

**SENATE . . . . . No. 811**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patrick M. O'Connor*

*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 40B use restrictions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/29/2019</i>

**SENATE . . . . . No. 811**

---

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 811) of Patrick M. O'Connor and David F. DeCoste for legislation relative to 40B use restrictions. Housing.

---

**The Commonwealth of Massachusetts**

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

An Act relative to 40B use restrictions.

*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. Section 21 of chapter 40B of the Massachusetts General laws, as appearing  
2 in the 2014 official edition, is hereby amended by adding the following paragraph:-

3           All low and moderate income housing units built using a comprehensive permit must  
4 include a use restriction that remains in effect in perpetuity. Local boards shall have the sole  
5 discretion to waive this clause provided that it is replaced with a use restriction that remains in  
6 effect for a minimum of 30 years.