

HOUSE No. 4266

The Commonwealth of Massachusetts

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

An Act relative to agricultural commission input on board of health regulations.

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 31 of chapter 111 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by striking out the second paragraph and inserting in place thereof the
3 following:-

4 In a municipality with a municipal agricultural commission established pursuant to
5 section 8L of chapter 40, the board of health shall, prior to enacting any regulations that impact
6 farmers markets as defined in department regulations; farms as defined in section 1A of chapter
7 128; and the non-commercial keeping of poultry, livestock, and bees as well as non-commercial
8 production of fruit, vegetables and horticultural plants; provide the municipal agricultural
9 commission with a copy of the proposed regulation. The municipal agricultural commission shall
10 have a 45-day review period, during which the commission may hold a public meeting, and may
11 provide written comments and recommendations to the board of health relative to the proposed
12 regulations. Upon a majority vote of the members, the agricultural commission may waive the
13 45-day review period.

14 If the board of health determines that an emergency exists, the board or its authorized
15 agent, acting in accordance with the provisions of section 30 of chapter 111, may, without notice
16 of hearing, issue an order reciting the existence of the emergency and requiring that such action
17 be taken as the board of health deems necessary to address the emergency. The board of health
18 shall comply with the local enforcement emergency procedures set forth in department
19 regulations, as amended from time to time.