

HOUSE No. 5034

House bill No. 5007, as changed by the committee on Bills in the Third Reading, and as amended and passed to be engrossed by the House on July 13 and 14. July 14, 2022.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relating to economic growth and relief for the commonwealth.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to forthwith direct the expenditure of certain federal funds and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, relating to economic growth and relief for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. The sums set forth in sections 2 and 2A are hereby appropriated from the
2 federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws
3 and the General Fund for the several purposes and subject to the conditions specified in this act,
4 and subject to the laws regulating the disbursement of public funds for the fiscal year in which
5 the sums are disbursed. These sums shall be in addition to any amounts previously appropriated
6 and made available for the purposes of those items. These sums shall be made available until
7 June 30, 2027.

8 SECTION 2.

9 OFFICE OF THE COMPTROLLER

10 Office of the Comptroller

11 1599-3384 Judgments, settlements and legal fees.....\$12,000,000

12 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

13 Reserves

14 1599-4448 Collective bargaining contract costs.....\$12,720,941

15 1599-2051 Federal funds oversight.....\$5,000,000

16 SECTION 2A.

17 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

18 Reserves

19 1599-6059 For a reserve for investments in broadband infrastructure across the

20 commonwealth; provided, that funds shall be administered in consultation with the executive

21 office of housing and community development for programs including the Last Mile

22 Infrastructure Grant program; provided further, that in order to be eligible for funding, projects

23 must promote digital equity and inclusion; provided further, that priority shall be given to

24 projects that benefit communities of color; provided further, that grants may be expended for

25 providing wireless broadband connection to public housing units, public libraries and public

26 schools and devices necessary to access said wireless connection; and provided further, that

27 funds may be expended on projects that include private-public partnerships to provide

28 community hotspots.....\$50,000,000

29 1599-6060 For a reserve for affordable housing and homeownership equity; provided,
30 that funds shall be expended for projects that create and enhance access to homeownership in
31 order to foster economic mobility with long-term benefits for housing security, racial equity and
32 health outcomes to address the homeownership gap in socially disadvantaged communities;
33 provided further, that not less than \$1,000,000 shall be expended for the first year of the Small
34 Properties State Acquisition Funding Pilot as part of the Housing Stabilization and Investment
35 Trust Fund established in section 2 of chapter 121F of the General Laws; provided further, that
36 said program shall issue soft loans to supplement other acquisition soft loans administered by
37 municipal or other affordable housing acquisition lenders on a rolling basis; provided further,
38 that acquisitions pursuant to this program shall follow the affordability restrictions of said
39 affordable housing acquisition lenders; provided further, that loans under this program shall be
40 used for the acquisition of buildings of no less than 1 unit and no more than 8 units of residential
41 housing for rental or ownership, or mixed-use buildings, for a term of up to 50 years; and
42 provided further, that funds may be transferred to the Affordable Housing Trust Fund,
43 established in chapter 121D of the General Laws, for the creation and retention of affordable
44 housing units across the commonwealth.....\$101,000,000

45 1599-6061 For a reserve for an equitable developers’ financing program to provide
46 financial assistance to projects to construct, rehabilitate or redevelop residential or mixed-use
47 residential properties or redevelop blighted, abandoned, vacant or underutilized properties into
48 new residential, commercial or light-industrial uses, or construct or rehabilitate owner-occupied
49 manufactured housing; provided, that in order to be eligible for funding in this item, (i) the
50 project must be in gateway cities, qualified census tracts or communities disproportionately
51 impacted by the 2019 novel coronavirus pandemic; and (ii) the developer or sponsor must be an

52 individual, or an entity controlled by 1 or more individuals, that has been socially and
53 economically disadvantaged or disproportionately impacted by the 2019 novel coronavirus
54 pandemic, as defined by a certification process to be developed by the Massachusetts Housing
55 Finance Agency; provided further, that said financing program may be administered by 1 or both
56 the Massachusetts Housing Finance Agency and the Massachusetts Development Finance
57 Agency; provided further, that such financial assistance may take the form of a grant, loan,
58 equity investment or other form of financial assistance as determined by the administering
59 agency; provided further, that eligible uses of funding may include, but shall not be limited to:
60 (a) predevelopment costs such as the costs of permitting, engineering and site planning, traffic
61 studies, environmental assessment, design and architecture, legal fees and title and appraisal
62 fees; and (b) financing low and no interest loans, grants, subsidies, credit enhancements and the
63 costs incurred by public instrumentalities of interest rate reductions on permanent financing
64 offerings or funding a portion of a capital pool or reserve for purposes including, but not limited
65 to, providing equity and guarantees to eligible projects; provided further, that such financial
66 assistance shall be awarded, to the extent feasible, in a manner that reflects geographic and
67 demographic diversity and social, racial and economic equity within the commonwealth; and
68 provided further, that not more than 5 per cent of this item may be used for the reasonable costs
69 of administering the program.....\$75,000,000

70 1599-6062 For a reserve to support businesses impacted by the 2019 novel
71 coronavirus pandemic and subsequent variants; provided, that not less than \$200,000,000 shall
72 be transferred to the Massachusetts Growth Capital Corporation established in chapter 40W of
73 the General Laws for grants to support small businesses negatively impacted by the 2019 novel
74 coronavirus pandemic; provided further, that not less than \$75,000,000 shall be expended for

75 grants to hotels throughout the commonwealth; provided further, that any hotel property that (i)
76 received funds from Massachusetts Growth Capital Corporation in a previous round of small
77 business grants; or (ii) was eligible to receive said funds but did not apply for said grants shall
78 not be eligible; provided further, that any hotel property whose revenues in calendar year 2021
79 exceeded that property’s gross revenues in calendar year 2019 shall not be eligible to receive
80 funds; provided further, that the preceding proviso shall not apply to nascent hotels or hotel
81 properties which were under major renovation or construction during calendar year 2019;
82 provided further, that not less than \$3,000,000 shall be expended for operational support grants
83 to movie theaters in the Commonwealth; provided further, that to be eligible for said grants,
84 applicants must: (a) have had at least \$15,000 in box office ticket sales in calendar year 2019; (b)
85 have experienced a decline in box office sales between calendar year 2019 and subsequent years,
86 or portions thereof, of 40 percent or more; (c) be physically located in the Commonwealth; and
87 (d) have no current tax liens on record with the department of revenue at the time of application;
88 provided further, that priority shall be given to applicants with four screens or fewer; provided
89 further, that eligible businesses shall receive \$15,000 per screen for each of the first two screens
90 at a particular location and \$10,000 per each additional screen at a particular location; provided
91 further, that not less than \$50,000,000 shall be expended for grants to small businesses; provided
92 further, that eligible grant applicants for small businesses shall have no more than 50 employees;
93 provided further, that grants may be used for employee payroll and benefit costs, mortgage
94 interest, rent, utilities and interest on other debt obligations; provided further, that not less than
95 \$75,000,000 shall be expended for grants to: (i) businesses that focus on reaching underserved
96 markets; (ii) minority-owned, women-owned and veteran-owned businesses; and (iii) immigrant
97 and first generation owned businesse.....\$203,000,000

98 1599-6063 For a reserve for local economic recovery efforts and community
99 development projects; provided, that not less than \$125,000 shall be expended for local
100 economic recovery efforts in Shrewsbury; provided further, that not less than \$75,000 shall be
101 expended for Westborough for local economic recovery efforts; provided further, that not less
102 than \$300,000 shall be expended for the repaving of the Gate 43 access road to the Quabbin
103 reservoir; provided further, that not less than \$15,000 shall be expended for the Greater Holyoke
104 Chamber of Commerce for the promotion of Holyoke's 150th anniversary celebration in 2023;
105 provided further, that not less \$60,000 shall be expended for the Brockton Public Library System
106 for needed roof replacement and HVAC improvements; provided further, that not less than
107 \$60,000 shall be expended for the Wakefield Lynnfield Chamber of Commerce; provided
108 further, that not less than \$100,000 shall be expended for The Friends of Norcross Center, Inc.
109 for the restoration and preservation of the Norcross House in East Longmeadow and for a new
110 slate roof, repainting, window repairs and other repairs to the home and carriage house which is
111 used for events, an arts and crafts gallery, an education center and a reception hall; provided
112 further, that not less than \$100,000 shall be expended for Living Local 413 for the completion
113 and launch of a new web application platform, the hiring of a full-time executive director and
114 part-time assistance to support and expand the business community throughout western
115 Massachusetts; provided further, that not less than \$100,000 shall be expended for Melrose for
116 placemaking activities in furtherance of commerce and civic engagement; provided further, that
117 not less than \$100,000 shall be expended for Wakefield for repairs to the Civic Center roof;
118 provided further, that not less than \$100,000 shall be expended for Wakefield for façade
119 improvements to small businesses; provided further, that not less than \$400,000 shall be
120 expended for the Cape Ann Museum for renovations; provided further, that not less than \$50,000

121 shall be expended for Hyde Park Main Streets for economic development opportunities for
122 businesses located in the Hyde Park Main Streets’ business district; provided further, that not
123 less than \$50,000 shall be expended for Roslindale Village Main Streets in order to further
124 promote economic development opportunities for businesses located in the Roslindale Village
125 Main Streets’ business district; provided further, that not less than \$100,000 shall be expended
126 for The Open Door in Gloucester for capacity expansion to serve people in Essex county;
127 provided further, that not less than \$100,000 shall be expended for the Grace Center of
128 Gloucester for costs associated with renovations of the center’s new location; provided further,
129 that not less than \$750,000 shall be expended for the Massachusetts International Festival of the
130 Arts Victory Theatre Performing Arts Center to support the Pioneer Valley Economic
131 Revitalization Project; provided further, that not less than \$25,000 shall be expended for the
132 Westfield Chamber of Commerce; provided further, that not less than \$200,000 shall be
133 expended for installation and upgrades of lighting at Brooklawn Park fields in New Bedford;
134 provided further, that not less than \$8,000,000 shall be expended for the city of Revere for
135 riverfront infrastructure improvements; provided further, that not less than \$75,000 shall be
136 expended for the Revere Riverfront District; provided further, that not less than \$250,000 shall
137 be expended for Greenfield for the repair and replacement of the water main in the business
138 district; provided further, that not less than \$50,000 shall be expended for Westfield parks and
139 recreation for revitalization of the downtown area and stimulation of business; provided further,
140 that not less than \$500,000 shall be expended for Pittsfield for the William Stanley business park
141 and the Pittsfield Economic Development Authority Site 9 redevelopment; provided further, that
142 not less than \$8,000,000 shall be expended for the town of Littleton for the Littleton common
143 King street development; provided further, that not less than \$400,000 shall be expended for the

144 repurposing of the Waterford Street school building in Gardner; provided further, that not less
145 than \$125,000 shall be expended for local economic recovery efforts and infrastructure
146 improvements in Bridgewater; provided further, that not less than \$100,000 shall be expended
147 for local economic recovery efforts and infrastructure improvements in Raynham; provided
148 further, that not less than \$1,000,000 shall be expended for traffic mitigation at Main street and
149 South street in Medford; provided further, that not less than \$50,000 shall be expended for
150 Southampton for a study on a new public safety complex; provided further, that not less than
151 \$500,000 shall be expended for Tech Goes Home to support its mission to end the digital divide,
152 ensure digital inclusion for families, adults and seniors within low-income, marginalized
153 communities and provide the support needed to partner with schools, nonprofits and community
154 organizations to provide digital skills training, free devices and access to high-quality internet;
155 provided further, that not less than \$200,000 shall be expended for the historic Chevalier Theatre
156 in Medford to replace the roof and façade; provided further, that not less than \$300,000 shall be
157 expended for the redevelopment, design and construction of Hurld Wyman Elementary School
158 park in Woburn; provided further, that not less than \$100,000 shall be expended for upgrades
159 and improvements to the Halifax Senior Center; provided further, that not less than \$750,000
160 shall be expended for new athletic fields at Old Rochester Regional High School in Mattapoisett;
161 provided further, that not less than \$200,000 shall be expended for the revitalization of the
162 downtown Village Center area of Westminster and improvements to create a more walkable,
163 business-friendly and aesthetically accommodating Main street; provided further, that not less
164 than \$150,000 shall be expended for a village overlay district and mixed use redevelopment of
165 the former department of public works building on Main street in Holden; provided further, that
166 not less than \$100,000 shall be expended for renovations and accessibility improvements for

167 Memorial park and other parks in Taunton; provided further, that not less than \$75,000 shall be
168 expended for a reevaluation of the zoning by-laws in Paxton; provided further, that not less than
169 \$125,000 shall be expended for traffic signal infrastructure and drainage improvements at the
170 intersections of Lunenburg street, Main street and Summer street in Fitchburg; provided further,
171 that not less than \$25,000 shall be expended for improving accessibility and expanding the
172 community garden in the town of Reading; provided further, that not less than \$400,000 shall be
173 expended for the replacement of Gath Memorial pool in Newton with a modern, accessible
174 community lap pool with a splash pad; provided further, that not less than \$5,000,000 shall be
175 expended for a grant to the Martin Richard Foundation and Boys and Girls Clubs of Dorchester
176 to support the construction and renovation of the Dorchester Field House in the Harbor Point
177 Neighborhood of Boston; provided further, that not less than \$55,000 shall be expended for
178 History Cambridge for the purposes of developing programming for Cambridge's 400th
179 anniversary; provided further, that not less than \$100,000 shall be expended for outdoor
180 basketball courts with fencing and lights in Sudbury; provided further, that not less than
181 \$100,000 shall be expended for the Provincetown Fine Arts Center to work collaboratively with
182 the Provincetown Art Association and Museum, the Truro Center for the Arts and Twenty
183 Summers to support critical infrastructure upgrades, staff training opportunities, hybrid
184 programming and accessibility measures; provided further, that not less than \$300,000 shall be
185 expended for Cape Cod Village, Inc. to provide residential services and appropriate
186 programming for adults with autism and intellectual and developmental disabilities; provided
187 further, that not less than \$100,000 shall be expended for Helping Our Women in Provincetown
188 for the expansion of services; provided further, that not less than \$50,000 shall be expended for
189 the resurfacing of the basketball court and street hockey rink at the Ipswich River Park in the

190 town of North Reading; provided further, that not less than \$100,000 shall be expended for the
191 restructure, repair and replacement of Kidspot in the town of North Reading; provided further,
192 that not less than \$100,000 shall be expended for improvements to the playground located at
193 Houghton Elementary School in Sterling; provided further, that not less than \$100,000 shall be
194 expended for traffic mitigation measures related to the closure of the Hall-Whitaker bridge in
195 Beverly; provided further, that not less than \$100,000 shall be expended for the Merrimack
196 Valley Public Safety Youth Center in Lawrence for a safe space for structured education, health
197 and recreational programming for at-risk youth throughout the Merrimack Valley and to defer
198 economic loss due to the 2019 novel coronavirus pandemic; provided further, that not less than
199 \$65,000 shall be expended for Mission Hill LINK shuttle bus services that provide safe transit
200 and access to the MBTA, medical campus and shopping for elders and people with disabilities
201 without MBTA access near their homes; provided further, that not less than \$20,000 shall be
202 expended for the Greater Lawrence Boat House for recreational activities for at-risk youth in
203 Lawrence on the Merrimack river and the promotion of economic development through tourism;
204 provided further, that not less than \$100,000 shall be expended for broadband and emissions
205 updates to the North American Indian Center of Boston's headquarters; provided further, that not
206 less than \$50,000 shall be expended for Ateneo Dominicano Del Merrimack Valley to maintain
207 Dominican culture in the Merrimack Valley and promote economic development through
208 tourism; provided further, that not less than \$300,000 shall be expended for Sandwich for the
209 restoration, renovation and reconstruction of the Sandwich boardwalk that provides recreational
210 access to the preserved areas of Old Harbor creek, Mill creek, Dock creek, Town beach and Cape
211 Cod bay; provided further, that not less than \$25,000 shall be expended for the Tobin
212 Community Center in Boston for partnerships and information sharing between organizations

