

By Mr. Brett of Boston, petition of James T. Brett relative to the payment by cities and towns for information leading to recovery of taxes. Taxation.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO PAYMENT FOR INFORMATION LEADING TO RECOVERY OF 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. Chapter 60 is hereby amended by adding the
2 following: —

3 *Section 2B.* Authority to make payments.

4 The mayor of a city, or the board of selectmen of a town or a
5 duly authorized representative or representatives, is authorized to
6 make such monetary payments as they may deem suitable to any
7 person or persons who furnish information leading to the collec-
8 tion of taxes, penalties, or interest, or a combination thereof,
9 owed to a city or town by any person, partnership, corporation,
10 unincorporated association, trust, or estate. The determinations of
11 the mayor or board of selectmen as to whether such payments shall
12 be made and as to the amount thereof shall be final and conclusive
13 and shall not be subject to review in any court. The amount of any
14 such payment shall not exceed ten percent of the net taxes, penal-
15 ties, and interest or any combination thereof collected by the city or
16 town as a result of the information furnished. Such payments shall
17 be based on the collection of taxes, penalties, and interest, or any
18 combination thereof, only for the periods and the types of taxes for
19 which the information was provided. In no event shall any such
20 payment be made prior to the expiration of all appeal periods
21 applicable to the assessments involved.

1 SECTION 2. Chapter 60 is hereby amended by adding the
2 following: —

3 *Section 2C.* Authority to Contract for payments.

4 A city or town may enter into a contract for the payment of such
5 sums of money deemed suitable for information provided through
6 section 2B.

1 SECTION 3. Chapter 60 is hereby amended by adding the
2 following: —

3 *Section 2D.* Persons ineligible to file claims.

4 The following persons shall be ineligible to file a claim for any
5 monetary payment authorized by section 2B.

6 (2) Federal, state and other governmental employees — no
7 person who was an officer or employee of the United States
8 Department of the Treasury, the State Department of Revenue, or
9 any other state or local government department, agency, or office
10 with similar functions, duties, or obligations at the time he or she
11 came into possession of information, shall be eligible to file a
12 claim for any payment authorized by section 2B. Any other federal,
13 state or local government employee, or former employee, shall be
14 eligible to file a claim for any payment authorized by section 2B if
15 the information submitted came to his or her knowledge other than
16 in the course of his or her duties, except as otherwise provided in
17 this section;

18 (2) Attorneys — No person who was employed by, retained by,
19 or appointed to represent any other person as an attorney or who
20 was otherwise involved in an attorney-client privilege relationship
21 with such other person at the time he or she came into possession of
22 information relating to violations of a revenue law, or connivance
23 at the same, by such other person shall be eligible to file a claim for
24 any payment authorized by section 2B.

25 (3) Legal Representative — No person who was an executor,
26 administrator, or other legal representative of a deceased person at
27 the time he or she came into possession of information relating to
28 violations of a tax law by such deceased person shall be eligible to
29 file a claim for any payment authorized by section 2B.

30 (4) Other persons — No person who derived, either directly or
31 indirectly, information relating to violations of a tax law from a
32 person ineligible to file a claim for any payment authorized by this
33 subchapter shall be eligible to file a claim for such payment.