

**SENATE . . . . . No. 764**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Harriette L. Chandler**

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*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 passage of the accompanying bill:

An Act requiring a state zoning guide for social service agencies and municipalities.

PETITION OF:

NAME:

Ms. Chandler

DISTRICT/ADDRESS:

First Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01156 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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AN ACT REQUIRING A STATE ZONING GUIDE FOR SOCIAL SERVICE AGENCIES AND MUNICIPALITIES.

*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 finds that:

2           the commonwealth has the responsibility to help municipalities implement zoning law;

3           (b) municipalities lack an uniformed guide for implementing zoning law;

4           (c) social service agencies and municipalities often are not communicating and coordinating

5           well;

6           (d) therefore the general court wishes to require preparation of a comprehensive guide to

7           municipal zoning, for use by municipalities and social service agencies for purposes of siting.

8           SECTION 2. The secretary of the Executive Office of Health and Human Services, in

9           consultation with other executive agencies including but not limited to the department of the

10          attorney general, the executive office of public safety, the department of housing and community

11          development and the office of commonwealth development, shall develop a comprehensive

12 guide for municipal zoning under section 3 of chapter 40A of the General Laws and other state  
13 law and federal law, for use by municipalities and social service agencies.

14 SECTION 3. The secretary shall consider issues related to federal and state law,  
15 constitutional issues, state and federal case law, and practices of other states and commonwealths  
16 in developing a comprehensive guide for siting of social service agencies, and municipalities  
17 including information regarding all applicable federal and state laws and regulations and best  
18 practices pertaining to the siting of facilities within which services funded by the commonwealth  
19 are delivered.

20 SECTION 4. The secretary shall issue an interim report to the house and senate  
21 committees on ways and means, the joint committee on children and families, the joint  
22 committee on mental health and substance abuse, and the joint committee on municipalities and  
23 regional government within 60 days of enactment.

24 SECTION 5. The secretary shall develop the guide required by this act within 120 days  
25 after the effective date of this act.