

HOUSE No. 4726

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber and Tricia Farley-Bouvier

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 to provide equal stimulus checks to immigrant taxpayers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Maria Duaiame Robinson</i>	<i>6th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>

<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Michael J. Moran</i>	<i>18th Suffolk</i>
<i>Nick Collins</i>	<i>First Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No. 4726

By Representatives Barber of Somerville and Farley-Bouvier of Pittsfield, a petition (subject to Joint Rule 12) of Christine P. Barber, Tricia Farley-Bouvier and others relative to stimulus checks to immigrant taxpayers. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to provide equal stimulus checks to immigrant taxpayers.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide stimulus checks to immigrant taxpayers who were excluded from the stimulus provisions of the federal CARES Act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. (a) When used in this section the following words or terms shall have the
2 following meanings:—

3 “Commissioner”, the commissioner of revenue.

4 “Eligible taxpayer”, a taxpayer who filed a Massachusetts income tax return for tax year
5 2019 using an Individual Taxpayer Identification Number (“ITIN”) and who is ineligible for the
6 recovery rebate in section 2201 of the federal CARES act of 2020; provided that estate or trust
7 shall not be considered an eligible taxpayer.

8 “Qualifying child”, an individual listed as a dependent by the taxpayer on Schedule D1 of
9 the Massachusetts income tax return for tax year 2019 who is a child of the taxpayer or a

10 descendant of such a child, or a brother, sister, stepbrother, or stepsister of the taxpayer or a
11 descendant of any such relative, who lived in the same home as the taxpayer for more than half
12 of tax year 2019, who has not provided over one-half of the individual's own support for the
13 calendar year in which the taxable year of the taxpayer begins, and who has not filed a joint
14 return (other than only for a claim of refund) with the individual's spouse under section 6013 for
15 the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins,
16 and who had not attained the age of 17 years at the end of 2019.(b) Notwithstanding any general
17 or special law to the contrary, in the case of an eligible taxpayer, there shall be allowed as a
18 refundable credit against the tax for tax year 2019 an amount equal to the sum of—

19 (1) \$1,200 (\$2,400 in the case of an eligible taxpayer filing a joint return), plus

20 (2) an amount equal to the product of \$500 multiplied by the number of qualifying
21 children.

22 (c) The amount of the credit allowed by this section shall be reduced (but not below zero)
23 by 5 percent of so much of the taxpayer's adjusted gross income as exceeds—

24 (1) \$150,000 in the case of a joint return,

25 (2) \$112,500 in the case of a head of household, and

26 (3) \$75,000 in the case of a taxpayer not described in paragraph (1) or (2).(d) The

27 commissioner shall disburse refunds payable under this section electronically to any account to
28 which the payee authorized, on or after January 1, 2018, the delivery of a refund of income tax.

29 In the case of an individual who, at the time of any determination made pursuant to subsections

30 (b) and (c) has not filed a tax return for tax year 2019, the commissioner shall disburse refunds

31 payable under this section by substituting '2018' for '2019' in the definitions of "eligible
32 taxpayer" and "qualifying child" and in subsection (b). (e) For an eligible taxpayer to whom no
33 electronic refund is disbursed pursuant to subsection (d), the commissioner shall notify such
34 taxpayer by first class mail and provide information prominently listed on the website of the
35 department of the availability of the refund provided for in this section together with instructions
36 on the application process. (f) The commissioner shall promulgate regulations to effectuate the
37 purposes of this section.