SENATE . . . . . No. 3231

Senate, July 29, 2026 -- Text of the Senate amendment (Senator Rush) to the House Bill authorizing the division of capital asset management and maintenance to take by eminent domain certain land in the town of Norwood (House, No. 5553).

The Commonwealth of Massachusetts

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

SECTION 1. (a)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance shall conduct an appropriate competitive bidding process to dispose of the parcel described in subsection (b) or portion thereof for use by a qualified nonprofit entity for the purposes of a health care facility, in consultation with the secretary of health and human services. Competitive bidding shall include but not be limited to: (i) notice placed in the central register; (ii) a requirement that the proposals contemplate use for health care purposes; (iii) a requirement permitting bids solely from nonprofit buyers; and (iv) any other condition the commissioner deems appropriate. Any obligation for the commissioner of capital asset management and maintenance under this act shall cease if said parcel is owned, leased or otherwise under contract for health care services; provided, however, that the commissioner may delay any action pertaining to the competitive bidding process under this subsection or the taking pursuant to subsection (b) if a sale, lease or agreement between MPT of Norwood-Steward, LLC and a health care operator appears likely to result in near-term execution.

(2) The commissioner shall establish the value of the parcel using customarily accepted appraisal methodologies. The value shall be calculated for the: (i) highest and best use of the property as currently encumbered; and (ii) purposes described in this section.

The commissioner shall submit the appraisal to the inspector general for the inspector general's review and comment. The inspector general shall review and approve the appraisal; provided, however, that such review shall include an examination of the methodology utilized for the appraisal; and provided further, that the inspector general shall prepare a report of their review and file the report with the commissioner of capital asset management and maintenance for submission by the commissioner to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight. The commissioner shall submit copies of the appraisals and the inspector general's report and comments, if any, to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight not less than 15 days prior to the execution of documents effecting the transfer described in paragraph (3) of subsection (b).

The commissioner shall place notice in the central register of the established values and price proposed not less than 30 days before the date on which the bid, proposal or other offer to purchase may be accepted by the commonwealth.

(b)(1) Notwithstanding section 2 of chapter 79 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance shall take by eminent domain, pursuant to said chapter 79 and for the purpose of ensuring access to health care for the public, a certain parcel of land, commonly known as Norwood hospital, owned by MPT of Norwood-Steward, LLC located at 800 Washington street in the town of

Norwood identified on the town of Norwood assessor's map as map 2, lot 6-1 and being 1 of the parcels described in a deed recorded with the Norfolk county registry of deeds in book 36099, page 419; provided, however, that such taking shall be subject to: (i) appropriation by the general court of sufficient funds specifically designated to make a payment pro tanto for the parcels described in this paragraph, in accordance with said chapter 79, and to pay or provide for costs and expenses reasonably anticipated to be incurred by the commonwealth in connection with the acquisition, care and control and disposition of the property contemplated by this act; (ii) acceptance of bids, proposals or other offers by a qualified nonprofit organization in accordance with subsection (a) for purposes of a health care facility; and (iii) the notice period described in subsection (a).

(2) Notwithstanding chapter 7C of the General Laws or any other general or special law to the contrary, upon the completion of the taking pursuant to paragraph (1) the executive office of health and human services shall have care and control of the parcels of land so taken.

(3) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, the commissioner of capital asset management and maintenance shall convey the parcels of land so taken, or any portion thereof, on terms that may be determined by the commissioner acting in consultation with the secretary of health and human services, to 1 or more qualified nonprofit organizations in accordance with the process set forth in subsection (a). The parcels shall be conveyed without warranties or representations by the commonwealth and shall be subject to value recapture provisions and any additional terms and conditions as the commissioner of capital asset management and maintenance may deem necessary.

(c) If a qualified nonprofit entity does not complete a purchase of the property pursuant to subsections (a) and (b) not later than January 15, 2033, or by such later date as may be agreed to by a prospective purchaser and the commissioner of capital asset management and maintenance, then, notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for a term up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to 1 or more purchasers or lessees an interest in the parcel or portions thereof, on such terms and conditions as the commissioner considers appropriate; provided however, that any such interest shall be conveyed by deed or other instrument of transfer of an interest in real property without warranties or representations by the commonwealth. In making any such disposition, the commissioner of capital asset management and maintenance shall use appropriate competitive bidding processes and procedures, including, but not limited to: absolute auction, sealed bids and requests for price and development proposals. Not less than 30 days before the date on which bids, proposals or other offers to purchase or lease the parcel or any portion thereof pursuant to this subsection are due, the commissioner of capital asset management and maintenance shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive bidding process and such other information as the commissioner considers relevant, including the time and location of the auction, the submission of bids or proposals and the opening thereof. Notwithstanding the foregoing, the town of Norwood shall have the right of first refusal to purchase, lease or otherwise acquire an interest in the parcels described in this act. If the commissioner intends to sell, lease, convey or otherwise transfer all or any portion of said parcels, the commissioner shall provide written notice of such intent to the town. The notice shall

include, but shall not be limited to, a description of the portion of said parcels which the commissioner intends to sell, lease, convey or otherwise transfer. The town shall have not less than 90 days to notify the commissioner that the town intends to acquire the parcels for a purchase price to be determined by independent appraisal. If the town notifies the commissioner that the town intends to acquire the parcels, the town shall have not less than 90 days from the date of its notice to complete the purchase.

SECTION 2. This act shall take effect on November 1, 2026.