

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 voluntary municipal right of first refusal.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/16/2025</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to voluntary municipal right of first refusal.

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 5 of Chapter 40H of the General Laws as appearing in the 2022
2 Official Edition , is hereby amended by inserting after clause (2) the following clause:-

3 Or;

4 (3) By use of The Right of First Refusal program allowing for municipalities to have the
5 first right of refusal for the purchase of property to be used as affordable housing.

6 The program will be a local option that seeks to match or fund municipalities that seek to
7 purchase property subject to sale under section 4 of this chapter that contains three or less units
8 and mid-size multifamily buildings , the department of housing and community development,
9 shall have a right of first refusal to acquire the property in the municipality’s own name pursuant
10 to regulations to be developed by the Executive Office of Housing and Livable Communities. In
11 order to obtain the right of first refusal the following conditions must be met:

12 (i) The owner of the building signed an agreement to notify the municipality once they
13 have an offer on their property when they sell it.

14 (ii) The municipality is given 120 days to inspect the building and make an offer on the
15 building that matches or is greater than the sale price.

16 (iii) The municipality in coordination with a community partner will purchase the
17 building at the sale price and maintain it as deed restricted affordable housing in perpetuity.

18 (iv) Each owner who qualifies will be given \$500 per qualified unit, not to exceed
19 \$10,000, plus the cost incurred at the registry for recording the document; provided however,
20 total payments from the program shall not exceed \$5,000,000.

21 The corporation shall notify the owner of its intention to exercise this right no later than
22 10 days before the date of sale or any adjournment of the sale. Failure of the corporation to
23 notify the owner as provided herein shall extinguish the right of first refusal under this section.

24 The department shall promulgate regulations for the administration of this program.