

**HOUSE . . . . . No. 2061**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Carlos González***

*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 the permitting and construction of accessory dwelling units.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/20/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/20/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/31/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>2/22/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/22/2023</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/23/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/23/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/23/2023</i>
<i>Aaron L. Saunders</i>	<i>7th Hampden</i>	<i>2/27/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/16/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>4/3/2023</i>

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By Representative González of Springfield, a petition (accompanied by bill, House, No. 2061) of Carlos González and others relative to the permitting and construction of accessory dwelling units. Municipalities and Regional Government.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act relative to the permitting and construction of accessory dwelling units.

*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 3 of chapter 40A of the General Laws, is hereby amended by  
2 adding the following paragraph:-

3 No charter provision, zoning ordinance, by-law or any rule or regulation, in any city or  
4 town shall prohibit, or require a special permit for, permitting or construction by attaching to,  
5 constructing within, or constructing upon a single family residence, parcel or lot, that is occupied  
6 by the owner, an accessory dwelling unit as defined in section 1A.

7 SECTION 2. The fifth paragraph of section 5 of said chapter 40A, is hereby amended by  
8 striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

9 (1) an amendment to a zoning ordinance or by-law to allow any of the following as of  
10 right: (a) multifamily housing or mixed-use development in an eligible location; or (b) open-  
11 space residential development;

12           (2) an amendment to a zoning ordinance or by-law to allow by special permit: (a) multi-  
13 family housing or mixed-use development in an eligible location; (b) an increase in the  
14 permissible density of population or intensity of a particular use in a proposed multi-family or  
15 mixed use development pursuant to section 9; or (c) a diminution in the amount of parking  
16 required for residential or mixed-use development pursuant to section 9;.