213 and for addressing gun violence and gun violence-related trauma; provided further, that not less
214 than \$25,000 shall be expended for IntenZe 978 Boxing Club in Lawrence to provide at-risk
215 youth with health and wellness programming and promote economic development through
216 tourism and recreation; provided further, that not less than \$1,000,000 shall be expended to the
217 Jewish Family and Children’s Service of Greater Boston to provide services to vulnerable
218 populations; provided further, that not less than \$100,000 shall be expended for local economic
219 recovery efforts in Dracut; provided further, that not less than \$100,000 shall be expended for
220 local economic recovery efforts in Tyngsborough; provided further, that not less than \$75,000
221 shall be expended for the replacement of a deteriorating wooden boardwalk along Plymouth
222 harbor at the town boat ramp with a resilient pedestrian walkway and lighting and rails to
223 improve safety and public access; provided further, that not less than \$400,000 shall be expended
224 for the engineering and associated work to be done on Pond Park culvert on route 117 in Bolton;
225 provided further, that not less than \$500,000 shall be expended for the Stow Acres innovation,
226 conservation, recreation and development partnership; provided further, that not less than
227 \$10,000 shall be expended for the Gloucester Boxing Club; provided further, that not less than
228 \$388,000 shall be expended for the design and installation of heating pumps for the Hudson
229 Public Library; provided further, that not less than \$350,000 shall be expended for HVAC
230 upgrades and improvements at Springfield Technology Park due to the 2019 novel coronavirus
231 pandemic; provided further, that not less than \$500,000 shall be expended for a matching grant
232 program for minority-owned and women-owned microbusinesses in Springfield; provided
233 further, that not less than \$400,000 shall be expended for traffic signals at South Main street and
234 route 28 and the intersection of North street and Oak street in Randolph; provided further, that
235 not less than \$150,000 shall be expended for improvements to the playing field and playground

236 equipment at Varney playground in Chelmsford; provided further, that not less than \$100,000
237 shall be expended for The Latino Economic Development Corporation for continued support and
238 assistance for small business; provided further, that not less than \$100,000 shall be expended for
239 the Greater Easthampton Chamber of Commerce; provided further, that not less than \$25,000
240 shall be expended for the development of Booth playground on South street in Foxborough;
241 provided further, that not less than \$250,000 shall be expended for infrastructure improvements
242 to the historic Brooks Estate in Medford; provided further, that not less than \$250,000 shall be
243 expended for local economic recovery efforts in Arlington; provided further, that not less than
244 \$1,250,000 shall be expended for Christina Street Bridge Preferred Concept Plans for the
245 purposes of installing a bridge and shared-use path across the Charles river connecting to the
246 conservation area along the Charles river in Needham; provided further, that not less than
247 \$300,000 shall be expended for design development work related to the renovation of the
248 Worcester Memorial Auditorium into a state-of-the-art digital innovation, education and skills
249 training, arts and entertainment facility; provided further, that not less than \$75,000 shall be
250 expended for improvements to playgrounds in Rowley to address disability access for equitable
251 use; provided further, that not less than \$100,000 shall be expended for the South Hadley and
252 Granby Chamber of Commerce; provided further, that not less than \$250,000 shall be expended
253 for Courageous Sailing Center in the Charlestown section of Boston; provided further, that not
254 less than \$33,000 shall be expended for local economic recovery efforts in Abington; provided
255 further, that not less than \$33,000 shall be expended for local economic recovery efforts in
256 Whitman; provided further, that not less than \$75,000 shall be expended for the Spirit of
257 Springfield, Inc. for events that provide a sense of community, civic pride and opportunities for
258 celebration of diversity in the Latino community; provided further, that not less than \$33,000

259 shall be expended for local economic recovery efforts in East Bridgewater; provided further, that
260 not less than \$50,000 shall be expended for AHORA, Inc. for its financial literacy programs in
261 Lynn; provided further, that not less than \$25,000 shall be expended for New North Citizens'
262 Council, Inc. in Springfield for the Latino Health Salsa in the Parks Family Summertime
263 Intervention; provided further, that not less than \$250,000 shall be expended for The Guild in
264 Dorchester; provided further, that not less than \$25,000 shall be expended for the Plymouth Area
265 Chamber of Commerce for the creation of the Duxbury Chamber Affiliate; provided further, that
266 not less than \$100,000 shall be expended for FalmouthNet, Inc. for professional services and
267 research expenses in support of efforts to build a town-wide, community-based fiber-optic
268 network; provided further, that not less than \$100,000 shall be expended for the design and
269 construction of emergency repairs to the Beachmont Post No. 6712 Veterans of Foreign Wars,
270 Inc. in Revere; provided further, that not less than \$200,000 shall be expended for construction at
271 and improvements to the Pembroke Community Center; provided further, that not less than
272 \$800,000 shall be expended for improving accessibility and reconstructing the east entrance of
273 Mittineague Park in West Springfield; provided further, that not less than \$50,000 shall be
274 expended for the Hyde Park 155 Planning Committee for the furtherance of economic
275 development opportunities for the Hyde Park business community as part of Hyde Park's 155th
276 anniversary; provided further, that not less than \$50,000 shall be expended for the Youth
277 Development Organization in Lawrence for the support of high school juniors and seniors in
278 their path to secondary education and long-term employment through the expansion of the
279 Postsecondary Pathways program; provided further, that not less than \$100,000 shall be
280 expended for the renovation and redevelopment of the historic Strand Theatre in Clinton;
281 provided further, that not less than \$75,000 shall be expended for infrastructure improvements in

282 Duxbury; provided further, that not less than \$150,000 shall be expended for improvements to
283 the Fino Field Athletic and Baseball Field Complex in Milford; provided further, that not less
284 than \$150,000 shall be expended for improvements to the industrial park in Avon; provided
285 further, that not less than \$75,000 shall be expended for expansion of, renovations to and
286 improvements to the Ventress Memorial Library in Marshfield; provided further, that not less
287 than \$175,000 shall be expended for providers of naturally occurring retirement communities for
288 the elderly with whom the department of elder affairs entered into service agreements in fiscal
289 year 2022 and shall maintain proportions of total available funding equal to those provided in
290 fiscal year 2022; provided further, that not less than \$40,000 shall be expended for the Hanson
291 Public Library for expansion, renovations and improvements; provided further, that not less than
292 \$15,000 shall be expended for Prom Angels Foundation Inc.; provided further, that not less than
293 \$25,000 shall be expended for recreation improvements in the Monponsett neighborhood in
294 Hanson; provided further, that not less than \$150,000 shall be expended for targeted economic
295 development and planning work for the West Natick area around the West Natick Commuter rail
296 station to support area redevelopment; provided further, that not less than \$100,000 shall be
297 expended for the restoration and preservation of the historic E.B. Newton School in Winthrop,
298 including the clock tower, room and HVAC system; provided further, that not less than \$50,000
299 shall be expended for Franklin for a community wide branding and marketing study; provided
300 further, that not less than \$200,000 shall be expended for seating upgrades and improvements to
301 the Lynn Auditorium; provided further, that not less than \$125,000 shall be expended for
302 revitalization and economic improvements in Grafton; provided further, that not less than
303 \$125,000 shall be expended for revitalization and economic improvements in Northbridge;
304 provided further, that not less than \$125,000 shall be expended for revitalization and economic

305 improvements in Upton; provided further, that not less than \$100,000 shall be expended for
306 Beacon Hill Village to expand its technological improvements and the provision of programming
307 and services for older adults; provided further, that not less than \$150,000 shall be expended for
308 improvements to Charlesgate Park in Boston; provided further, that not less than \$750,000 shall
309 be expended for rebuilding and modernization of the John F. Kennedy Library Foundation's
310 digital infrastructure system to aid in recovery from the negative economic impacts of the 2019
311 novel coronavirus pandemic; provided further, that not less than \$50,000 shall be expended for
312 East Somerville Main Streets in Somerville; provided further, that not less than \$175,000 shall be
313 expended for improvements to the Needham town common; provided further, that not less than
314 \$150,000 shall be expended for wayfinding and streetscape improvements in Medfield; provided
315 further, that not less than \$125,000 shall be expended for public safety equipment for Billerica;
316 provided further, that not less than \$100,000 shall be expended for bus shelters for commuting
317 employees in the Industrial Park in Fall River to promote economic activity; provided further,
318 that not less than \$100,000 shall be expended for the Fall River Arts and Culture Coalitions'
319 Mural Project to bolster tourism and economic activity in Fall River; provided further, that not
320 less than \$300,000 shall be expended for local economic recovery in Haverhill; provided further,
321 that not less than \$8,000,000 shall be expended for the city of Haverhill for the Downtown
322 Merrimack Street Redevelopment project and the Merrimack Street Public-Private
323 Redevelopment Project design; provided further, that not less than \$100,000 shall be expended
324 for improvements on Water street along the Chicopee river in Springfield; provided further, that
325 not less than \$50,000 shall be expended for the repurposing of the McCloskey School building in
326 Uxbridge; provided further, that not less than \$100,000 shall be expended for the Downtown
327 Hyannis Community Development Corporation for connecting downtown businesses to the

328 OpenCape fiber-optic network; provided further, that not less than \$50,000 shall be expended for
329 the Cotuit Federated Church for maintenance, upgrades and repairs; provided further, that not
330 less than \$50,000 shall be expended for Love Live Local to provide small businesses located in
331 Barnstable with access to capital in order to enlist technical assistance services from local service
332 providers; provided further, that not less than \$5,000,000 shall be expended for debt service
333 obligations incurred by the Edward M. Kennedy Institute for the United States Senate so that the
334 institute may continue offering civic education programming to the public; provided further, that
335 not less than \$50,000 shall be expended for Community Art Center, Inc. in Cambridge; provided
336 further, that not less than \$200,000 shall be expended for renovations to Evans Field in South
337 Boston; provided further, that not less than \$100,000 shall be expended for hazardous materials
338 abatement and demolition of the old primary school building in Lunenburg; provided further, that
339 not less than \$40,000 shall be expended for the operation of the Milton Art Center; provided
340 further, that not less than \$750,000 shall be expended for the Greendale Revitalization Initiative
341 in Worcester; provided further, that not less than \$100,000 shall be expended for the Arlington
342 Historical Society; provided further, that not less than \$25,000 shall be expended for the North
343 Andover Merchants Association; provided further, that not less than \$15,000 shall be expended
344 for the Amesbury Chamber of Commerce; provided further, that not less than \$500,000 shall be
345 expended for the design, construction and implementation of the Downtown Initiative Action
346 Plan in Winchester; provided further, that not less than \$25,000 shall be expended for United
347 Way Franklin Hampshire County to support the creation and implementation of a diaper pantry
348 to serve Franklin and Hampshire counties; provided further, that not less than \$3,000,000 shall
349 be expended for the construction of the Welcome Center and African Experience exhibit at the
350 entrance to the Franklin Park Zoo operated by the Commonwealth Zoological Corporation

351 established in section 2 of chapter 92B of the General Laws; provided further, that not less than
352 \$250,000 shall be expended for traffic signals and roadway improvements at the intersection of
353 Hathaway road and Rockdale avenue located in New Bedford; provided further, that funds may
354 be expended for the Massachusetts Rehabilitation Commission for Work, Inc. to develop and
355 fund an outcomes-based pilot contract measuring and funding services that result in employment
356 and wage gains for individuals with disabilities; provided further, that not less than \$9,000,000
357 shall be expended for the improvement of the intersection at Western avenue, Soldiers Field road
358 and Birmingham parkway in Brighton; provided further, that not less than \$6,000,000 shall be
359 expended for the replacement and construction of all sidewalks and safety ornamental fencing of
360 all Massachusetts Department of Transportation property along Riverview road, from the Brooks
361 street bridge to the Parsons street bridge, along Newton street past the intersection of
362 Charlesview street, from the North Beacon street bridge, along North Beacon street to Vineland
363 street, along Vineland street to Market street, and the creation of a passive park at the corner of
364 Vineland street and North Beacon street in Brighton; provided further, that not less than
365 \$350,000 shall be expended for HVAC improvements to Walpole high school in Walpole;
366 provided further, that not less than \$50,000 shall be expended for the historic Ludlow First
367 Church and Meeting House for roof repairs; provided further, that not less than \$500,000 shall be
368 expended for the planning, design and construction of administrative offices for the Stoneham
369 School Department in Stoneham; provided further, that not less than \$50,000 shall be expended
370 for the construction of a playground and recreational area for the children and families of the
371 precinct of Marstons Mills in Barnstable; provided further, that not less than \$500,000 shall be
372 expended for improvements to the former Chicopee municipal library, including but not limited
373 to, improvements complying with building codes such as fire and safety and regulations

374 pertaining to accessibility for persons with disabilities, to further enhance the economic
375 development activity in Chicopee’s downtown; provided further, that not less than \$150,000
376 shall be expended for Norwood to offset the rise in transportation expenses after the closure of
377 Norwood Hospital due to a historic climate hazard occurring during the pandemic; provided
378 further, that not less than \$25,000 shall be expended for the Williamstown Summer Theater
379 youth internship program; provided further, that not less than \$600,000 shall be expended for the
380 design and construction of a new park in Everett Square to improve pedestrian access and safety
381 and create opportunities for outdoor dining, farmers markets and other activities; provided
382 further, that not less than \$75,000 shall be expended for the town of Uxbridge for the Main street
383 initiative and the repurposing of the McMoloskey building; provided further, that not less than
384 \$50,000 shall be expended for the town of Millville for demolition and site preparation of the
385 Millville Old Town Hall; provided further, that not less than \$1,000,000 shall be expended for
386 the Basketball Hall of Fame in the city of Springfield for repairs and upgrades; provided further,
387 that not less than \$200,000 shall be expended for the Springfield Symphony Orchestra for a
388 series of educational initiatives and concerts aimed at local school communities and concerts
389 created for minority, diverse, economically challenged neighborhoods and non-traditional
390 audiences; provided further, that not less than \$280,000 shall be expended for New England
391 Public Media for new a Community Engagement & Outreach Center for downtown Springfield
392 to provide inner city youth and adult programming and services; and provided further, that not
393 less than \$5,000,000 shall be expended for the city of Boston for the repair and maintenance of
394 aquatic facilities.....\$85,537,000

395 1599-6064 For a reserve for investments in nursing facilities and rest homes for costs
396 including, but not limited to, those related to the 2019 novel coronavirus pandemic and

397 subsequent variants; provided, that funds shall be distributed in consultation with the executive
398 office of health and human services; provided further, that not less than \$30,000,000 shall be
399 expended for rest homes for 2019 novel coronavirus pandemic related costs including, but not
400 limited to, testing, personal protective equipment and reimbursement for said costs; provided
401 further, that not later than September 1, 2022, pursuant to the executive office of health and
402 human services' Administrative bulletin 22-02 entitled 101 CMR 206:00: Standard Payments to
403 Nursing Facilities and effective January 15, 2022, the executive office shall provide a Medicaid
404 supplemental payment to nursing facilities consistent with said bulletin and 101 CMR 206 to
405 offset increased costs of providing care not accounted for in the nursing facility's prospective
406 payment system rates during the 2019 novel coronavirus pandemic including workforce related
407 costs; and provided further, that not less than \$165,000,000 shall be expended for payments
408 consistent with the executive office of health and human services' Administrative bulletin 22-02
409 entitled 101 CMR 206:00: Standard Payments to Nursing Facilities and effective

410 January 15, 2022.....\$195,000,000

411 1599-6066 For a reserve for supplemental payments to providers whose rates are
412 subject to rate implementation under chapter 257 of the acts of 2008; provided, that any human
413 service provider receiving said supplemental payments shall use not less than 90 per cent of said
414 supplemental payments for their direct care workforce including, but not limited to, hourly rate
415 increases, wraparound benefits, shift differentials, overtime, hiring and retention bonuses or
416 recruitment, as defined by the executive office of health and human services; provided further,
417 that said methodology for distributing such supplemental payments shall be developed in
418 consultation with the executive office of health and human services and representatives of
419 organized labor; provided further, that any human service provider shall, as a condition of

420 receiving said funds, submit a spending plan for said funds to the executive office of health and
421 human services; and provided further, that not later than November 18, 2022, the executive
422 office of administration and finance, in consultation with the executive office of health and
423 human services, shall report to the house and senate committees on ways and means: (i) the
424 methodology used to distribute said funds; (ii) the distribution of funds delineated by provider;
425 and (iii) the use of funds by each provider.....\$100,000,000

426 1599-6067 For a reserve to address the needs of community health centers receiving
427 grants under 42 U.S.C. section 245(b); provided, that not less than \$10,000,000 shall be
428 expended for addressing deferred care as a result of the 2019 novel coronavirus pandemic and
429 subsequent variants; provided further, that said funds may be expended for hiring and retention
430 of the workforce; provided further, that not less than \$70,000,000 shall be expended for
431 financing capital improvements and expansions at community health centers including, but not
432 limited to, technology upgrades and maintenance; provided further, that of said funds, not less
433 than 75 per cent of shall be expended for competitive grants of not less than \$5,000,000 and not
434 more than \$12,000,000; provided further, that the remaining 25 per cent of said funds shall be
435 expended for grants not more than \$5,000,000; provided further, that projects leveraging
436 multiple funding sources shall be prioritized; provided further, that said grants shall be
437 administered by the secretary of health and human services, who may adjust the percentages in
438 the proceeding provisions based on application demand; and provided further, that the secretary
439 may award funds through multiple grant cycles.....\$80,000,000

