

SENATE No. 2924

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 providing for climate change adaptation infrastructure and affordable housing investments in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>9/25/2020</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>10/1/2020</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>10/1/2020</i>

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2924) (subject to Joint Rule 12) of James B. Eldridge, Nika C. Elugardo, Jack Patrick Lewis, David Henry Argosky LeBoeuf and others for legislation relative to the imposition of an excise tax to provide for climate change adaptation infrastructure and affordable housing investments in the Commonwealth. Revenue.

The Commonwealth of Massachusetts

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

An Act providing for climate change adaptation infrastructure and affordable housing investments in the Commonwealth.

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. Chapter 64D of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by striking out section 1 and inserting in place thereof the following
3 section:-

4 Section 1. There shall be levied, collected and paid, for and in respect of the deeds,
5 instruments and writings hereinafter mentioned and described, or for or in respect of the vellum,
6 parchment or paper upon which such deeds, instruments or writings, or any of them are written
7 or printed, the excise taxes herein specified: Deed, instrument or writing, whereby any lands,
8 tenements or other realty sold shall be granted, assigned, transferred or otherwise conveyed to, or
9 vested in, the purchaser or purchasers, or any other person or persons, by his, her or their
10 direction, when the consideration of the interest or property conveyed, exclusive of the value of
11 any lien or encumbrance remaining thereon at the time of the sale, exceeds one hundred dollars

12 and does not exceed five hundred dollars, two dollars plus an additional fee of two dollars and 28
13 cents; and for each additional five hundred dollars or fractional part thereof, two dollars plus an
14 additional fee of two dollars and 28 cents; provided, however, that in Barnstable county, the
15 excise tax herein specified shall be one dollar and 50 cents for each five hundred dollars or
16 fractional part of said consideration plus an additional fee of one dollar and 71 cents, excluding a
17 consideration of between zero and one hundred dollars. Notwithstanding any other provisions of
18 this section or any other general or special law to the contrary, Nantucket county may disburse
19 and expend deposits in said funds, except for the funds transferred to the Affordable Housing
20 Trust Fund, the Housing Preservation and Stabilization Trust Fund, and the Global Warming
21 Solutions Trust Fund, pursuant to section 10, for the purpose of facilities and programs related to
22 law enforcement, including the planning, improving or constructing of police stations and other
23 related facilities and programs. This chapter shall not apply to any instrument or writing given to
24 secure a debt or to any deed, instrument or writing to which the commonwealth, a city or town of
25 the commonwealth, or the United States or any of their agencies are a party.

26 SECTION 2. Said chapter 64D, as so appearing, is hereby amended striking out section
27 10 and inserting in place thereof the following section:-

28 Section 10. The taxes provided by this chapter shall be retained by the commonwealth;
29 provided, however, that (i) an amount equal to 50 percent of the additional fees collected from
30 the excise imposed by this chapter shall be transferred annually to the Global Warming Solutions
31 Trust Fund, established by section 35GGG of chapter 10, (ii) an amount equal to 30 percent of
32 the additional fees collected from the excise imposed by this chapter shall be transferred annually
33 to the Affordable Housing Trust Fund, established by section 2 of chapter 121D, and (iii) an
34 amount equal to 20 percent of the additional fees collected from the excise imposed by this

35 chapter shall be transferred annually to the Housing Preservation and Stabilization Trust Fund,
36 established by section 60 of chapter 121B.

37 SECTION 3. This act shall take effect on January 1, 2021.