towns that have accepted Sections 3 to 7, inclusive, of
17 said Chapter 44B as of the effective date of this act.

18 SECTION 2. The commissioner of revenue shall notify the registers of deeds, the
19 assistant recorders and the joint committee on revenue of any surcharge change at least 60 days
20 prior to any fee adjustment required under this act.

21 SECTION 3. Subsection (a) of Section 8 of chapter 44B of the General Laws, as
22 appearing in the 2014 Official Edition, is hereby amended by inserting after the figure “188,” the
23 following words:- “or to the filing of any subordinate mortgage extended by any public agency
24 or quasipublic agency, including but not limited to a Commonwealth municipality or the
25 Massachusetts Housing Partnership”

26 SECTION 4. Subsection (b) of said section 8 of said chapter 44B, as so appearing, is
27 hereby amended by inserting after the figure “188,” the following words:- “or to the filing of
28 any subordinate mortgage extended by any public agency or quasipublic agency, including but
29 not limited to a Commonwealth municipality or the Massachusetts Housing Partnership”