

**HOUSE . . . . . No. 859**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Natalie M. Blais*

*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 to modernize certain provisions of the agricultural preservation restriction program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/22/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/25/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/26/2021</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/26/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/22/2021</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>3/31/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>4/20/2021</i>

**HOUSE . . . . . No. 859**

By Ms. Blais of Sunderland, a petition (accompanied by bill, House, No. 859) of Natalie M. Blais and others relative to certain provisions of the agricultural preservation restriction program. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

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

An Act to modernize certain provisions of the agricultural preservation restriction program.

*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 23 of chapter 20 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by striking out, in line 84, the words “a maximum of 5 years  
3 duration” and inserting in place thereof the following words:- a period of at least 1 year.

4 SECTION 2. Subsection (b) of said section 23 of said chapter 20, as so appearing, is  
5 hereby amended by adding the following 3 sentences:- Notwithstanding the foregoing, the  
6 department may approve a special permit for a trial period of 1 year to evaluate a proposal for  
7 nonagricultural activities. If a special permit is issued to a permit holder for a 1-year trial period  
8 under this subsection, the department shall notify the permit holder of the department’s decision  
9 to renew, revoke or amend the permit within 1 year of the date of issuance. If the department  
10 fails to notify the permit holder within 1 year of the date of issuance of a special permit of its  
11 decision to renew, revoke or amend the special permit, the special permit shall automatically be  
12 renewed for a period of 5 years.”.

13           SECTION 3. Said section 23 of said chapter 20, as so appearing, is hereby further  
14 amended by striking out, in line 112, the words “for a special permit authorized in subsection  
15 (b)” and inserting in place thereof the following words:- any landowner of land subject to an  
16 agricultural preservation restriction who is subject to and aggrieved by a decision of the  
17 department relative to a special permit authorized under subsection (b), including a decision  
18 regarding the renewal, revocation, amendment to or length of a special permit”.