

Massachusetts House of Representatives Bill Summary

Bill #: H.2354 / S.1455

Title: An Act relative to the use of certain fairground properties

Sponsor: Rep. Thomas Walsh, Sen. Joan Lovely

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Current Law: MGL Chapter 40A, Section 3 governs subjects which zoning may not regulate; exemptions; public hearings; and temporary manufactured home residences. The law states, in part, no zoning ordinance or by-law shall regulate or restrict the use of materials, or methods of construction of structures regulated by the state building code, nor shall any such ordinance or by-law prohibit, unreasonably regulate, or require a special permit for the use of land for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, nor prohibit, unreasonably regulate or require a special permit for the use, expansion, reconstruction or construction of structures thereon for the primary purpose of commercial agriculture. There is no mention of agricultural fairs in the current law.

"Agriculture" is defined under MGL Chapter 128, Section 1A but the law does not include agricultural fairs in that definition.

Summary: Section 1 of the bill inserts new language in Section 3 of Chapter 40A which adds a zoning exemption for agricultural fairs, provided that such events involve land or structures owned and operated by nonprofit corporations established for that purpose, and that the use of the land or structures is consistent with the corporation's purpose.

Section 2 states that the act shall take effect upon its passage.

Notes: Among the 30 major agricultural fairs that could be affected by the legislation include, but are not limited to, Topsfield, Marshfield, The Big E, Franklin County, Westfield and half a dozen 4-H fairs.