

HOUSE No. 1791

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos Gonzalez

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 to prevent over saturation of clinical or educational programs in low income neighborhoods under the Dover amendment without local approval.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No. 1791

By Mr. Gonzalez of Springfield, a petition (accompanied by bill, House, No. 1791) of Carlos Gonzalez and others relative to exemptions from zoning regulations for certain clinical or educational programs in low income neighborhoods under the Dover amendment, so-called. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to prevent over saturation of clinical or educational programs in low income neighborhoods under the Dover amendment without local approval.

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. The General Court hereby finds and declares that the use of the dover
2 amendment in low income cities and towns without local approval may incentivize the
3 oversaturation of substance use and alcohol addiction centers and clinics in low income cities
4 and towns, and the failure to put property purchased for educational purposes to productive use
5 in a timely manner, therefore, low income cities and towns should participate in the decision to
6 approve the use of land under the dover amendment.

7 SECTION 2. The second paragraph of section 3 of chapter 40A of the General Laws, as
8 appearing in the 2014 Official Edition, is hereby amended by inserting after the word
9 “requirements”, in lines 51 and 52, the following words:- ; provided, further, that no such land or
10 structures located in a low income city or town, defined for purposes of this paragraph as a city
11 or town whose average median income is equal to 60 per cent or less of the average median

12 income of the commonwealth, shall be used for educational purposes pursuant to this section,
13 including, but not limited to the purpose of opening a substance abuse or alcohol rehabilitation
14 center or a clinic, nor be exempt from zoning regulation pursuant to this section, without first
15 obtaining the approval of the legislative body of such city or town.

16 SECTION 3. Said section 3 of said chapter 40A, as so appearing, is hereby further
17 amended by adding the following paragraph:-

18 Notwithstanding any general or special law to the contrary, any person, organization,
19 institution or corporation that purchases property within a city or town to be used for educational
20 purposes pursuant to this section, and who fails, within 2 years to substantially improve such
21 property shall be assessed at the property's highest and best use at commercial rate for such
22 property, with no exemption.