

HOUSE No. 2828

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 establishing a tax for online advertising.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/20/2023</i>

HOUSE No. 2828

By Representative Holmes of Boston, a petition (accompanied by bill, House, No. 2828) of Russell E. Holmes relative to establishing a tax for online advertising. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4042 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act establishing a tax for online advertising.

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

1 Chapter 63 of the General Laws is hereby amended by adding the following section:-

2 Section 82. (a) As used in this section the following terms shall, unless the context clearly
3 requires otherwise, have the following meanings:

4 “Digital advertising services”, advertisement services on a digital interface, including
5 advertisements in the form of banner advertising, search engine advertising, interstitial
6 advertising and other comparable advertising services.

7 “Digital interface”, any type of software, including a website, part of a website or an
8 application that a user may access.

9 “IP address”, a unique string of characters assigned to each device connected to a
10 computer network using the Internet Protocol for communication.

11 “User”, an individual who accesses a digital interface using a device with an IP address.

12 (b) There shall be assessed and levied in each calendar year an excise on the sale of
13 digital advertising services within the commonwealth on persons with revenue from digital
14 advertising services within the commonwealth. The excise shall be assessed at a rate equal to
15 6.25 per cent of the person’s annual revenue from digital advertising services provided within the
16 commonwealth. A digital advertising service shall be deemed to have been provided within the
17 commonwealth if it is received on a user’s device having an IP address located within the
18 commonwealth.

19 (c) Persons with revenue from digital advertising services within the commonwealth shall
20 remit the excise described in subsection (b) to the commissioner of revenue on a monthly basis.

21 (d) The first \$500,000 in revenue from digital advertising services provided within the
22 commonwealth annually shall be exempt from the excise imposed by this section.