

By Messrs. Lapointe of Chicopee and Bassett of Lynn, petition of Francis C. Lapointe and Timothy A. Bassett that certain alterations, improvements or construction by municipal corporations be exempt from local taxation for a limited period of time. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT TO AMEND THE REAL PROPERTY TAX LAW, IN RELATION TO PERMITTING MUNICIPAL CORPORATIONS TO PROVIDE LIMITED INCENTIVE FOR IMPROVING OR REMODELING BUILDINGS BY MAINTAINING ASSESSMENT LEVEL FOR LIMITED PERIOD.

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. Any municipal corporation, acting through its
2 local legislative or other governing body, is hereby authorized
3 and empowered to adopt and amend local laws or ordinances or
4 other enactments, applicable to said municipal corporation
5 providing that any increase in assessed valuation, up to a
6 maximum of 15 thousand dollars thereof, resulting from
7 alterations, improvements, construction replacing a former
8 building, additions or remodeling, to any residential structure or
9 building shall be exempt from taxation for local purposes for a
10 period not to exceed five years after the taxable status date
11 immediately following the completion thereof, provided that such
12 alterations, improvements, construction, additions or remodeling
13 shall be completed within two years of the start of such work,
14 failing which such period of exemption shall start to run one year
15 after such work is started and further providing that the cost of
16 such alterations, improvements, construction, additions or
17 remodeling to be eligible for such exemption shall cost at least a
18 sum equivalent to ten percent of the full value of the property
19 involved and that the greater portion of the building affected is at
20 least three years old.

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1 SECTION 2. During the period of such exemption the
2 assessment of any such building or structure after such
3 alterations, improvement, construction, additions or remodeling,
4 exclusive of the increase of valuation which is exempt, shall not
5 exceed the valuation of the previously existing building or
6 structure appearing on the assessment rolls after the taxable
7 status date immediately preceding the commencement of such
8 alteration, improvement, construction, addition or remodeling
9 plus the value of the land, except that any municipal corporation
10 may limit this exemption to only those alterations, im-
11 provements, construction, additions or remodeling which do not
12 exceed three hundred percent of the full value of said premises on
13 which said assessment was based.

1 SECTION 3. Sections one and two, hereof, shall apply only if
2 the title to said structure building or property has been held by a
3 person or persons or the heirs thereof for a period of at least one
4 year prior to the commencement of such alterations, im-
5 provements, construction, addition or remodeling and shall cease
6 upon the transfer of the title of said structure, building or
7 property to other than the heirs of distributors of such holder of
8 the title.

1 SECTION 4. Application for tax exemption under this section
2 shall be made on forms containing, as a minimum, the
3 information required by any municipal board of assessing, if said
4 board has acted to provide its minimum requirements. Such
5 application shall be made within sixty days after the issuance of a
6 building permit or within sixty days after the start of work, if no
7 building permit is required, and shall apply to the next assessment
8 roll based on the next succeeding taxable status date.

1 SECTION 5. The exemption provided by the provisions of
2 this section may not be granted for any building or structure
3 which has received it for the period of time fixed by the local
4 government as provided in subdivision one of this section.
5 However, an application may be made and granted after a period
6 of five years has elapsed from the date of the expiration of the
7 prior exemption.