

SENATE No. 1959

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

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 providing tax relief.

PETITION OF:

NAME:

John C. Velis

DISTRICT/ADDRESS:

Hampden and Hampshire

SENATE No. 1959

By Mr. Velis, a petition (accompanied by bill, Senate, No. 1959) of John C. Velis for legislation relative to provide tax relief. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to providing tax relief.

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 of the General Laws, as appearing in the 2020
2 official edition, is hereby amended in paragraph (2) of subsection (k) by striking out the figure
3 “750” and inserting in place thereof the following figure:- 1,755

4 SECTION 2. Said section 6 of chapter 62, as appearing, is hereby further amended by
5 striking out paragraph (5) of subsection (k) and inserting in place thereof the following new
6 paragraph:- (5) the department of revenue shall establish a mechanism by which a married
7 individual not filing jointly shall be allowed a credit under this subsection.

8 SECTION 3. The department of revenue shall adopt the mechanism established in section
9 2 not later than 90 days after the effective date of this Act.

10 SECTION 4. Said Section 6 of chapter 62 of the General Laws, as appearing, is hereby
11 further amended by striking out subsection (y) and inserting in place thereof the following
12 subsection:-

13 (y) A taxpayer who maintains a household that includes as a member: (i) at least 1
14 individual under the age of 13 who qualifies for exemption as a dependent under section 151 of
15 the Code; (ii) at least 1 qualifying individual, as defined in said section 21 of the Code; or (iii) at
16 least 1 individual who is: (A) not less than 65 years of age or who is disabled; and (B) who
17 qualifies as a dependent under section 152 of the Code, shall be allowed a credit in an amount
18 equal to \$310 for each such dependent or qualifying individual with respect to the taxpayer;
19 provided, however, that if the taxpayer is married at the close of the taxable year, the credit
20 provided in this subsection shall be allowed if the taxpayer and the taxpayer's spouse file a joint
21 return for the taxable year or if the taxpayer qualifies as a head of household under section 2(b)
22 of the Code; and provided further, that for the purposes of this subsection, "maintains a
23 household" shall have the same meaning as in said section 21 of the Code. With respect to a
24 taxpayer who is a non-resident for part of the taxable year, the credit shall be further limited to
25 the amount of allowable credit multiplied by a fraction, the numerator of which shall be the
26 number of days in the taxable year the person resided in the commonwealth and the denominator
27 of which shall be the number of days in the taxable year. A person who is a non-resident for the
28 entire taxable year shall not be allowed the credit. If the amount of the credit allowed under this
29 subsection exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an
30 overpayment and shall pay the taxpayer the entire amount of the excess without interest.

31 SECTION 5. Section 2A of chapter 65C of the General Laws, as so appearing, is hereby
32 amended by striking out subsection (a) and inserting in place the following subsection:-

33 (a) A tax is hereby imposed upon the transfer of the estate of each person dying on or
34 after January 1, 1997 who, at the time of death, was a resident of the commonwealth. The
35 amount of the tax shall be equal to the credit for state death taxes that would have been allowable

36 to a decedent's estate as computed under Code section 2011, as in effect on December 31, 2000,
37 hereinafter referred to as the "credit". If the federal gross estate of a person includes real or
38 tangible personal property located outside of the commonwealth at the time of death, the tax
39 shall be reduced by an amount equal to the proportion of such allowable credit as the value of
40 such real or tangible personal property located outside of the commonwealth bears to the value
41 of the entire federal gross estate wherever situated, as determined under Code section 2011, as in
42 effect on December 31, 2000.

43 SECTION 6. Said section 2A of said chapter 65C, as so appearing, is hereby further
44 amended by adding the following 2 subsections:-

45 (f) For the estates of decedents dying on or after September 1, 2022, a credit shall be
46 allowed against the tax imposed by subsections (a) and (b) equal to the amount of such tax;
47 provided, however, that the credit shall not exceed \$99,600.

48 (g) The estates of decedents dying on or after September 1, 2022 shall not be required to
49 pay any tax under subsections (a) and (b) if the value of the federal taxable estate is not more
50 than \$2,000,000.