

HOUSE No. 4368

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 5, 2020.

The committee on Ways and Means, to whom was referred the Bill relative to certain affordable housing in the city of Chelsea (House, No. 3979), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4368).

For the committee,

AARON MICHLEWITZ.

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

An Act relative to certain affordable housing in the city of Chelsea.

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. Construction and development activity related to redevelopment by the
2 Chelsea Housing Authority of the state-funded Innes apartments public housing project at
3 Central avenue, Watts and Willow streets in the city of Chelsea, or any part thereof, shall not be
4 subject to any general or special law related to the procurement and award of contracts for the
5 planning, design, construction management, construction, reconstruction, installation,
6 demolition, maintenance or repair of buildings by a public agency; provided, however, that
7 construction, reconstruction, installation, demolition, maintenance or repair activities by such
8 entity shall be subject to sections 26 to 27H, inclusive, of chapter 149 of the General Laws.
9 Contracts for the construction, reconstruction, alteration, remodeling or repair of any publicly-
10 owned public works that service this project and that would otherwise be subject to section 39M
11 of chapter 30 of the General Laws shall be subject to said section 39M of said chapter 30 if the
12 redevelopment of the project is funded, in part, by a state or federal low-income housing tax
13 credit, grant, or loan, or pursuant to the issuance of tax-exempt bonds authorized by law. The
14 redevelopment of the project may be conducted through 1 or more phases through 1 or more

15 entities. All phases taken together shall preserve or construct public housing units equal in
16 number to the public housing units located at Innes apartments on the effective date of this act.
17 Each individual phase shall include such portion of the total public housing units as required by
18 the Chelsea Housing Authority and the department of housing and community development. Any
19 conveyance of the project or any phase thereof, whether by leasehold or fee estate, shall be
20 subject to chapter 30B of the General Laws to the extent that the project or any phase thereof is
21 conveyed to an entity that is not owned, controlled or managed by the Chelsea Housing
22 Authority on the date of the conveyance. Subject to compliance with the requirements of chapter
23 30B, the project or any phase thereof may be conveyed to and may be owned, maintained and
24 operated by an entity that is not owned, controlled or managed by the Chelsea Housing
25 Authority; provided, however, that such entity enters into a binding legal contract and land use
26 restriction with the Chelsea Housing Authority and with the department of housing and
27 community development that requires such entity to preserve or construct the required portion of
28 public housing units for that phase and operate such units subject to compliance with chapter
29 121B of the General Laws and 760 CMR §§ 4.00 et seq., 5.00 et seq. and 6.00 et seq. in the same
30 manner and to the same effect as if such entity were a housing authority, subject to such
31 regulatory waivers given by the department of housing and community development as may be
32 necessary to secure financing.

33 SECTION 2. This act shall take effect upon its passage.