

HOUSE No. 4677

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 29, 2020.

The committee on Ways and Means to whom was referred the message from His Excellency the Governor recommending legislation to facilitate the delay of the income tax filing deadline (House, No. 4593), reports recommending that the accompanying bill (House, No. 4677) ought to pass.

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4677

The Commonwealth of Massachusetts

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

An Act to facilitate the delay of the income tax filing deadline.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to forthwith to make certain changes in law to protect the state’s budgetary and cash balances during a public health emergency, each of which is immediately necessary to carry out to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

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 any general or special law to the contrary, the state
2 treasurer may borrow at any time during the 2020 fiscal year, in anticipation of receipts to be
3 received by the end of the following fiscal year, such sums of money as may be necessary for the
4 payment of ordinary demands on the treasury, and other legal obligations, including guaranties,
5 of the commonwealth and prior notes issued pursuant to section 47 of chapter 29 of the General
6 Laws, and may issue notes therefor. Money so borrowed and notes so issued may be at such rates
7 of interest as shall be found necessary. The state treasurer shall repay any sums borrowed under
8 this section as soon after said receipts are paid as is expedient, but in any event not later than
9 June 30, 2021, as recommended by the governor in a message to the general court dated March
10 27, 2020.

11 SECTION 2. (a) All interest and payments on account of principal on notes issued
12 pursuant to this act shall be payable from the General Fund.

13 (b) Notwithstanding any general or special law to the contrary, notes issued under this act
14 and interest thereon shall be general obligations of the commonwealth and shall not be included
15 in the computation of outstanding bonds for purposes of the limit imposed by the second
16 paragraph of section 60A of chapter 29 of the General Laws, nor shall debt service with respect
17 to these notes be included in the computation of the limit imposed by section 60B of said chapter
18 29.

19 SECTION 3. Notwithstanding any general or special law or prior regulation or policy to
20 the contrary, the comptroller shall record as fiscal year 2020 statutory revenues receivable or
21 refunds payable income tax payments originally due with final income tax returns, income tax
22 extensions or quarterly income estimated payments in fiscal year 2020, but not received, or
23 income tax refunds claimed but not paid by the commonwealth until fiscal year 2021; provided,
24 that any such revenues deposited or refunds paid by the commonwealth after August 31, 2020
25 shall not be recorded as fiscal year 2020 statutory revenues receivable or payable.