440 1599-6068 For a reserve to fund various economic development projects throughout
441 the commonwealth; provided, that not less than \$50,000 shall be expended for New England
442 Farm Workers Council for continued expansion in Western Massachusetts within the public

443 community college and public vocational school systems for the promotion of educational
444 offerings and the provision of employment opportunities; provided further, that not less than
445 \$50,000 shall be expended for the Springfield to Boston Education Foundation for a director to
446 oversee, promote and curate the foundation for 1 year, marketing and the purchase of cars, tools
447 and parts; provided further, that not less than \$8,000 shall be expended for police bicycles in
448 Saugus; provided further, that not less than \$20,000 shall be expended for fire equipment in
449 Saugus; provided further, that not less than \$1,000,000 shall be expended for the Italian Home
450 for Children for a capital improvement project to serve high acuity children that require a
451 specialized facility; provided further, not less than \$623,000 shall be expended for statewide
452 imagination library program that fosters higher levels of child literacy by providing books to
453 children ages newborn to 5 years of age; provided further, that not less than \$150,000 shall be
454 expended for the department of elementary and secondary education to aid in the disbursement
455 of federal funds for the Local Food for Schools Program; provided further, that not less than
456 \$50,000 shall be expended for Operation A.B.L.E. of Greater Boston, Inc., to provide basic
457 workforce and skills training, employment services and job re-entry support to older workers;
458 provided further, that not less than \$1,000,000 shall be expended for costs associated with the
459 purchase of information technology, medical equipment and interior building construction and
460 the furnishing of a community health center licensed under an academic medical center in
461 Springfield; provided further, that not less than \$2,000,000 shall be expended for the
462 Montachusett Veterans' Outreach Center for the building or acquisition of additional housing
463 units; provided further, that not less than \$300,000 shall be expended for Harbor Health Services,
464 Inc. for upgrades to dental equipment, technology infrastructure and operations at the community
465 based dental health clinics servicing Plymouth and Cape Cod; provided further, that not less than

466 \$250,000 shall be expended for Torch Light Recovery Group to further promote re-entry services
467 for people who were formally incarcerated; provided further, that not less than \$50,000 shall be
468 expended for SCM Transportation to assist seniors in getting to doctor's appointments and
469 grocery stores; provided further, that not less than \$2,200,000 shall be expended for the town of
470 Ludlow for Westmass Area Development Corp Ludlow Mill #8 and Mill #11 to immediately
471 increase affordable housing production; provided further, that not less than \$1,500,000 shall be
472 expended for Community Servings Inc. for a 1-time investment to support increased demand and
473 expand the medically tailored meal program; provided further, that not less than \$100,000 shall
474 be expended for Berkshire Bounty Inc. for efforts to combat food insecurity in rural
475 communities; provided further, that not less than \$30,000 shall be expended for the Haven From
476 Hunger food program in Peabody; provided further, that not less than \$400,000 shall be
477 expended for Fairview Hospital in the town of Great Barrington for the continuation of the
478 Collaborative Care program in the 5 Southern Berkshire Public Schools; provided further, that
479 not less than \$20,000 shall be expended for the Danvers Community Council; provided further,
480 that not less than \$15,000 shall be expended for the Middleton Food Pantry; provided further,
481 that not less than \$300,000 shall be expended for the Massachusetts Down Syndrome Congress
482 for the Your Next Star employment training program for individuals with intellectual and
483 developmental disabilities; provided further, that not less than \$350,000 shall be expended for
484 the Minnechaug Regional High School Booster Club for the replacement and installation of the
485 Falcon Athletic Field at Minnechaug Regional High School with turf, said field having served as
486 a critical recreation facility and respite for the Wilbraham school community during the Covid-
487 19 pandemic; provided further that not less than \$150,000 shall be expended for STRIVE, a job
488 training and placement service for the chronically unemployed, to provide access to technology

489 equipment and training for clients who are disproportionately impacted by poverty and the
490 pandemic; provided further, that not less than \$250,000 shall be expended for Cape Cod
491 Healthcare for the development, construction and the equipment of an urgent care facility in
492 Orleans; provided further, that \$15,000 shall be expended for the town of Harwich for the
493 purchase of new voting machines; provided further, that not less than \$100,000 shall be
494 expended for the Cape Cod Law Enforcement Council to provide mental health, wellness and
495 suicide prevention services to emergency service providers in the towns of Brewster, Orleans,
496 Eastham, Wellfleet, Truro and Provincetown; provided further, that not less than \$400,000 shall
497 be expended for North Star Family Services to facilitate the development of Journey Home
498 permanent supportive family housing for North Central Massachusetts families; provided further,
499 that not less than \$1,000,000 shall be expended for New England Life Flight, Inc., Boston
500 MedFlight, for critical care air medical and dedicated ground critical care transport equipment;
501 provided further, that not less than \$30,000 shall be expended for RESIST Foundation for the
502 Project Turnaround Program for violence prevention programming in the neighborhoods of
503 Boston with the highest rates of community violence and gun violence as well as the promotion
504 of and support of workforce development for formerly incarcerated individuals; provided further,
505 that not less than \$300,000 shall be expended to the town of Stoneham for costs associated with
506 the design and construction of an outdoor amphitheater on the grounds of Stoneham high school;
507 provided further, that not less than \$100,000 shall be expended for a gang-to-college pilot
508 program to serve gang-involved youth from high-crime areas in the city of Boston enrolled in
509 college pathway programs; provided further, that \$1,000,000 shall be expended for a 3-year grant
510 to Roca, Inc. to plan for and expand the intervention model for high-risk Young Mothers
511 Program into Boston for young mothers experiencing acute trauma, multiple systems

512 involvement, mental health needs, domestic violence and abuse; provided further, that not less
513 than \$35,000 shall be expended for public health and safety initiatives and revitalization of
514 Ringer park in the Allston section of Boston; provided further, that not less than \$750,000 shall
515 be expended for the Massachusetts Manufacturing Extension Partnership to develop and
516 implement a workforce development second chance initiative to improve outcomes for
517 underserved populations, and candidates facing challenges entering the workforce; provided
518 further, that not less than \$500,000 shall be expended to the city known as the town of Braintree
519 for economic development; provided further, that not less than \$250,000 shall be expended to the
520 town of Holbrook for economic development; provided further, that not less than \$144,000 shall
521 be expended for the Mattapan Community Health Center for increased salaries for nurses, and
522 medical or clinical assistants; provided further, that not less than \$125,000 shall be expended for
523 the SEIU Local 509 Commonwealth Human Service Workers and Educators Training
524 Professional Development Fund to train and address the impacts of secondary trauma on DCF
525 social workers; provided further, that not less than \$250,000 shall be expended for Greater Lynn
526 Senior Services, Inc. for its elder housing stabilization program; provided further, that not less
527 than \$400,000 shall be expended for Harbor Health Services, Inc. to expand care models to keep
528 seniors in their homes and communities and to implement senior friendly technology
529 infrastructure upgrades; provided further, that not less than \$70,000 shall be expended for the
530 Boston Debate League to support their after-school debate league and work with incarcerated
531 individuals; provided further, that not less than \$50,000 shall be expended for covering the
532 operational costs associated with providing medical interpreter services at the Lowell community
533 health center; provided further that \$1,000,000 be expended for Roca, Inc. to provide and
534 administer a Transitional Employment (TEP) and other job placement programs for the highest-

535 risk, court involved young people and adults in the commonwealth; provided further, that not
536 less than \$250,000 shall be expended for the Edward M. Kennedy Community Health Center,
537 Inc. to train community health workers to serve as the patient link to medical and social services
538 for the disenfranchised population throughout the Worcester and MetroWest regions; provided
539 further, that not less than \$150,000 shall be expended for Island Health Care for dental and
540 primary care clinic expansion; provided further, that not less than \$50,000 shall be expended for
541 Old Timers Sports and Family Health in Springfield; provided further, that not less than
542 \$750,000 shall be expended for Southwest Boston Senior Services for a one-time investment to
543 support and provide state-wide medically tailored and culturally appropriate meals to persons
544 battling chronic illnesses, the disabled and elders in collaboration with the statewide Meals on
545 Wheels network; provided further, that not less than \$100,000 be expended for NeighborWorks
546 Housing Solutions to digitize their records; provided further, that not less than \$175,000 shall be
547 expended for the city of Lawrence Council on Aging for the purpose of repairing and bringing to
548 code the Center's kitchen; provided further, that not less than \$15,000 shall be expended for the
549 Pembroke Titans Against Drugs – Friends of the Pembroke Drug Prevention Coalition, Inc;
550 provided further, that not less than \$80,000 shall be expended for Mother, Overlooked, Reaching
551 out, Empowerment in Springfield for gun violence prevention and victims services programs;
552 provided further, that not less than \$50,000 shall be expended for Solutions at Work, Inc. to
553 support the administration of the Green Street Shelter in Cambridge; provided further, that not
554 less than \$150,000 shall be expended for the Natick Housing Authority for the development of a
555 master plan for public housing in Natick; provided further, that not less than \$500,000 shall be
556 expended for Year Up to implement workforce development programs that provide job
557 opportunities for young adults; provided further, that not less than \$100,000 shall be expended

558 for the Wayland Affordable Housing Trust in Wayland for the acquisition, creation, preservation
559 and support of affordable housing; provided further, that \$750,000 shall expended for South
560 Boston Community Health Center to fund critical renovations and expansion at the main facility,
561 to accommodate continued growth in primary care services and to allow for better patient flow to
562 enhance infection control protocols; provided further, that \$400,000 shall be expended for the
563 city of Haverhill for the Airfield Redevelopment; provided further, that not less than \$2,000,000
564 shall be expended to Springfield Day Nursery Corporation in the city of Springfield for capital
565 expenses associated with the construction of a new facility to expand access to early education,
566 center-based care and family services to low-income children and families in western
567 Massachusetts; provided further, that not less than \$300,000 shall be expended for the downtown
568 revitalization, roadway and environmental enhancement project in the town of Millbury;
569 provided further, that not less than \$150,000 shall be expended for the Front-Line Initiative in
570 Tewksbury to allow the opportunity to look at innovative ways to expand the work being done in
571 service of the community; provided further, that not less than \$250,000 shall be expended for the
572 operation of the school-based health center for the Randolph Public Schools system; provided
573 further, that not less than \$2,144,000 shall be expended for the extraordinary and unreimbursed
574 COVID-19 pandemic related expenditures incurred by the New England Center for Children
575 during fiscal year 2020 and fiscal year 2021; provided further, that not less than \$100,000 shall
576 be expended for improvements at Waverley Oaks Apartments in Belmont; provided further, that
577 not less than \$100,000 shall be expended for the town of Belmont for the predevelopment costs
578 for Sherman Gardens Apartments; provided further, that not less than \$250,000 shall be
579 expended for the Randolph fire department for a new ambulance; provided further, that not less
580 than \$100,000 shall be expended for the town of Belmont for improvements to the Belmont

581 Public Library; provided further, that not less than \$1,600,000 shall be expended for a federally
582 qualified community health center with a 24/7 satellite emergency facility licensed under 105
583 C.M.R. 130 to establish an early diagnosis program to address racial disparities in health care in
584 communities disproportionately impacted by the COVID-19 pandemic; provided further, that not
585 less than \$8,000,000 shall be expended for Harvard Street Neighborhood Health Center for the
586 purpose of planning and construction of a new state of the art, ADA-compliant health center in
587 the Dorchester neighborhood of Boston; provided further, that not less than \$3,000,000 shall be
588 expended for provided further, that not less than \$900,000 shall be expended for the East Boston
589 Community Development Corporation, Inc., for the acquisition of residential units to be
590 maintained as affordable housing; provided further, that not less than \$500,000 shall be
591 expended for the town of Stoneham for the planning, building and construction costs associated
592 with the Stoneham High School construction project; provided further, that not less than
593 \$100,000 shall be expended for Cambodia Town Lowell, Inc. to form an Asian-American
594 business support division which shall provide education and training to minority-owned
595 businesses in Lowell; provided further, that not less than \$250,000 shall be expended for the
596 Greater New Bedford Community Health Center for the costs associated with renovations,
597 remodeling and conversion of administrative space for the expansion of behavioral services for
598 vulnerable, high-risk patients; provided further, that not less than \$100,000 shall be expended
599 for the development of a faculty education institute at William James College, in collaboration
600 with the behavioral health advisory committee established in section 72 of Chapter 102 of the
601 Acts of 2021, UMass Amherst, Middlesex Community College and Massachusetts public higher
602 education campuses to prepare a comprehensive plan to train Massachusetts college and
603 university faculty and staff in mental health first aid and social emotional education techniques to

604 increase the quality of campus mental health; provided further, that not less than \$100,000 shall
605 be expended for the city of Somerville to conduct focus groups and a feasibility study related to
606 the development of a rental registry and energy retrofitting housing in Somerville; provided
607 further, that not less than \$10,000 shall be expended for the New England Center for Arts and
608 Technology Inc. Career Center; provided further, that not less than \$100,000 shall be expended
609 for the city of Somerville to study energy efficiency opportunities in affordable housing for low
610 and moderate-income households; provided further, that not less than \$150,000 shall be
611 expended for the design and development of three regional partial care program centers located
612 in greater Boston, greater Worcester and greater Springfield to provide services to college and
613 university students transitioning from an inpatient mental health service to campus, in
614 collaboration with the behavioral health advisory committee established in section 72 of Chapter
615 102 of the Acts of 2021; provided further, that not less than \$300,000 shall be expended for
616 CODAC Behavioral Health for a medical mobile unit to provide mental health services and
617 opioid & substance abuse disorders in hot spots and community outreach to students at Westfield
618 State University; provided further, that not less than \$2,000,000 shall be expended for athletic
619 fields to benefit Lowell High girls and boys; provided further, that not less than \$500,000 shall
620 be expended to the city of Boston to develop a curriculum that can be used by teachers in Boston
621 Public Schools, as well as other educational providers that leverage existing open data from the
622 city, state, and federal government; and provided further, that not less than \$3,000,000 shall be
623 expended to the city of Boston to support the development of programs and services that
624 improve the experience of digital government services for multilingual
625 communities..... \$43,909,000

626 1599-6069 For the distribution of funds for fiscally strained hospitals; provided, that
627 not less than \$300,000,000 shall be distributed to eligible hospitals pursuant to section 135;
628 provided further, that not less than \$50,000,000 shall be distributed by the secretary of health and
629 human services as grants to hospitals designated as high public payer hospitals by the center for
630 health information and analysis and non-acute hospitals not otherwise eligible for funding
631 pursuant to section 135; and provided further, that the secretary shall prioritize grants for
632 hospitals: (i) operating on significant negative margins; (ii) experiencing increased costs, reduced
633 capacity or lost revenue due to workforce shortages; (iii) serving high percentages of COVID-19
634 patients; (iv) demonstrating a commitment to historically underserved populations and
635 addressing health disparities and social determinants of health; (iv) serving high percentages of
636 health safety net patients; (v) having a Medicaid payer mix greater than 40 per cent; or (vi)
637 hospitals that have not been awarded significant funds authorized by this item or grants
638 administered through the COVID-19 Public Health Emergency Hospital Relief Trust Fund
639 established in section 71 of chapter 102 of the acts of 2021.....\$350,000,000

640 1599-6072 For a reserve to address reproductive and family planning service needs in
641 the commonwealth; provided, that funds shall be expended for grants to providers offering
642 services including, but not limited to, pregnancy termination, contraception and prenatal and
643 perinatal services; provided further, that said grants may be provided for costs related to
644 providing care including, but not limited to, security, hiring and retention and informational
645 material to educate patients; provided further, that not less than \$1,000,000 shall be expended for
646 a public awareness campaign to educate providers and the public about so called crisis pregnancy
647 centers and pregnancy resource centers and their lack of medical services; provided further, that
648 said campaign shall include information on the availability of providers across the

649 commonwealth that provide legitimate medical and family planning services; and provided
650 further, that said campaign shall be linguistically diverse and culturally
651 competent.....\$15,000,000

652 1599-6073 For a reserve to provide supplemental funding to the victim and witness
653 assistance board in light of federal funding cuts; provided, that not less than \$20,000,000 shall be
654 expended for programs and services in fiscal year 2024; provided further, that not less than
655 \$20,000,000 shall be expended for programs and services in fiscal year 2025; and provided
656 further, that to the extent feasible, the victim and witness assistance board shall maintain the
657 same level of programs and services offered in fiscal year 2022.....\$40,000,000

