HOUSE DOCKET, NO. 2899 FILED ON: 2/18/2021

HOUSE . . . . . No. 301

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:
Chynah Tyler	*7th Suffolk*	*2/18/2021*
Brian W. Murray	*10th Worcester*	*2/26/2021*
Bud L. Williams	*11th Hampden*	*2/26/2021*

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HOUSE . . . . . No. 301

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 301) of Chynah Tyler, Brian W. Murray and Bud L. Williams relative to the calculation of area median income in municipalities with a population over 100,000 residents. Community Development and Small Businesses.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *189* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

SECTION 1. This section requires the calculation of area median income in a municipality having a population over one hundred thousand to be based on the zip code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 22. This act shall take effect immediately.