

**HOUSE . . . . . No. 1439**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*David M. Rogers*

*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 leveraging additional resources for local housing authorities.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:     | DATE ADDED:      |
|----------------------------|-----------------------|------------------|
| <i>David M. Rogers</i>     | <i>24th Middlesex</i> | <i>2/18/2021</i> |
| <i>David F. DeCoste</i>    | <i>5th Plymouth</i>   | <i>2/19/2021</i> |
| <i>Diana DiZoglio</i>      | <i>First Essex</i>    | <i>2/26/2021</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>3/16/2021</i> |

**HOUSE . . . . . No. 1439**

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By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1439) of David M. Rogers and others for legislation to provide housing authorities with certain powers to secure indebtedness incurred for the preservation, modernization and maintenance of low- rent housing developments. Housing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1317 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act leveraging additional resources for local housing authorities.

*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 11 of said chapter 121B, as so appearing, is hereby amended by  
2 adding the following paragraph:-

3  
4 “Notwithstanding any general or special law to the contrary, a housing authority, with the  
5 approval of the department, shall have the power to secure indebtedness incurred for the  
6 preservation, modernization and maintenance of one or more of its low- rent housing  
7 developments assisted under section 32 or section 34 of chapter 121B by a pledge of a portion of  
8 capital funds awarded to it for improvements to be carried out pursuant to a department-approved  
9 capital improvement plan in accordance with department regulations governing capital projects.

10 The department shall promulgate regulations establishing limitations on the percentage of  
11 awarded capital funds that may be pledged to secure indebtedness, describing permitted terms for  
12 borrowing and repayment, and establishing criteria for housing authorities that will be permitted  
13 to incur indebtedness secured by a pledge of capital funds. Any pledge of future year capital  
14 funds under this section is subject to the availability of funds under the department’s capital  
15 spending plan as approved by the governor for that year. All financing documents related to  
16 future year capital fund amounts must include a statement that the pledging of funds is subject to  
17 the availability of funds under the department’s capital spending plan as approved by the  
18 governor.”.

19 SECTION 2. Section 34 of said chapter 121B, as so appearing, is hereby amended by  
20 striking out the fifth paragraph and inserting in place thereof the following paragraph:-

21 “The proceeds of any sale or other disposition of such project in excess of the total of all  
22 obligations of the housing authority with respect to such project shall, after the payment of all  
23 bonds issued by the housing authority to finance the cost of such project and payment of the  
24 costs of the sale or disposition, be retained by the housing authority for the preservation,  
25 modernization and maintenance of its public housing assisted under this chapter as approved by  
26 the department, or where the housing authority has no public housing assisted under this chapter,  
27 such proceeds shall be paid to the department to fund capital improvements for the preservation,  
28 modernization and maintenance of state-aided public housing.”.

29 SECTION 3. Said section 34 of said chapter 121B, as so appearing, is hereby further  
30 amended by striking out the tenth paragraph and inserting in place thereof the following  
31 paragraph:-

32           “Whenever a housing authority shall determine that land acquired by it under clause (d)  
33 of section 11 for the purpose of this section is in excess of or no longer required for such  
34 purposes it may, upon approval by the department, sell or otherwise dispose of such land by deed  
35 or instrument approved as to form by the attorney general. If the housing authority is disposing  
36 of such land for purposes of housing development, it may do so in accordance with section 26 of  
37 this chapter. So long as any bonds issued by a housing authority to finance the cost of a project  
38 under this section or section 35 and guaranteed by the commonwealth are outstanding, funds  
39 received from a disposition of land as provided in this chapter shall be applied in accordance  
40 with the fourth paragraph of this section. After the payment of all bonds issued by the housing  
41 authority to finance the cost of such project, funds received shall be applied in accordance with  
42 the fifth paragraph of this section.”.