

**HOUSE . . . . . No. 662**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Carole A. Fiola***

*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 authorizing certain cities and towns to use the Community Preservation Fund for market rate housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Bud Williams</i>	<i>11th Hampden</i>

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By Ms. Fiola of Fall River, a petition (accompanied by bill, House, No. 662) of Carole A. Fiola and others for legislation to allow certain cities and towns to use the Community Preservation Fund for market rate housing. Housing.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act authorizing certain cities and towns to use the Community Preservation Fund for market rate 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 2 of chapter 44B of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by inserting after the definition of “Maintenance” the  
3 following definition:-

4           “Market rate housing”, housing priced consistently with prevailing rents or sale prices in  
5 the city or town administering the Community Preservation Fund.

6           SECTION 2. Section 6 of said chapter 44B of the General Laws, as so appearing, is  
7 hereby amended by inserting after the word “housing”, in line 7, the following words:- ,  
8 provided, however, that a city or town may spend said 10 per cent of annual revenues for  
9 community housing on community housing or market rate housing, if the city or town’s  
10 inventory of low or moderate income housing units, as determined by the department of housing  
11 and community development, was at least 100 per cent of the statutory minima pursuant to

12 chapter 40B, as currently calculated pursuant to the applicable rules and regulations of the  
13 department; provided, further, that market rate housing acquired with monies from the  
14 Community Preservation Fund shall not be subject to section 12 .