

# SENATE NO. 1823

## AN ACT ESTABLISHING A PERMANENT ANNUAL SALES TAX HOLIDAY

*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 64H of the General Laws, as appearing in the 2004 Official Edition, is hereby  
2 amended by inserting after section 6 the following new section:-

3 Section 6A. The commissioner of revenue is hereby authorized and directed to annually  
4 designate, by July 15 of each calendar year, a two-day weekend in August during which no excise  
5 shall be imposed upon non-business sales at retail in the commonwealth of tangible personal property,  
6 as defined in section 1 of this chapter, but for the purposes of this section, tangible personal property  
7 shall not include telecommunications, gas, steam, electricity, motor vehicles, boats, meals, or any  
8 single item whose price is in excess of \$2,500.

9 For the days designated by the commissioner pursuant to the provisions of this section, a  
10 vendor in the commonwealth shall not add to the sales price or collect from any non-business  
11 purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of this  
12 chapter. The commissioner of revenue shall not require any vendor to collect and pay excise upon  
13 sales at retail of tangible personal property purchased on said designated days. Any excise erroneously  
14 or improperly collected during the designated days shall be remitted to the department of revenue.  
15 This section shall not apply to the sale of telecommunications, tobacco products subject to the excise  
16 imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats,  
17 meals, or any single item whose price is in excess of \$2,500.

18           When choosing the designated days, the commissioner shall take into consideration the  
19 observance of any religious and secular days of observation occurring therein; provided further, that  
20 the commissioner shall designate such days so as to maximize the economic benefit to the  
21 commonwealth.

22           Reporting requirements imposed upon vendors of tangible personal property, by law or by  
23 regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of  
24 the General Laws, shall remain in effect for sales for the days designated by the commissioner.

25           On or before December 31 of each year, the commissioner of revenue shall certify to the  
26 comptroller the amount of sales tax forgone, as well as new revenue raised from personal and  
27 corporate income taxes and other sources, because of this act. The commissioner shall issue a report,  
28 detailing by fund the amounts under general and special laws governing the distribution of revenues  
29 under this chapter which would have been deposited in each fund, without this act.

30           The commissioner of revenue shall issue instructions or forms, or promulgate rules or  
31 regulations, necessary for the implementation of this act.