SENATE DOCKET, NO. 1942 FILED ON: 4/14/2011

SENATE . . . . . No. 1895

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

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 to increase in the exemption for residential real property in the city of Malden from 20 per cent to 30 per cent.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Katherine M. Clark	*Middlesex and Essex*
Paul J. Donato	*35th Middlesex*
Christopher G. Fallon	*33rd Middlesex*
Stephen Stat Smith	*28th Middlesex*

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SENATE . . . . . No. 1895

By Ms. Clark, a petition (accompanied by bill, Senate, No. 1895) of Katherine M. Clark, Paul J. Donato, Christopher G. Fallon and Stephen Stat Smith (with approval of the mayor and city council) for legislation relative to increase in the exemption for residential real property in the city of Malden from 20 per cent to 30 per cent. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to increase in the exemption for residential real property in the city of Malden from 20 per cent to 30 per cent.

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. Notwithstanding section 5C of chapter 59 of the General Laws or any other general or special law to the contrary, with respect to each parcel of real property classified as Class One, residential, in the city of Malden as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation, and at the option of the mayor, with the approval of the city council, there shall be an exemption equal to not more than 30 per cent of the average assessed value of all Class One, residential, parcels within the city of Malden; provided, however, that the exemption shall be applied only to the principal residence of the taxpayer as used by the taxpayer for income tax purposes. This exemption shall be in addition to any exemptions allowable under section 5 of chapter 59 of the General Laws; provided, however that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced to below 10 per cent of its full cash valuation, except through the applicability of section 8A of chapter 58 and clause Eighteenth of section 5 of chapter 59. Where, under the

13 provisions of section 5, the exemption is based upon an amount of tax rather than on valuation,
14 the reduction of taxable valuation for the purposes of the preceding sentence shall be computed
15 by dividing the amount of tax by the residential class tax rate of the city of Malden and
16 multiplying the result by $1,000. For the purposes of this paragraph, "parcel" shall mean a unit
17 of real property as defined by the assessors in accordance with the deed for the property and shall
18 include a condominium unit.

19 SECTION 2: A taxpayer aggrieved by the failure to receive the residential exemption
20 may apply for the residential exemption to the assessors in writing on a form approved by the
21 board of assessor within 3 months after the date on which the bill or notice of assessment was
22 sent.

23 A timely application filed hereunder shall, for the purposes of this chapter, be treated as a
24 timely filed application pursuant to section 59 of chapter 59 of the General Laws.