

Massachusetts House of Representatives Bill Summary

Bill #: H.16

Title: An Act relative to county land disposition

Sponsor: Inspector General Jeffrey Shapiro

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Similar:

Current Law: Mass. General Laws Chapter 34 governs counties and county commissioners and their powers and duties. The first paragraph of Section 14 states that county commissioners shall also have the power to erect and repair county jails and other necessary public buildings within and for the use of the county. They may not spend more money than has been approved by the county advisory board except for emergency repairs, and no money may be spent to build such jails or houses of correction until the plans have been approved by the state commissioner of corrections.

This section also empowers the county commissioners to manage and hold county property, convey real estate, lease such property, adopt a county seal, and to reimburse the commonwealth for any loans of money used to maintain and operate the county or to erect jails, etc.

Any real estate offered for sale or lease by a county shall first be offered to the commonwealth and then, if the commonwealth does not accept, to the city or town in which the land is located.

Summary: This legislation would replace the first paragraph of Section 14 with new language that more clearly defines the process by which a county shall offer the right of first refusal for county land to the state or municipality.

The county would need to make such an offer in writing to the commissioner of the Division of Capital Asset Management and Maintenance, who would determine whether any other state agency has a public use for the property. The commissioner would have 90 days to make such a determination and accept the offer to acquire the property, either through sale or lease. If DCAMM refuses the offer, then the county would then offer in writing the property for sale or lease to the city or town in which the land is located.