

**HOUSE . . . . . No. 189**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Chynah Tyler*

*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 adjusting area median income based on zip code..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/18/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/28/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/1/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/30/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>

**HOUSE . . . . . No. 189**

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 189) of Chynah Tyler and others relative to the calculation of area median income in municipalities with a population over 100,000 residents. Community Development and Small Businesses.

**The Commonwealth of Massachusetts**

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

An Act adjusting area median income based on zip code..

*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. This section requires the calculation of area median income in a  
2 municipality having a population over one hundred thousand to be based on the zip code.

3 SECTION 2. Section 2 of chapter 40H of the General Laws, as appearing in the 2016  
4 Official Edition, is hereby amended by inserting after the word “agency” in line 10, the words: -

5 “,except in municipalities having a population of 100,000 or more, where median income  
6 shall be proportional to the specific zip code in which the dwelling unit or project is located;”

7 SECTION 3. Section 2 of chapter 40R of the General Laws, as appearing in the 2016  
8 Official Edition, is hereby amended by inserting after the word “Development” in line 6, the  
9 words: -

10 “,except in municipalities having a population of 100,000 or more, where areawide  
11 median income shall be proportional to the specific zip code in which the housing or project is  
12 located;”

13 SECTION 4. Section 6 of chapter 40R of the General Laws, as appearing in the 2016  
14 Official Edition, is hereby amended by inserting after the word “Development,” in line 35, the  
15 words: -

16 “,except in municipalities having a population of 100,000 or more, where area median  
17 income shall be proportional to the specific zip code in which the residential units or projects are  
18 located;”

19 SECTION 5. Section 1 of chapter 40T of the General Laws, as appearing in the 2016  
20 Official Edition, is hereby amended by inserting after the word “Development” in lines 29, 36,  
21 62, and 158 the words: -

22 “,except in municipalities having a population of 100,000 or more, where area median  
23 income shall be proportional to the specific zip code in which the housing or project is located;”

24 SECTION 6. Section 2 of chapter 44B of the General Laws, as appearing in the 2016  
25 Official Edition, is hereby amended by inserting after the word “Development” in lines 46 and  
26 58, the words: -

27 “,except in municipalities having a population of 100,000 or more, where areawide  
28 median income shall be proportional to the specific zip code in which the housing or project is  
29 located;”

30 SECTION 7. Section 1 of chapter 60 of the General Laws, as appearing in the 2016  
31 Official Edition, is hereby amended by inserting after the word “guidelines” in line 10, the  
32 words: -

33 “,except in municipalities having a population of 100,000 or more, where area median  
34 income shall be proportional to the specific zip code in which the housing with an affordable  
35 housing restriction or similar projects are located;”

36 SECTION 8. Section 6I of chapter 62 of the General Laws, as appearing in the 2016  
37 Official Edition, is hereby amended by inserting after the word “guidelines” in line 34, the  
38 words: -

39 “,except in municipalities having a population of 100,000 or more, where area median  
40 income shall be proportional to the specific zip code in which a qualified low-income housing  
41 project or similar projects are located;”

42 SECTION 9. Section 6M of chapter 62 of the General Laws, as appearing in the 2016  
43 Official Edition, is hereby amended by striking out, in lines 106-107, the words “or any  
44 successor legislation and the regulation promulgated thereunder” and inserting after the words  
45 “42 U.S.C. 1437(a)(B)(2) in line 106, the words: -

46 “,except in municipalities having a population of 100,000 or more, where median income  
47 shall be determined and proportional to the specific zip code in which the household is located.”

48 SECTION 10. Section 31H of chapter 63 of the General Laws, as appearing in the 2016  
49 Official Edition, is hereby amended by inserting after the word “family size” in line 35, the  
50 words: -

51 “,except in municipalities having a population of 100,000 or more, where area median  
52 income shall be determined by and proportional to the specific zip code in which a qualified low-  
53 income housing project or similar projects are located.”

