

**HOUSE . . . . . No. 16**

---

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act relative to county land disposition.

*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 14 of Chapter 34 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place  
3 thereof the following paragraph:-

4 In addition to such powers and duties as may otherwise be conferred or imposed by law,  
5 the commissioners may provide for erecting and repairing jails and other necessary public  
6 buildings within and for the use of their county, but no money shall be paid or liability incurred  
7 therefor in excess of the amount specifically authorized by the advisory boards on county  
8 expenditures, except for emergency repairs, and no bills for construction or enlargement of a jail,  
9 house of correction or reformatory shall be incurred or paid until the plans therefor have been  
10 approved by the commissioner of correction, except as otherwise provided. They shall have  
11 authority to represent their county, and to have the care of its property and the management of its  
12 business and affairs in cases where not otherwise expressly provided; to sell and convey any real  
13 estate of the county by deed, sealed with the county seal, signed and acknowledged by them, or  
14 to lease any real estate of the county; to adopt a county seal, which shall be in the custody of

15 their clerk and affixed to all processes requiring it; provided, however, that the sale of any county  
16 owned real estate customarily used by the county or sheriff for the housing of prisoners,  
17 including any jail, house of correction, or other such facility shall be made at fair market value  
18 and the net proceeds of any such sale shall be used for the construction of new jails, jail additions  
19 or temporary jail facilities, to reimburse the commonwealth for expenditures for such purposes or  
20 to reimburse the commonwealth for loans made to a county for the purpose of maintaining and  
21 operating the county; and provided, further, that any real estate offered for sale or lease, by a  
22 county shall first be offered in writing to the commissioner of capital asset management and  
23 maintenance who shall determine whether any other state agency, as defined by section 1 of  
24 chapter 7C, has a current or foreseeable direct public use for the property. The commissioner  
25 shall have no fewer than 90 days to accept the offer to acquire, through a sale or lease, the  
26 property, and upon the non-acceptance by the commissioner of any such offer, shall then be  
27 offered in writing for sale or lease to the city or town where such land is located.