

HOUSE No. 1318

By Mr. Bullock of Waltham, petition of Henry F. Long, Commissioner of Corporations and Taxation, relative to taxation of estates of foreign non-residents. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Three.

An Act relative to Foreign Non-Resident Estate Taxes.

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 one of chapter sixty-five A of
2 the General Laws as last amended by chapter two
3 hundred and eighty-four of the acts of nineteen hun-
4 dred and thirty-two is hereby further amended by
5 striking out the whole of said section one and insert-
6 ing in place thereof the following:—

7 *Section 1.* A tax is hereby imposed upon the trans-
8 fer of the estate of every person dying after February
9 twenty-sixth, nineteen hundred and twenty-six, who
10 at the time of death was a resident of this common-
11 wealth, the amount of which shall be the amount by
12 which eighty per cent of the estate tax payable to
13 the United States under the provisions of the federal
14 revenue act of nineteen hundred and twenty-six shall
15 exceed the aggregate amount of all estate, inheritance,

16 legacy and succession taxes actually paid to the
17 several states of the United States in respect to any
18 property owned by such decedent or subject to such
19 taxes as a part of or in connection with his estate.

20 A tax is hereby imposed upon the transfer of real
21 property or tangible personal property in the com-
22 monwealth of every person who at the time of death
23 was not a resident of the commonwealth and upon
24 all property, both real and personal within the com-
25 monwealth of every person who at the time of death
26 was not a resident of the United States, the amount
27 of which shall be a sum equal to such proportion of
28 the amount by which the credit allowable under the
29 applicable federal revenue act for estate, inheritance,
30 legacy and succession taxes actually paid to the
31 several states exceeds the amount actually so paid
32 for such taxes, exclusive of estate taxes based upon
33 the difference between such credit and other estate
34 taxes and inheritance, legacy and succession taxes,
35 as the value of the property in the commonwealth
36 bears to the value of the entire estate, taxable under
37 the applicable federal revenue act for estate tax.

1 SECTION 2. This act shall take effect as of Decem-
2 ber first, nineteen hundred and thirty-two.