

Chapter

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

In the Year Two Thousand and Seven

AN ACT PROVIDING FOR A CERTAIN EXEMPTION FROM THE SALES TAX.

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. Notwithstanding any general or special law to the contrary, for the days of August 11, 2007 and August 12, 2007, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION 2. Notwithstanding any general or special law to the contrary, for the days of August 11, 2007 and August 12, 2007, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 11, 2007 and August 12, 2007. An excise erroneously or improperly collected during the days of August 11, 2007 and August 12, 2007 shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals, or a single item the price of which is in excess of \$2,500.

SECTION 3. Notwithstanding any general or special law to the contrary, reporting requirements imposed upon vendors of tangible personal property, by law or by regulation and including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 11, 2007 and August 12, 2007.

SECTION 4. (a) Notwithstanding any general or special law to the contrary, on or before December 31, 2007, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised, from personal and corporate income taxes and other sources pursuant to this act.

(b) Notwithstanding any general or special law to the contrary, the commissioner of revenue shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing the impact of this act. The report shall include, without limitation, an analysis by fund of the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund notwithstanding this act.

SECTION 5. Notwithstanding any general or special law to the contrary, the commissioner of revenue shall issue instructions or forms, or promulgate rules and regulations, necessary for the implementation of this act.

SECTION 6. Notwithstanding any general or special law to the contrary, eligible sales at retail of tangible personal property under sections 1 and 2 shall be restricted to those transactions occurring on August 11, 2007 and August 12, 2007. Transfer of possession of or payment in full for the property shall occur on 1 of those days and prior sales or layaway sales shall be ineligible.

House of Representatives, July 31, 2007.

Passed to be enacted,

 , Speaker.

In Senate, July 31, 2007.

Passed to be enacted,

 , President.

, 2007.

Approved,

Governor.