

HOUSE No. 3168

By Ms. Wolf of Cambridge (by request), petition of Althea Buckley, Timothy J. Toomey, Jr. and Anne M. Gobi for legislation to require certain endowed not-for-profit institutions to pay property taxes in the cities and towns of the Commonwealth. Revenue.

The Commonwealth of Massachusetts

PETITION OF:

Althea Buckley
Timothy J. Toomey, Jr.

Anne M. Gobi

In the Year Two Thousand and Seven.

AN ACT TO REQUIRE NONPROFIT INSTITUTIONS WITH LARGE ENDOWMENTS TO PAY PROPERTY TAXES.

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

1 Chapter 59 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after section 4 the following
3 section:—

4 Section 4A.

5 (1) Any not-for-profit institution that has accumulated more than
6 \$500,000,000 in an endowment or net worth, or any combination of
7 the two, shall not be exempt from real estate taxes.

8 (2) Income received in the form of property taxes from said insti-
9 tutions shall be paid into a fund designated to lower the real estate
10 tax burden of low- and moderate-income residents. The state trea-
11 surer shall deposit and invest monies in said fund in accordance with
12 Sections 34, 34A and 38 of Chapter 29 of the General Laws, as so
13 appearing, in such a manner as to secure the highest rate of return
14 available consistent with the safety of the fund. All revenue derived
15 from the investment of amounts in the fund shall be credited to the
16 fund and expended solely for the purpose of assisting of low- and
17 moderate-income residents with their property taxes.

18 (3) Property taxpayers currently residing in their dwellings who
19 have to pay more than 15 per cent of their income in property taxes
20 shall be eligible for assistance from the fund. Additionally, elderly
21 and disabled residents who meet the requirements for federal SSDI
22 funding shall also be eligible for assistance from the fund. The
23 appellate tax board shall enact rules and regulations to implement
24 this section.

25 (4) Property taxpayers who file a petition for abatement with the
26 appellate tax board may file along with the petition for abatement a
27 request for fund moneys to help cover the tax assessment. The appel-
28 late tax board shall consider such request for funds and determine if
29 the taxpayer meets the criteria under subparagraph (3). If the tax-
30 payer does not meet the criteria under subparagraph (3), the appel-
31 late tax board may award the taxpayer moneys from the fund if the
32 board concludes, after considering all relevant facts, that the tax-
33 payer is entitled to monetary assistance to help cover the real prop-
34 erty tax assessment.