

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brown, Scott (SEN)

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 limiting proposition 2 1/2 override elections and allowing an underridide in all communities

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mr. Tisei	Middlesex and Essex
Mr. Tarr	First Essex and Middlesex
Mr. Hedlund	Plymouth and Norfolk
Mr. Knapik	Second Hampden and Hampshire

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01702 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT LIMITING PROPOSITION 2 1/2 OVERRIDE ELECTIONS AND ALLOWING AN
UNDERRIDIDE IN ALL COMMUNITIES.

*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. Section 21 C of Chapter 59 of the General Laws, as most recently
2 appearing in the 2000 Official Edition is hereby amended by deleting subsection (h) and
3 replacing it with the following subsection:-

4 (h) In a city or town, if a majority of the local appropriating authority, or the people having
5 collected a number of signatures of registered voters equal to 5% of a city or town's registered
6 voters shall so require, there shall be a question placed on the ballot at a biennial state election as
7 to whether said city or town should be required to assess taxes by a specified amount below that
8 amount allowed pursuant to this section. The question submitted to the voters shall be worded as
9 follows:--

10 "Shall the (city/town) of _____ be required to reduce the amount of real estate and personal
11 property taxes to be assessed for the fiscal year beginning July first, two thousand and _____ by
12 an amount equal to \$_____".

13 YES NO

14 Said question shall be deemed approved if a majority of the persons voting thereon shall vote
15 "yes".

16 SECTION 2. Section 21C of Chapter 59 of the General Laws, as most recently appearing
17 in the 2000 Official Edition is hereby amended, by deleting subsection (i) and replacing it with
18 the following subsection:-

19 (i) With regard to the referenda procedures set out in this section the local appropriating
20 authority shall direct that the questions be placed only upon the official ballot at a biennial state
21 election. The local appropriating authority may direct that not more than three override questions
22 be placed upon the official ballots for use in the city or town at a biennial state election, by filing
23 with the state secretary not later than the first Wednesday of August preceding that election a
24 copy of its vote attested by the city or town clerk.

25 SECTION 3. Section 21C of Chapter 59 of the General Laws, as most recently appearing
26 in the 2000 Official Edition is hereby amended, by deleting subsection (g) and replacing it with
27 the following subsection:

28 (g) The local appropriating authority of any city or town which is subject to the provisions of
29 paragraph (f) may, by majority vote, seek voter approval to assess taxes in excess of amount
30 allowed pursuant to said paragraph (f) by a specified amount.

31 Any question submitted to the voters shall be placed on the biennial state ballot and worded as
32 follows:-

33 "Shall the (city/town) of _____ be allowed to assess an additional \$_____ in real estate and
34 personal property taxes for the purposes of (state the purpose(s) for which the monies from this
35 assessment will be used) for the fiscal year beginning July first, nineteen hundred and _____?

36 YES_____ NO_____"

37 Said question shall be deemed approved if a majority of the persons voting thereon shall vote
38 "yes".