

SENATE No. 811

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>1/29/2019</i> |

SENATE No. 811

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 811) of Patrick M. O'Connor and David F. DeCoste for legislation relative to 40B use restrictions. Housing.

The Commonwealth of Massachusetts

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

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.