

HOUSE No. 4209

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 expanding the exemption for residential property in the town of Truro.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>11/7/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>11/7/2019</i>

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By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4209) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Truro be authorized to expand the exemption for residential property in said town. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act expanding the exemption for residential property in the town of Truro.

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. Notwithstanding section 5C of chapter 59 of the General Laws or any other
2 general or special law to the contrary, with respect to each parcel of real property classified as
3 class one residential in the town of Truro as certified by the commissioner of revenue to be
4 assessing all local property at its full and fair cash valuation, and with the approval of the board
5 of selectmen, there shall be an exemption equal to not more than 35 per cent of the average
6 assessed value of all class one residential parcels within the town of Truro, or such other
7 maximum percentage as may be established from time to time by the General Court; provided,
8 however, that the exemption shall be applied only to: (i) the principal residence of the taxpayer
9 as used by the taxpayer for income tax purposes; or (ii) a residential parcel occupied by a
10 resident of the town of Truro, other than the taxpayer, occupied on a year-round basis and used
11 as the resident's principal residence for income tax purposes. The town of Truro may adopt and
12 amend criteria to determine who qualifies as a resident under this act. This exemption shall be in
13 addition to any exemptions allowable under section 5 of said chapter 59; provided, however, that

14 the taxable valuation of the property, after all applicable exemptions, shall not be reduced to
15 below 10% of its full and fair cash valuation, except through the applicability of clause
16 eighteenth of said section 5 of said chapter 59. Where, under the provisions of said section 5 of
17 said chapter 59, the exemption is based upon an amount of tax rather than on valuation, the
18 reduction of taxable valuation for the purposes of the preceding sentence shall be computed by
19 dividing the amount of tax by the residential class tax rate of the town of Truro and multiplying
20 the result by \$1,000. For the purposes of this paragraph, "parcel" shall mean a unit of real
21 property as defined by the board of assessors of the town of Truro in accordance with the deed
22 for the property and shall include a condominium unit.

23 SECTION 2. A taxpayer aggrieved by the failure to receive the residential exemption
24 authorized under this act may apply for the residential exemption to the board of assessors of the
25 town of Truro in writing on a form approved by the board of assessors, on or before the deadline
26 for an application for exemption under section 59 of said chapter 59. For the purposes of this
27 act, a timely application filed under this section shall be treated as a timely filed application
28 pursuant to section 59 of chapter 59 of the General Laws.

29 SECTION 3. This act shall take effect on the first day of the fiscal year following
30 passage of this act and shall apply to taxes levied for fiscal years beginning that fiscal year and
31 thereafter.