

SENATE No. 971

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 reforming the housing development incentive program.

PETITION OF:

NAME:

Sal N. DiDomenico

DISTRICT/ADDRESS:

Middlesex and Suffolk

SENATE No. 971

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 971) of Sal N. DiDomenico for legislation relative to reforming the housing development incentive program. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 863 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act reforming 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:

1 SECTION 1. Section 1 of Chapter 40V of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the word "units" the following words:-
3 "affordable, “(i) rental units for households whose income is not more than 50 per cent of the
4 area median income as determined defined by the United States Department of Housing and
5 Urban Development; or (ii) owner-occupied units for households whose income is not more than
6 80 per cent of the area median income. These income limits shall be in effect permanently or for
7 at least 50 years.”

8 SECTION 2. Section 4 of Chapter 40V of the General Laws, as appearing in the 2022
9 Official Edition, is hereby amended by inserting after the words "market rate units", the
10 following words:- "and not less than 20 per cent affordable: (A) rental units for persons whose

11 income is not more than 50 per cent of the area median income; or (B) owner-occupied units for
12 persons whose income is not more than 80 per cent of the area median income."

13 SECTION 3. Section 5 of said Chapter 40V, as appearing in the 2022 Official Edition, is
14 hereby amended by inserting after the word "rate", in both times it appears, the following words:-
15 "and affordable."

16 SECTION 4. Clause (iii) of said section 5 of said chapter 40V, as appearing in the 2022
17 Official Edition, is hereby amended by inserting after the words "market rate units", in line 14
18 the following words:- and affordable units.

19 SECTION 5. Said section 1 of said chapter 40V, as appearing in the 2022 Official
20 Edition is hereby amended by inserting after the definition of "Substantial rehabilitation" the
21 following definition:- "Mixed income development", a development with not more than 80 per
22 cent market rate units and not less than 20 per cent affordable units."

23 SECTION 6. Clause (iv) of subsection (a) of said section 4 of said chapter 40V, as
24 appearing in the 2022 Official Edition, is hereby further amended by inserting after the words
25 "market rate units", in line 8, the following words:- and not less than 20 per cent affordable units.

26 SECTION 7. Section 5 of said chapter 40V, as appearing as appearing in the 2022
27 Official Edition, is hereby amended by inserting after the words "market rate units", in line 4, the
28 following words:- and affordable units.

29 SECTION 8. Clause (iii) of said section 5 of said chapter 40V, as appearing in the 2022
30 Official Edition, is hereby amended by inserting after the words "market rate units", in line 14
31 the following words:- and affordable units.