658 1599-6074 For a reserve to reduce gun violence throughout the commonwealth;
659 provided, that not less than \$1,000,000 shall be expended for a public awareness campaign on
660 the commonwealth’s red flag laws pursuant to sections 131R to 131Y, inclusive, of chapter 140
661 of the General Laws; provided further, that said campaign shall be administered in consultation
662 with the department of public health and the department of mental health; and provided further,
663 that funds shall be expended for grants to non-profits and community-based organizations that
664 utilize evidence-based approaches to addressing gun violence and the impacts of gun violence-
665 related trauma on individuals and communities.....\$15,000,000

666 1599-6075 For a reserve for investments in publicly-owned lands and lands otherwise
667 protected and conserved for public access including, but not limited to: reservations, parks, trails,
668 rivers, lakes, ponds, streams and other waterways, trails, beaches, fishing piers, boat ramps,
669 community gardens, urban farms, working farms and forests and other recreational facilities and
670 open spaces; provided further, that funds shall be expended for municipalities and non-profit

671 organizations to dramatically increase new open space projects including, but not limited to,
672 waterfront parks, trails, bike paths, playgrounds, urban farms, community gardens and green
673 space; provided further, that funds shall be expended for the acquisition of new conservation
674 land and the conservation and agricultural preservation restrictions on working farms and forests,
675 particularly in critical headwater, wetland and estuarine areas; provided further, that funds shall
676 be expended for the removal of obsolete or unwanted publicly or privately owned dams across
677 the commonwealth; provided further, that funds shall be expended for the protection and
678 restoration of headwaters land and wetlands on publicly or privately owned cranberry farmlands
679 taken out of production by owners; provided further, that funds shall be expended for the
680 restoration of coastal and tidal wetlands, including salt marshes; provided further, that funds
681 shall be expended for the dredging of harbors, bays and inland waterways; provided further, that
682 not less \$25,000,000 shall be expended for projects in communities of color; provided further,
683 that priority shall be given to projects supporting communities disproportionately impacted by
684 the 2019 novel coronavirus pandemic; provided further, that the executive office of
685 administration and finance shall work with the executive office of energy and environmental
686 affairs in distributing said funds and provided further, that grants may include a requirement for
687 matching funds.....\$175,000,000

688 1599-6076 For a reserve for investments in publicly-owned lands and lands otherwise
689 protected and conserved for public access in environmental justice communities including, but
690 not limited to: reservations, parks, trails, rivers, lakes, ponds, streams and other waterways, trails,
691 beaches, fishing piers, boat ramps, community gardens, urban farms, working farms and forests
692 and other recreational facilities and open spaces; provided, that funds may be expended on
693 climate resiliency and adaptation projects \$125,000,000

694 1599-6077 For a reserve for local and statewide environmental and tourism projects;
695 provided, that not less than \$150,000 shall be expended for upgrades to the Doyle school
696 playgrounds for ADA compliance; provided further, that not less than \$200,000 shall be
697 expended for Gloucester Marine Genomics Institute Incorporated for research purposes;
698 provided further, that not less than \$100,000 shall be expended for the design costs and related
699 expenses associated with the construction of a water treatment plant to assist with PFAS
700 remediation in the town of Lynnfield; provided further, that not less than \$25,000 shall be
701 expended for Grow in Revere, the Revere Food Hub in Revere; provided further, that not less
702 than \$125,000 shall be expended for the costs associated with a septic system or other
703 wastewater disposal system serving the public facilities project in the town of Middleton;
704 provided further, that not less than \$50,000 shall be expended for engineering costs associated
705 with work on the Old Hix bridge and Hix bridge landing in Westport to preserve the health of the
706 Westport river; provided further, that not less than \$100,000 shall be expended for the
707 replacement of a gate valve in Georgetown; provided further, that not less than \$200,000 shall be
708 expended for the replacement of a culvert on Orchard street in Newbury; provided further, that
709 not less than \$500,000 shall be expended for Massachusetts Audubon Society, Inc. to acquire,
710 conserve and renovate with the Lowell Parks and Conservation Trust, Inc. land at 1413-1415
711 Varnum avenue in Lowell; provided further, that not less than \$250,000 shall be expended for
712 residential homes involved in the environmental cleanup in the area of Bliss Corner in
713 Dartmouth; provided further, that not less than \$200,000 shall be expended for maintenance of
714 the bike trail in Malden; provided further, that not less than \$250,000 shall be expended for
715 renovations to public parks in Malden; provided further, that not less than \$250,000 shall be
716 expended for the North Shore Community Health, Inc. climate change mitigation and green

717 impact initiative; provided further, that not less than \$100,000 shall be expended for restoration
718 of the wetland and floodplain at Sam Wright field in Easton; provided further, that not less than
719 \$125,000 shall be expended for the completion of a climate mitigation project and the
720 construction of a performing stage at the site of Riverfront park in Fitchburg; provided further,
721 that not less than \$125,000 shall be expended for the creation of a water treatment plant in
722 Scituate; provided further, that not less than \$1,000,000 shall be expended for Revolutionary
723 Spaces for various projects related to the Old State House and the Old South Meeting House;
724 provided further, that not less than \$250,000 shall be expended for the Boch Center's Folk
725 Americana Roots Hall of Fame in Boston; provided further, that not less than \$500,000 shall be
726 expended for the Cape Cod Cooperative Extension's water quality and hazardous waste program
727 for the construction of a permanent household and small business hazardous waste collection and
728 education facility; provided further, that not less than \$25,000 shall be expended for the Latin
729 Women's Association of Brockton to support its food distribution program; provided further, that
730 not less than \$200,000 shall be expended for improvements to Puffer playground in Brockton;
731 provided further, that not less than \$55,550 shall be expended for the Lake Wallace sensory trail
732 pond element in Belchertown; provided further, that not less than \$2,000,000 shall be expended
733 for the Clougherty Pool and Doherty Park in the Charlestown section of Boston for repairs to
734 outdoor recreational space; provided further, that not less than \$50,000 shall be expended for The
735 Charity Guild, Inc. for the food distribution program in Brockton; provided further, that not less
736 than \$200,000 shall be expended for the operations of the Worcester Regional Food Hub;
737 provided further, that not less than \$100,000 shall be expended for improvements to the rail trail
738 in Berlin; provided further, that not less than \$50,000 shall be expended for the operation of the
739 Salvation Army in Brockton; provided further, that not less than \$200,000 shall be expended for

740 the installation of solar panels at Beverly high school or other municipal properties in Beverly;
741 provided further, that not less than \$150,000 shall be expended for upgrades to water
742 infrastructure on the Middlesex turnpike corridor in Bedford; provided further, that not less than
743 \$150,000 shall be expended for the operation of the Dorchester Food Co-op; provided further,
744 that not less than \$300,000 shall be expended for efforts to alleviate flooding in the area around
745 Jordan street and adjoining neighborhoods in Beverly; provided further, that not less than
746 \$150,000 shall be expended for the Urban Farming Institute; provided further, that not less than
747 \$100,000 shall be expended for Mattapan Food and Fitness; provided further, that not less than
748 \$50,000 shall be expended for Catholic Charities of Brockton for the food distribution program;
749 provided further, that not less than \$50,000 shall be expended for recreational programming and
750 summer job opportunities to at-risk and low-income youth in Lawrence; provided further, that
751 not less than \$250,000 shall be expended for the continued development of the North Reading
752 wastewater and sewerage system; provided further, that not less than \$10,000 shall be expended
753 for Gallery Z Café LLC for hood vents, dishwasher and electrical equipment; provided further,
754 that not less than \$100,000 shall be expended for the planning and implementation of a mixed-
755 use walkable village in Burlington; provided further, that not less than \$100,000 shall be
756 expended for Mass Audubon for the conservation, remediation and the connection of a parcel of
757 land in the town of Plymouth to Myles Standish forest and Tidmarsh Wildlife Sanctuary to
758 increase recreational access to open space and enhance eco-tourism; provided further, that not
759 less than \$400,000 shall be expended for permits, design and engineering of the Old
760 Marlborough road water treatment plant in Maynard; provided further, that not less than
761 \$150,000 shall be expended for the Southwick Civic Fund for programs that address food
762 insecurity and a regional food pantry in Southwick; provided further, that not less than \$500,000

763 shall be expended for greenspace for community events and increased parking capacity at
764 Greycourt park in Methuen; provided further, that not less than \$150,000 shall be expended for
765 an excessive wastewater flow system in Chelmsford; provided further, that not less than
766 \$250,000 shall be expended for the operation of a PFAS remediation system in Chelmsford;
767 provided further, that not less than \$300,000 shall be expended for stormwater and coastal
768 infrastructure enhancements for flood mitigation in Lynn; provided further, that not less than
769 \$100,000 shall be expended for the New Lynn Coalition's grocery delivery program for
770 individuals and families who are unable to travel to pick up groceries from food aid programs;
771 provided further, that not less than \$100,000 shall be expended for Island Grown Initiative, LTD
772 to create a central distribution hub for the Island Food Pantry in order to address food insecurity
773 on Martha's Vineyard; provided further, that not less than \$75,000 shall be expended for the
774 department of conservation and recreation for the development of a landscape management plan
775 for the Charles river conservation area along Quinobequin road between route 9 and route 16 in
776 Newton; provided further, that not less than \$150,000 shall be expended for the maintenance and
777 improvement of Shore park and Morgan park at Indian lake in Worcester; provided further, that
778 not less than \$250,000 shall be expended for the maintenance of walking trails at Newton Hill
779 and related improvements in Elm park in Worcester; provided further, that not less than \$50,000
780 shall be expended for the Acord Food Pantry in Hamilton to increase its capacity to serve people
781 in Essex county; provided further, that not less than \$200,000 shall be expended for the study of
782 sewer extension from Elm street to Cobb street in Norton; provided further, that not less than
783 \$75,000 shall be expended for lighting and security improvements to the Connecticut river
784 bikeway in Springfield; provided further, that not less than \$25,000 shall be expended for the
785 Dracut Food Pantry; provided further, that not less than \$100,000 shall be expended for the

786 Springfield water and sewer commission for capital projects intending to resolve issues related to
787 operational resiliency; provided further, that not less than \$50,000 shall be expended for
788 recreation improvements in Halifax; provided further, that not less than \$300,000 shall be
789 expended for the food banks in Avon, Canton and Stoughton; provided further, that not less than
790 \$500,000 shall be expended for the Brookline housing authority to modernize kitchens, provided
791 that all appliances are electric only; provided further, that not less than \$300,000 shall be
792 expended for the Blue Hills Weather Observatory and Science Center; provided further, that not
793 less than \$100,000 shall be expended for improvements to the Hopedale pond dam; provided
794 further, that not less than \$100,000 shall be expended for Riverbend park playground in
795 Medford; provided further, that not less than \$100,000 shall be expended for Women’s Lunch
796 Place, Inc. for the purpose of providing meals and services to homeless women and children in
797 need; provided further, that not less than \$400,000 shall be expended for improvements to public
798 facilities and park elements at Lynn Woods in Lynn; provided further, that not less than \$50,000
799 shall be expended for the Fenway Cares Mutual Aid Initiative, including administrative costs, to
800 distribute fresh food and personal protective equipment to food-insecure residents in Boston;
801 provided further, that not less than \$25,000 shall be expended for the Easthampton parks and
802 recreation department; provided further, that not less than \$100,000 shall be expended for design
803 costs and related expenses associated with the construction of a water treatment plant to assist
804 with PFAS remediation in Webster; provided further, that not less than \$100,000 shall be
805 expended for planning and implementation of Walpole's 300th anniversary celebration; provided
806 further, that not less than \$75,000 shall be expended for The West End Museum, Incorporated
807 for mitigation of the adverse effects of novel coronavirus 2019 and to recover from the impacts
808 of a recent flood; provided further, that not less than \$150,000 shall be expended for

809 improvements to Dugger park in Medford; provided further, that not less than \$100,000 shall be
810 expended for improvements to Parallel park in Arlington; provided further, that not less than
811 \$50,000 shall be expended for a water treatment plant for PFAS remediation in Abington and
812 Rockland; provided further, that not less than \$100,000 shall be expended for Worcester Green
813 Corps for program staffing and awareness of green jobs and land stewardship; provided further,
814 that not less than \$50,000 shall be expended for Groundwork Somerville, Inc. to support their
815 food access and urban farming programs; provided further, that not less than \$25,000 shall be
816 expended for PFAS remediation and water treatment in Hanover; provided further, that not less
817 than \$25,000 shall be expended for PFAS remediation and water treatment in Norwell; provided
818 further, that not less than \$100,000 shall be expended for Daniel's Table, Inc. in Framingham;
819 provided further, that not less than \$250,000 shall be expended for startup costs for Revolution
820 250 related to the planning and celebration of the commonwealth's 250th anniversary of the
821 American Revolution which will spur tourism and economic activity in all corners of the
822 commonwealth; provided further, that not less than \$150,000 shall be expended for the
823 construction and renovation costs of the Environmental Education and Discovery Center in the
824 southeastern Massachusetts bioserve located in Fall River; provided further, that not less than
825 \$100,000 shall be expended for rodent and pest control in Randolph; provided further, that not
826 less than \$50,000 shall be expended for Food for Free Committee, Incorporated in Somerville;
827 provided further, that not less than \$500,000 shall be expended for Community Action Pioneer
828 Valley, Inc. for a program center and food pantry in Greenfield; provided further, that not less
829 than \$750,000 shall be expended for the dredging of the channel in Quincy bay and beach
830 restoration in the Merrymount neighborhood in Quincy; provided further, that not less than
831 \$100,000 shall be expended for the Waquoit Bay National Estuarine Research Reserve for the

832 replacement of the restroom facility on the environmentally sensitive Washburn island; provided
833 further, that not less than \$50,000 shall be expended for the Massachusetts Military Support
834 Foundation, Inc. for the distribution of food to veterans in need in the counties of Barnstable,
835 Bristol and Hampden; provided further, that not less than \$150,000 shall be expended for design,
836 survey, site preparation and construction of walking paths, bridges and other outdoor spaces
837 along the Middlesex canal and open space in the town of Wilmington; provided further, that not
838 less than \$100,000 shall be expended for the expansion and improvement of water and sewer
839 infrastructure in Mendon; provided further, that not less than \$150,000 shall be expended for
840 design, survey, site preparation and construction of a disc golf course, parking and walking trails
841 in Tewksbury; provided further, that not less than \$250,000 shall be expended for the expansion
842 of the urban farming and community climate resiliency projects of Groundwork Southcoast;
843 provided further, that not less than \$10,000 shall be expended for Tree of Life in Jamaica Plain
844 for the infrastructure and technology needs of the Mildred C. Hailey housing development food
845 distribution service; provided further, that not less than \$150,000 shall be expended for the
846 Center for Human Development, Incorporated for the repair and upgrade of community kitchen
847 facilities for the Not Bread Alone congregate meal program; provided further, that not less than
848 \$50,000 shall be expended for water and sewer improvements at Belmont village in Belmont;
849 provided further, that not less than \$25,000 shall be expended for the expansion of the Reading
850 Food Pantry and for other costs associated with helping the food pantry better address food
851 insecurity issues within the town of Reading; provided further, that not less than \$100,000 shall
852 be expended for the construction of an ice skating rink in Belmont; provided further, that not less
853 than \$100,000 shall be expended for Survival Centers, Inc. to support its food pantry inventory;
854 provided further, that not less than \$2,000,000 shall be expended for the Trustees of Reservations

855 for the creation of a climate-resilient waterfront park at Piers Park Phase 3 in East Boston;
856 provided further, that not less than \$1,000,000 shall be expended for the department of
857 conservation and recreation for maintenance, irrigation, design, construction and any other
858 related costs for the Leo J. Martin Memorial golf course in Weston; provided further, that not
859 less than \$100,000 shall be expended for the Weymouth Elder Services Center for food security
860 programs; provided further, that not less than \$100,000 shall be expended for increased food
861 pantry access in Somerville; provided further, that not less than \$250,000 shall be expended for
862 the Hilltown Mobile Market for expansion of the market to a brick and mortar facility featuring a
863 year-round commercial kitchen; provided further, that not less than \$150,000 shall be expended
864 for the installation and operation of no less than 2 air quality monitoring stations in the East
865 Boston section of Boston in cooperation with the department of environmental protection, the
866 data from which shall be made available online to the public at regular intervals; provided
867 further, that not less than \$150,000 shall be expended for the silver plating factory assessment
868 and remediation and a land use and economic development opportunity study in North
869 Attleborough; provided further, that not less than \$100,000 shall be expended for the Weymouth
870 Food Pantry for food security programs; provided further, that not less than \$50,000 shall be
871 expended for a food insecurity restaurant meals program in North Andover in partnership with
872 the Merrimack Valley YMCA and Groundwork Lawrence, Inc.; provided further, that not less
873 than \$50,000 shall be expended for Our Neighbors' Table, Inc. in support of the regional food
874 hub; provided further, that not less than \$125,000 shall be expended for Green harbor dredging
875 project in Marshfield; provided further, that not less than \$2,000,000 shall be expended for the
876 New England Aquarium Corporation for maintenance upgrades and other improvements;
877 provided further, that not less than \$35,000 shall be expended for a marketing campaign for the

