SENATE DOCKET, NO. 242 FILED ON: 1/15/2013

SENATE . . . . . No. 1446

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 relative to a small business gas tax credit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	*Bristol and Norfolk*
Michael F. Rush	*Norfolk and Suffolk*
Denise C. Garlick	*13th Norfolk*
Daniel B. Winslow	*9th Norfolk*
Bruce E. Tarr	*First Essex and Middlesex*

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SENATE . . . . . No. 1446

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1446) of James E. Timilty, Michael F. Rush, Denise C. Garlick, Daniel B. Winslow and other members of the General Court for legislation relative to a small business gas tax credit. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1547* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to a small business gas 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:

SECTION 1. Chapter 62 of the General Laws is hereby amended by inserting after section 6 the following section:—

Section 6½. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:—

"Department", the department of revenue. "Small Business", a sole proprietorship, partnership, limited liability company, corporate trust, corporation or other business, including its affiliates that is: (i) independently owned and operated, (ii) not dominant in the field of operation in which it is bidding on government contracts, (iii) qualifies as a small business under the criteria and size standards of the Small Business Administration regulations and (iv) is under 500 employees in the manufacturing and mining industries or under100 employees for all wholesale trade industries or does under $6 million of business annually for retail and service industries or does under $28.5 million of business annually for general & heavy construction industries or does under $12 million of business annually for all special trade contractors and under $0.75 million of business for agricultural industries "Creditable amount", the monetary amount actually paid by a small business to provide gasoline or diesel for vehicles either owned by company or driven by employees in the normal course of business.

17 (b) There is hereby established a credit against the tax liability imposed by this chapter
18 for small businesses to be known as the “Small Business Tax Credit”.

19 (c) The amount of the “Small Business Tax Credit” shall be up to 15 per cent of the
20 creditable amount purchased in the taxable year.

21 (d) The commissioner shall promulgate rules and regulations relative to the
22 administration and enforcement of this section.