

## COMMITTEE ON REVENUE ~ BILL SUMMARY

**Bill Number:** H.3107 (Similar to S.2011)

**Name:** AN ACT RELATIVE TO OVERTIME PAY FOR AGRICULTURAL LABORERS IN MASSACHUSETTS

**Sponsor(s):** Rep. Carlos Gonzales (Springfield)

**Hearing Date:** July 15, 2025

**Reporting Date:** September 13, 2025

**Prior History:** 2023-24 (H.2812): Ordered to a House Study

### **CURRENT LAW:**

*M.G.L. c. 62 § 6 – Credits:* Massachusetts offers credits against personal income tax liability for individuals who meet certain thresholds and eligibility requirements. A tax credit is a dollar-for-dollar reduction in taxes due.

*M.G.L. c. 63 – Credits:* Massachusetts offers credits against corporate excise tax liability for corporations and financial institutions who meet certain thresholds and eligibility requirements. A tax credit is a dollar-for-dollar reduction in taxes due.

### **PROPOSED CHANGE(S):**

This bill amends Section 6 of chapter 62 and creates a new section to chapter 63 establishing a tax credit for taxpayers who employ persons engaged in agricultural and farm work, including seasonal agricultural and farm work (except when the employee is a parent, spouse, child or other member of the employer's immediate family).

The legislation establishes a refundable tax credit for employers of agricultural workers, allowing them to claim up to 40% of overtime wages paid to employees working more than 55 hours per week. The tax credit is designed to be scaled based on farm size, with smaller farms receiving a larger percentage of their overtime wage costs offset. Additionally, the bill mandates that agricultural employees working more than 55 hours in a week engaged in primary or secondary agriculture must receive overtime compensation at one-and-a-half times their regular rate.

The bill also redefines "agricultural and farm work" to include both primary agriculture (such as cultivation, livestock raising, and crop harvesting) and secondary agriculture (like cleaning, sorting, and preparing commodities for market).

The Department of Revenue and the Department of Labor Standards are required to develop detailed regulations within six months of the act's passage, including stakeholder input on credit percentages and definitions of agricultural work.

The provisions related to overtime and tax credits will become effective on January 1st following the act's passage, with other sections taking effect immediately.