

HOUSE No. 03915

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2559, a Bill to continue tax basis rules for property acquired from decedents (House, No. 3915). February 2, 2012.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act to continue tax basis rules for property acquired from decedents.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to immediately provide for the continuation of the pre-2010 Massachusetts rules governing the basis of property acquired from decedents, irrespective of the change in such rules applicable to the United States income tax for 2010 and thereafter, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

□

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Subclause (C) of paragraph (2) of subsection (b) of section 6F of chapter 62 of the General Laws,
- 2 as appearing in the 2010 Official Edition, is hereby amended by adding the following sentence:-
- 3 In the case of a decedent dying after December 31, 2009 and before January 1, 2011, for property
- 4 acquired from said decedent within the meaning of section one thousand and fourteen (b) of the
- 5 Code, the initial basis of such property shall be determined under section one thousand and

6 fourteen of the Code, without reference to sections one thousand fourteen (d) and (f) of the Code;
7 except that in the case of an election by the executor pursuant to § 301(c) of the Tax Relief,
8 Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312), the
9 initial basis of property acquired from said decedent shall be determined under section one
10 thousand and twenty two of the Code as amended and in effect on January 1, 2005.