

# SENATE . . . . . No. 12

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To accompany the petition of Eben S. Draper and Henry L. Shattuck for an amendment of the law relative to municipal indebtedness and the tax limit of the city of Boston. Municipal Finance.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Six.

An Act relative to Municipal Indebtedness and the  
Tax Limit in the City of Boston.

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

1 SECTION 1. Section two of chapter forty-four  
2 of the General Laws is hereby amended by  
3 striking out, in the first line, the words "Except  
4 in Boston and," so as to read as follows: — *Sec-*  
5 *tion 2.* Except as otherwise expressly permitted  
6 by law, cities and towns shall incur debts only  
7 in the manner of voting and within the limitations  
8 as to amount and time of payment prescribed in  
9 this chapter; but this section shall not be con-  
10 strued as prohibiting any city, town or district  
11 from placing additional restrictions, consistent  
12 with this chapter, upon the manner of incurring  
13 debt, nor as affecting the right of any city, town  
14 or district to incur debt under any special act;  
15 but no debt may be authorized under a special  
16 act except by a two thirds vote, unless the act  
17 so provides.

1 SECTION 2. Section twenty-nine of chapter  
2 forty-four of the General Laws is hereby amended  
3 by adding at the end thereof the following:—  
4 The city of Boston may from time to time by  
5 ordinance, adopted after a public hearing, estab-  
6 lish a tax limit for said city upon which mu-  
7 nicipal appropriations in said city shall be based.  
8 Such an ordinance shall have the force of law  
9 until annulled or modified in accordance with  
10 the procedure hereinbefore prescribed for other  
11 cities of the commonwealth, — so as to read as  
12 follows:— *Section 29.* The tax limit heretofore  
13 established by ordinance under section nineteen  
14 of chapter seven hundred and nineteen of the acts  
15 of nineteen hundred and thirteen, in cities other  
16 than Boston, shall have the force of law until it  
17 is annulled or modified by the action of the city  
18 council or other governing body. The mayor,  
19 or in cities having a commission form of govern-  
20 ment the commissioner or director of finance,  
21 may request a change in the tax limit as then  
22 existing or the fixing of a limit; and when such  
23 request is submitted in writing to the city coun-  
24 cil, it shall immediately order a public hearing  
25 to be held not less than seven days thereafter  
26 relative to the fixing of a tax limit, and after such  
27 hearing the council may, between January first  
28 and May first only, by ordinance passed by a  
29 two thirds vote, fix a limit or abolish a limit  
30 previously established, and such ordinance shall  
31 remain in force until further modified, as above  
32 provided. The city of Boston may from time to

33 time by ordinance, adopted after a public hear-  
34 ing, establish a tax limit for said city upon which  
35 municipal appropriations in said city shall be  
36 based. Such an ordinance shall have the force  
37 of law until annulled or modified in accordance  
38 with the procedure hereinbefore prescribed for  
39 other cities of the commonwealth.

1 SECTION 3. So much of the provisions of any  
2 general or special law as directly or indirectly  
3 imposes a tax limit for the city of Boston, or  
4 limits appropriations by the city council of said  
5 city, or as gives the city of Boston any general  
6 powers for borrowing money inconsistent with  
7 chapter forty-four of the General Laws, is hereby  
8 repealed.

1 SECTION 4. This act shall take effect upon its  
2 passage.

