HOUSE DOCKET, NO. 987 FILED ON: 1/14/2025

HOUSE . . . . . No. 309

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey Rosario Turco and Rob Consalvo

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 updating and modernizing Chapter 40R.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jeffrey Rosario Turco	*19th Suffolk*	*1/14/2025*

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HOUSE . . . . . No. 309

By Representatives Turco of Winthrop and Consalvo of Boston, a petition (accompanied by bill, House, No. 309) of Jeffrey Rosario Turco for legislation to further regulate smart growth zoning districts. Community Development and Small Businesses.

The Commonwealth of Massachusetts

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

An Act relative to updating and modernizing Chapter 40R.

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

SECTION 1. Section 9 of chapter 40R of the General Laws, as so appearing, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

(a) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a zoning incentive payment, according to the following schedule:

Projected Units of New Construction%	Payment
Up to 20%	$20,000
21 to 100%	$150,000
101 to 200%	$400,000

201 to 500% $740,000

501 or more% $1,200,000

Subject to any conditions imposed by the department as a condition of approving a smart growth zoning district or starter home zoning district, the zoning incentive payment shall be payable upon confirmation of approval of the district by the department. The projected number of units shall be based upon the zoning adopted in the smart growth zoning district or starter home zoning district.

(b) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a 1-time density bonus payment to each city or town with an approved smart growth zoning district and a 1-time production bonus payment to each city or town with an approved starter home zoning district. This payment shall be $6,000 for each housing unit of new construction created in the smart growth zoning district and $6,000 for each housing unit of new construction created in the starter home zoning district. The amount due shall be paid on a unit-by-unit basis in accordance with department regulations, upon submission by a city or town of proof of issuance of a building permit for a particular housing unit or units within the district."

SECTION 2. Section 12 of Chapter 40R of the General Laws is hereby amended by inserting in line 3, after the word "review", the following words:-

", including but not limited to an analysis of the incentive payments, in Section 9, to determine that those payments are consistent with housing costs per the Consumer Price Index."

SECTION 3. This act shall take effect for tax years beginning on or after January 1, 2025.

SECTION 4. Notwithstanding any other section of the law to the contrary, no later than 10 years after the date of enactment, the increased incentives, as identified in section 1 and section 2, shall revert back to their original figures.