HOUSE DOCKET, NO. 2348 FILED ON: 1/20/2011

HOUSE . . . . . No. 1866

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 passage of the accompanying:

An Act to promote the creation of new businesses in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Garrett J. Bradley	*3rd Plymouth*

HOUSE DOCKET, NO. 2348 FILED ON: 1/20/2011

HOUSE . . . . . No. 1866

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 1866) of Garrett J. Bradley relative to the creation of new businesses in the Commonwealth. Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to promote the creation of new businesses in the Commonwealth.

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. Section 14 of Chapter 151A of the General Laws is hereby amended by adding the following:-

Any for-profit business that is newly-formed within the Commonwealth and is subject, or who during the preceding year was subject, to section 3301 of chapter 23 of the Internal Revenue Code of 1954 or any acts in addition thereto and amendments thereof, shall be exempt from paying unemployment insurance to the Commonwealth that normally would be applicable to the first 10 full-time employees of said business, for a period of up to 24 months following its establishment. Said business shall be subject to all other provisions of Chapter 151A and shall file all quarterly wage earning and other required reports as if they were making unemployment insurance contributions.

Section 2. If, during the 24 month period, an employee who is subject to the provisions of this chapter is terminated through no fault of their own, the employing unit shall pay an amount equal to the contributions that would have been paid to the Commonwealth under the provisions of this chapter.

Section 3. Notwithstanding any provisions of Section 8 of Chapter 151A to the contrary, section 1 shall not apply to any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter, or which acquired a part of the organization, trade, or business of another, which at the time of such acquisition was an employer subject to this

20 chapter; provided, such other would have been an employer under this chapter if such part had
21 constituted its entire organization, trade, or business.

22 Section 4. If the business formed under this section should cease to operate, or be sold,
23 reorganized or transferred prior to the termination of the 24 month period, the full amount owed
24 the Commonwealth shall be payable in full at that time. If said business files for bankruptcy, the
25 amount owed the Commonwealth by the business or its successors shall constitute a non-
26 dischargeable debt.

27 Section 5. This act shall take effect on January 1, 2013.