

HOUSE No. 3678

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 promoting the adoption of renewable energy for heating, cooling and hot water.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------|---|------------------|
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>1/18/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/20/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>1/21/2023</i> |

HOUSE No. 3678

By Representative Connolly of Cambridge, a petition (accompanied by bill, House, No. 3678) of Mike Connolly, Lindsay N. Sabadosa and Rebecca L. Rausch relative to promoting the adoption of renewable energy for heating, cooling and hot water under the zoning law. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2145 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act promoting the adoption of renewable energy for heating, cooling and hot water.

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. Chapter 40A of the General Laws is hereby amended by inserting after
2 section 3 the following new subsection:- No zoning ordinance or by-law shall prohibit or
3 unreasonably regulate the installation of alternative and renewable energy systems for electricity,
4 heating, cooling or hot water or the building of structures that facilitate the use of alternative and
5 renewable energy systems for electricity, heating, cooling or hot water, except where necessary
6 to protect the public health, safety or welfare.

7 Chapter 40A of the General Laws is hereby further amended by adding the following new
8 subsection:- A municipality may require any person or entity that applies for a permit to build a
9 new structure or for renovation of a portion of a building that is equal to or greater than 50 per

10 cent of the building area or to replace a pre-existing structure to include as part of the application
11 for planning board approval, if applicable, and otherwise for a building permit a plan that uses
12 alternative and renewable energy sources and an analysis of the feasibility and cost of installing
13 such a system compared with a fossil fueled energy system.

14 SECTION 2. Section 23C of Chapter 184 of the General Laws is hereby amended by
15 inserting after the words “use of” the following: (i) Section 23C of Chapter 184 of the General
16 Laws is hereby further amended by inserting after the words “solar energy” the following: , or
17 (ii) an alternative or renewable energy system, powered in whole or in part by the sun, wind,
18 water, biomass, alcohol, or any renewable, non-depletable or recyclable fuel.

19 SECTION 3. Section 45B of Chapter 59 of the General Laws, is hereby amended by
20 adding the following paragraph at the end:-Any heat pump system being utilized as a primary or
21 auxiliary power system for the purpose of heating or otherwise supplying the energy needs of
22 property taxable under this chapter; provided, however, that such exemption shall be allowed
23 only for a period of twenty years from the date of the installation of such system or device.