
Accompanying the tenth recommendation of the State Tax Commission (House, No. 63). Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

AN ACT RELATIVE TO THE PAYMENT OF TAXES BY SAVINGS BANKS.

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. Chapter 63 of the General Laws is hereby
2 amended by striking out section 11, as appearing in the Ter-
3 centenary Edition, and inserting in place thereof the following
4 section:—

5 *Section 11.* Every savings bank and every trust company
6 having a savings department, as defined respectively in chap-
7 ters one hundred and sixty-eight and one hundred and seventy-
8 two, shall pay to the commissioner, on account of its depositors,
9 an annual tax of one half of one per cent, which shall be levied
10 on the amount of the deposits in a savings bank, and on the
11 amount of the deposits in the savings department of a trust
12 company, to be [assessed and] paid as follows: one fourth of
13 one per cent shall be levied [assessed by the commissioner]
14 upon the average amount of such deposits for the six months
15 preceding May first, and paid on or before May twenty-fifth;
16 and a like percentage shall be levied [assessed] upon the aver-
17 age amount of such deposits for the six months preceding
18 November first, and paid on or before November twenty-fifth.

1 SECTION 2. Said chapter 63 is hereby amended by striking
2 out section 13, as appearing in the Tercentenary Edition, and
3 inserting in place thereof the following section:—

4 *Section 13.* Every savings bank and every trust company
5 having a savings department shall semi-annually, on or before

6 May [tenth] **twenty-fifth** and November [tenth] **twenty-**
7 **fifth**, make a return to the commissioner, signed and sworn to
8 by its president and treasurer, of the amount of its deposits if
9 a savings bank, and if a trust company, of the amount of de-
10 posits in its savings department, on the first day of each of said
11 months, and of the average amount of such deposits for the six
12 months preceding each of said last mentioned days. [A cor-
13 poration neglecting to make such return shall forfeit fifty dollars
14 for each day during which such neglect continues. If it wilfully
15 makes a false statement in such return it shall be punished by
16 a fine of not less than five hundred nor more than five thousand
17 dollars.]

1 SECTION 3. Said chapter 63 of the General Laws is hereby
2 amended by striking out section 17, as appearing in the Ter-
3 centenary Edition, and inserting in place thereof the following
4 section:—

5 *Section 17.* The Massachusetts Hospital Life Insurance Com-
6 pany shall semiannually, on or before May [tenth] **twenty-**
7 **fifth**, and November [tenth] **twenty-fifth**, make a return,
8 signed and sworn to by a majority of its board of directors, of
9 the full amount of all money and property, in detail, in its
10 possession or charge as deposits, trust funds or for purposes of
11 investment, and shall, **at the time of making such return**,
12 pay to the commissioner upon all the same, except upon de-
13 posits invested in loans secured by mortgages of real estate tax-
14 able in this commonwealth and in bonds or certificates of in-
15 debtedness of the United States, a tax at the rate imposed upon
16 savings banks on account of deposits. [If said corporation
17 neglects to make such return, it shall forfeit fifty dollars for
18 each day such neglect continues; and if it wilfully makes a false
19 statement in any such return, it shall be punished by a fine of
20 not less than five hundred nor more than five thousand dollars.]

1 SECTION 4. Said chapter 63 is hereby amended by striking
2 out section 18A, as appearing in the Tercentenary Edition, and
3 inserting in place thereof the following section:—

4 *Section 18A.* **All provisions of this chapter relative to**
5 **the assessment, collection, abatement, verification and**

6 **administration of taxes, including penalties, applicable**
7 **to domestic business corporations, as defined in section**
8 **thirty, shall, so far as pertinent, be applicable to taxes**
9 **under sections eleven and seventeen.** [A bank or company
10 taxable under section eleven or seventeen shall be notified by
11 the commissioner of the tax assessed as soon as may be, and
12 within sixty days after the date of notification may apply to the
13 commission for a correction of the assessment, and in default of
14 settlement may, within thirty days of the date of the notice
15 of the commission's decision, appeal therefrom to the appellate
16 tax board. If abatement of a tax paid is granted, the over-
17 payment with interest thereon at the rate of six per cent per
18 annum from the date of payment shall be refunded to the
19 bank or company by the state treasurer without any appropria-
20 tion therefor by the general court.]

1 SECTION 5. This act shall apply to returns due and taxes
2 payable on and after November first, nineteen hundred and
3 fifty-nine.

6 administration of taxes, including penalties, applicable
 7 to domestic business corporations, as defined in section
 8 thirty, shall, so far as pertinent, be applicable to taxes
 9 under section eleven and seventeen. [A law in relation
 10 made under section eleven and seventeen shall be null and
 11 void insofar as it purports to amend or repeal any law
 12 which, by its terms, the date of application was such as to
 13 constitute a violation of the constitution, and in behalf of
 14 the State may, within thirty days of the date in this section
 15 of the constitution's date, appeal thereon to the supreme
 16 court.]—If statement of a tax paid is granted, the com-
 17 missioner of the inland revenue at the time of the tax will pay
 18 amount from the date of payment shall be returned to the
 19 State's treasury by the inland revenue without any further
 20 from the date of the payment.

1 Section 5. This act shall apply to taxes due and taxes
 2 payable on and after January first, nineteen hundred and
 3 one.