

HOUSE No. 239

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:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/17/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/14/2023</i>

HOUSE No. 239

By Representative Tyler of Boston, a petition (accompanied by bill, House, No. 239) of Chynah Tyler and Michelle M. DuBois 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. 301 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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:

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

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

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

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

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

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

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

19 SECTION 5. Section 1 of chapter 40T of the General Laws, as appearing in the 2016
20 Official Edition, is hereby amended by inserting after the word “Development” in lines 29, 36,
21 62, and 158 the words: -

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

24 SECTION 6. Section 2 of chapter 44B of the General Laws, as appearing in the 2016
25 Official Edition, is hereby amended by inserting after the word “Development” in lines 46 and
26 58, the words: -

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

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

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

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

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

42 SECTION 9. Section 6M of chapter 62 of the General Laws, as appearing in the 2016
43 Official Edition, is hereby amended by striking out, in lines 106-107, the words “or any
44 successor legislation and the regulation promulgated thereunder” and inserting after the words
45 “42 U.S.C. 1437(a)(B)(2) in line 106, the words: -

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

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

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

54 SECTION 11. Section 6M of chapter 62 of the General Laws, as appearing in the 2016
55 Official Edition, is hereby amended by striking out, in lines 106-107, the words “or any
56 successor legislation and the regulations promulgated thereafter” and inserting after the words
57 “42 U.S.C. 1437(a)(B)(2) in line 106, the words: -

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

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

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

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

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

69 SECTION 14. Section 38D of chapter 121B of the General Laws, as appearing in the
70 2016 Official Edition, is hereby amended by inserting after the words “household size” in lines
71 16, 22, 36, and 48-49 the words: -

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

75 SECTION 15. Section 38D of chapter 121B of the General Laws, as appearing in the
76 2016 Official Edition, is hereby amended by inserting after the word “Development” in line 27,
77 the words: -

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

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

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

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

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

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

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

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

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

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

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

111 SECTION 21. Section 65C ½ of chapter 171 of the General Laws, as appearing in the
112 2016 Official Edition, is hereby amended by inserting after the word “Development” in line 7,
113 the words: -

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

117 SECTION 22. This act shall take effect immediately.