

Massachusetts House of Representatives
Bill Summary

Bill #: H.1512

Title: An Act to exempt local housing authorities from the penalties of the MBTA Communities Law

Sponsor: Rep. Richard Haggerty

Committee: Municipalities and Regional Government

Hearing Date: July 29, 2025

Prior History: Discharged from the Committee on Housing July 21.

Current Law: MGL Chapter 40A Section 3A established multi-family zoning as of right in MBTA communities. Cities and towns that are served by the MBTA must have at least one zoning district in which multi-family housing is permitted by right, so long as the housing has no age restrictions and is suitable for families with children. Such districts must have a minimum gross density of 15 units per acre (subject to further environmental laws regarding septic systems and protecting coastal and other waterways) and be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

Communities that fail to comply with this section risk losing state funding from the Housing Choice Initiative, the Local Capital Projects Fund, and the MassWorks infrastructure program.

MGL Chapter 121B, Section 3 authorizes the establishment of local housing authorities (LHAs) in each city and town. The authorities are described as being a public body politic and corporate. Section 5 provides for such LHAs to be managed, controlled and governed by a 5-member board, with 4 members chosen by the city or town and 1 by the executive office of housing and livable communities.

Summary: This bill amends Section 3A of Chapter 40A by adding language that exempts housing authorities located in non-compliant MBTA communities from the penalties that would otherwise be imposed for non-compliance under paragraph (b) of Section 3A.

Such penalty consists of not being eligible for funding under the Housing Choice Initiative; (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.