
Accompanying the first recommendation of the State Tax Commission (House, No. 109). Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT RELATIVE TO THE FILING OF RETURNS AND THE PAYMENT
OF TAXES BY CERTAIN BANKING COMPANIES.

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 1 of chapter 63 of the General Laws is
2 hereby amended by striking out the paragraph defining "taxable
3 year", as appearing in the Tercentenary Edition, and inserting
4 in place thereof the following paragraph: —

5 "Taxable year", any fiscal or calendar year or period for
6 which the bank is required to make a return to the federal
7 government.

1 SECTION 2. Section 2 of said chapter 63, as most recently
2 amended by section 49 of chapter 654 of the acts of 1953, is
3 hereby further amended by striking out the first sentence and
4 inserting in place thereof the following sentence: — Every bank
5 shall pay, on account of each taxable year, a tax measured by
6 its net income, as defined in section one, at the rate assessed
7 upon other financial corporations; provided, that such rate shall
8 not be higher than the highest of the rates assessed under this
9 chapter upon mercantile and business corporations doing business
10 in the commonwealth; and provided, further, that such rate
11 shall not be higher than six per cent.

1 SECTION 3. Said section 2 of said chapter 63, as so amended,
2 is hereby further amended by striking out the second sentence
3 and inserting in place thereof the following sentence: — The com-
4 mission shall determine the rate on or before January fifteenth

5 of each year after giving a hearing thereon, and at or prior to
6 such hearing it shall make available to all banks requesting the
7 same a statement showing the aggregates of the income return-
8 able during the preceding calendar year and taxable under this
9 chapter and the aggregates of the taxes under this chapter of
10 such year, with respect to the following class of corporations:
11 (1) domestic financial corporations, (2) foreign financial corpora-
12 tions, (3) domestic manufacturing corporations as defined in
13 section thirty-eight C, (4) foreign manufacturing corporations
14 as defined in section forty-two B, (5) domestic business corpora-
15 tions as defined in section thirty, (6) foreign corporations as
16 defined in section thirty.

1 SECTION 4. Said chapter 63 is hereby further amended by
2 striking out section 3, as most recently amended by section 1 of
3 chapter 611 of the acts of 1955, and inserting in place thereof
4 the following section:—

5 *Section 3.* Every bank shall, on or before the fifteenth day of
6 the third month following the close of each taxable year, make a
7 return to the commissioner sworn to by its cashier or treasurer,
8 or in their absence or incapacity by any other principal officer,
9 in such form as the commissioner, with the approval of the
10 state tax commission, shall prescribe, giving such information as
11 the commissioner shall require for the determination of the tax
12 imposed by section two. Said tax shall be due and payable on
13 or before the due date of the return.

14 If any bank shall have participated in filing a consolidated re-
15 turn of income to the federal government, it shall file with the
16 commissioner a statement of net income, in such form as he shall,
17 with the approval of the state tax commission, prescribe, show-
18 ing its gross income and deductions in accordance with the law
19 and regulations governing the usual federal returns of corpora-
20 tions not so participating.

1 SECTION 5. Said chapter 63 is hereby further amended by
2 striking out section 4, as most recently amended by section 4 of
3 chapter 509 of the acts of 1941, and inserting in place thereof
4 the following section:—

5 *Section 4.* All provisions of this chapter relative to the assess-
6 ment, collection, payment, abatement, verification and adminis-
7 tration of taxes, including penalties, applicable to domestic

8 business corporations, as defined in section thirty, shall, so far
9 as pertinent, be applicable to taxes under section two; provided,
10 that any notice required to be given to a national banking as-
11 sociation shall be given to the cashier thereof; and provided,
12 further, that no such provisions shall be so applied as to con-
13 travene the federal constitution or the federal statutes relating
14 to national banking associations.

1 SECTION 6. Notwithstanding the provisions of section two of
2 chapter sixty-three of the General Laws and of section seven of
3 chapter one hundred and thirty-nine of the acts of nineteen hun-
4 dred and sixty-one, every bank taxed thereunder shall, with
5 respect to taxes assessed in the months of January to June, in-
6 clusive, nineteen hundred and sixty-three, pay, on account of
7 each taxable year, a tax measured by its net income, as defined
8 in section one of said chapter sixty-three, at the rate assessed
9 upon other financial corporations; provided, that such rate shall
10 not be higher than the highest of the rates assessed under said
11 chapter sixty-three upon mercantile and business corporations
12 doing business in the commonwealth; and provided, further,
13 that such rates shall not be higher than eight per cent.

1 SECTION 7. Sections three and six of this act shall take effect
2 after December thirty-first, nineteen hundred and sixty-two.
3 The remainder of this act shall apply with respect to taxable
4 years ending after December thirty-first, nineteen hundred and
5 sixty-two; provided, however, that nothing herein contained
6 shall affect the liability to file returns on or before March
7 fifteenth, nineteen hundred and sixty-three, and to pay the taxes
8 due with respect thereto on or before June first, nineteen hun-
9 dred and sixty-three, under the provisions of law in effect im-
10 mediately prior to the effective date of this act.

The first part of the document is a letter from the Secretary of the State to the Governor, dated the 10th of the month. The letter contains a report on the state of the treasury and the public debt, and also contains some observations on the state of the country. The letter is signed by the Secretary of the State.

The second part of the document is a report on the state of the treasury and the public debt, dated the 10th of the month. The report contains a statement of the receipts and disbursements of the treasury, and also contains some observations on the state of the public debt. The report is signed by the Secretary of the State.

The third part of the document is a report on the state of the country, dated the 10th of the month. The report contains a statement of the state of the country, and also contains some observations on the state of the country. The report is signed by the Secretary of the State.

The fourth part of the document is a report on the state of the country, dated the 10th of the month. The report contains a statement of the state of the country, and also contains some observations on the state of the country. The report is signed by the Secretary of the State.