

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

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 bill:

An Act relative to low and moderate income housing.

PETITION OF:

NAME:

Colleen M. Garry

DISTRICT/ADDRESS:

36th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1228 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO LOW AND MODERATE INCOME HOUSING.

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 20 of chapter 40B of the General Laws as appearing in the 2004 Official Edition, is
2 hereby amended by inserting after the word “year”, in line 39, the following: - or (3) the number of
3 housing units transferred or sold in the prior calendar year at a value not exceeding the maximum sale
4 price for a low or moderate income person as determined by the department of housing and community
5 development exceeds 12 per cent of the total number of housing units transferred or sold during the same
6 period.

7 SECTION 2. Said chapter 40B is hereby further amended by inserting after section 23 the
8 following section: -

9 Section 23A. The department of housing and community development shall promulgate rules and
10 regulations consistent with the preceding sections. Said rules and regulations shall govern the application
11 of the provisions of sections 20, 21, 22, and 23 and shall include, at a minimum: maximum density
12 limits, the minimum percentages of subsidized low and moderate units in each proposed development
13 project in order to qualify for application of the sections, a provision to allow municipalities to gain credit
14 for units participating in rental voucher programs, and a methodology for determining the local housing
15 needs of a community in view of the regional need for low and moderate income housing considered with
16 the number of low income persons in the municipality affected and the need to protect the health and
17 safety of the occupants of the proposed housing or the residents of the city or town and to promote
18 superior site and building design in the character of its surroundings.