

SENATE No. 1320

By Mr. Olver, a petition (accompanied by bill, Senate, No. 1320) of John W. Olver, Salvatore R. Albano, Nicholas J. Costello, Eleanor Myerson and John Patrick Houston for legislation relative to the taxation of families. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO THE TAXATION OF FAMILIES.

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. Subparagraph (6) of paragraph (a) of subsection
2 (B) of section 3 of chapter 62 of the General Laws, as appearing
3 in the 1988 Official Edition, is amended by striking out the words
4 "single person", in line 60, and inserting in place thereof the
5 words: — single person, a head of household.

1 SECTION 2. Paragraph (b) of subsection (B) of section 3 of
2 chapter 62, as most recently amended by section 9 of chapter 106
3 of the Acts of 1988, is hereby further amended by inserting after
4 subparagraph (1) the following subparagraph: —

5 (1a) In the case of a head of household, as defined under the
6 provisions of section two (b) of the Code, filing a separate return,
7 (A) a personal exemption of three thousand four hundred
8 dollars,

9 (B) an additional exemption of two thousand two hundred
10 dollars if the taxpayer was totally blind at the close of his taxable
11 year, and

12 (C) an additional exemption of seven hundred dollars if the
13 taxpayer had attained the age of sixty-five before the close of his
14 taxable year.

1 SECTION 3. Section 5 of Chapter 62 is hereby amended by
2 striking out subsection (a), as most recently amended by section

3 10 of chapter 106 of the Acts of 1988, and inserting in place thereof
4 the following subsection: —

5 (a) Notwithstanding the provisions of section four, Part A
6 taxable income and Part B taxable income shall be exempt from
7 all taxes imposed by this chapter if the Massachusetts adjusted
8 gross income of the taxable year does not exceed the following
9 threshold: seven thousand six hundred dollars plus an amount
10 equal to that allowed for personal and dependent exemptions
11 under subparagraphs (1) through (3), inclusive of paragraph (b)
12 of subsection (B) of section three of this chapter; provided,
13 however, that the provisions of this sentence shall not apply in
14 the case where such Massachusetts adjusted gross income exceeds
15 one and seventy-five hundredths times the above thresholds. No
16 exemptions shall be allowed under this section to any married
17 individual unless a joint return is filed. In the case of short taxable
18 year, occurring for any reason other than residence during one
19 portion of the normal taxable year and nonresidence during
20 another portion, there shall be substituted for the above threshold
21 amounts those amounts which bear the same relation to such sums
22 as the number of days in the taxable year bears to three hundred
23 and sixty-five. With respect to a person who is a nonresident for
24 all or part of the taxable year, Massachusetts adjusted gross
25 income shall be determined as if he were a resident of the
26 commonwealth throughout the entire taxable year.

1 SECTION 4. The provisions of this act shall apply to taxable
2 years beginning on or after January first, nineteen hundred and
3 ninety.