HOUSE DOCKET, NO. 163 FILED ON: 1/6/2025

HOUSE . . . . . No. 3239

The Commonwealth of Massachusetts

PRESENTED BY:

Adam J. Scanlon

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 relative to municipal property tax reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Adam J. Scanlon	*14th Bristol*	*1/6/2025*

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HOUSE . . . . . No. 3239

By Representative Scanlon of North Attleborough, a petition (accompanied by bill, House, No. 3239) of Adam J. Scanlon relative to municipal property tax reform. Revenue.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to municipal property tax reform.

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

Section 1. Said chapter 41, as so appearing, is hereby further amended by inserting after section 30B the following section:-

Section 30B1/2. Notwithstanding any general or special law, charter provision or local bylaw, ordinance or vote to the contrary, in any city or town that accepts this section, the chief executive officer of the city or town, may, on behalf of the city or town, enter into an agreement with 1 or more cities or towns to form a regional board of assessors. The regional board of assessors shall have all the powers and responsibilities outlined in general law for local boards of assessors and will assume all the activities and undertakings of the local board of assessors for each member city and town.

The agreement shall provide for:

(i) the division, merger or consolidation of administrative functions between or among the parties;

(ii) the financing of the joint undertaking;

(iii) the rights and responsibilities of the parties with respect to the direction and supervision of the work to be performed and with respect to the administration of the regional board of assessors office, including the receipt and disbursement of funds, the maintenance of accounts and records and the auditing of accounts;

(iv) annual reports of the regional board of assessors to the constituent parties;

(v) the duration of the agreement and procedures for amendment, withdrawal or termination thereof; and

(vi) any other necessary or appropriate matter as agreed to by the chief executive officers of the city or town.

With the approval of the member cities and towns, the regional board of assessors may appoint assistant assessors pursuant to section 25A of chapter 41. Member cities and towns may, in their individual capacity, employ a local assessor and support staff who shall be responsible for estimating the value of the real and personal estate for such city or town and who shall report to the regional board of assessors. Otherwise, member cities and towns may permit the regional board of assessors to hire a regional assessor or assessors and support staff who shall be responsible for estimating the value of the real and personal estate in each such city or town and who shall report to the regional board of assessors. A city or town may become a party to an existing agreement with the approval of a majority of the other members.

An agreement under this section may also provide for the employment of necessary staff to perform administrative functions. Any joint costs associated with the regional board of

assessors shall be identified in the agreement and subject to appropriation by each member city or town and accounted for in accordance with the procedures identified in section 4A of chapter 40. Subject to the rules and regulations established by the commissioner of revenue pursuant to section 1 of chapter 58, the agreement shall provide for qualifications, terms and conditions of employment for the members of the regional board of assessors and employees of the office. The agreement may provide for inclusion of the regional board of assessor employees in insurance, retirement programs and other benefit programs of one of the member parties, but all parties to the agreement shall pay a proportionate share of the current and future costs of benefits associated with the appointment or employment of all persons performing services for them during the duration of the agreement. A city or town who is a party to such an agreement shall include employees under the agreement in such programs in accordance with the terms of the agreement.

Unless otherwise agreed to by all member municipalities, the number of persons on the regional board of assessors shall be at least equal to the number of member cities and towns. Unless otherwise agreed to by all member municipalities, each city or town shall have at least 1 person appointed by the chief executive officer of that city or town to the regional board of assessors. The number of assessors on the regional board may exceed the number of member municipalities if so agreed and such an agreement shall provide for the appointment of such additional board members. Any vacancies shall be filled by the applicable member municipality forthwith, who may also appoint a temporary board member until such time that a permanent replacement is appointed unless a different process is agreed to by all member municipalities.

Unless otherwise designated in the agreement, an agreement made pursuant to this section shall go into effect on the first day of the fiscal year after this section has been accepted

and the agreement has been finalized by all member municipalities; provided, however, no agreement or amendment to an agreement made pursuant to this section shall take effect until it has been approved in writing by the commissioner of revenue.

