

By Mr. Koutoujian of Waltham, petition of Peter J. Koutoujian relative to personal property tax for certain companies engaged in manufacturing or research and development. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO PERSONAL PROPERTY TAX.

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. Paragraph 1 of clause Sixteenth A of Chapter 59,
2 Section 5 is hereby amended by striking that paragraph in its entirety
3 and inserting in place thereof the following:—

4 In the case of a domestic or foreign limited liability company or
5 limited partnership which is engaged in manufacturing or research
6 and development in the Commonwealth, all property owned by such
7 limited liability company or limited partnership other than the
8 following:—real estate, poles and underground conduits, wires and
9 pipes.

1 SECTION 2. Paragraph 3 of clause Sixteenth A of Chapter 59,
2 Section 5 is hereby amended by striking that paragraph in its entirety
3 and inserting in place thereof the following:—

4 The classification by the commissioner, or the appellate tax board,
5 as the case may be, of a limited liability company or limited partner-
6 ship as a domestic or foreign limited liability company or limited
7 partnership engaged in manufacturing or research and development,
8 as respectively defined as aforesaid, shall be followed in the assess-
9 ment under this chapter of machinery used in the conduct of the
10 business.

1 SECTION 3. Paragraph 4 of clause Sixteenth A of Chapter 59,
2 Section 5 is hereby amended by striking that paragraph in its entirety
3 and inserting in place thereof the following:—

4 Said domestic limited liability company or limited partnership
5 engaged in manufacturing or research and development shall be
6 liable for the excise imposed under the provisions of subclause (i) of
7 clause (1) of subsection (a) or subsection (b) of the fourth paragraph,
8 whichever is greater, of Section thirty-two of Chapter sixty-three.
9 Said foreign limited liability company or limited partnership
10 engaged in manufacturing or research and development shall be
11 liable for the excise imposed under the provisions of said subclause
12 (i) of said paragraph (1) of said subsection (a) or said subsection (b),
13 whichever is greater, of Section thirty-nine of said Chapter
14 sixty-three.

1 SECTION 4. Paragraph 5 of clause Sixteenth A of Chapter 59,
2 Section 5 is hereby amended by striking that paragraph in its
3 entirety.