

Massachusetts House of Representatives Bill Summary

Bill #: H.2329

Title: An Act to support the equitable utilization of third party consultants in land use determinations

Sponsor: Rep. Daniel Ryan

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Prior History: Refile of H.2109 (Study Order H.4573)

Current Law: Chapter 44 Section 53G of MGL governs the employment of outside consultants. It authorizes cities and towns to promulgate rules for the imposition of reasonable fees for the employment of outside consultants to review applications that fall under the zoning act, planning, conservation, wetlands protection and similar laws.

The selection may be appealed on the grounds that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications.

The law also contains provisions relating to the establishment of special accounts for keeping the consultant fees, and the filing of reports on these activities.

Summary: This legislation amends Section 53G of Chapter 44 by adding language requiring cities and towns to create a list of approved outside consultants, containing at least three consultants who are qualified in the fields needed to review applications. The list would be certified by the city or town clerk.

The applicant would have the right to select the outside consultant from the certified list, and to request and receive a proposal from each consultant before making the selection.

An applicant or petitioner shall not be charged for travel costs.

The legislation also includes a provision that, where a proposed project requires the review and approval of more than one local board, commission or official, the use of outside consultants shall be coordinated to avoid unnecessary duplication.