

## COMMITTEE ON REVENUE ~ BILL SUMMARY

**Bill Number:** S.1968

**Name:** AN ACT RELATIVE TO THE SMALL BUSINESSES OPERATED ON LEASED COMMONWEALTH PROPERTY

**Sponsor(s):** Sen. Peter J. Durant (Spencer)

**Hearing Date:** July 15, 2025

**Reporting Date:** September 13, 2025

**Prior History:** N/A

### **CURRENT LAW:**

*M.G.L. c. 59 § 5, Property; exemptions*

*Section 5.* The following property shall be exempt from taxation and the date of determination as to age, ownership or other qualifying factors required by any clause shall be July 1 of each year unless another meaning is clearly apparent from the context; provided, however, that any person who receives an exemption pursuant to clause Seventeenth, Seventeenth C, Seventeenth C1/2, Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F, Twenty-second G, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C1/2, Forty-second, Forty-third, Fifty-sixth or Fifty-seventh shall not receive an exemption on the same property pursuant to any other provision of this section, except clause Eighteenth or Forty-fifth.

First, Property owned by the United States so far as the taxation of such property is constitutionally prohibited, excepting property which the Congress of the United States has permitted to be subject to local taxation.

*Second, Property of the commonwealth, except real estate of which the commonwealth is in possession under a mortgage for condition broken, lands in Boston known as the commonwealth flats, if leased for business purposes, lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth and occupied by private persons by license of the department of environmental protection together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses, buildings erected by lessees under section twenty-six of chapter seventy-five, structures erected on land in state forests, parks and reservations by persons occupying such land under authority conferred by the commissioner of environmental management, property taxable under chapter five hundred and seventy-five of the acts of nineteen hundred and twenty, and real estate taxable under section three A.*

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

This bill amends the third paragraph of Section 5 of Chapter 59 of the General Laws by adding a new condition to an existing provision related to property tax assessments. The new language stipulates that in addition to current criteria, a business operating on leased state property must have 30 or more employees to qualify for certain tax purposes.