

Massachusetts House of Representatives

Bill Summary

Bill #: H.4139

Title: An Act authorizing the town of Wellesley to dissolve its housing development corporation

Sponsor: Rep. Alice Peisch and Sen. Cynthia Stone Creem

Committee: Municipalities and Regional Government

Hearing Date:

Current Law: Chapter 311 of the Acts of 1998 established the Wellesley Housing Development Corporation. Section 5 of said act states that in the event that the board is dissolved, all property and interests therein, assets and rights of said board existing at such time shall be transferred to the town of Wellesley and title to all such property and all such rights shall vest in said town automatically without the need for further action or instrument.

MGL Chapter 40, Section 32 governs the procedure for validating bylaws. The Attorney General has 90 days to review a proposed town bylaw. Once the Attorney General has approved a bylaw, it takes effect once the town clerk has posted, published or distributed the text of the bylaw.

MGL Chapter 44, Section 55C authorizes a city or town that accepts this section to establish a municipal affordable housing trust fund to provide for the creation and preservation of affordable housing for low and moderate income households and for the funding of community housing.

Summary: Section 1 of the bill authorizes the town of Wellesley, notwithstanding the 1998 special act, or any other general or special law, to transfer all property and funds from the town's Housing Development Corporation to their Affordable Housing Trust Fund. The town would be allowed to manage, dispose of or expend these assets in accordance with state law.

Section 2 repeals the special act which created the housing corporation.

Section 3 states that this act will take effect after the town has amended its bylaws to establish an affordable housing trust. The bylaw would take effect upon the posting or publication by the town clerk, as provided in state law.

Notes: Language approved by the April 14, 2025 Annual Town Meeting as Article 34 by a vote of 140 Yes and 41 No with 1 abstention.

The Wellesley Housing Development Corporation has an estimated \$976,053.28 in available funds, which would be transferred to the Housing Trust Fund.