HOUSE DOCKET, NO. 1420 FILED ON: 1/20/2011

HOUSE . . . . . No. 1263

The Commonwealth of Massachusetts

PRESENTED BY:

Colleen M. Garry

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 low and moderate income housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Colleen M. Garry	*36th Middlesex*

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HOUSE . . . . . No. 1263

By Ms. Garry of Dracut, a petition (accompanied by bill, House, No. 1263) of Colleen M. Garry relative to certain changes concerning low and moderate income housing. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1203* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to low and moderate income housing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 20 of chapter 40B of the General Laws as appearing in the 2004 Official Edition, is hereby amended by inserting after the word "year", in line 39, the following: - or (3) the number of housing units transferred or sold in the prior calendar year at a value not exceeding the maximum sale price for a low or moderate income person as determined by the department of housing and community development exceeds 12 per cent of the total number of housing units transferred or sold during the same period.

SECTION 2. Said chapter 40B is hereby further amended by inserting after section 23 the following section: -

Section 23A. The department of housing and community development shall promulgate rules and regulations consistent with the preceding sections. Said rules and regulations shall

11 govern the application of the provisions of sections 20, 21, 22, and 23 and shall include, at a
12 minimum: maximum density limits, the minimum percentages of subsidized low and moderate
13 units in each proposed development project in order to qualify for application of the sections, a
14 provision to allow municipalities to gain credit for units participating in rental voucher programs,
15 and a methodology for determining the local housing needs of a community in view of the
16 regional need for low and moderate income housing considered with the number of low income
17 persons in the municipality affected and the need to protect the health and safety of the occupants
18 of the proposed housing or the residents of the city or town and to promote superior site and
19 building design in the character of its surroundings.