

HOUSE No. 3552

The Commonwealth of Massachusetts

PRESENTED BY:

Kristin E. Kassner

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 zoning voting thresholds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>3/2/2023</i>
<i>Liz Miranda</i>	<i>Second Suffolk</i>	<i>3/7/2023</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>5/4/2023</i>

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By Representative Kassner of Hamilton, a petition (subject to Joint Rule 12) of Kristin E. Kassner and Liz Miranda relative to zoning voting thresholds. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2140 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to zoning voting thresholds.

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 X – Section 5 of chapter 40A of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the fifth paragraph and inserting in place
3 thereof the following paragraph:-

4 No zoning ordinance or by-law or amendment thereto shall be adopted or changed except
5 by a two-thirds vote of all the members of the town council, or of the city council where there is
6 a commission form of government or a single branch, or of each branch where there are two
7 branches, or by a two-thirds vote of a town meeting. Except that the voting majority may be
8 changed to a range between a simple majority and a two-thirds majority vote; such change shall
9 be made by the voting majority then in effect and shall not become effective until 6 months have
10 elapsed after the vote. However, if in a city or town with a council of fewer than twenty-five

11 members there is filed with the clerk prior to final action by the council a written protest against
12 such change, stating the reasons duly signed by owners of twenty per cent or more of the area of
13 the land proposed to be included in such change or of the area of the land immediately adjacent
14 extending three hundred feet therefrom, no such change of any such ordinance shall be adopted
15 except by a two-thirds vote of all members.