SENATE DOCKET, NO. FILED ON: 1/13/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Richard R. Tisei**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act creating a private mortgate insurance tax deduction.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Richard R. Tisei | Middlesex and Essex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01830 OF 2007-2008.]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act creating a private mortgage insurance tax deduction.

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

SECTION 1. Paragraph (a) of Part B of section 3 of chapter 62 of the General Laws, as appearing in the 2004 official edition, is hereby amended by inserting after subparagraph (15) the following new subparagraph:-

(16) (a) An amount equal to premiums paid or accrued for qualified mortgage insurance by the taxpayer during the taxable year in connection with acquisition indebtedness with respect to a primary residence.

(b) The amount under clause (a) shall be reduced (but not below zero) by 10 percent of such amount for each $1,000 that a persons adjusted gross income for the taxable year exceeds $100,000.

(c) Clause (a) shall not apply with respect to any mortgage insurance contracts issued before January 1, 2007.

Section 2.  Section 1 of chapter 62 of the General Laws, as so appearing, is hereby amended by inserting after paragraph (o) the following new paragraph:-

(p) “Qualified mortgage insurance,” shall mean private mortgage insurance, as defined within 12 U.S.C. 4901, or commonly referred to as insurance that reimburses a mortgage lender if the buyer defaults on the loan and the foreclosure sale price is less than the amount owed the lender.