

HOUSE No. 1206

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to Correctly Count 40B Units..

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 40B of the General Laws is hereby amended by inserting, after
2 section 21, the following section:-

3 Section 21A. The department of housing and community development can report only
4 those units deemed affordable under HUD or applicable state affordability standards, whichever
5 is more stringent, when counting and reporting units constructed or rehabilitated under this
6 chapter. In order to be counted, said units must also have been built under this chapter using a
7 comprehensive permit. In addition, all units deemed affordable under HUD or applicable state
8 affordability standards, whichever is more stringent, regardless of origin, must be counted when
9 assessing a community’s percentage of affordable homes. This change will result in a more
10 accurate assessment of the number of affordable housing units created under this chapter.

11 SECTION 2. This act shall take effect on July 1, 2009.