HOUSE DOCKET, NO. FILED ON: 3/15/2012

HOUSE . . . . . No. 4062

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act authorizing the Town of Sudbury to establish a means tested senior citizen property tax exemption.

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. With respect to each qualifying parcel of real property classified as class one, residential in the town of Sudbury there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of [1] 10 per cent of the total annual household income, and [2] the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed. The percentage of total annual household income may be raised by Section 3. In no event shall property taxes be reduced by more than 50 per cent by this exemption. The exemption shall be applied to the domicile of the taxpayer only.

SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption set forth in Section 1 if all of the following criteria are met:

(a) the qualifying real estate is owned and occupied by a person whose prior year's income would make the person eligible for the Circuit Breaker income tax credit;

(b) the qualifying real estate is owned by a single applicant age 65 or above at the close of the previous year, or jointly by spouses either of whom is age 65 or above at the close of the previous year;

(c) the qualifying real estate is owned and occupied by the applicant or joint applicants as their domicile;

(d) the applicant or at least one of the joint applicants has been domiciled in the town of Sudbury for at least 10 consecutive years before filing an application for the exemption;

(e) the maximum assessed value of the domicile is no greater than the prior year's average assessed value of a Sudbury single family residence plus 10 percent; and

(f) the board of assessors has approved the application.

SECTION 3. This exemption shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on all the exemptions granted by this act equal to 0.50% of the fiscal year's total residential property tax levy for Sudbury including the levy for the regional high school if not included in Sudbury's tax levy at some subsequent date with the total exemption amount granted by this act allocated proportionally as an additional tax levy on all other residential taxpayers not eligible for this exemption. After the first year of enactment, the total cap on the exemptions granted by this act shall be set annually by the board of selectmen within a range of 0.50% and 1.00% of the residential property tax levy for Sudbury including the levy for the regional high school. In the event that benefits to the applicants must be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by raising the total annual household income percentage as required in Section 1 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 act shall be reduced to meet the need.

SECTION 4. A person who seeks to qualify for this exemption 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.

SECTION 5. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors in accordance with the deed for the property and shall include a condominium unit.

SECTION 6. Acceptance of this act by the town of Sudbury shall be by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot. This act shall become effective on the thirtieth day following an affirmative vote.

SECTION 7. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation is placed on the ballot. Revocation of this act shall become effective on the thirtieth day following an affirmative vote.

SECTION 8. This act shall expire December 31, 2016.