



CITY OF SALEM

In City Council, February 28, 2019

Ordered:

That a petition to the General Court, accompanied by a bill for an act concerning the establishment of a means-tested senior citizen property tax exemption in the city of Salem as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article II, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to the intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO ESTABLISH A MEANS-TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION.

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. (a) Notwithstanding any general or special law to the contrary, and subject to sections b to e, inclusive, the city of Salem shall reduce the property taxes due on a qualifying property by the amount equal to fifty percent of the amount of the circuit breaker income tax credit, provided under subsection (k) of section 6 of chapter 62 of the General Laws, that the applicant received in the year prior to the application being filed, except that there shall be a dollar cap on the total exemptions granted pursuant to this act equal to 0.5 per cent of the fiscal year's total residential property tax levy for the city of Salem with the total exemption amount granted pursuant to this act allocated proportionally within the tax levy on all residential taxpayers. In the event that the dollar cap is reached, a reduction shall be reduced proportionally. The property taxes due on such property shall not be reduced below zero. This reduction shall not be in addition to any exemption allowable under the General Laws. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors under the deed for the property and shall include a condominium unit.

(b) Real property shall qualify for the exemption under this act if all of the following criteria are met:

(i) the qualifying real property is owned and occupied by a person who qualified and received the circuit breaker income tax credit the previous year under subsection (k) of section 6 of chapter 62 of the General Laws;

(ii) the qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or owned jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older;

(iii) the qualifying real property is owned and occupied by the single applicant or by the joint applicants as their domicile;

(iv) the single applicant or at least 1 of the joint applicants has been domiciled and owned a home in the city of Salem for at least the 10 consecutive years preceding the filing of the application for the exemption;

(v) the maximum prior year assessed value of the domicile is not greater than the prior year's maximum assessed value for qualification for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws as adjusted annually by the department of revenue; and

(vi) the board of assessors has approved the application.

(c) A person who seeks to qualify for the exemption under this act shall, before the deadline established by the board of assessors, file an application on a form to be adopted by the board of assessors along with the supporting documentation of the filed income tax return of the applicant showing the circuit breaker tax credit. The application shall be filed each year for which the applicant seeks the exemption.

(d) No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

(e) The exemption provided for in this act shall begin in fiscal year 2020 and shall expire after 3 years of implementation, provided, however, that the city of Salem may reauthorize the exemption for additional 3-year intervals by a vote of the city council.

SECTION 2. This act shall take effect upon its passage.

In City Council February 28, 2019

Adopted by Roll Call Vote of 11 yeas, 0 nays, 0 absent

Approved by the Mayor on March 6, 2019 ←

ATTEST:


Kimberley Driscoll
Mayor


ILENE SIMONS
CITY CLERK