

HOUSE No. 3812

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to student loan debt relief tax credit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>

HOUSE No. 3812

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3812) of James Arciero and others relative to the student loan debt relief tax credit. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to student loan debt relief tax credit.

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 6 of chapter 62 is hereby amended by adding the following
2 subsection:-

3 (w) (1) As used in this subsection, the following words shall, unless the context clearly
4 requires otherwise, have the following meanings:-

5 “Department”, department of higher education.

6 “Qualified taxpayer”, an individual who has: (i) incurred at least \$20,000 in
7 undergraduate or graduate student loan debt or both; and (ii) has at least \$5,000 in outstanding
8 undergraduate or graduate student loan debt or both when submitting an application under
9 paragraph (3).

10 (2) Subject to the limitations of this subsection, a qualified taxpayer may take a credit
11 against the taxes imposed by this chapter.

12 (3) (A) By September 15 of each year, an individual shall submit an application to the
13 department for the credit allowed under this subsection.

14 The individual shall submit with the application an assurance that the individual will use
15 any credit approved under this subsection for the repayment of the individual's undergraduate or
16 graduate student loan debt or both as soon as practicable. The total amount of the credit claimed
17 under this subsection shall be recaptured if the individual does not use the credit approved under
18 this subsection for the repayment of the individual's undergraduate or graduate student loan debt
19 or both within 2 years from the close of the taxable year for which the credit is claimed. The
20 individual who claimed the credit shall pay the total amount of the credit claimed as taxes
21 payable to the commonwealth for the taxable year in which the event requiring recapture of the
22 credit occurs.

23 (B) By December 15 of each year the department shall certify to the individual the
24 amount of any tax credit approved by the department under this subsection, not to exceed \$2,500.

25 (C) For any taxable year, the total amount of credits approved by the department under
26 this subsection may not exceed \$9,000,000.

27 (D) To claim the tax credit allowed under this subsection, an individual shall attach a
28 copy of the department's certification of the approved credit amount to the income tax return.

29 (4) The department shall prioritize tax credit recipients and amounts based on qualified
30 taxpayers who:

31 (i) have higher debt burden to income ratios;

32 (ii) graduated from an institution of higher education located in the commonwealth;

33 (iii) did not receive a tax credit in a prior year; or

34 (iv) were eligible for in-State tuition.

35 (5) If the tax credit allowed under this subsection in any taxable year exceeds the total tax
36 otherwise payable by the qualified taxpayer for that taxable year, the qualified taxpayer may
37 claim a refund in the amount of the excess.

38 (6) The department shall adopt regulations to carry out the provisions of this subsection.

39 SECTION 2. The department of higher education shall establish and implement by
40 September 1, 2019, an outreach and marketing plan to make eligible taxpayers aware of the
41 availability of the tax credit established in subsection (w) of section 6 of chapter 62 of the
42 General Laws.