

SENATE No. 2981

The Commonwealth of Massachusetts

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

SENATE, March 12, 2026.

The committee on Housing to whom was referred the petition (accompanied by bill, Senate, No. 967) of Julian Cyr for legislation relative to housing in seasonal communities, report the accompanying bill (Senate, No. 2981).

For the committee,
Julian Cyr

SENATE No. 2981

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**In the One Hundred and Ninety-Fourth General Court
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An Act relative to housing in seasonal communities.

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 32 of chapter 23B of the General Laws, as appearing in the 2024
2 Official Edition, is hereby further amended by inserting, after the words “chapter 184”, in line
3 79, the following words:- “; provided further, that housing units subject to such year-round
4 occupancy deed restriction shall not be subject to local preference limitations otherwise
5 applicable under state affordable housing programs; provided further, that the municipality may
6 establish residency-based or workforce-based preferences for such units in accordance with
7 guidance issued by the executive office of housing and livable communities; and provided
8 further, that preferences structured in accordance with said guidance shall be presumed
9 consistent with applicable fair housing laws”

10 SECTION 2. Said section 32 of said chapter 23B, as so appearing, is hereby further
11 amended by inserting after the word “Code”, in line 85, the following words:- “; provided, that a
12 seasonal community may also expend funds on housing with a preference for nonpublic
13 employees necessary for municipal operations, including, but not limited to, childcare providers,

14 emergency medical technicians, paramedics, other first responders, nonprofit employees,
15 healthcare workers and home health aides”

16 SECTION 3. Said section 32 of said chapter 23B, as so appearing, is hereby further
17 amended by striking the words “and v”, in line 95, and inserting in place thereof the following
18 words:- “provided, however, that agreements and conveyances between the trust and agencies,
19 boards, commissions, authorities, departments and public instrumentalities of the city or town
20 shall be exempt from chapter 30B; and provided, further, that the trust shall be exempt from
21 chapter 59 and 62, and from any other provisions concerning payment of taxes based upon or
22 measured by property or income imposed by the commonwealth or any political subdivision
23 thereof; and provided, further, that such trust may be merged into a single entity with the
24 municipal affordable housing trust pursuant to the protocol established under section 55C of
25 chapter 44;

26 (vi) impose a fee upon the transfer of real property interests in any real property situated
27 within the seasonal community; provided, that any resulting revenue shall be expended on
28 affordable and attainable housing for year-round residents; provided further, that any transfer fee
29 shall not be more than 2 per cent of the portion of the purchase price and shall be paid by the
30 purchaser of such real property; provided further, that the executive office shall determine the
31 purchase price threshold over which the fee is applied; provided further, that the following
32 categories of transfers may be exempted from such fee: (A) transfers between family members;
33 (B) transfers consisting of the division of marital assets; (C) transfers of properties subject to a
34 year-round deed restriction; (D) transfers of property in which the purchaser is a beneficiary of a
35 state or local homebuyer assistance program; (E) transfers of property subject to an affordable

36 housing restriction; (F) transfers of properties in which the purchaser is a first-time homebuyers;
37 and (G) other exemptions as allowed by the executive office; and (vii)”

38 SECTION 4. Said section 32 of chapter 23B, as so appearing, is hereby amended by
39 striking out subsection (h) and inserting in place thereof the following 4 subsections:

40 (h) A seasonal community designated pursuant to this section shall not treat adjacent lots
41 under common ownership as a single lot for local zoning purposes, if the lots, at the time of
42 recording or endorsement, conformed to the municipality’s then-existing requirements of area,
43 frontage, width, yard or depth and is located in a zoning district that allows for single-family
44 residential use, provided that any residential housing constructed on said lot shall be used for
45 year-round attainable housing.

46 (i) Notwithstanding any general or special law to the contrary, dwelling units developed
47 pursuant to zoning adopted under this section that are intended for year-round occupancy and
48 that consist of tiny homes, cottage colonies, or other small-scale residential structures shall be
49 deemed compliant with the state sanitary code, provided that such units meet standards jointly
50 established by the department of public health and the executive office of housing and livable
51 communities. The department of public health, in consultation with the executive office, shall
52 promulgate regulations to establish minimum standards for human habitation with housing types
53 authorized under seasonal community zoning, available for seasonal communities.

54 (k) The executive office shall promulgate regulations to carry out this section.

55 SECTION 5. Section 1 of chapter 30B, as so appearing, is hereby amended by inserting
56 after paragraph (b)(32) the following paragraphs:-

57 (33) the acquisition by a municipality designated as a seasonal community pursuant to
58 section 32 of chapter 23B, or by a municipal or regional housing trust acting on its behalf,
59 including year-round housing trusts established pursuant to section 32 of chapter 23B, of real
60 property interests, including year-round housing occupancy deed restrictions, affordability
61 restrictions, or similar encumbrances intended to preserve or create attainable housing for year-
62 round residents.

63 (34) the sale, lease, transfer, conveyance or other disposition of real property or any
64 interest therein by a municipality to a year-round housing trust established pursuant to section 32
65 of chapter 23B, or by such trust to a municipality, including intra-municipal transfers, for the
66 purpose of creating or preserving attainable housing for year-round residents.

67 SECTION 6. Section 3 of chapter 40A of the General Laws, as appearing in the 2024
68 Official Edition, is hereby amended by inserting after the word “restrictions”, in line 146, the
69 following words:- “, including requiring year-round residency”

70 SECTION 7. Section 5 of chapter 40A, as so appearing, is hereby amended by inserting
71 after paragraph 4 the following paragraph:-

72 (5) the adoption or modification of bylaws or zoning ordinances that contribute to the
73 creation of attainable housing for year-round residents in municipalities designated by the
74 executive office as seasonal communities pursuant to section 32 of chapter 23B.

75 SECTION 8. Section 6 of chapter 40A, as so appearing, is hereby amended by striking
76 out the word “less”, in line 84, and inserting in place thereof the following word:- “more”

77 SECTION 9. Section 55C of chapter 44 of the General Laws is hereby amended by
78 inserting after subsection (j) the following subsection:-

79 (k) In a municipality designated as a seasonal community pursuant to section 32 of
80 chapter 23B, the legislative body may vote to authorize the municipal affordable housing trust
81 established under this section to exercise the powers and duties of a year-round housing trust
82 established pursuant to said section 32, or to merge such trusts into a single entity, provided that
83 all funds shall continue to be accounted for separately and used in a manner consistent with the
84 purposes for which they were collected. Housing units created, acquired, preserved or restricted
85 by a trust exercising the powers of a year-round housing trust pursuant to this subsection shall be
86 subject to the same occupancy and preference provisions applicable to year-round housing
87 occupancy restrictions under subsection (d) of said section 32.

88 SECTION 10. Section 3 of chapter 64G of the General Laws, as so appearing, is hereby
89 amended by inserting the following paragraph:-

90 “In a municipality designated as a seasonal community under section 32 of chapter 23B,
91 a certain percentage of revenues from taxes or fees collected under this section or section 3A
92 shall be allocated to affordable and attainable housing and wastewater management or
93 infrastructure needs; provided, that the department of revenue shall determine a minimum
94 percentage allocated for said purposes per year for each municipality designated as a seasonal
95 community, starting at not less than 30 per cent of revenue and escalating thereafter over three
96 years.”

97 SECTION 11. Section 31 of chapter 184, as so appearing, is hereby amended by inserting
98 after the words “foregoing,” in line 90, the following words:- “and year-round deed restrictions
99 acquired or otherwise held by a seasonal community pursuant to section 32 of chapter 23B.”