878 Mohawk Trail Association, Inc.; provided further, that not less than \$300,000 shall be expended
879 for fire hydrant replacement in Somerset; provided further, that not less than \$25,000 shall be
880 expended for the town of Bellingham for the sensory playground installation at Stallbrook
881 elementary school; provided further, that not less than \$25,000 shall be expended for the town of
882 Blackstone for a groundwater contamination study at Countryside Auto Salvage; and provided
883 further, that not less than \$100,000 shall be expended for the town of Medfield to rebuild the
884 Hinkley playground in compliance with current safety standards and ADA
885 requirements.....\$24,260,550

886 1599-6078 For a reserve to address food insecurity; provided, that not less than
887 \$25,000,000 shall be expended for the food security infrastructure
888 grants.....\$25,000,000

889 1599-6079 For the Massachusetts Clean Water Trust for the purpose of reducing the
890 principal or interest costs of water quality improvement projects; provided, that eligible projects
891 shall include, but not be limited to: improvements to drinking water systems, PFAS remediation
892 and combined sewer overflow projects; provided further, that not less than 25 per cent of funding
893 shall be expended for grants to minority and environmental justice communities; and provided
894 further, that grants may include a requirement for matching
895 funds.....\$100,000,000

896 1599-6080 For a grant program to address human trafficking, to be administered by
897 the department of public health in consultation with the executive office of public safety;
898 provided further that eligible recipients of this grant shall have implemented an approved human
899 trafficking awareness program for their employees which provides the following instruction: (i)

900 the nature of human trafficking; (ii) how human trafficking is defined pursuant to section 50 and
901 51 of chapter 265; (iii) how to identify victims of human trafficking, as defined in section 20M
902 of chapter 233; (iv) relief and recovery options for survivors; (v) social and legal services
903 available to victims; and provided further eligible applicants shall ensure that the human
904 trafficking hotline is prominently displayed in the lobby of said establishment.....\$1,000,000

905 1599-6081 For the federal Low Income Home Energy Assistance Program, to assist
906 eligible low-income elders, working families and other households with assistance paying a
907 portion of winter heating bills; provided, that the department of housing and community
908 development shall establish the maximum assistance for which a household shall be
909 eligible.....\$10,000,000

910 1599-6082 For a reserve to address the needs of community health centers receiving
911 grants under 42 U.S.C. section 245(b) and with high populations of uninsured patients
912 disproportionately impacted by the COVID-19 pandemic; Provided further, that notwithstanding
913 any general or special law or regulation to contrary, on or before November 30, 2022, the
914 executive office for administration and finance shall transfer no less than \$20,000,000 to the
915 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws;
916 provided further, that such funds shall be distributed no later than December 31, 2022 by the
917 executive office of health and human services as direct payments to each provider participating
918 in the MassHealth program as a community health center or hospital-licensed health center;
919 provided further, that said funds shall be allocated in direct proportion to the total allowable
920 reimbursable health services amount processed through the Health Safety Net Trust Fund for
921 each such health center during Health Safety Net fiscal year 2017, including any related
922 settlements; provided further, that at least 10 calendar days prior to the expected payment date to

923 each such health center, the executive office of health and human services shall provide a
924 schedule listing the total allowable reimbursable health services amount processed through the
925 Health Safety Net Trust Fund for each such health center in Health Safety Net fiscal year 2017
926 including any related settlements, each such health center's per cent of the aggregate total
927 allowable reimbursable health services amount processed through the Health Safety Net Trust
928 Fund for all such health centers combined in Health Safety Net fiscal year 2017 including any
929 related settlements, and the proposed payment amount to each such health
930 center.....\$20,000,000

931 1599-6083 For a reserve to provide funds for various economic development projects;
932 provided, if the Boston Landmarks Commission designates the Nazarro Community Center as a
933 historical building then that not less than \$25,000,000 shall be expended for Boston Centers &
934 Families within the City of Boston for the construction of a new community center within the
935 North End section of Boston and not less than \$5,000,000 of said \$25,000,000 shall be expended
936 for the rehabilitation of Nazarro Community Center in the North End section of Boston for the
937 future use by a non-profit; provided further, that not less than \$100,000 shall be expended for
938 Boston Asian: Youth Essential for capital improvements; provided further, that not less than
939 \$75,000 shall be expended to the Chinatown Business Association in the city of Boston;
940 provided further, that not less than \$300,000 shall be expended for the Bay Village
941 Neighborhood Association for upgrades to Elliot Norton park and the Bay Village Garden in the
942 city of Boston; provided further, that not less than \$250,000 shall be expended for the North End
943 Waterfront Resilience Association for climate resiliency planning; provided further, that not less
944 than \$50,000 shall be expended for a matching grant for the repair, replacement and
945 reconstruction of the tennis courts at Lynnfield High School; provided further, that not less than

946 \$50,000,000 shall be transferred to the Massachusetts Bay Transportation Authority for
947 economic development improvements to transit stations in Norfolk county; provided further, that
948 not less than \$25,000 shall be expended for shall be expended for the Reading-North Reading
949 Chamber of Commerce; provided further, that not less than \$100,000 be expended to the town of
950 Andover for the Tucker Family Field to support youth recreational athletic and sporting
951 activities; and provided further, that not less than \$50,000 to the Friends of Christopher
952 Columbus Park for park maintenance.....\$75,950,000

953 1599-6085 For costs associated with a study performed by the executive office of
954 labor and workforce development on the effectiveness of career services and workforce
955 development grant programs administered through the executive office, including
956 Commonwealth Corporation and MassHire; provided, that said study shall include, but not be
957 limited to, the following information: (i) status of grants awarded under the program; (ii) the
958 number and names of educational and eligible service providers receiving grants; (iii) the
959 number of participants receiving services under each grant; (iv) the number of participants
960 placed in employment under each grant; (v) the salary and benefits that participants receive after
961 placement for each grant; (vi) the average salary and benefits of participants in each program
962 prior to participation; (vii) the cost per participant for each grant; (viii) job retention or
963 promotion rates 1 year after training ends; (ix) job retention or promotion rates 3 years after
964 training ends; (x) cost effectiveness of each program, including savings from public assistance
965 and estimates of future tax contributions for participants; (xi) the number of grants awarded and
966 money given to programs separated by region; (xii) the number of grants awarded and money
967 given to programs separated by primary industry sector; (xiii) demographic information of
968 participants for each grant program, including age, gender, race/ethnicity, educational attainment

969 level, employment status prior to participation, disability status, income level and use of public
970 assistance; and (xiv) review of the grant application process and timeline for dispersing grants to
971 vendors or applicants; and provided further, that the results of said study shall be reported to the
972 joint committee on economic development and emerging technologies, the joint committee on
973 labor and workforce development and the house and senate committees on ways and means not
974 later than June 16, 2023.....\$500,000

975 SECTION 3A. To provide for a program of economic development and job creation, the
976 sums set forth in sections 3A to 3C, inclusive, for the several purposes and subject to the
977 conditions specified in this act, are hereby made available, subject to the laws regulating the
978 disbursement of public funds; provided, however, that the amounts specified in an item or for a
979 particular project may be adjusted in order to facilitate projects authorized in this act. These sums
980 shall be in addition to any amounts previously authorized and made available for these purposes.

981 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

982 Office of the Secretary

983 6720-1352 For a grant program to coastal communities to be administered by the
984 Seaport Economic Council; provided, that funds shall be used for community planning and
985 investment activities that stimulate economic development and create jobs in the maritime
986 economy sector and to construct, improve, repair, maintain and protect coastal assets that are
987 vital to achieving these aims; and provided further, that the planning, prioritization, selection and
988 implementation of projects shall consider climate change impacts in furtherance of the goals of
989 climate change mitigation and adaptation and consistent with the integrated state hazard
990 mitigation and climate change adaptation plan.....\$10,000,000

991 7002-8041 For the Massachusetts Technology Park Corporation, established in
992 section 3 of chapter 40J of the General Laws, for a matching grant program that enables
993 academic institutions, non-profits, industry consortiums, federally funded research and
994 development centers and other technology-based economic development organizations to
995 compete for federal grants in technology and innovation fields including, but not limited to: (i)
996 artificial intelligence and machine learning; (ii) cybersecurity, data storage and data
997 management; (iii) quantum computing and information systems; (iv) robotics and advanced
998 automation; (v) high performance computing, semiconductors and advanced computer hardware;
999 (vi) blockchain; (vii) supply chain; (viii) energy storage and batteries; (ix) food security; and (x)
1000 advanced materials; provided, that the matching grant program may also enable participation of
1001 these entities in associated workforce development federal grant
1002 programs.....\$200,000,000

1003 7002-8042 For the Massachusetts Broadband Incentive Fund, established in section
1004 6C of chapter 40J of the General Laws, for capital repairs and improvements to broadband
1005 infrastructure owned by the Massachusetts Technology Park Corporation established in section 3
1006 of said chapter 40J.....\$12,000,000

1007 7002-8043 For the Massachusetts Technology Park Corporation, established in
1008 section 3 of chapter 40J of the General Laws, for matching grants that support collaboration
1009 among manufacturers located in the commonwealth and institutions of higher education, non-
1010 profits and other public or quasi-public entities; provided, that eligible grantees shall include
1011 private businesses; provided further, that grants shall be awarded and administered consistent
1012 with the strategic goals and priorities of the Massachusetts advanced manufacturing collaborative
1013 established in section 10B of chapter 23A of the General Laws; provided further, that grants

1014 made for the purchase of equipment to be owned by, leased to or located within the premises of a
 1015 private businesses shall be made in support of a partnership with an institution of higher
 1016 education or non-profit corporation with a mission of supporting manufacturing in the
 1017 commonwealth; provided further, that a private university or business entity shall not be eligible
 1018 for a grant unless the corporation has made a finding that a grant to such university or entity will
 1019 result in a significant public benefit and the private benefit is incidental to a legitimate public
 1020 purpose; and provided further, that grants shall be awarded in a manner that promotes
 1021 geographic, social, racial and economic
 1022 equity.....\$23,000,000

1023 7002-8044 For projects receiving assistance from the Scientific and Technology
 1024 Research and Development Matching Grant Fund established in section 4G of chapter 40J of the
 1025 General Laws; provided, that grants shall be awarded in a manner that promotes geographic,
 1026 social, racial and economic equity \$24,000,000

1027 7002-8046 For the Massachusetts Technology Park Corporation, established in
 1028 section 3 of chapter 40J of the General Laws, to establish a competitive and secure future
 1029 innovation program that promotes partnerships between academic institutions, federally funded
 1030 research and development centers, industry and the venture community that drive innovation in
 1031 technology fields in the commonwealth including, but not limited to, the defense, health,
 1032 commercial and public sectors; provided, that non-profit and private business entities shall be
 1033 eligible to receive funding from the program; and provided further, that that any award to a
 1034 private entity shall result in a significant public benefit and the private benefit is incidental to a
 1035 legitimate public purpose..... \$50,000,000

1036 7002-8047 For matching grants to support advanced manufacturing projects in
1037 partnership with institutions of higher education, including state and municipal colleges and
1038 universities, non-profits and other public or quasi-public entities; provided, that such projects
1039 shall be in alignment with a Manufacturing USA
1040 institute.....\$30,000,000

1041 7002-8048 For the MassWorks infrastructure program established in section 63 of
1042 chapter 23A of the General Laws \$400,000,000

1043 7002-8049 For public entities and other eligible entities within the commonwealth to
1044 provide matching funds necessary to receive federal funding for broadband infrastructure, access
1045 and deployment in unserved or underserved locations and for adoption, digital equity and other
1046 eligible uses consistent with federal guidelines.....\$50,000,000

1047 7002-8051 For a program to provide assistance to projects that will improve,
1048 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
1049 public purposes of eliminating blight, increasing housing production, supporting economic
1050 development projects, increasing the number of commercial buildings accessible to persons with
1051 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
1052 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
1053 a loan provided to a municipality or other public entity, a community development corporation,
1054 non-profit entity or for-profit entity; provided further, that eligible uses of funding shall include,
1055 but not be limited to: (i) improvements and additions to or alterations of structures and other
1056 facilities necessary to comply with requirements of building codes; (ii) fire or other life safety
1057 codes and regulations pertaining to accessibility for persons with disabilities; (iii) where such

1058 code or regulatory compliance is required in connection with a new commercial residential or
1059 civic use of such structure or facility; and (iv) the targeted removal of existing underutilized
1060 structures or facilities to create or activate publicly-accessible recreational or civic spaces;
1061 provided further, that funding shall be awarded on a competitive basis in accordance with
1062 guidelines developed by the agency; provided further, that financial assistance offered pursuant
1063 to this line item may be administered by the executive office through a contract with the
1064 Massachusetts Development Finance Agency established in section 2 of chapter 23G of the
1065 General Laws; provided further, that the executive office or the Massachusetts Development
1066 Finance Agency may establish additional program requirements through regulations or policy
1067 guidelines; provided further, that financial assistance offered pursuant to this item shall be
1068 awarded, to the extent feasible, in a manner that reflects geographic and demographic diversity
1069 and social, racial and economic equity within the commonwealth; and provided further, that
1070 program funds may be used for the reasonable costs of administering the program not to exceed
1071 5 per cent of the total assistance made during the fiscal year.....\$50,000,000

1072 7002-8052 For grants and technical assistance to be made to municipalities and
1073 regional applicants to support planning and locally-driven initiatives related to community
1074 development, housing production, workforce training and economic opportunity, child care and
1075 early education initiatives and climate resilience initiatives, including nature-based solutions
1076 projects, that incorporate these elements, across the commonwealth within individual
1077 communities, regions or a defined subset of communities therein; provided, that funds may be
1078 expended for culturally competent and multilingual technical assistance and training to small
1079 businesses; provided further, that preference for these funds shall be given to businesses located
1080 in low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and

1081 provided further, that grants shall be awarded in a manner that promotes geographic
1082 equity.....\$5,000,000

1083 7002-8053 For the Commonwealth Zoological Corporation, established in section 2
1084 of chapter 92B of the General Laws, for costs associated with the preparation of plans, studies
1085 and specifications, repairs, construction, renovations, improvements, maintenance, asset
1086 management and demolition and other capital improvements, including those necessary for the
1087 operation of facilities operated by Zoo New England, including the Franklin Park Zoo and the
1088 Walter D. Stone Memorial Zoo; provided, that not less than \$2,500,000 shall be used for
1089 construction and be required to have a 1 to 1 match; provided further, that grants shall be
1090 awarded in a manner that promotes geographic equity; and provided further, that Zoo New
1091 England shall provide a matching amount equal to \$1 for every \$1 disbursed from this
1092 item..... \$9,000,000

1093 7002-8054 For a competitive program of grants or other financial assistance to
1094 support economic development, job creation and housing and climate resilience initiatives,
1095 including nature-based solutions projects that incorporate these elements for the public purpose
1096 of rural areas of the commonwealth; provided, that such financial assistance may be offered to a
1097 municipality or other public entity, a community development corporation, non-profit entity or
1098 for-profit entity; provided further, that such financial assistance shall support a project located in
1099 a municipality with a population of not more than 7,000 year-round residents or a population
1100 density of not more than 500 persons per square mile; provided further, that financial assistance
1101 offered pursuant to this line item may be administered by the executive office through a contract
1102 with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of
1103 the General Laws; provided further, that grants shall be awarded in a manner that promotes

1104 geographic, social, racial and economic equity; and provided further, that the administering
1105 agency may establish additional program requirements through regulations or policy
1106 guidelines.....\$10,000,000

1107 7002-8056 For a competitive grant program administered by the office of travel and
1108 tourism; provided, that funds may be used to improve facilities and destinations visited by in-
1109 state and out-of-state travelers, with the goals of increasing visitation, enticing repeat visitation
1110 and increasing the direct and indirect economic impacts of the tourism industry in all regions of
1111 the commonwealth; provided further, that grants shall support the design, repair, renovation,
1112 improvement, expansion and construction of facilities owned by municipalities or non-profit
1113 entities; provided further, that all grantees to improve facilities and destinations visited by in-
1114 state and out-of-state travelers shall provide a match based on a graduated formula determined by
1115 the office of travel and tourism; provided further, that grant recipients shall be required to
1116 measure and report on return on investment data after the expenditure of grant funds; provided
1117 further, that the program shall prioritize socially or economically disadvantaged businesses,
1118 which may include, but shall not be limited to, minority-owned, women-owned, veteran-owned
1119 and immigrant-owned small businesses, that have historically faced obstacles accessing capital;
1120 and provided further, that grants shall be awarded in a manner that promotes geographic
1121 equity..... \$10,000,000

