

## Massachusetts House of Representatives Bill Summary

**Bill #:** H.2305

**Title:** An Act reforming the MBTA Communities Act

**Sponsor:** Rep. Kathleen LaNatra

**Committee:** Municipalities and Regional Government

**Hearing Date:** July 29, 2025

**Current Law:** Section 3A of Chapter 40A of the Mass. General Laws was signed into law as Chapter 358 of the Acts of 2020, an economic development bill.

The language codified in Section 3A states that an MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable. Failure to comply with the law may result in the city or town losing eligibility for certain state grants and other funding programs.

Subsection (b) states that an MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of chapter 23A, or (iv) the HousingWorks infrastructure program established in section 27 of chapter 23B.

There are 177 MBTA communities in Massachusetts.

Section 9 of Chapter 150 of the Acts of 2024 made a technical correction to law cited in Section 152 of Chapter 7 of the Acts of 2023, which concerns the HousingWorks infrastructure program.

**Summary:**

Section 1 of this legislation amends Subsection (b) of the MBTA Communities Act by inserting language that allows an MBTA community to continue to be eligible for all funding sources listed in the law if the community meets at least one of the following criteria:

1. adopted a multi-family housing zoning ordinance or bylaw that allows the creation of units equal to at least 10 percent more than the total number of year-round units existing in the city or town, based upon the most recent U.S. Census;
2. produced housing units equal to at least 5 percent of the total number of year-round housing units in the city or town, based upon the most recent U.S. Census; or
3. created housing pursuant to a housing production plan approved by the Executive Office of Housing and Livable Communities.

Section 2 of the bill amends the MBTA Communities Act by replacing the word "guidelines" and replacing it with the word regulations when referring to the process of determining compliance with the law. The use of regulations would be a more formalized process.

Section 3 amends subsection (c) of Section 3A of Chapter 40A by providing that any regulations to determine compliance shall not impose any additional obligations or restrictions on funding sources that are not listed in subsection (b) of the law. It also states that an MBTA community shall be deemed to be in compliance if multi-family housing units within the community comprise at least 25 percent of the total number of year-round housing units that exist in the community.