

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 429) of Karen E. Spilka, David Paul Linsky, Louis L. Kafka, Barbara A. L'Italien and other members of the General Court for legislation relative to real estate tax increases for elderly persons. Joint Committee on Elder Affairs and Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO REAL ESTATE TAX INCREASES FOR ELDERLY PERSONS.

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 21C of Chapter 59 of the General Laws is hereby
2 amended by inserting after Section (n), the following Section
3 (o):—

4 (o). No person 65 years of age or older who owns and occupies
5 for no less than two years residential property as his/her principal
6 residence, and who's total income together with his/her spouse
7 shall not exceed \$61,000, shall be required to pay any increase in
8 real estate taxes attributable to voter approval pursuant to this
9 Chapter in a city or town allowing such city or town to increase
10 real estate taxes in excess of the amount of two and one-half per
11 cent of the full and fair cash valuation in said city or town over
12 the preceding fiscal year, specifically when such voter approval to
13 increase real estate taxes is expressly for the purpose of public
14 school construction and/or renovation.

15 Any person who qualifies for said exemption shall submit
16 his/her application on or before July 1st of the fiscal year such
17 exemption would apply on a form provided by the assessors. To
18 determine a person's income eligibility for said exemption under
19 this Chapter, the assessors shall review the state or federal income
20 tax forms from the previous tax year.

21 The \$61,000 eligibility income herein shall be adjusted annu-
22 ally according to the most recent Consumer Price Index (CPI).

23 This section shall take effect upon acceptance by a city or town.
24 Once accepted, the city or town shall use the provisions of the
25 overlay set forth in Section 25 of Chapter 59, to account for the
26 amount to be exempt pursuant to this Section.