HOUSE DOCKET, NO. 984 FILED ON: 1/15/2013

HOUSE . . . . . No. 1821

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 passage of the accompanying:

An act establishing a community safe school fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas J. Calter	*12th Plymouth*
Josh S. Cutler	*6th Plymouth*
James J. Dwyer	*30th Middlesex*
Colleen M. Garry	*36th Middlesex*
Bruce E. Tarr	*First Essex and Middlesex*

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HOUSE . . . . . No. 1821

By Mr. Calter of Kingston, a petition (accompanied by bill, House, No. 1821) of Thomas J. Calter and others relative to establishing a community safe school fund. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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:

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

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

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

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