

By Mr. Lambert of Fall River, petition of Edward M. Lambert, Jr., John George, Jr., Marc R. Pacheco and Robert M. Koczera relative to the taxation of certain undeveloped real estate. Taxation.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE TAXATION OF CERTAIN UNDEVELOPED REAL ESTATE.

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 5 of chapter 59 of the General Laws is
2 hereby amended by adding the following clause: —

3 Fifty-first, real estate of no less than ten acres which is
4 undeveloped, including but not limited to farms, and which was
5 acquired from or passed from a decedent to his spouse or issue
6 and which is not sold by the spouse or issue and remains
7 undeveloped for a period of at least three years from the date of
8 death of said decedent; provided, however, such exemption shall
9 be allowed for a period of three years from said date of death.
10 This clause shall take effect upon its acceptance by any city or
11 town.

1 SECTION 2. Section 1 of chapter 65C of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 inserting after the word “commonwealth”, in line 41, the words: —
4 and less the value of any real property which qualifies under
5 section three B.

1 SECTION 3. Said chapter 65C is hereby further amended by
2 inserting after section 3A, the following section: —

3 Section 3B. The Massachusetts gross estate shall not include
4 the value of any parcel of undeveloped real property of no less

5 than ten acres including but not limited to farms; provided,
6 however that such real property was acquired from or passed from
7 the decedent to a spouse or issue; and provided, further, that such
8 real property shall not be sold and shall remain undeveloped for
9 a period of at least ten years from the date of death of said
10 decedent. If any of such real property ceases to meet the
11 qualifications of this section within said ten year period the value
12 of such real property shall be included in the Massachusetts gross
13 estate and any taxes due as a result thereof shall be paid.