

**SENATE . . . . . No. 3002**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court**  
**(2019-2020)**  
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SENATE, January 5, 2021

The committee on Rules, to whom was referred the House Bill relative to emergency action on FEMA Flood Insurance Rate Maps (House, No. 4720); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3002.

For the committee,  
Joan B. Lovely

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1           Notwithstanding section 5 of chapter 40A of the General Laws or any other general or  
2 special law, charter provision, ordinance or by-law to the contrary, during the governor’s March  
3 10, 2020 declaration of state of emergency related to COVID-19 and for a period of 30 days after  
4 the termination of the state of emergency, the board of selectmen or select board in a town  
5 having a town meeting form of government may, by a 2/3 vote of the full board, adopt or amend  
6 any zoning by-law to maintain compliance with the National Flood Insurance Program and to  
7 incorporate updated flood hazard areas as required by the Flood Insurance Rate Maps prepared  
8 by the Federal Emergency Management Agency; provided, however, that said action by the  
9 board of selectmen or select board may only be taken following a public hearing on any such  
10 zoning by-law or amendment conducted by the planning board pursuant to section 5 of chapter  
11 40A of the General Laws; and provided further that no zoning by-law or amendment acted  
12 unfavorably upon by the board of selectmen or select board shall be precluded from being  
13 considered by town meeting following the termination of the state of emergency. The effective  
14 date of any zoning by-law or amendment adopted pursuant to this act shall be the date of  
15 approval by the board of selectmen. Notwithstanding section 32 of chapter 40 of the General  
16 Laws, the time for review by the attorney general shall be 30 days from the date of submittal of  
17 the by-law by the town clerk.