

SENATE No. 2164

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

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 allowing municipalities to reasonably regulate solar siting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/17/2023</i>

SENATE No. 2164

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 2164) of Jacob R. Oliveira and Joanne M. Comerford for legislation relative to allow municipalities to reasonably regulate solar siting. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4331 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act allowing municipalities to reasonably regulate solar siting.

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 3 of chapter 40A of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by striking out the ninth paragraph, in lines 123 to 126, inclusive, and
3 inserting in place thereof the following paragraph:-

4 No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of
5 solar energy systems or the building of structures that facilitate the collection of solar energy for
6 residential purposes except where necessary to protect the public health, safety or welfare.
7 Commercial, governmental, and non-residential solar energy structures and systems may be
8 reasonably regulated for purposes of (i) protecting public health, safety and welfare; (ii)
9 preserving forested lands, agricultural lands, or wetlands; or (iii) ensuring compatibility with
10 municipal zoning.