Notwithstanding any general or special law, charter provision or local bylaw or ordinance to the contrary, once in effect, the local board of assessors of the member municipalities, whether elected or appointed, shall be considered abolished. Any incumbent of the local board of assessors serving at the time of acceptance shall continue to hold said office and to perform the duties thereof until the effective date as described in the preceding paragraph.

Section 2. Clause Forty-first C of said section 5 of said chapter 59, as so appearing, is hereby amended by striking out, in line 1371, the words “by not more than 100 per cent” and inserting in place thereof the following words:- an amount to be determined locally.

Section 3. Said section 5 of said chapter 59, as so appearing, is hereby further amended by striking out clause Forty-third and inserting in place thereof the following clause:-

Forty-third, Real estate of the surviving minor children, including adopted children, of a police officer or firefighter killed in the line of duty as such police officer or firefighter; provided that such real estate is owned, including real estate that is owned by a trustee, conservator or other fiduciary for the benefit of the surviving minor children, and occupied by such children as their domicile, and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such children to evade taxation.

Section 4. Said section 5 of said chapter 59, as so appearing, is hereby further amended by adding the following 2 clauses:-

Fifty-ninth. In any city or town that accepts this clause, a person whose domicile is owned by a trustee, conservator or other fiduciary for the person's benefit shall be deemed the owner of the domicile for purposes of an exemption under any clause listed in the third paragraph of section 59 or a deferral under clause Eighteenth A or Forty-first A of this section and shall be granted the exemption provided the person is otherwise eligible under such clause.

Sixtieth. In a city or town that accepts this section and is certified by the commissioner to be assessing all property at full and fair cash valuation, an abatement granted pursuant to any clause specifically listed in the first paragraph of section 5 shall be increased annually by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year. The department of revenue shall annually inform each city or town that accepts this clause of the amount of this increase.

Section 6. Said chapter 59, as so appearing, is hereby further amended by inserting after section 5O the following section:-

Section 5P. (a) In a city or town that accepts this section, there shall be an exemption for income and age qualified domiciliary homeowners as provided herein. For the purposes of this section, "parcel" shall mean a unit of real property as defined by the board of assessors under the deed for the property and shall include condominium units. The exemption provided for herein shall be in addition to any other exemptions allowed by the General Laws.

(b) With respect to each qualifying parcel of real property classified as class one, residential in the municipality, there shall be an exemption from the property tax in an amount to be set annually by the chief executive officer as provided in paragraph (d). The exemption shall be applied to the domicile of the taxpayer.

(c) A parcel of real property shall qualify for the exemption under this section if each of the following criteria is met:

(i) The qualifying real property is owned and occupied by a person whose income from the prior year would make the person eligible for the income tax credit allowed under subsection (k) of section 6 of chapter 62;

(ii) The qualifying real property is owned by a single applicant age 65 or older as of July 1 of the applicable fiscal year or jointly by persons either of whom is age 65 or above as of July 1 of the applicable fiscal year and the joint applicant is 60 years of age or older;

(iii) The qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

(iv) The applicant or at least 1 of the joint applicants has been domiciled and owned a home in the municipality for at least 10 consecutive years before filing an application for the exemption;

(v) The assessed value of the domicile is not greater than the prior year's maximum assessed value for qualification for the income tax credit allowed under subsection (k) of section 6 of chapter 62, as adjusted annually by the commissioner of revenue;

(vi) The total assets of the applicant do not exceed any asset limitations established by the chief executive officer under paragraph (e) to determine eligibility for this exemption; and

(vi) The board of assessors has approved the application.

(d) The chief executive officer shall annually determine the exemption amount, which shall not be more than two hundred per cent of the maximum amount of the income tax credit

allowed under subsection (k) of section 6 of chapter 62 for which the applicant qualified in the previous year.

(e) The chief executive officer may establish limits on the total assets that may be owned by an applicant for purposes of eligibility.

(f) A person who seeks to qualify for the exemption shall, on or before April 1 of the applicable tax year, or within 3 months after the bill or notice of assessment was sent, whichever is later, file an application, on a form to be adopted by the board of assessors, containing supporting documentation to demonstrate 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.

(g) The total amount exempted by this section shall be allocated proportionally within the residential tax levy. No exemption shall be granted under this section until the commissioner of revenue certifies a residential tax rate for the applicable tax year.