

SENATE No. 738

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 relative to 40B use restrictions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/25/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>1/30/2017</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/1/2017</i>

SENATE No. 738

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 738) of Patrick M. O'Connor, David F. DeCoste, Donald F. Humason, Jr. and Ryan C. Fattman for legislation relative to 40B use restrictions. Housing.

The Commonwealth of Massachusetts

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

An Act relative to 40B use restrictions.

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 21 of chapter 40B of the Massachusetts General laws, as appearing
2 in the 2014 official edition, is hereby amended by adding the following paragraph:-

3 All low and moderate income housing units built using a comprehensive permit must
4 include a use restriction that remains in effect in perpetuity. Local boards shall have the sole
5 discretion to waive this clause provided that it is replaced with a use restriction that remains in
6 effect for a minimum of 30 years.