HOUSE DOCKET, NO. 96 FILED ON: 1/10/2011

HOUSE . . . . . No. 798

The Commonwealth of Massachusetts

PRESENTED BY:

Tom Sannicandro

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 senior property tax credit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Tom Sannicandro	*7th Middlesex*

HOUSE DOCKET, NO. 96 FILED ON: 1/10/2011

HOUSE . . . . . No. 798

By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 798) of Tom Sannicandro for legislation to provide property tax credits to certain persons over the age of sixty-five. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2898* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act Relative to senior property tax credit.

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

Chapter 59 of the General Laws is hereby amended by inserting after section 5k the following section:-

Section 5L. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 65 to receive a credit on their property tax bill based on the school expenditures for that city or town. In order to qualify for this credit, the person must be 65 years of age or older as of the year of application and who has been a resident for l0 years or more in the town, has paid property taxes for l0 years or more and utilizes the property as his principal residence and there is no one staying in the residence for more than 60 days during the fiscal year

11 who is either under the age of 6 years old or who attends a public or private pre-school, nursery
12 school, elementary school, middle school, junior high school or senior high school or similar
13 school.

14 Applicants shall meet the following income and asset requirements for eligibility, if
15 single incomes of %50,000 or less, if married %60,000 or less and assets of %75,000 or less not
16 including the primary residence and l motor vehicle registered to the applicant. The assessments
17 and tax rate changes of senior qualified properties shall be recalculated on an annual basis. The
18 lesser of the calculations will prevail as the property tax levy for that year. For the purpose of
19 this exemption, income means the "adjusted gross income" for federal income tax purposes as
20 reported on the applicant's latest available federal or state income tax return for the applicable
21 income tax year, subject to any subsequent amendments or revisions, reduced by distributions, to
22 the extent included in federal adjusted gross income, received from an individual retirement
23 account and an individual retirement annuity; provided that if no such return was filed for the
24 application income tax year, income means the adjusted gross income that would have been so
25 reported if such a return had been filed.

26 The amount of the credit shall be calculated as follows:

27 The amount of the total tax due the municipality from the qualifying senior shall be
28 multiplied by the amount the municipality pays for schools divided by the amount of the total
29 town budget for that fiscal year, divided by l0. For qualifying individuals, whose income is less
30 than $l8,000 per year, the above credit shall be twice that amount.

31 The city or town shall reduce the real property tax obligations of such person over the age
32 of 65 on his tax bills and any reduction so provided shall be in addition to any exemption or
33 abatement to which any such person is otherwise entitled.

34 Participation in this program is nullified when the homeowner who is 65 or older moves
35 permanently from the property or the property is sold and deeded to a new owner. The board of
36 assessors shall prepare a simple application for participation in the program and shall oversee its
37 administration. In no instance shall the amount by which this program reduces a person's
38 property tax liability be considered income for the purpose of taxation.

39 Such cities and towns shall have the power to create local rules and procedures for
40 implementing this section any way consistent with the intent of this section.