

# HOUSE . . . . . No. 4266

---

## The Commonwealth of Massachusetts

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

An Act relative to agricultural commission input on board of health regulations.

*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 31 of chapter 111 of the General Laws, as appearing in the 2018 Official Edition,  
2   is hereby amended by striking out the second paragraph and inserting in place thereof the  
3   following:-

4           In a municipality with a municipal agricultural commission established pursuant to  
5   section 8L of chapter 40, the board of health shall, prior to enacting any regulations that impact  
6   farmers markets as defined in department regulations; farms as defined in section 1A of chapter  
7   128; and the non-commercial keeping of poultry, livestock, and bees as well as non-commercial  
8   production of fruit, vegetables and horticultural plants; provide the municipal agricultural  
9   commission with a copy of the proposed regulation. The municipal agricultural commission shall  
10   have a 45-day review period, during which the commission may hold a public meeting, and may  
11   provide written comments and recommendations to the board of health relative to the proposed  
12   regulations. Upon a majority vote of the members, the agricultural commission may waive the  
13   45-day review period.

14           If the board of health determines that an emergency exists, the board or its authorized  
15 agent, acting in accordance with the provisions of section 30 of chapter 111, may, without notice  
16 of hearing, issue an order reciting the existence of the emergency and requiring that such action  
17 be taken as the board of health deems necessary to address the emergency. The board of health  
18 shall comply with the local enforcement emergency procedures set forth in department  
19 regulations, as amended from time to time.