

By Ms. Fox of Boston, petition of Thomas M. Menino, Stephen F. Lynch, Kevin G. Honan, Dianne Wilkerson, Kevin W. Fitzgerald, Gloria L. Fox and Emanuel G. Serra relative to approved projects under the economic development incentive program. Taxation.

The Commonwealth of Massachusetts

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

AN ACT AMENDING THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.

*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 three E of chapter twenty-three A of the  
2 General Laws, as inserted by section four of chapter nineteen of  
3 the acts of 1993, is hereby amended by striking out paragraph (3)  
4 and inserting in place thereof the following: —

5 (3) receipt with the municipal application of a binding written  
6 offer from the municipality, subject only to acceptance by the  
7 EACC through designation of the area proposed therefor, in the  
8 municipal application as an EOA, to provide to certified projects  
9 within the project EOA and pursuant to section fifty-nine of  
10 chapter forty either tax increment financing, a special tax assess-  
11 ment, or designation as a project under chapter one hundred  
12 twenty-one A as follows:

13 (a) for purposes of the provision of tax increment financing,  
14 said binding written offer shall contain a tax increment financing  
15 plan adopted in accordance with the provisions of, section fifty-  
16 nine of chapter forty; provided, however, that the tax increment  
17 financing zone proposed in such plan in addition satisfy the  
18 requirement set forth in paragraph (1) of this section;

19 (b) for purposes of the provision of a special tax assessment,  
20 said binding written offer shall set forth the following assessment  
21 schedule for each parcel of real property in and on which is  
22 located, and which is otherwise a part of, a certified project EOA:

23 (i) in the first year, an assessment of zero percent of the actual  
24 assessed valuation of the parcel; provided that such assessment  
25 shall be granted for the year designated in the binding written  
26 offer;

27 (ii) in the second year, an assessment of up to twenty-five per-  
28 cent of the actual assessed valuation of the parcel;

29 (iii) in the third year, an assessment of up to fifty percent of the  
30 actual assessed valuation of the parcel;

31 (iv) in the fourth year, an assessment of up to seventy-five per-  
32 cent of the actual assessed valuation of the parcel; and

33 (v) in subsequent years, assessment of up to one hundred per-  
34 cent of the actual assessed valuation of the parcel.

35 (c) for purposes of designation as a project under chapter one  
36 hundred twenty-one A, evidence of such designation by the appro-  
37 priate boards, agencies or authorities of a municipality and/or the  
38 commonwealth.

39 For the purposes of this clause the term “municipality’s fiscal  
40 year” shall refer to a period of three hundred sixty-five days  
41 beginning, in the first instance, with the calendar year in which  
42 the assessed property is purchased or acquired or the calendar year  
43 in which the assessed property is designated as an EOA,  
44 whichever is last to occur; provided, further, that no such written  
45 offer from a municipality shall be considered to be binding as  
46 aforesaid unless and until it is authorized.

1 SECTION 2. This act shall take effect upon its passage.