SENATE DOCKET, NO. 2104 FILED ON: 1/17/2025

SENATE . . . . . No. 1946

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Cronin

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 the housing development incentive program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
John J. Cronin	*Worcester and Middlesex*	
Vanna Howard	*17th Middlesex*	*1/29/2025*
James K. Hawkins	*2nd Bristol*	*2/12/2025*
John F. Keenan	*Norfolk and Plymouth*	*2/27/2025*

SENATE DOCKET, NO. 2104 FILED ON: 1/17/2025

SENATE . . . . . No. 1946

By Mr. Cronin, a petition (accompanied by bill, Senate, No. 1946) of John J. Cronin, Vanna Howard, James K. Hawkins and John F. Keenan for legislation relative to the housing development incentive program. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1779* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act relative to the housing development incentive program.

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 38BB of said chapter 63 is hereby amended by striking out subdivision (5), as amended by section 19 of chapter 50 of the acts of 2023, and inserting in place thereof the following subdivision:-

(5) EOHLC may authorize up to $100,000,000 in credits annually under this section and subsection (q) of section 6 of chapter 62. EOHLC may authorize annually any credits under this section or said subsection (q) of said section 6 of said chapter 62 returned to EOHLC by a certified housing development project. The total amount of credits authorized during a year shall include: (1) credits granted during the year under this section or said subsection (q) of section 6 of chapter 62; and (2) carry forwards of credits from prior years under this section or said subsection (q) of section 6 of chapter 62, to the extent that such credit carry forwards are

estimated by the commissioner of revenue to offset tax liabilities during the year. Any portion of the $100,000,000 annual cap not awarded by EOHLC in a calendar year may be applied to awards in a subsequent year. EOHLC shall provide the commissioner of revenue with any documentation that the commissioner deems necessary to confirm compliance with the annual cap and the commissioner shall provide a report confirming compliance with the annual cap to the secretary of administration and finance and the secretary of housing and livable communities.

Section 2. Section 6(q) of chapter 62, as so appearing, is hereby amended by adding the following subsection:-

(7) EOHLC may authorize up to $5,000,000 in credits to an individual project.

Section 3. The definition of “housing development project”, as appearing in Title VII Chapter 40V Section 1, shall be amended as follows:

"Housing development project", a multi-unit residential rehabilitation project that is located in a gateway municipality and once rehabilitated, shall contain at least 75 per cent market rate units.

Section 4. Chapter 40V Section 4 (a)(iv) is hereby amended by striking the phrase “80 per cent” and inserting in place thereof “75 per cent”.

Section 5. Title VII Chapter 40V Section 3 Approval of application for tax exemption for housing development project under Sec. 59 of chapter 59 shall be amended as follows:

Under section 5M of chapter 59, the department shall approve within 90 days a municipality's tax exemption agreement for a housing development project located within an approved housing development zone.