1122 7002-8057 For various capital projects throughout the commonwealth; provided, that
1123 not less than \$1,000,000 shall be expended for the town of Brewster for the planning and
1124 development of the former Cape Cod Sea Camps property and First Light public beach; provided
1125 further, that not less than \$1,000,000 shall be expended for the town of Yarmouth for the
1126 planning, acquisition and redevelopment of abandoned or underutilized properties along the

1127 Route 28 corridor; provided further, that not less than \$3,400,000 shall be expended for the town
1128 of Orange for the clean-up and remediation of property at 16-36 West River street; provided
1129 further, that not less than \$1,000,000 shall be expended for the town of Yarmouth for the
1130 improvement of the tidal exchange of coastal waterways and inlets; provided further, that not
1131 less than \$25,960 shall be expended for the town of Hull for the Waveland Service Station clean
1132 up and demolition; provided further, that not less than \$493,580 shall be expended for the town
1133 of Hingham for local economic recovery efforts; provided further, that not less than \$550,000
1134 shall be expended for the town of Cohasset for the Elm street corridor; provided further, that not
1135 less than \$5,000,000 shall be expended for the maritime piers repair and rehabilitation program
1136 established in section 47 of chapter 23G of the General Laws; provided further, that not less than
1137 \$107,000 shall be expended for the town of Cohasset for the 40 Park Ave Retrofit; provided
1138 further, that not less than \$3,000,000 shall be expended for the Cape Ann Museum for
1139 renovations; provided further, that not less than \$1,000,000 shall be expended for the design,
1140 planning and construction of an outdoor swimming pool for the Cape Ann YMCA; provided
1141 further, that not less than \$50,000 shall be expended for the town of Saugus for local economic
1142 recovery efforts; provided further, that not less than \$25,000 shall be expended for the town of
1143 Saugus for the Cliftdale Square Planning and Zoning Review; provided further, that not less
1144 than \$1,000,000 shall be expended for the city of Revere for local economic recovery efforts;
1145 provided further, that not less than \$500,000 shall be expended for the Fall River Redevelopment
1146 Authority for the revitalization of the Flint neighborhood; provided further, that not less than
1147 \$600,000 shall be expended for the town of Freetown for equipment upgrades to the police
1148 communications tower and for the lease of space on 2 additional towers to alleviate dead zones;
1149 provided further, that not less than \$100,000 shall be expended for the Fishing Partnership

1150 Support Services for investments in the promotion of diversity, equity and inclusion policies
1151 within the commercial fishing industry in the commonwealth; provided further, that not less than
1152 \$2,000,000 shall be expended for the Charles River Vegetation Management; provided further,
1153 that not less than \$1,000,000 shall be expended for the new harbormaster facility in Marion;
1154 provided further, that not less than \$2,500,000 shall be expended for the repair and renovation of
1155 low-income state housing in Malden; provided further, that not less than \$2,500,000 shall be
1156 expended for the city of Malden for repairs to public parking garages for the continued
1157 revitalization of Malden Center; provided further, that not less than \$2,500,000 shall be
1158 expended for the town of Ludlow for Westmass Area Development Corp to rehabilitate and
1159 redevelop blighted and decadent historical mill buildings and associated supporting infrastructure
1160 to further affordable housing and economic development projects; provided further, that not less
1161 than \$1,000,000 shall be expended for the renovation and redevelopment of the historic
1162 Fitchburg State Theater Block; provided further, that not less than \$500,000 shall be expended
1163 for the Prince Hall Grand Lodge in the city of Boston for the removal of environmentally
1164 hazardous materials from the vicinity of the Prince Hall; provided further, that not less than
1165 \$200,000 shall be expended for a high-speed wireless service program in the downtown district
1166 in Lenox; provided further, that not less than \$1,000,000 shall be expended for the New England
1167 Historic Genealogical Society for improvements to areas that house and preserve the historical
1168 artifacts and historic and genealogical records of the commonwealth including, but not limited
1169 to, genealogical and historic records of members of the general court and genealogical records of
1170 formerly enslaved populations; provided further, that not less than \$50,000 shall be expended for
1171 expansions to public safety infrastructure at Tanglewood in Lenox; provided further, that not less
1172 than \$100,000 shall be expended for The Girls Design Academy to support STEAM after-school

1173 education in New Bedford; provided further, that not less than \$100,000 shall be expended for
1174 Boston Plan for Excellence for matching funds, for a gymnasium, auditorium and community
1175 center at the Dudley Street Neighborhood Charter School enabling individual and small group
1176 instruction for students impacted by the pandemic and for after-school use by Nubian Square
1177 community organizations; provided further, that not less than \$5,000,000 shall be expended for
1178 the renovation, including but not limited to accessibility upgrades, of the Old State House and
1179 the Old South Meeting House; provided further, that not less than \$5,000,000 shall be expended
1180 for the town of Wellfleet and the Friends of Herring River for uses including, but not limited to,
1181 the study, design, management, construction and undertaking of all necessary work and activities
1182 to develop and implement the Herring River Restoration Project, which will restore the natural
1183 tidal exchange, improve water quality, enhance migratory fish passage, restore shellfish habitat
1184 and increase coastal resilience on certain public and private lands, including land owned by the
1185 Chequessett Yacht and Country Club and other lands located in said towns; provided further, that
1186 not less than \$275,000 shall be expended for the towns of Cohasset, Hull and Scituate for the
1187 design of a collaborative regional sewer system allowing for economic development and housing
1188 expansion in each community; provided further, that not less than \$500,000 shall be expended
1189 for the city of Attleboro for the assessment of environmental contamination of developable sites
1190 on priority downtown corridors to include the Riverbank road area, Sturdy Hospital area, Forest
1191 street area and Falmouth street area; provided further, that not less than \$250,000 shall be
1192 expended for a pressure relief valve system on Jackson street associated with the redevelopment
1193 of the former Belchertown State School including the construction of over one hundred new
1194 mixed-income rental housing units; provided further, that not less than \$100,000 shall be
1195 expended for Dismas House of Massachusetts in Worcester county; provided further, that not

1196 less than \$500,000 shall be expended for the historic restoration of the Governor Bellingham-
1197 Cary House in Chelsea; provided further, that not less than \$500,000 shall be expended for the
1198 city of Brockton for the building, acquisition and capital improvements of an Intergenerational
1199 Community Center; provided further, that not less than \$100,000 shall be expended for the
1200 Bridge Club of Greater Lowell for the multi-cultural recovery coach program; provided further,
1201 that not less than \$75,000 shall be expended for Project Learn, Inc. for the operation of the youth
1202 innovation hub learning in downtown Lowell for students to gain skills and credentials that
1203 prepare them for the workforce of tomorrow; provided further, that not less than \$50,000 shall be
1204 expended for the Megan House Foundation Inc., a residential treatment home for women ages 18
1205 to 25, for intensive therapeutic services in Lowell; provided further, that not less than \$75,000
1206 shall be expended for the operation of the Lowell Youth Leadership Program in Lowell to teach
1207 vital youth life skills; provided further, that not less than \$100,000 shall be expended for the
1208 renovation work for Acre Family Child Care’s new training and office space in Lowell; provided
1209 further, that not less than \$1,000,000 shall be expended for the offset and coverage of any and all
1210 costs incurred and related to, but not limited to, operational costs and expenses involved with the
1211 demolition of the former Veterans Park Elementary School in Ludlow to assist in the
1212 preservation of the surrounding wetlands and groundwater; provided further, that not less than
1213 \$1,000,000 shall be expended for the infrastructure improvements of Hanson street in Lynn;
1214 provided further, that not less than \$1,000,000 shall be expended for the town of Plymouth for
1215 the redesign and reconstruction of town square in the heart of historic downtown Plymouth on
1216 the site of the original colonial settlement, to better promote the history of the site, increase
1217 visitation and enhance economic development and tourism; provided further, that not less than
1218 \$1,569,000 shall be expended for the town of Plymouth for upgrades to Memorial Hall to replace

1219 wiring, switches and fixtures throughout the building and for improvements to both the safety
1220 and function of the community and cultural event auditorium to attract more events and visitors
1221 to the hall; provided further, that not less than \$2,000,000 shall be expended for the town of
1222 Winchester for the modernization and renovation of the heating, venting and conditioning system
1223 in Winchester Town Hall; provided further that not less than \$3,000,000 shall be expended for
1224 the town of Winchester for the reconstruction of the South Reservoir Dam in Winchester;
1225 provided further, that not less than \$1,000,000 shall be expended for the town of Stoneham for
1226 the planning, design and construction of administrative offices for the Stoneham school
1227 department; provided further, that not less than \$2,000,000 shall be expended for the town of
1228 Stoneham for the planning, building and construction costs associated with the Stoneham High
1229 School construction project; provided further, that not less than \$500,000 shall be expended for
1230 disability accessibility upgrades and structural and electrical improvements to the Grand Army of
1231 the Republic Hall and Museum in Lynn; provided further, that not less than \$150,000 shall be
1232 expended for Harbor park shoreline restoration in Lynn; provided further, that not less than
1233 \$100,000 shall be expended for the E-Team Machinist training program in Lynn; provided
1234 further, that not less than \$200,000 shall be expended for a feasibility study of a railroad-grade
1235 crossing relocation, transit-oriented development from North Main street to route 106 and a
1236 passenger parking structure at the MBTA intermodal transportation station in Mansfield;
1237 provided further, that not less than \$500,000 shall be expended for downtown revitalization
1238 through new street lighting and undergrounding of utility lines in Nahant; provided further, that
1239 not less than \$150,000 shall be expended for Caribbean Integration Community Development
1240 Inc; provided further, that not less than \$3,100,000 shall be expended for the city of Newton for
1241 the Pettee Square Streetscape Enhancement Project; provided further, that not less than

1242 \$1,500,000 shall be expended for the following service providers: (i) Audible Local Ledger, Inc.;

1243 (ii) Audio Journal, Incorporated; (iii) Berkshire 87 Talking Chronicle; (iv) Lowell Association

1244 for the Blind, Inc.; (v) Valley Eye Radio, Inc.; and (vi) the Talking Information Center, Inc. for

1245 one time upgrades to radio technology infrastructure to improve radio reception across the

1246 commonwealth, facilitate enhanced programming and increase listenership among blind and

1247 print disabled residents of the commonwealth; provided further, that not less than \$1,000,000

1248 shall be expended for the acquisition and improvement of the property on and around Hampshire

1249 street, Osgood street and River street in Methuen for the development and revitalization of the

1250 Methuen historic downtown district to help existing businesses in this area rebound from

1251 pandemic-related effects and to support the Methuen master plan process as it relates to the

1252 official historic district; provided further, that not less than \$3,500,000 shall be expended for the

1253 Paramount Theater in Springfield; provided further, that not less than \$150,000 shall be

1254 expended for Massachusetts Minority Contractors of Dorchester; provided further, that not less

1255 than \$2,000,000 shall be expended for the development of 200 affordable senior housing units at

1256 the intersection of Walnut street and Commercial street in Foxborough; provided further, that not

1257 less than \$500,000 shall be expended for a green landscape equipment grant program

1258 administered by the executive office of energy and environmental affairs to assist cities and

1259 towns' transitions to low noise, clean energy electric landscape equipment and to provide zero

1260 interest loans to landscape maintenance providers for the same purpose, in order to protect the

1261 health and safety of vulnerable landscape workers who disproportionately come from

1262 environmental justice communities and to preserve air quality by reducing toxic emissions from

1263 the small, unregulated engines used in traditional landscape equipment; provided further, that not

1264 less than \$5,000,000 shall be expended for the town of Stoughton for the redevelopment of

1265 Stoughton center; provided further, that not less than \$5,000,000 shall be expended for the town
1266 of Canton for the redevelopment of the recently acquired former St. Gerard Church property on
1267 Washington street; provided further, that not less than \$1,500,000 shall be expended for the
1268 purchase, survey, engineering and construction of affordable public housing projects in
1269 Wilmington; provided further, that not less than \$350,000 shall be expended for the proper
1270 outfitting of the new water treatment facility plant on Populatic street in Medway with
1271 administrative and technical tools, devices and equipment needed to commence operations with
1272 on-site staff; provided further, that not less than \$500,000 shall be expended for the museum at
1273 the Revere Heritage Site in Canton; provided further, that not less than \$3,000,000 shall be
1274 expended for Jefferson park in Cambridge; provided further, that not less than \$500,000 shall be
1275 expended for the Canton housing authority in Canton for the revitalization and improvements to
1276 the authority's public housing stock; provided further, that not less than \$50,000 shall be
1277 expended for the St. Alfio Society, otherwise known as Three Saints Inc., in Lawrence, for local
1278 tourism increases during the 2022 Feast of Three Saints, the organization's 100-year anniversary
1279 celebration, feast and cultural event; provided further, that not less than \$4,000,000 shall be
1280 expended for a sewer project in the Avon industrial park in Avon; provided further, that not less
1281 than \$500,000 shall be expended for the town of Winthrop for local economic recovery efforts;
1282 provided further, that not less than \$1,000,000 shall be expended for the Marine Biological
1283 Laboratory for the restoration of the seawall located in Woods Hole; provided further, that not
1284 less than \$40,000 shall be expended for the Downtown Worcester Business Improvement
1285 District to study the feasibility of constructing public restrooms and other public amenities in
1286 downtown Worcester; provided further, that not less than \$2,000,000 shall be expended for
1287 FalmouthNet, Inc. for the implementation of a town-wide, community-based fiber-optic network;

1288 provided further, that not less than \$1,000,000 shall be expended for the city of Northampton for
1289 water and sewer line work on Main street; provided further, that not less than \$5,000,000 shall be
1290 expended for construction of the Natick center parking garage; provided further, that not less
1291 than \$500,000 shall be expended for the city of Springfield for the revitalization of Main street in
1292 the Indian Orchard neighborhood; provided further, that not less than \$1,000,000 shall be
1293 expended for the purchase, survey, engineering and construction of affordable public senior
1294 housing projects in Dracut, including, but not limited to, the Greenmont avenue housing project;
1295 provided further, that not less than \$50,000 shall be expended for electronic crosswalk signs in
1296 Medford; provided further, that not less than \$250,000 shall be expended for the Greater Love
1297 Tabernacle of Dorchester; provided further, that not less than \$320,000 shall be expended for the
1298 city of Northampton to support Northampton.Live, downtown music and arts events, the Empty
1299 Storefront Start-up business support fund, parking and greater accessibility for outdoor dining;
1300 provided further, that not less than \$25,000 shall be expended for the Envision hotel for the
1301 housing of people struggling with currently untreated substance abuse disorder; provided further,
1302 that not less than \$100,000 shall be expended for the city of Boston for building acquisition and
1303 capital improvements to a community center located in Grove Hall; provided further, that not
1304 less than \$250,000 shall be expended for the Enrichment Center in Dorchester; provided further,
1305 that not less than \$250,000 shall be expended for the Lena Park Community Center; provided
1306 further, that not less than \$125,000 shall be expended for renovations to Billerica town hall;
1307 provided further, that not less than \$1,000,000 shall be expended for the city of Northampton for
1308 the Community Resilience Hub, including emergency shelter supports as well as downtown and
1309 campsite cleanup; provided further, that not less than \$25,000 shall be expended for the Cape
1310 Cod Canal Region Chamber of Commerce for capital improvements to the Buzzards bay visitors

