

Mr. Walsh of Boston, petition of Richard L. Walsh relative to state grants to municipalities in lieu of property taxes on property of private colleges and general Hospitals. Taxation.

The Commonwealth of Massachusetts

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

AN ACT CONCERNING STATE GRANTS TO MUNICIPALITIES IN LIEU OF PROPERTY TAXES ON PROPERTY OF PRIVATE COLLEGES AND GENERAL HOSPITALS.

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 7 of chapter 59 of the General Laws, as
2 most recently amended by section 29 of chapter 766 of the acts of
3 1971, is hereby further amended by inserting after section 7A the
4 following section: —

5 *Section 7B.* On or before December first, annually, the tax
6 commission shall determine the amount due to each municipality
7 in the state, in accordance with this section, as a state grant in lieu
8 of taxes with respect to real property owned by any private non-
9 profit institution of higher education or any nonprofit general
10 hospital facility, exclusive of any such facility operated by the
11 federal government or the commonwealth of Massachusetts. As
12 used in this section "private nonprofit institution of higher educa-
13 tion" means any such institution engaged primarily in education
14 beyond the high school level, the property of which is exempt from
15 property tax under any General Laws; "nonprofit general hospital
16 facility" means any such facility which is used primarily for the
17 purpose of general medical care and treatment, exclusive of any
18 hospital facility used primarily for the care and treatment of special
19 types of disease or physical or mental conditions. The grant paya-
20 ble to any municipality under the provisions of this section in the
21 state fiscal year commencing July 1, 1979, and in each such fiscal
22 year thereafter, shall be equal to twenty-five per cent of the proper-

23 ty taxes which, except for any exemption applicable to any such
24 institution of higher education or general hospital facility under
25 the provisions of the General Laws, would have been paid with
26 respect to such exempt real property on the assessment list in such
27 municipality for the assessment date immediately preceding com-
28 mencement of the state fiscal year in which such grant is payable.
29 The amount of the grant payable to each municipality in any year
30 in accordance with this section shall be reduced proportionately in
31 the event that the total of such grants in such year exceeds the
32 amount appropriated for the purposes of this section with respect
33 to such year. As used in sections one and two of this act the words
34 "municipality" means any town or city.

1 SECTION 2. Chapter 58 of the General Laws is hereby amend-
2 ed by inserting after section 25B the following section: —

3 *Section 25C.* Not later than July first in any year, any munici-
4 pality to which a grant is payable under the provisions of section
5 seven B of chapter fifty-nine shall provide the tax commission with
6 the assessed valuation of the tax exempt real property which is
7 required for computation of such grant. Said commissioner may
8 on or before November first next succeeding the receipt of such
9 statement, reevaluate any such property when, in his judgment, the
10 valuation is inaccurate and shall notify such municipality of such
11 reevaluation. Any municipality aggrieved by the act of said com-
12 missioner under the provisions of this section may, within two
13 weeks of such notice, appeal to the superior court for the county
14 wherein such municipality is located. Any such appeal shall be
15 privileged. Said commission shall certify to the comptroller the
16 amount due each municipality under the provisions of section
17 seven B of chapter 59, or under any recomputation which may be
18 effected as the result of an appeal under this section, and the
19 comptroller shall draw his order on the treasurer on or before the
20 fifteenth day of December following and the treasurer shall pay the
21 amount thereof to such municipality on or before the thirty-first
22 day of December following.