

HOUSE No. 2184

The Commonwealth of Massachusetts

PRESENTED BY:

Kathleen R. LaNatra

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 emergency action on FEMA Flood Insurance Rate Maps.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|-----------------------|------------------|
| <i>Kathleen R. LaNatra</i> | <i>12th Plymouth</i> | <i>2/19/2021</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | <i>2/22/2021</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>2/22/2021</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | <i>2/22/2021</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>2/24/2021</i> |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>2/25/2021</i> |
| <i>Mathew J. Muratore</i> | <i>1st Plymouth</i> | <i>2/26/2021</i> |
| <i>Norman J. Orrall</i> | <i>12th Bristol</i> | <i>2/26/2021</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>2/26/2021</i> |
| <i>Joan Meschino</i> | <i>3rd Plymouth</i> | <i>2/26/2021</i> |
| <i>David Allen Robertson</i> | <i>19th Middlesex</i> | <i>3/17/2021</i> |

HOUSE No. 2184

By Mrs. LaNatra of Kingston, a petition (accompanied by bill, House, No. 2184) of Kathleen R. LaNatra and others relative to emergency action on FEMA Flood Insurance rate maps. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act relative to emergency action on FEMA Flood Insurance Rate Maps.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for any community to maintain compliance with the National Flood Insurance Program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

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.