54 SECTION 11. Section 6M of chapter 62 of the General Laws, as appearing in the 2016  
55 Official Edition, is hereby amended by striking out, in lines 106-107, the words “or any  
56 successor legislation and the regulations promulgated thereafter” and inserting after the words  
57 “42 U.S.C. 1437(a)(B)(2) in line 106, the words: -

58 “,except in municipalities having a population of 100,000 or more, where median income  
59 shall be determined and proportional to the specific zip code in which the household is located.”

60 SECTION 12. Section 26 of chapter 121B of the General Laws, as appearing in the 2016  
61 Official Edition, is hereby amended by striking out, in line 184, the words “the department” and  
62 inserting after the words “determined by” in line 184, the words: -

63 “and proportional to the specific zip code in which the housing is to be constructed or  
64 rehabilitated,”

65 SECTION 13. Section 26 of chapter 121B of the General Laws, as appearing in the 2016  
66 Official Edition, is hereby amended by striking out, in line 268, the words “the department” and  
67 inserting after the words “defined by” in line 268, the words: -

68 “the specific zip code in which the site for housing is located.”

69 SECTION 14. Section 38D of chapter 121B of the General Laws, as appearing in the  
70 2016 Official Edition, is hereby amended by inserting after the words “household size” in lines  
71 16, 22, 36, and 48-49 the words: -

72 “,except in municipalities having a population of 100,000 or more, where area median  
73 household income shall be determined by and proportional to the specific zip code in which the  
74 housing or similar projects are located.”

75 SECTION 15. Section 38D of chapter 121B of the General Laws, as appearing in the  
76 2016 Official Edition, is hereby amended by inserting after the word “Development” in line 27,  
77 the words: -

78 “,except in municipalities having a population of 100,000 or more, where area median  
79 household income shall be determined by and proportional to the specific zip code in which an  
80 affordable housing development or similar projects are located.”

81 SECTION 16. Section 1 of chapter 121E of the General Laws, as appearing in the 2016  
82 Official Edition, is hereby amended by inserting after the word “Development” in line 17, the  
83 words: -

84 “,except in municipalities having a population of 100,000 or more, where area median  
85 household income shall be determined by and proportional to the specific zip code in which the  
86 alternative forms of rental and ownership housing or similar projects are located.”

87 SECTION 17. Section 1 of chapter 121F of the General Laws, as appearing in the 2016  
88 Official Edition, is hereby amended by inserting after the word “Development” in line 6, the  
89 words: -

90 “,except in municipalities having a population of 100,000 or more, where area median  
91 household income shall be determined by and proportional to the specific zip code in which the  
92 affordable housing developments or similar projects are located.”

93 SECTION 18. Section 1 of chapter 121G of the General Laws, as appearing in the 2016  
94 Official Edition, is hereby amended by inserting after the word “Development” in line 5, the  
95 words: -

96 “,except in municipalities having a population of 100,000 or more, where area median  
97 household income shall be determined by and proportional to the specific zip code in which the  
98 federal-assisted housing or similar projects are located.”

99 SECTION 19. Section 15 of chapter 167C of the General Laws, as appearing in the 2016  
100 Official Edition, is hereby amended by inserting after the word “Development” in line 44, the  
101 words: -

102 “,except in municipalities having a population of 100,000 or more, where area median  
103 household income shall be determined by and proportional to the specific zip code in which the  
104 persons who shall receive the benefits and assistance provided by said fund are located.”

105 SECTION 20. Section 7A of chapter 167E of the General Laws, as appearing in the 2016  
106 Official Edition, is hereby amended by inserting after the word “Development” in line 7, the  
107 words: -

108 “,except in municipalities having a population of 100,000 or more, where area median  
109 income shall be determined by and proportional to the specific zip code in which the applicant’s  
110 mortgaged property is located.”

111 SECTION 21. Section 65C ½ of chapter 171 of the General Laws, as appearing in the  
112 2016 Official Edition, is hereby amended by inserting after the word “Development” in line 7,  
113 the words: -

114           “except in municipalities having a population of 100,000 or more, where area median  
115 income shall be determined by and proportional to the specific zip code in which the applicant’s  
116 mortgaged property is located.”

117           SECTION 22. This act shall take effect immediately.