

Question: Can cities and towns send property tax or other bills by email?

TA Response: With the approval of the Municipal Relief Act on July 27, 2010 ([c. 188 of the Acts of 2010](#)), cities and towns are now authorized to issue property tax bills in electronic form. Section 54 of the Act amends [M.G.L. C. 60](#) by adding new language to §3A that allows tax bills to be sent by email and other bills and nonpolitical information to be inserted with the mailing.

The local decision to allow issuance of the so-called “e-bills” rests with the board of selectmen in a town and the mayor in a city. There are two primary components to the authorization:

- 1) Like hardcopy bills, electronic property tax bills must be in a form approved by the Commissioner of Revenue and must meet the “content” requirements imposed by [c.60, §3A](#), subsection (a), which are unchanged; and
- 2) The program must be voluntary. Taxpayers cannot be forced to receive an electronic bill.

The legislation encourages a paperless system where the only tax bill received by property owners would be an email copy. Savings would be realized through the elimination of printed bills and postage for mailings two or four times a year. To receive an electronic bill or notice, taxpayers must explicitly enroll and provide their email address to the collector.

In addition, municipal collectors are permitted to include, with the electronic property tax bill, other charges for water or sewer use, solid waste disposal or collection, or electric, gas or other utility services. These can only include charges that are authorized by ordinance or by-law and that are assessed by the city or town. The inserted bills or notices of payments due must be separate and distinct from the property tax bills. In the case where a separate commission oversees the water or sewer operation, it rather than the selectmen or mayor would authorize utility e-bills.

The authority previously granted to municipalities to include nonpolitical informational material in an envelope with the tax bill is now expanded. The inclusion of additional information with an email tax bill is permitted, but requires the approval of the selectmen or mayor.

In developing an electronic tax bill program, the municipal collector should work with local assessors and a technology advisor. Among other topics, consideration might be given to the following:

- **Program Management.** Consideration of the tax billing process, staffing, web access and software capability should help local officials determine the most practical option for managing the program. In most instances, we would expect this to be collector’s office, which has the legal responsibility to send proper notice of the tax due. The same analysis should be completed relative to any other bills allowed to be inserted with the electronic tax bill. Alternatively, companies are emerging that will contract with a city or town to manage its e-billing program.

- **Enrollment.** Property owners should have the ability to enroll on-line at a dedicated town webpage. A verification mechanism must be built into the process. For instance, enrollment could be confirmed through a required return email acknowledgement by the property owner. The pertinent information could then be incorporated automatically into a data base. Over-the-counter enrollment or enrollment by mail is also an option and must include a written enrollment acknowledgement. Staff time would then have to data enter the information into the system or program
- **Technology.** For tax bills, whether in the assessors' appraisal system or a collector's billing system, software should allow property accounts to be flagged where owners have requested an electronic bill. The taxpayer's billing account would remain in the commitment, but no hardcopy bill would be printed or mailed. A similar process should be developed for other types of bills that might be inserted with the electronic property tax bill. In each instance, the collector should have the ability to print a copy of the bill, if needed.
- **Legal.** At the time of enrollment to receive an e-bill, property owners should be required to, at least, acknowledge that:
 - ▶ they understand by enrolling they will not receive a bill in the mail or in any other hardcopy form;
 - ▶ they are responsible for the accuracy of the information provided;
 - ▶ they are solely responsible for reporting any changes to the information on file;
 - ▶ they are not relieved of the legal obligation to make timely payment if they fail to receive a tax bill, or any other bill, because of incorrect information;
 - ▶ they attest to the truth and accuracy of the information provided.

To assist municipalities further, the DLS Municipal Law Bureau in the process of drafting an Informational Guideline Release on the topic of e-bills.