

SENATE No.

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:

John J. Cronin

DISTRICT/ADDRESS:

Worcester and Middlesex

SENATE No.

[Pin Slip]

[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:

1 Section 1. Section 38BB of said chapter 63 is hereby amended by striking out subdivision
2 (5), as amended by section 19 of chapter 50 of the acts of 2023, and inserting in place thereof the
3 following subdivision:-

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

12 the \$100,000,000 annual cap not awarded by EOHLC in a calendar year may be applied to
13 awards in a subsequent year. EOHLC shall provide the commissioner of revenue with any
14 documentation that the commissioner deems necessary to confirm compliance with the annual
15 cap and the commissioner shall provide a report confirming compliance with the annual cap to
16 the secretary of administration and finance and the secretary of housing and livable communities.

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

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

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

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

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

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

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