

By Mr. DiMasi of Boston, petition of Salvatore F. DiMasi relative to the amount of interest governing overpayment and underpayment of taxes. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO THE AMOUNT OF INTEREST GOVERNING OVERPAYMENT AND UNDERPAYMENT OF TAXES.

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 (a) of section 18 of chapter 62B of the
2 General Laws as appearing in the 1986 Official Edition is hereby
3 amended by striking out the first sentence and inserting in place
4 thereof the following sentence: — In the case of any underpay-
5 ment of estimated tax, except as provided in paragraph (b) there
6 shall be added to the tax due under chapter 62, for the taxable
7 year, an amount determined at the adjusted rate as is established
8 under section 32 of chapter 62C upon the amount of
9 underpayment for the period of underpayment.

1 SECTION 2. Section 32 of chapter 62C, is hereby further
2 amended by striking out the last paragraph and inserting in place
3 thereof the following paragraph: —

4 If any amount of tax is not paid to the commissioner on or
5 before its statutory due date, there shall be added to, and become
6 a part of, the tax interest at the adjusted rate as is hereinafter
7 established under section 6621 of the Code from the said date to
8 the date that such tax is paid.

1 SECTION 3. Section 40 of chapter 62C, is hereby amended by
2 striking out the first sentence and inserting in place thereof the
3 following sentence: If any refund or any tax is made pursuant to
4 sections 36, 37 or 39 of this chapter, or sections 27 or 27A of

5 chapter 65, or section 6 of chapter 65A, the state treasurer shall
6 repay to the taxpayer the amount of such refund with interest
7 thereon at the adjusted rate as is established under section 32 of
8 chapter 62C from the date of the overpayment to a date, to be
9 determined by the commissioner, preceding the date of the refund
10 check by not more than thirty days, whether or not such refund
11 check is accepted by the taxpayer after tender of such check to
12 the taxpayer.

1 SECTION 4. Paragraph (a) of section 6 of chapter 63B of the
2 General Laws is hereby amended by striking out the first sentence,
3 as appearing in the 1986 Official Edition, and inserting in place
4 thereof the following sentence: In the case of any underpayment
5 of estimated tax by a corporation, except as provided in paragraph
6 (b), there shall be added to the taxes due under chapter 63 or any
7 act in lieu thereof, and under any act in addition thereto, for the
8 taxable year an amount determined at the adjusted rate as is
9 established under section 32 of Chapter 62C upon the amount of
10 underpayment for the period of underpayment.

1 SECTION 5. This Act shall take effect on July 1, 1987: