HOUSE . . . . . No. 5440

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 20, 2026.

The committee on Ways and Means to whom was referred the Bill authorizing the Division of Capital Asset Management and Maintenance to dispose of certain parcels of land in the town of Bolton (House, No. 3346), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5440) [Local Approval Received].

For the committee,

AARON MICHLEWITZ.

FILED ON: 5/19/2026

HOUSE . . . . . No. 5440

The Commonwealth of Massachusetts

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

An Act authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land to the town of Bolton, the town of Lancaster or a municipal utility serving the town of Bolton or the town of Lancaster.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of certain parcels of land to the town of Bolton, the town of Lancaster or a municipal utility serving the town of Bolton or the town of Lancaster, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey 2 parcels of land to the town of Bolton. The parcels to be conveyed formerly served as part of the campus of the Lancaster Industrial School for Girls and are described as: (i) the Northeast corner of the former Lancaster Industrial School for Girls, located at 220 Old Common road in the town of Lancaster, that extends into the town of Bolton on a plan of land entitled “Lancaster Complex South Bolton & Old Common Roads Lancaster & Bolton, Massachusetts”, prepared by Design Professionals, Inc. and dated November 2, 2018 which is on file with the division of capital asset management and

maintenance; and (ii) the Bolton dam in the town of Bolton, located near the Lancaster town line, as shown on 2 maps on file with the division of capital asset management and maintenance. The parcels are further described in deeds recorded in the Worcester district registry of deeds in: (a) book 639, page 254; (b) book 639, page 255; (c) book 549, page 192; (d) book 549, page 194; and (e) book 2642, page 485. The exact location and boundaries of the parcels to be conveyed shall be determined by the commissioner after completion of a survey.

(b) Notwithstanding any general or special law to the contrary, the town of Bolton, acting by and through its select board, may enter into a purchase and sale agreement, lease or other agreement to acquire the parcels or acquire rights to the parcels described in subsection (a).

(c) The uses of the 2 parcels described in subsection (a) shall be restricted to general municipal purposes. The deed or other instrument conveying the parcels to the town of Bolton shall state that said parcels shall be used solely for general municipal purposes and shall include a reversionary clause that stipulates that if the parcels cease at any time to be used for such purposes, then title to the parcel shall, at the election of the commonwealth, revert to the commonwealth. The reversionary clause shall require that the town of Bolton receive reasonable notice of and a reasonable time to cure any allegation that either parcel is not being used for general municipal purposes.

(d) The consideration for the conveyance of the parcels described in subsection (a) shall be the fair market value of the parcels as determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal, taking into consideration the restriction on the use of the parcels pursuant to subsection (b). The commissioner shall submit the appraisal to the inspector general for review and comment. The

inspector general shall review and approve the appraisal and the review shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report and file the report with the commissioner. After receiving the report, the commissioner shall submit copies of the report to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight not less than 15 days prior to the execution of documents affecting the conveyance pursuant to this act.

SECTION 2. (a) Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, if the town of Bolton does not complete the purchase of the parcels pursuant to section 1 within 180 days of the effective date of this act or such date thereafter as agreed to by the town of Bolton and the commissioner of capital asset management and maintenance, then, the commissioner may sell, lease for a term of up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in the parcels described in section 1, or any portions thereof, on such other terms and conditions as the commissioner considers appropriate.

(b) The commissioner of capital asset management and maintenance shall use appropriate competitive bidding processes and procedures when making any disposition pursuant to subsection (a). Not less than 30 days before the date on which bids, proposals or other offers to purchase the parcels, or any portion thereof, are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating: (i) the availability of the parcels; (ii) the nature of the competitive bidding process; (iii) the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals; and (iv) any other information that the commissioner deems relevant. The commissioner shall place notice in the central register of the individual or firm

selected as party to any real property transaction involving the property and the amount of the transaction.

(c) Any purchase and sale agreement, lease or other document relating to the sale, lease, transfer or other disposition of the parcels, or any portions thereof, pursuant to this section shall provide that the commonwealth shall have no liability to any purchaser, lessee, transferee or successor to any purchaser, lessee or transferee of all or part of the parcels described in subsection (a) of section 1 for any claims arising out of or related to the conditions, known or unknown, of the parcels or otherwise in connection with any sale, lease, transfer or other disposition thereof.

SECTION 3. A deed executed pursuant to sections 1 or 2 may retain or grant rights of way or easements for access, egress, utilities and drainage across any other portions of the parcels and the commonwealth may accept from a purchaser rights of way or easements in roadways or across any portions of the parcels to be conveyed or transferred for access, egress, drainage and utilities as the commissioner of capital asset management and maintenance may determine necessary and appropriate to carry out this act.

SECTION 4. The purchaser or lessees of the parcels, or any portions thereof, pursuant to section 2 shall be responsible for all costs and expenses related to the purchase, lease or transfer of such parcels including, but not limited to, costs associated with surveys, deed preparation and recording fees as determined by the commissioner of capital asset management and maintenance.

SECTION 5. The cash proceeds, pursuant to subsection (a) of section 1 or subsection (a) of section 2 of the sale of the parcels described in this act or any portion thereof, shall be deposited into the General Fund.

SECTION 6. (a) Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws, chapter 156 of the acts of 2024 or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey to the town of Lancaster, the town of Bolton or a municipal utility serving the town of Lancaster or the town of Bolton, a portion of the former Lancaster Industrial School for Girls which is described in deeds recorded in the Worcester district registry of deeds in: (i) book 639, page 254; (ii) book 639, page 255; (iii) book 549, page 192; (iv) book 549, page 194; and (v) book 2642, page 485 for well or wellhead protection purposes, including, without limitation, any portion of the former Lancaster Industrial School for Girls.

(b) Any conveyance made pursuant to subsection (a) shall be on terms and conditions to be determined by the commissioner; provided, that, if the conveyance is deemed by the commissioner to be necessary to the development of housing at the former Lancaster Industrial School for Girls, the commissioner may convey said parcels to the town of Lancaster, the town of Bolton or a municipal utility serving the town of Lancaster or the town of Bolton for nominal consideration.

(c) Notwithstanding any general or special law to the contrary, the town of Lancaster may own real property conveyed by the commissioner pursuant to this section in the town of Bolton for well or wellhead protection purposes.