

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly A. Dooner

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 providing exemptions under the MBTA communities law.

PETITION OF:

NAME:

Kelly A. Dooner

DISTRICT/ADDRESS:

Third Bristol and Plymouth

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act providing exemptions under the MBTA communities law.

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 3A of Chapter 40A of the General Laws, as appearing in the 2022 Official
2 Edition, is hereby amended by adding the following subsection:-

3 (d) An MBTA community shall be exempt from the requirements of this section if the
4 community meets any of the following conditions: (1) The state has not approved an increase in
5 the town's water withdrawal permit necessary to support additional housing development; (2)
6 The community has more than 15 percent of its existing housing stock classified as low or
7 moderate-income housing as defined in Section 20 of Chapter 40B; (3) The community lacks
8 basic infrastructure or sufficient state funding for infrastructure improvements, including but not
9 limited to the absence of municipal water or sewer systems; (4) The majority of the designated
10 development zone consists of green space or protected natural resources, including nature
11 preserves as defined in section 1 of chapter 131; or (5) The community has a population of fewer
12 than 8,000 residents, as determined by the most recent federal census.

- 13 The Executive Office of Housing and Livable Communities shall promulgate regulations
- 14 to enforce this subsection, including procedures for communities to apply for exemptions.