SENATE DOCKET, NO. 2742 FILED ON: 8/27/2021

SENATE . . . . . No. 2515

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 authorizing the town of Acton to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	*Middlesex and Worcester*
Tami L. Gouveia	*14th Middlesex*
Danillo A. Sena	*37th Middlesex*

SENATE DOCKET, NO. 2742 FILED ON: 8/27/2021

SENATE . . . . . No. 2515

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2515) of James B. Eldridge, Tami L. Gouveia and Danillo A. Sena (by vote of the town) for legislation to authorize the town of Acton to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction. Municipalities and Regional Government. [Local approval received]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Acton to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction.

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. Notwithstanding chapter 40A, section 13 of chapter 142, and chapter 164 of the General Laws, the State Building Code, the Fuel and Gas Code, or any other general or special law or regulation to the contrary, the town of Acton is hereby authorized to adopt and further amend general or zoning bylaws that restrict new construction or major renovation projects that do not qualify as fossil-fuel-free.

SECTION 2. Notwithstanding section 7 of chapter 40A of the General Laws, or any other general or special law or regulation to the contrary, the Building Commissioner of the town of Acton, or any designee thereof, shall be authorized to enforce restrictions on new building construction and major renovation projects that do not qualify as fossil-fuel-free, including through the withholding or conditioning of building permits.

SECTION 3. As used in this Act, the term “fossil-fuel-free” shall mean new building construction or major renovation that results in an entire building or an entire condominium unit that does not utilize coal, oil, natural gas, other fuel hydrocarbons, or other fossil fuels in support of its operation after construction.

SECTION 4. This Act shall take effect upon its passage. Any bylaws previously approved by the Acton Town Meeting that accomplish the goals set forth in Sections 1 through 3 herein, including without limitation Chapter AC of the General Bylaws of the town of Acton as approved by the 2021 Acton Town Meeting, are hereby ratified.

SECTION 5. If any provision or section of this act is invalidated, the remainder shall survive in full force and effect.