

HOUSE No. 2348

The Commonwealth of Massachusetts

PRESENTED BY:

Andres X. Vargas

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 exclusionary zoning.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------|-------------------|------------------|
| <i>Andres X. Vargas</i> | <i>3rd Essex</i> | <i>1/17/2025</i> |

HOUSE No. 2348

By Representative Vargas of Haverhill, a petition (accompanied by bill, House, No. 2348) of Andres X. Vargas that the Executive Office of Housing and Livable Communities be authorized to regulate exclusionary zoning. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act relative to exclusionary zoning.

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 adding the following section:-

2 Section 37. (a) The executive office of housing and livable communities shall promulgate
3 regulations related to exclusionary zoning, which shall include: (i) a definition of exclusionary
4 zoning; (ii) a process by which residents, developers and other parties that believe that a
5 municipality is engaging in exclusionary zoning can bring a claim to the executive office; and
6 (iii) a review process in which the executive office may make a determination that a municipality
7 has engaged in exclusionary zoning.

8 (b) Notwithstanding any general or special law to the contrary, if the executive office
9 determines that a municipality has engaged in exclusionary zoning, the executive office may take
10 authority over the municipality’s zoning for a period of at least 4 years. After 4 years from the
11 date of the executive office’s determination, the municipality may petition the executive office to
12 regain control of the municipality’s zoning.