

**HOUSE . . . . . No. 3931**

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**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 requiring zoning for multifamily housing near transit.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/15/2019</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>6/4/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>6/6/2019</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>6/6/2019</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>6/7/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>6/7/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>6/10/2019</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>6/10/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>6/10/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/10/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/10/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>6/10/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>6/10/2019</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>6/10/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>6/10/2019</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>6/10/2019</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>6/10/2019</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>6/10/2019</i>

**HOUSE . . . . . No. 3931**

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3931) of Mike Connolly and others for legislation to require zoning for multifamily housing near transit. Transportation.

**The Commonwealth of Massachusetts**

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

An Act requiring zoning for multifamily housing near transit.

*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 6A of the General Laws is hereby amended by adding the  
2 following section:-

3 Section 105. (a) If a city or town has not provided for multi-family residential  
4 development on developable land that, by virtue of its location within 1 mile of a commuter rail  
5 station, subway station, ferry terminal or bus station, can be feasibly developed into a residential  
6 or mixed-use development containing multifamily housing, the governor shall withhold from  
7 such city or town public funds from any state agency and the Massachusetts Bay Transportation  
8 Authority shall, pursuant to section 51 of chapter 46 of the acts of 2013, administer a surcharge  
9 on such city or town served by the authority. For the purposes of this section multifamily  
10 housing shall mean apartment, cooperative or condominium units in buildings that contain or  
11 will contain more than 3 such units.

12 (b) In considering whether to withhold funds to a city or town from a state agency, the  
13 governor shall primarily take into account the type of multi-family housing zoned within 1 mile  
14 of a commuter rail station, subway station, ferry terminal or bus station. The multi-family zoning  
15 shall allow such units by-right and not be age restricted. The governor shall provide preference  
16 for state funds where such multi-family housing is restricted as affordable. The governor shall  
17 also take into account whether such municipality has provided for transit oriented development  
18 and multi-family housing zoning. For the purposes of this section, transit oriented development  
19 (TOD) is compact, walkable development centered around a commuter rail station, subway  
20 station, ferry terminal or bus station. TOD includes a mix of uses, such as housing, shopping,  
21 employment, and recreational facilities within a design that puts a high priority on serving transit  
22 and pedestrians.

23 SECTION 2. The executive office of administration and finance shall promulgate  
24 regulations within 180 days of the passage of this act for the administration of section 1.

25 SECTION 3. Section 51 of chapter 46 of the acts of 2013 is hereby amended by adding  
26 the following subsection:-

27 (e) A city or town that has not provided for multi-family zoning where a commuter rail  
28 station, subway station, ferry terminal or bus station is located pursuant to section 105 of chapter  
29 6 of the General Laws shall pay to the authority a surcharge in the amount of 1 per cent of the  
30 fare for each rider entering any such commuter rail station, subway station, ferry terminal or bus  
31 station.

32 SECTION 4. Section 1 shall take effect on January 1, 2021.