

HOUSE No. 238

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 to establish a commission to review equitable city planning and development.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/17/2023</i>

HOUSE No. 238

By Representative Tyler of Boston, a petition (accompanied by bill, House, No. 238) of Chynah Tyler for legislation to establish within the Department of Housing and Community Development a commission to review equitable city planning and development. Community Development and Small Businesses.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4028 OF 2021-2022.]

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 to establish a commission to review equitable city planning and development.

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

1 Chapter 23B of the General Laws is hereby amended by inserting after section 5B the
2 following section:-

3 Section 5C. (a) As used in this section the following terms shall, unless the context
4 clearly requires otherwise, have the following meanings:

5 “Anti-displacement”, mitigation of the displacement of persons of color, immigrants,
6 low- and moderate-income residents, persons with disabilities and members of other protected
7 classes that may result from new development or substantial reconstruction, condemnation of
8 property or other code enforcement, eminent domain takings, discrimination, gentrification,
9 rising costs of living, zoning changes, limited housing availability or other causes.

10 “Fair housing”, fair and equitable access to and opportunity in housing, free from
11 prejudice, intolerance, bigotry and discrimination in housing. Fair housing shall include, but not
12 be limited to, compliance with (i) federal fair housing laws, including 42 U.S.C. § 1982 et seq.
13 and 42 U.S.C. § 3601 et seq.; and (ii) state laws relative to nondiscrimination in housing,
14 including section 4 of chapter 151B.

15 “Local planning and development agency”, a (i) redevelopment authority, as defined in
16 section 1 of chapter 121B; (ii) municipal department of planning and development; or (iii) other
17 municipal division responsible for the evaluation of land-development and use proposals for a
18 municipality with a population more than 100,000 persons.

19 (b) There shall be within the department a commission on equitable city planning and
20 development. The commission shall consist of the director of the department or a designee, the
21 executive director of the Massachusetts commission against discrimination or a designee and a
22 tenant advocate to be appointed by the attorney general.

23 (c) The commission shall require each local planning and development agency to
24 periodically create an assessment of fair housing and anti-displacement in the municipality.
25 Following each assessment, the local planning and development agency shall develop a plan to
26 strengthen and improve fair housing and anti-displacement in the municipality. The local
27 planning and development agency shall submit said plan to the department.

28 (d) The department may promulgate rules and regulations necessary to carry out this
29 section.