

**HOUSE . . . . . No. 1082**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Thomas J. Calter*

*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 adoption of the accompanying bill:

An Act establishing a community safe school fund.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:           |
|----------------------------|-----------------------------|
| <i>Thomas J. Calter</i>    | <i>12th Plymouth</i>        |
| <i>Josh S. Cutler</i>      | <i>6th Plymouth</i>         |
| <i>Angelo L. D'Emilia</i>  | <i>8th Plymouth</i>         |
| <i>James J. Dwyer</i>      | <i>30th Middlesex</i>       |
| <i>Colleen M. Garry</i>    | <i>36th Middlesex</i>       |
| <i>Michael O. Moore</i>    | <i>Second Worcester</i>     |
| <i>Mathew Muratore</i>     | <i>1st Plymouth</i>         |
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> |

**HOUSE . . . . . No. 1082**

By Mr. Calter of Kingston, a petition (accompanied by bill, House, No. 1082) of Thomas J. Calter and others that cities and towns be authorized to establish community safe school funds. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1829 OF 2015-2016.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act establishing a community safe school fund.

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

1 Chapter 44 of the General Laws is hereby amended by inserting after section 55C the  
2 following section:-

3 Section 55D. (a) Notwithstanding section 53 or any other general or special law to the  
4 contrary, a city or town that accepts this section may establish a fund to be known as the  
5 Community Safe School Fund. The purpose is to fund in-school resource officers, salaries and  
6 benefits, training, and equipment needed to provide substance abuse awareness, counseling, and  
7 emergency preparedness and response. Acceptance shall be by majority vote of the municipal  
8 legislative body under section 4 of chapter 4.

9 (b) Notwithstanding any general or special law to the contrary, all moneys paid to the  
10 fund in accordance with this section shall be paid directly into the fund and need not be accepted  
11 and approved into the fund. The authority to approve expenditures from the fund shall be limited  
12 to the municipal legislative body and the municipal treasurer shall pay such expenses in  
13 accordance with the law. All moneys remaining in the fund at the end of any fiscal year, whether  
14 or not expended by the city or town within 1 year of the date they were appropriated into the  
15 fund, remain fund property.

16 (c) Notwithstanding the provisions of chapter 59 or any other general or special law to  
17 the contrary, the legislative body may vote to accept this section by approving a surcharge on  
18 real property of not more than 3 per cent of the real estate tax levy against real property, as  
19 determined annually by the board of assessors. The amount of the surcharge shall not be included  
20 in a calculation of total taxes assessed for purposes of section 21C of said chapter 59. Any  
21 amount of the surcharge not paid by the due date shall bear interest at the rate per annum  
22 provided in section 57 of said chapter 59.

23 (d) Upon acceptance of this section and upon the assessors' warrant to the tax collector,  
24 the accepted surcharge shall be imposed.

25 (e) After receipt of the warrant, the tax collector shall collect the surcharge in the amount  
26 and according to the computation specified in the warrant and shall pay the amounts so collected,  
27 quarterly or semi-annually, according to the schedule for collection of property taxes for the tax  
28 on real property, to the city's or town's treasurer to be deposited into the Community Safe School  
29 Fund. The tax collector shall cause appropriate books and accounts to be kept with respect to  
30 such surcharge, which shall be subject to public examination upon reasonable request from time

31 to time. The remedies provided by chapter 60 for the collection of taxes upon real estate shall  
32 apply to the surcharge on real property pursuant to this section.

33 (f) The state treasurer shall annually on or before October 15 disburse monies to each city  
34 and town accepting this section in an amount of 50 cents for each dollar of surcharge due a city  
35 or town annually under this section. The city or town shall notify the state treasurer of the date  
36 and terms on which the voters accepted this section. The municipal tax collecting authority shall  
37 annually certify to the state treasurer the amount the municipality is owed through June 30 by  
38 imposing a surcharge on its real property levy. The city or town treasurer shall receive any such  
39 disbursement from the state treasurer and deposit the same in the municipality's Community  
40 Safe School Fund.

41 (g) Any disbursement of the Community Safe School Fund shall be by vote of the  
42 municipal legislative body solely for the purposes set forth in subsection (a).