

HOUSE No. 4107

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. Stanley

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 authorizing the town of Lincoln to establish a means tested senior citizen property tax exemption program.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------|------------------------|------------------|
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>6/25/2021</i> |
| <i>Michael J. Barrett</i> | <i>Third Middlesex</i> | <i>7/19/2021</i> |

HOUSE No. 4107

By Mr. Stanley of Waltham, a petition (accompanied by bill, House, No. 4107) of Thomas M. Stanley and Michael J. Barrett (by vote of the town) that the town of Lincoln be authorized to establish a means tested senior citizen property tax exemption program in said town. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act authorizing the town of Lincoln to establish a means tested senior citizen property tax exemption program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 a. As used in this section, the following words shall have the following meanings:

2 "town", shall be the Town of Lincoln, Massachusetts, Middlesex County.

3 "Parcel", a unit of real property as defined by the assessors of the town under the deed for
4 the property, including a condominium unit.

5 "Income", taxpayer's total income for the purpose of the circuit breaker income tax credit,
6 as defined in the paragraph (1) of subsection (k) of section 6 of chapter 62.

7 b. With respect to each qualifying parcel of real property classified as Class one,
8 residential in the town there shall be an exemption from the property tax equal to the total
9 amount of tax that would otherwise be assessed without this exemption less the sum of: (i) 10 per
10 cent of income, or such other percentage of income as determined under subsection (d); and (ii)

the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 the applicant was eligible to receive in their year prior to the application being filed. In no event shall property taxes be reduced by more than 50 percent by this exemption.

c. The board of assessors may deny an application for an exemption pursuant to this section if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this section. Real property shall qualify for the exemption under subsection (b) if all of the following criteria are met:

1. the real property is owned and occupied by a person whose prior year's income did not exceed the income limit established in clause (i) of paragraph (3) of subsection (k) of section 6 of chapter 62 and adjusted pursuant to paragraph (4) of subsection (k) of section 6 of chapter 62 for the prior year, whichever such income limit applied to the individual's filing status;

2. the real property is owned and occupied by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age, or older;

3. the real property is owned and occupied by the applicant or joint applicants as their domicile;

4. the applicant or at least 1 of the joint applicants has been domiciled in the town of Lincoln for at least 5 consecutive years before filing an application for the exemption;

5. the maximum assessed value of the domicile does not exceed the average value, plus 10%, of all single-family dwelling units in the Town of Lincoln

6. the board of assessors has approved the application.

d. The exemption under subsection (b) shall be in addition to any other exemption allowable under the General Laws; provided, however that there shall be a dollar cap on all the exemptions granted pursuant to this section equal to .5 percent of the fiscal year's total property tax levy for the town, including the levy for any regional high school if not included in the town's tax levy at some subsequent date with the total exemption amount granted by this section allocated proportionally within the tax levy of all residential taxpayers. After the first year of such exemption, the total cap on the exemptions granted pursuant to this section shall be set annually by the board of selectmen, within a range of 0.5 to 1.0 percent of the residential property tax levy for the town including the levy for any regional high school. In the event that benefits to the applicants may be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by raising the income percentage as required in subsection (b) as necessary to not exceed the cap. In the event the cap exceeds the need for the exemption, the total cap on the exemptions granted by this section shall be reduced to meet the need.

e. A person who seeks to qualify for the exemption under subsection (b) shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

f. No exemption shall be granted under this section until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

54 g. the exemption under this section shall expire every three years after its acceptance or
55 re-acceptance; provided, however, that the town may re-accept this section for additional 3-year
56 intervals by a vote of Town Meeting.