1311 station; provided further, that not less than \$125,000 shall be expended for a feasibility study and
1312 construction of the Billerica recreation center, senior center or intergenerational center; provided
1313 further, that not less than \$100,000 shall be expended for Springfield museums for the continued
1314 support for and buildout of the permanent Hispanic/Latino exhibit in the Wood Museum;
1315 provided further, that not less than \$125,000 shall be expended for sidewalk construction in
1316 Billerica; provided further, that not less than \$50,000 shall be expended for Community Action
1317 Agency of Somerville for unanticipated costs not covered by federal grants; provided further,
1318 that not less than \$100,000 shall be expended for the Worcester Green Corps for improvements
1319 to the staffing capacity of the program by employing public high school students and young
1320 people of color to work with neighborhood and business associations, colleges, universities and
1321 other nonprofits on citywide cleanup efforts, partake in weekly educational programming and
1322 pursue green and sustainable careers; provided further, that not less than \$1,000,000 shall be
1323 expended for grant funding with a public engagement process which requires two public
1324 hearings, web viewing and participation for a smart growth design surrounding the Kings
1325 highway station of South Coast Rail to promote environmentally sound and carbon neutral
1326 development of residential, commercial and retail properties; provided further, that not less than
1327 \$330,000 shall be expended for the city of Northampton for bridge lighting, beautification and
1328 connection downtown and recreational and outdoor dining support; provided further, that not less
1329 than \$5,000,000 shall be expended for the Zeiterion Performing Arts Center in New Bedford;
1330 provided further, that not less than \$125,000 shall be expended for the design and estimated
1331 construction costs for the restoration of the existing freight rail track and end stop on the New
1332 Bedford state pier; provided further, that not less than \$750,000 shall be expended for the town
1333 of Boylston for radio communication upgrades for police, fire, highway and light departments;

1334 provided further, that not less than \$500,000 shall be expended for the town of Westhampton for
1335 a regional emergency operations center in case of significant weather emergency or fire or any
1336 other public health or safety emergency; provided further, that not less than \$100,000 shall be
1337 expended for the town of Wenham for the design, construction and installation of a bioretention
1338 system; provided further, that not less than \$100,000 shall be expended for the city of Somerville
1339 for flood mitigation in Duck village; provided further, that not less than \$12,500 shall be
1340 expended for Three Square Main Streets JP to support training equipment or employment needs
1341 associated with pandemic-related financial challenges; provided further, that not less than
1342 \$12,500 shall be expended for Mission Hill Main Streets to support training equipment or
1343 employment needs associated with pandemic-related financial challenges; provided further, that
1344 not less than \$25,000 shall be expended for the Lowell Angkor Dance Troupe to support the
1345 House Asian Caucus and to support ongoing grants to AAPI cultural centers, youth classes and
1346 programming; provided further, that not less than \$12,500 shall be expended for JP Center and
1347 South Main Streets to support training equipment or employment needs associated with
1348 pandemic-related financial challenges; provided further, that not less than \$12,500 shall be
1349 expended for Roslindale Main Streets to support training equipment or employment needs
1350 associated with pandemic-related financial challenges; provided further, that not less than
1351 \$150,000 shall be expended for the city known as the town of Barnstable for facade
1352 improvements to small businesses; provided further, that not less than \$75,000 shall be expended
1353 for the city known as the town of Barnstable for the Revisioning Main Street Hyannis project;
1354 provided further, that not less than \$9,000,000 shall be expended for affordable housing at the
1355 Anne M. Lynch Homes at Old Colony; provided further, that not less than \$100,000 shall be
1356 expended for the Michael J. Perkins Post American Legion Post #67 for plumbing, heating and

1357 energy efficiency improvements; provided further, that not less than \$500,000 shall be expended
1358 for infrastructure and construction of a boat renovation, storage and educational workshop space
1359 for the Azorean Maritime Heritage Society in New Bedford; provided further, that not less than
1360 \$85,000 shall be expended for the town of Westhampton for the hiring of a consultant to create
1361 guidelines, recommendations and zoning bylaw proposals that would allow for commercial
1362 development in areas with existing or new commercial uses; provided further, that not less than
1363 \$100,000 shall be expended for the Jamaica Plain Neighborhood Development Corporation to
1364 provide high-speed internet to strengthen home-based childcare businesses entrepreneurs;
1365 provided further, that not less than \$100,000 shall be expended for barn and other building
1366 renovations at the Forbes House Museum in Milton; provided further, that not less than \$12,500
1367 shall be expended for Uplift JP for events, programs and resources to address racist and anti-
1368 LGBTQ+ attacks on BIPOC-owned businesses and uplift community support and unity in the
1369 Jamaica Plain section of Boston; provided further, that not less than \$300,000 shall be expended
1370 for Volunteers of America of Massachusetts to make critical information technology
1371 infrastructure, equipment and property upgrades to enhance the ability to deliver integrated
1372 behavioral healthcare services to individuals in recovery from mental health and substance use
1373 disorders including formerly homeless veterans and their families; provided further, that not less
1374 than \$40,000 shall expended for the Amherst Business Improvement District to construct a
1375 parklette to support downtown dining in Amherst; provided further, that not less than \$50,000
1376 shall be expended for the Downtown Amherst Foundation to conduct a feasibility and
1377 construction cost analysis for its downtown music venue project; provided further, that not less
1378 than \$3,500,000 shall be expended for the town of Amherst for the upgrade of the Centennial
1379 water treatment plant; provided further, that not less than \$450,000 shall be expended for the

1380 town of Randolph for the creation and management of a household compost collection program;
1381 provided further, that not less than \$500,000 shall be expended for the Friends of the Bourne Rail
1382 Trail to conduct a feasibility study and related engineering and design studies to construct a rail
1383 corridor north of route 28 in Bourne; provided further, that not less than \$200,000 shall be
1384 expended for the Springfield Housing Authority for new roofs at Milton Court apartments;
1385 provided further, that not less than \$1,100,000 shall be expended for the Friends of the Jones
1386 Library to make ADA compliance improvements to the Jones Library project; provided further,
1387 that not less than \$2,000,000 shall be expended for Amherst regional public schools to install
1388 renewable energy alternatives; provided further, that not less than \$1,000,000 shall be expended
1389 for Lynn Housing Authority and for neighborhood development improvements to Wall plaza for
1390 asbestos remediation and renovations to kitchens and baths; provided further, that not less than
1391 \$500,000 shall be expended for the town of Douglas for upgrades to the E.N. Jenckes Store and
1392 Museum and for the repair of the foundation, roof and other critical infrastructure throughout the
1393 building; provided further, that not less than \$250,000 shall be expended for Silver Lake regional
1394 school district for upgrades and improvements to HVAC systems; provided further, that not less
1395 than \$500,000 shall be expended for the town of North Andover for downtown streetscape and
1396 infrastructure improvements; provided further, that not less than \$200,000 shall be expended for
1397 the George R. Bean Post for the costs associated with remaining open in Weymouth; provided
1398 further, that not less than \$2,500,000 shall be expended for Nusq Life Science Training Center
1399 Inc. for workforce development and infrastructure; provided further, that not less than \$100,000
1400 shall be expended for the South Shore Irish Heritage Trail for the maintenance and management
1401 of the South Shore Irish Heritage Trail to drive economic development to the 9 connecting
1402 communities; provided further, that not less than \$50,000 shall be expended for the city of

1403 Somerville for a street tree protection program to identify neighborhoods with street trees
1404 compromised by natural gas leaks; provided further, that not less than \$100,000 shall be
1405 expended for the Weymouth Teen center for a technology and the jobs program; provided
1406 further, that not less than \$10,000,000 shall be expended for the renovation of the Huntington
1407 Theatre, including, but not limited to, accessibility upgrades and historic preservation; provided
1408 further, that not less than \$250,000 shall be expended for the town of Topsfield for streetscape
1409 and beautification improvements; provided further, that not less than \$2,500,000 shall be
1410 expended for improvements to the Massachusetts Bay Transit Authority Franklin station in
1411 Franklin; provided further, that not less than \$5,000,000 shall be expended for the city of
1412 Framingham for downtown parking improvements including the renovation and creation of
1413 parking garages; provided further, that not less than \$250,000 shall be expended for Rebuilding
1414 Together Boston; and provided further, that not less than \$450,000 shall be expended for the
1415 Wildflower Alliance to expand peer respite programs to allow adults to seek care in a non-
1416 institutional setting as an alternative to hospital
1417 boarding.....\$154,473,040

1418 7002-8058 For any community who wishes to construct their own broadband
1419 network, with preference given to those communities with a poverty rate of 45 per cent or less,
1420 as determined by the federal Department of Housing and Urban
1421 Development.....\$10,000,000

1422 7002-8059 For a reserve to establish and maintain a student loan fund aimed at
1423 strengthening the nursing instructor pipeline in the commonwealth; provided, that not less than
1424 \$10,000,000 shall be expended for the department of higher education for a tuition forgiveness
1425 program for the nursing instruction workforce pipeline within the state public university system;

1426 provided further, that the purpose of the program shall be to increase the number of qualified
1427 nursing faculty by providing funding to accredited schools of nursing to offer loans to students in
1428 advanced education nursing degree programs who are committed to becoming nurse faculty;
1429 provided further, that the department of higher education shall develop a strategy to recruit and
1430 retain students who plan to practice in an area with significant racial, ethnic and rural disparities;
1431 provided further, that any state public university system school of nursing affiliated with the
1432 application shall be accredited at the time of application; and provided further, that eligible
1433 applicants, full-time or part-time students pursuing a course of study in an advanced education
1434 nursing degree program that prepares the individual to become nurse faculty, shall commit to,
1435 immediately post-graduation, serve as a university nursing instructor for a period of not less than
1436 5 years.....\$10,000,000

1437 SECTION 3B.

1438 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

1439 Department of Housing and Community Development

1440 7004-0070 For state financial assistance in the form of loans for the development of
1441 community-based housing or supportive housing for individuals with mental illness and
1442 individuals with intellectual disabilities; provided, that the loan program shall be administered by
1443 the department of housing and community development through contracts with the
1444 Massachusetts Development Finance Agency established in chapter 23G of the General Laws,
1445 the Community Economic Development Assistance Corporation established in chapter 40H of
1446 the General Laws, operating agencies established pursuant to chapter 121B of the General Laws
1447 and the Massachusetts Housing Finance Agency established in chapter 708 of the acts of 1966;

1448 provided further, that those agencies may develop or finance community-based housing or
1449 supportive housing or may enter into subcontracts with non-profit organizations, established
1450 pursuant to chapter 180 of the General Laws, or organizations in which such non-profit
1451 corporations have a controlling financial or managerial interest or for-profit organizations;
1452 provided further, that preference for the subcontracts shall be given to non-profit organizations;
1453 provided further, that the department shall consider a balanced geographic plan for such
1454 community-based housing or supportive housing when issuing the loans; provided further, that
1455 the department shall consider development of a balanced range of housing models by prioritizing
1456 funds for integrated housing as defined by the appropriate housing and service agencies
1457 including, but not limited to, the department of housing and community development, the
1458 Massachusetts rehabilitation commission, the department of mental health and the department of
1459 developmental services, in consultation with relevant and interested clients, clients' families,
1460 advocates and other parties as necessary; provided further, that loans issued pursuant to this item
1461 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued
1462 unless a contract or agreement for the use of the property for such housing provides for
1463 repayment to the commonwealth at the time of disposition of the property in an amount equal to
1464 the commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost
1465 of the development through payments made by the state agency making the contract; (iii) not be
1466 issued unless the contract or agreement for the use of the property for the purposes of such
1467 housing provides for the recording of a deed restriction in the registry of deeds or the registry
1468 district of the land court of the county in which the real property is located, for the benefit of the
1469 departments, running with the land, that the land shall be used to provide community-based
1470 housing or supportive housing for eligible individuals as determined by the department of mental

1471 health and the department of developmental services; provided further, that the property shall not
1472 be released from such restriction until the balance of the principal and interest for the loan has
1473 been repaid in full or until a mortgage foreclosure deed has been recorded; (iv) be issued for a
1474 term not to exceed 30 years, during which time repayment may be deferred by the loan issuing
1475 authority; provided further, that if on the date the loans become due and payable to the
1476 commonwealth, an outstanding balance exists and if, on such date, the department, in
1477 consultation with the executive office of health and human services, determines that there still
1478 exists a need for such housing and that there is continued funding available for the provision of
1479 services to such development, the department may, by agreement with the owner of the
1480 development, extend the loans for such periods, each period not to exceed 10 years, as the
1481 department shall determine; provided further, that the project shall remain affordable housing for
1482 the duration of the loan term, including any extension thereof, as set forth in the contract or
1483 agreement entered into by the department; provided further, that in the event the terms of
1484 repayment detailed in this item would cause a project authorized by this item to become
1485 ineligible to receive federal funds which would otherwise assist in the development of that
1486 project, the department may waive the terms of repayment which would cause the project to
1487 become ineligible; and (v) have interest rates fixed at a rate, to be determined by the department,
1488 in consultation with the state treasurer; provided further, that the loans shall be provided only for
1489 projects conforming to this item; provided further, that the loans shall be issued in accordance
1490 with a facilities consolidation plan prepared by the secretary of health and human services,
1491 reviewed and approved by the department and filed with the secretary of administration and
1492 finance, the house and senate committees on ways and means, the house and senate committees
1493 on bonding, capital expenditures and state assets and the joint committee on housing; provided

1494 further, that no expenditure shall be made from this item without the prior approval of the
1495 secretary of administration and finance; provided further, that the department of housing and
1496 community development, the department of mental health and the Community Economic
1497 Development Assistance Corporation may identify appropriate financing mechanisms and
1498 guidelines for grants or loans from this item to promote private development to produce housing,
1499 to provide for independent integrated living opportunities, to write down building and operating
1500 costs and to serve households at or below 15 per cent of area median income for the benefit of
1501 department of mental health clients; provided further, that not more than \$5,000,000 may be
1502 expended from this item for a pilot program of community-based housing or supportive housing
1503 loans to serve mentally ill homeless individuals in the current or former care of the department of
1504 mental health; provided further, that in implementing the pilot program, the department shall
1505 consider a balanced geographic plan when establishing community-based residences; provided
1506 further, that the housing services made available pursuant to such loans shall not be construed as
1507 a right or an entitlement for any individual or class of persons to the benefits of the pilot
1508 program; provided further, that eligibility for the pilot program shall be established by
1509 regulations promulgated by the department; and provided further, that the department shall
1510 promulgate regulations under chapter 30A of the General Laws to implement, administer and
1511 enforce this item, consistent with the facilities consolidation plan prepared by the secretary of
1512 health and human services and after consultation with the secretary and the commissioner of
1513 capital asset management and maintenance.....\$32,100,000

1514 7004-0073 For state financial assistance in the form of grants or loans for the Housing
1515 Stabilization and Investment Trust Fund, established in section 2 of chapter 121F of the General
1516 Laws, and awarded only pursuant to the criteria established in said section 2 of said chapter

1517 121F; provided, that not less than 25 per cent shall be used to fund projects which preserve and
1518 produce housing for families and individuals with incomes of not more than 30 per cent of the
1519 area median income, as defined by the United States Department of Housing and Urban
1520 Development; and provided further, that if the department of housing and community
1521 development has not spent the amount authorized under the bond cap for this program, at the end
1522 of each year following the effective date of this act, the department may award the remaining
1523 funds to projects that serve households earning more than 30 per cent of the area median income,
1524 as defined by the United States Department of Housing and Urban
1525 Development..... \$73,100,000

1526 7004-0075 For state financial assistance in the form of grants for a 5-year
1527 demonstration program, administered by the department of housing and community development
1528 to demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
1529 public housing that seek to reduce the need for future state modernization funding; provided, that
1530 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of
1531 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of
1532 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration
1533 program; provided further, that the department may exempt a recipient of demonstration grants
1534 from the requirements of chapters 7C and 121B of the General Laws upon a showing by the
1535 recipient that such exemptions are necessary to accomplish the effective revitalization of public
1536 housing and shall not adversely affect public housing residents or applicants of any income who
1537 are otherwise eligible; provided further, that the department may provide to recipients of
1538 demonstration grants such additional regulatory relief as may be required to further the
1539 objectives of the demonstration program; provided further, that funds shall be made available for

1540 technical assistance provided by the Community Economic Development Assistance Corporation
1541 established in chapter 40H of the General Laws or the Massachusetts Housing Partnership Fund
1542 established in section 35 of chapter 405 of the acts of 1985 to recipients of demonstration grants
1543 and for evaluation of the demonstration; provided further, that the department's regulations for
1544 the implementation, administration and enforcement of this item shall: (i) require that selected
1545 housing authorities demonstrate innovative and replicable solutions to the management,
1546 marketing or capital needs of state-aided family and elderly-disabled public housing
1547 developments and contribute to the continued viability of the housing as a resource for public
1548 housing eligible residents; (ii) encourage proposals that demonstrate regional collaborations
1549 among housing authorities; and (iii) encourage proposals that propose new affordable housing
1550 units on municipally-owned land, underutilized public housing sites or other land owned by the
1551 housing authority; and provided further, that the department shall annually report to the house
1552 and senate committees on ways and means, the house and senate committees on bonding, capital
1553 expenditures and state assets and the joint committee on housing on the progress of the
1554 demonstration program.....\$19,300,000

