

HOUSE No. 183

By Mr. Sannicandro of Ashland, petition of Tom Sannicandro to establish zoning clarity. Community Development and Small Business.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO ESTABLISH ZONING CLARITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 12 of the General Laws is hereby amended by inserting
2 after section 11L the following section: —
3 Section 11M. The attorney general shall create within the depart-
4 ment of the attorney general a Division of Zoning Exemption Over-
5 sight. The attorney general shall designate an assistant attorney
6 general as director of the Division of Zoning Exemption Oversight
7 (the “director”). The director shall serve at the pleasure of the
8 attorney general. The director, in consultation with other executive
9 agencies including but not limited to the executive office of health
10 and human services, the executive office of public safety, the depart-
11 ment of housing and community development and the office of com-
12 monwealth development, shall develop an annually updated and
13 released comprehensive guide for municipal zoning under section 3
14 of chapter 40A of the General Laws and other state law and federal
15 law, for use by municipalities and social service agencies while con-
16 sidering issues including but not limited to federal and state law,
17 constitutional issues and state and federal case law. The director
18 shall compile a report including every facility in the commonwealth
19 that claims property tax exemption under chapter 40A section 3 to
20 be included in an annual report submitted to the house and senate

21 committees on ways and means, the joint committee of children
22 and families, the joint committee on mental health and substance
23 abuse, the joint committee on municipalities and regional govern-
24 ment and the joint committee on housing.