

HOUSE No. 3695

The Commonwealth of Massachusetts

PRESENTED BY:

Michelle M. DuBois

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 regulating the location of generation facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/19/2023</i>

HOUSE No. 3695

By Representative DuBois of Brockton, a petition (accompanied by bill, House, No. 3695) of Michelle M. DuBois relative to the locating of generation facilities within one mile of certain public areas and areas of critical environmental concern. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3293 OF 2021-2022.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**
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An Act regulating the location of generation facilities.

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. of Chapter 164 of the General Laws, as appearing in the 2020 Official
2 Edition is hereby amended by adding the following section:-

3 Section 69J1/4A. Notwithstanding any general or special law, rule or regulation to the
4 contrary no generating facility shall be located in an area which is less than 1 mile in linear
5 distance from an environmental justice community, playground, licensed day-care center, school,
6 church, area of critical environmental concern, as determined by the secretary of environmental
7 affairs pursuant to 301 CMR 12.00, or an area occupied by residential housing. This linear
8 distance shall be measured from any point along a generating facility to the outermost point of
9 aforementioned zones; provided, however, that repairs or replacements that do not increase

10 megawatts generated in any generation facility in operation prior to January 1, 2017, shall not be
11 subject to this section.