

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly W. Pease

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 establishing a temporary moratorium on the siting of lithium battery storage facilities.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------------|--------------------------------|------------------|
| <i>Kelly W. Pease</i> | <i>4th Hampden</i> | <i>4/10/2025</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>4/17/2025</i> |
| <i>Donald R. Berthiaume, Jr.</i> | <i>5th Worcester</i> | <i>4/17/2025</i> |
| <i>Homar Gómez</i> | <i>2nd Hampshire</i> | <i>5/5/2025</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>5/5/2025</i> |
| <i>Peter J. Durant</i> | <i>Worcester and Hampshire</i> | <i>5/12/2025</i> |

HOUSE No.

By Representative Pease of Westfield, a petition (subject to Joint Rule 12) of Kelly W. Pease, Lindsay N. Sabadosa and Donald R. Berthiaume, Jr. relative to lithium battery storage facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act establishing a temporary moratorium on the siting of lithium battery storage facilities.

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. Chapter 164 of the General Laws, as appearing in the most recent edition, is
2 hereby amended by adding the following new section:

3 Temporary Moratorium on Lithium Battery Storage Facility Siting.

4 (a) Definitions- As used in this section, the following words shall have the following
5 meanings:

6 "Battery storage facility"- a facility that uses lithium-based batteries to store and
7 distribute electrical energy.

8 "State permitting authority"- any state agency responsible for granting permits related to
9 energy infrastructure, including but not limited to the Department of Public Utilities and the
10 Energy Facilities Siting Board.

11 "Study commission"- a panel of experts established under subsection (c) to assess the
12 risks and regulatory needs of lithium battery storage facilities.

13 (b) Establishment of Moratorium- (1) Notwithstanding any general or special law to the
14 contrary, no new permits shall be issued for the construction or operation of lithium battery
15 storage facilities within the Commonwealth for a period of 18 months from the effective date of
16 this act. (2) Facilities that have already received final approval prior to the effective date of this
17 act may proceed with construction and operation, provided they comply with all applicable
18 safety and environmental regulations.

19 (c) Study Commission on Lithium Battery Storage Risks-

20 (1) A study commission shall be established to assess the environmental, public health,
21 and safety risks associated with lithium battery storage facilities.

22 (2) The commission shall consist of: (A) The Secretary of Energy and Environmental
23 Affairs, or a designee, who shall serve as chair; (B) The State Fire Marshal, or a designee; (C)
24 The Commissioner of the Department of Environmental Protection, or a designee; (D) Two
25 representatives from municipal governments, appointed by the Governor; (E) A representative of
26 an environmental advocacy organization, appointed by the Attorney General; (F) A fire safety
27 expert with experience in battery storage, appointed by the Speaker of the House; (G) An energy
28 industry representative with expertise in grid storage, appointed by the Senate President.

29 (3) The commission shall: (A) Conduct a comprehensive review of fire hazards,
30 contamination risks, and emergency response challenges associated with lithium battery storage
31 facilities; (B) Assess the adequacy of existing federal, state, and local regulations; (C)

32 Recommend regulatory and legislative actions necessary to ensure safe siting and operation of
33 such facilities.

34 (4) The commission shall submit its final report, including recommendations, to the
35 Governor, the Legislature, and relevant state agencies no later than 12 months from the effective
36 date of this act.

37 (d) Expiration of Moratorium- The moratorium shall remain in effect for 18 months or
38 until the Legislature enacts new regulations based on the commission's recommendations,
39 whichever occurs first.

40 SECTION 2. This act shall take effect immediately upon passage.