

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO LOCAL MANDATES.

*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. Section 1. Section 27C of Chapter 29 of the General Laws is hereby amended by  
2 inserting after paragraph (c) the following:—

3           (c1/2) For the purposes of this section, state laws imposing any direct service or cost obligation, state  
4 laws granting or increasing exemptions from local taxation, and administrative rules or regulations  
5 resulting in the imposition of additional costs shall be termed “local mandates,” provided that said laws,  
6 rules, and regulations take effect on or after January first, nineteen hundred and eighty-one. Local  
7 mandates shall include but not be limited to any state initiated statutory or regulatory action that:

8           (1) requires any city or town to undertake any service or cost obligation, or to establish, expand or  
9 modify any existing activity in such a way that results in the expenditure of funds or resources or results  
10 in the diversion of funds or resources from any existing activity; provided that a new law containing a  
11 specific provision for local acceptance shall not be deemed a local mandate. For the purposes of this  
12 section, the term “existing activity” shall include any program or service lawfully undertaken by any city  
13 or town under the authority of any law, special law, administrative rule or regulation, or city or town  
14 charter; amends an existing law that is effective only in cities and towns that vote to accept it, provided  
15 that such amendment enacted after initial local acceptance results in additional costs beyond those  
16 associated with the law initially accepted. Such a subsequent amendment to a local option law shall not  
17 be deemed a local mandate if the subsequent amendment contains a specific provision for a separate vote  
18 for local acceptance.