1555 7004-0076 For state financial assistance in the form of grants or loans for the Housing
1556 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,
1557 that not less than 25 per cent of the funds made available in this item shall be used to fund
1558 projects which preserve and produce housing for families and individuals with incomes of not
1559 more than 30 per cent of the area median income, as defined by the United States Department of
1560 Housing and Urban Development \$29,500,000

1561 7004-0079 For state financial assistance in the form of grants or loans to accelerate
1562 and support the creation of low-income and moderate-income housing in close proximity to

1563 transit nodes; provided, that the program shall be administered to: (i) maximize the amount of
1564 affordable residential and mixed-use space in close proximity to transit nodes, resulting in higher
1565 density, compact development and pedestrian-friendly, inclusive and connected neighborhoods;
1566 (ii) increase mass transit ridership; (iii) decrease traffic congestion and reduce greenhouse gas
1567 emissions; and (iv) increase economic opportunity for disadvantaged populations by making it
1568 easier for residents of affordable housing to access public transportation, including transportation
1569 supporting commutes to employment centers; provided further, that entities eligible to receive
1570 financial assistance shall include governmental bodies, community development corporations,
1571 local housing authorities, community action agencies, community-based or neighborhood-based
1572 non-profit housing organizations, other non-profit organizations and for-profit entities; provided
1573 further, that financial assistance provided pursuant to this section shall be made on a competitive
1574 basis, with preference for projects in communities disproportionately impacted by the 2019 novel
1575 coronavirus pandemic health and economic crisis; provided further, that grants shall be awarded
1576 in a manner that promotes geographic, social, racial and economic equity; provided further, that
1577 funds may be used to assist units occupied by and affordable to persons with incomes not more
1578 than 110 per cent of the area median income, as defined by the United States Department of
1579 Housing and Urban Development with priority given to projects that provide higher and deeper
1580 levels of affordability; provided further, that not less than 25 per cent of the occupants of housing
1581 in projects assisted by this item shall be persons whose income is not more than 60 per cent of
1582 the area median income, as defined by the United States Department of Housing and Urban
1583 Development; provided further, that financial assistance offered pursuant to this item may be
1584 administered by the department of housing and community development through a contract with
1585 the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts

1586 of 1985, which in turn may directly offer financial assistance for the purposes set forth herein or
1587 may enter into subcontracts with non-profit organizations, established pursuant to chapter 180 of
1588 the General Laws for the purposes herein; provided further, that the department may provide
1589 financial support to non-profit and for-profit developers that enter into binding agreements to set
1590 aside residential units in market-rate, transit-oriented housing, over and above any units required
1591 to be set aside under local zoning or approvals, for rent or sale to income-qualified households at
1592 affordable rents or sale prices, as applicable; and provided further, that the department may
1593 establish additional program requirements through regulations or policy
1594 guidelines.....\$11,700,000

1595 7004-0081 For state financial assistance in the form of grants for projects undertaken
1596 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts
1597 entered into by the department of housing and community development for those projects may
1598 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,
1599 redevelopment and hazardous material abatement, including asbestos and lead paint, and for
1600 compliance with state codes and laws and for adaptations necessary for compliance with the
1601 federal Americans with Disabilities Act of 1990, the provision of day care facilities, learning
1602 centers and teen service centers and the adaptation of units for families and persons with
1603 disabilities; provided further, that priority shall be given to projects undertaken for the purpose of
1604 compliance with state codes and laws or for other purposes related to the health and safety of
1605 residents; provided further, that funds may be expended from this item to make such
1606 modifications to congregate housing units as may be necessary to increase the occupancy rate of
1607 those units; provided further, that the department shall continue to fund a program to provide
1608 predictable funds to be used flexibly by housing authorities for capital improvements to extend

1609 the useful life of state-assisted public housing; and provided further, that not less than 25 per cent
1610 of the funds made available in this item shall be used to fund projects which preserve or produce
1611 housing for families and individuals with incomes of not more than 30 per cent of the area
1612 median income, as defined by the United States Department of Housing and Urban
1613 Development.....\$95,200,000

1614 7004-0084 For financial assistance to accelerate and support the creation and
1615 preservation of sustainable and climate resilient affordable multifamily housing; provided, that
1616 such financial assistance shall be made to: (i) incorporate efficient, sustainable and climate-
1617 resilient design practices in affordable residential development to support positive climate
1618 mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels; (iii)
1619 increase resiliency of existing housing developments to mitigate impacts of climate change,
1620 including flooding and extreme temperatures; and (iv) enhance emergency preparedness,
1621 including sustainable means of power generation to allow for sheltering vulnerable populations
1622 in place; provided further, that financial assistance shall be made available on a competitive basis
1623 to community development corporations, local housing authorities, community action agencies,
1624 community-based or neighborhood-based non-profit housing organizations, other non-profit
1625 organizations and for-profit entities; provided further, that funds may be used to assist units
1626 occupied by and affordable to persons with incomes not more than 110 per cent of the area
1627 median income, as defined by the United States Department of Housing and Urban Development
1628 with priority given to projects that provide higher and deeper levels of affordability; provided
1629 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
1630 shall be persons whose income is not more than 60 per cent of the area median income, as
1631 defined by the United States Department of Housing and Urban Development; provided further,

1632 that financial assistance shall be awarded in a manner that promotes geographic, social, racial
1633 and economic equity provided further, that financial assistance provided pursuant to this section
1634 may be administered by the department of housing and community development through
1635 contracts with the Massachusetts Housing Partnership Fund, established in section 35 of chapter
1636 405 of the acts of 1985, the Massachusetts Housing Finance Agency, established in chapter 708
1637 of the acts of 1966, or both, which authorities may directly offer financial assistance for the
1638 purposes set forth herein or may enter into subcontracts with non-profit organizations,
1639 established pursuant to chapter 180 of the General Laws for those purposes; and provided
1640 further, that the administering agency may establish additional program requirements through
1641 regulations or policy guidelines..... \$1,000,000

1642 7004-8026 For the Smart Growth Housing Trust Fund established in section 35AA of
1643 chapter 10 of the General Laws..... \$6,900,000

1644 SECTION 3C.

1645 TREASURER AND RECEIVER GENERAL

1646 0640-1006 For the Massachusetts Clean Water Trust, established in section 2 of
1647 chapter 29C of the General Laws, for deposit in the Water Pollution Abatement Revolving Fund,
1648 established in section 2L of chapter 29 of the General Laws, for application by the trust to the
1649 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
1650 matching grant by the commonwealth to federal capitalization grants received under Title VI of
1651 the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund, established in
1652 section 2QQ of said chapter 29, for application by the trust to the purposes specified in section
1653 18 of said chapter 29C, any portion of which may be used as a matching grant by the

1654 commonwealth to federal capitalization grants received under the federal Safe Drinking Water
1655 Act; provided, that funds may be used to assist homeowners in complying with the revised title 5
1656 of the state environmental code for subsurface disposal of sanitary waste; and provided further,
1657 that funds may be expended for the costs of projects and programs included in the federal
1658 Infrastructure and Investment in Jobs Act of 2021 also known as the Bipartisan Infrastructure
1659 Law, Public Law No. 117-58..... \$104,000,000

1660 SECTION 4. Chapter 6 of the General Laws is hereby amended by striking out section
1661 204, as appearing in the 2020 Official Edition, and inserting in place thereof the following
1662 section:-

1663 Section 204. (a) There shall be an advisory board on employee ownership which shall
1664 consist of 19 members, including the director of the Massachusetts office of business
1665 development or their designee, the secretary of labor and workforce development or their
1666 designee, the director of the Massachusetts growth capital corporation or their designee, the chief
1667 executive officer of Associated Industries of Massachusetts, Inc. or their designee, the director of
1668 the Center for Economic Democracy, Inc. or their designee, the chapter president of the New
1669 England chapter of the ESOP Association or their designee, the president of AFL-CIO of
1670 Massachusetts or their designee, the president of the University of Massachusetts or their
1671 designee, and 7 additional members appointed by the governor who shall represent separate and
1672 distinct corporations, each with not less than 30 per cent of company stock owned by an
1673 employee stock ownership plan or an employee ownership trust, and 4 additional members
1674 appointed by the governor who shall represent separate and distinct industrial or worker
1675 cooperatives.

1676 (b) Each appointed member shall serve for a term of 4 years. Upon expiration of the term,
1677 a successor shall be appointed, in the same manner. Any member shall be eligible for
1678 reappointment, but shall not serve for longer than 8 consecutive years. Vacancies shall be filled
1679 in the same manner as the original appointment for the remainder of the unexpired term. Any
1680 member may be removed from their appointment by a vote of the majority of the advisory board.

1681 (c) Ten members of the board shall constitute a quorum and the affirmative vote of 10
1682 members shall be necessary and sufficient for any action to be taken by the board. The board
1683 shall meet not less than 3 times annually; provided, that remote participation in meetings shall be
1684 allowed. No vacancy in the membership of the board shall impair the right of a quorum to
1685 exercise all the rights and perform all the duties of the board. Any action taken by the board may
1686 be authorized by resolution at any regular or special meeting and shall take effect immediately
1687 unless otherwise provided in the resolution.

1688 (d) There shall be a chairperson and a vice chairperson of the board elected annually at
1689 the first meeting of the advisory board. The board may elect such other officers as it deems
1690 necessary.

1691 (e) The board shall advise the governor and the director of the Massachusetts center for
1692 employee ownership on issues and policy matters pertaining to employee involvement and
1693 ownership in the commonwealth. Staff members of the Massachusetts center for employee
1694 ownership shall support the administrative functions of the board.

1695 (f) The board shall advise the director of the Massachusetts office of business
1696 development on the selection of a director of the Massachusetts center for employee ownership.

1697 (g) The board shall adopt by-laws, operating rules, procedures and a mission statement.

1698 SECTION 4A. Chapter 10 of the General Laws is hereby amended by striking out section
1699 24, as so appearing, and inserting in place thereof the following section:-

1700 Section 24. (a) The commission is hereby authorized to conduct a state lottery and shall
1701 determine: (i) the types of lotteries to be conducted; (ii) the prices of tickets or shares in the
1702 lottery; (iii) the number and sizes of the prizes on the winning tickets or shares; (iv) the manner
1703 of selecting the winning tickets or shares; (v) the manner of payment of prizes to the holders of
1704 winning tickets or shares; (vi) the frequency of the drawings or selections of winning tickets or
1705 shares; (vii) the types of locations at which tickets or shares may be sold; (viii) the method to be
1706 used in selling tickets or shares; (ix) the licensing of agents to sell tickets or shares; provided,
1707 however, that no person under the age of 18 shall be licensed as an agent; (x) the manner and
1708 amount of compensation, if any, to be paid licensed sales agents; provided, however, that the
1709 amount of compensation, if any, to be paid to licensed sales agents as a commission pursuant to
1710 this section shall be calculated on the total face value of each ticket or share sold and not on any
1711 discounted price of any such ticket or share sold; provided further, that the commission shall
1712 authorize licensed sales agents to facilitate point of sale transactions using a debit card; and
1713 provided further, that said commission shall prohibit point of sale transactions using credit cards
1714 as defined in section 1 of chapter 140D and that point of sale transactions under this section shall
1715 be subject to the restrictions pursuant to subsection (b) of section 5I of chapter 18; and (xi) such
1716 other matters necessary or desirable for the efficient and economical operation and
1717 administration of the lottery and for the convenience of the purchasers of tickets or shares and
1718 the holders of winning tickets or shares. The commission is authorized to operate the daily
1719 numbers game 7 days a week. Each physical state lottery ticket or share shall have imprinted
1720 thereon the state seal and a serial number.

1721 (b) The commission may establish, and from time to time revise, such rules and
1722 regulations as it deems necessary or desirable and shall file the same with the office of the state
1723 secretary; provided, however, that the commission shall establish rules and regulations for
1724 lotteries conducted online, over the internet, through the use of a mobile application or through
1725 any other means that shall, at a minimum:

1726 (i) require age verification measures to be reasonably designed to block access to and
1727 prevent sales of lottery tickets, games or shares online, over the internet, through the use of a
1728 mobile application or through any other means to persons under the age of 18;

1729 (ii) limit sales of lottery tickets, games or shares online, over the internet, through the use
1730 of a mobile application or through any other means to transactions initiated and received, or
1731 otherwise made, within the commonwealth;

1732 (iii) allow any player to voluntarily prohibit or otherwise exclude themselves from
1733 purchasing a lottery ticket, game or share online, over the internet, through the use of a mobile
1734 application or through any other means;

1735 (iv) establish maximum limits for account deposits and transactions of lottery tickets,
1736 games or shares conducted online, over the internet, through the use of a mobile application or
1737 through any other means and allow players to reduce their own deposit or transaction limit at any
1738 time;

1739 (v) clarify that money in a lottery account belongs solely to the owner of the account and
1740 may be withdrawn by the owner at any time; and

1741 (vi) require the commission to implement promotional activities to encourage the
1742 purchase of lottery tickets, games or shares through licensed sales agents including, but not
1743 limited to, the sale of prepaid gift cards for lottery sales through licensed sales agents.

1744 (c) Notwithstanding any general or special law to the contrary, the name, address,
1745 transaction history, account balance or other personal or identifying information of an individual
1746 who purchases lottery tickets, games or shares online, over the internet, through the use of a
1747 mobile application or through any other means shall not be deemed public records of the
1748 commission for the purposes of section 10 of chapter 66; provided, however, that this section
1749 shall not prohibit the commission from maintaining, using or sharing such information in the
1750 course of an investigation by law enforcement or in compliance with sections 28A or 28B.

1751 (d) The commission shall advise and make recommendations to the director regarding the
1752 operation and administration of the lottery. The commission shall report monthly to the
1753 governor, the attorney general and the general court, the total lottery revenues, prize
1754 disbursements and other expenses for the preceding month and shall make an annual
1755 independently audited financial report to the same which shall include a full and complete
1756 statement of lottery revenues, prize disbursements and other expenses, including such
1757 recommendations as it may deem necessary or advisable, which shall be made available
1758 electronically to the general public not later than the earliest date established for reports in
1759 section 12 of chapter 7A. The commission shall report immediately to the governor and the
1760 general court any matters which require immediate changes in the laws of the commonwealth in
1761 order to prevent abuses and evasions of the lottery law or rules and regulations promulgated
1762 thereunder or to rectify undesirable conditions in connection with the administration or operation
1763 of the state lottery.

1764 (e) The commission is authorized to carry on a continuous study and investigation of the
1765 lottery throughout the commonwealth in order to: (i) ascertain any defects in the state lottery law
1766 or in the rules and regulations issued thereunder whereby any abuse in the administration and
1767 operation of the lottery or any evasion of said law or said rules and regulations may arise or be
1768 practiced; (ii) formulate recommendations for changes in said law and the rules and regulations
1769 promulgated thereunder to prevent such abuses and evasions; and (iii) guard against the use of
1770 said law and rules and regulations issued thereunder as a cloak for the carrying on of organized
1771 gambling and crime.

1772 (f) The commission shall make a continuous study and investigation of: (i) the operation
1773 and administration of similar laws in other states or countries; (ii) any literature on the subject
1774 which from time to time may be published or available; (iii) any federal laws which may affect
1775 the operation of the lottery; and (iv) the reaction of citizens of the commonwealth to existing and
1776 potential features of the lottery with a view to recommending or effecting changes that will tend
1777 to better serve and implement the purposes of the state lottery law.

1778 (g)(i) There is hereby established within the commission a lottery advisory board. The
1779 lottery advisory board shall be comprised of the following members: the director of the lottery
1780 commission, or their designee; a representative from the New England Convenience Stores and
1781 Energy Marketers Association, Inc.; a representative from the Retailers Association of
1782 Massachusetts, Inc.; a representative operating as a licensed sales agent in a brick and mortar
1783 retail store in the commonwealth; a representative of the Massachusetts Restaurants Association,
1784 Inc.; a representative of an online lottery platform providing services in a nearby state; and a
1785 representative from the Massachusetts Council on Gaming and Health.

1786 (ii) The lottery advisory board shall advise and assist the commission in the development
1787 and implementation of the lottery ecosystem comprised of traditional brick and mortar lotteries,
1788 lotteries conducted online, over the internet and through the use of mobile phone applications.
1789 The board shall review all processing fees associated with point of sale transactions using debit
1790 cards and make recommendation on said processing fees and the implementation of use of debit
1791 cards.

1792 (iii) The lottery advisory board shall meet monthly to advise and assist the commission in
1793 lottery modernization and to review actions taken by the commission with respect to online
1794 lottery development and implementation and to make advisory recommendations, as necessary.
1795 Annually, at the first meeting of the advisory board, members of the advisory board shall elect a
1796 chair. A majority of members of the advisory board shall be present for actions to be taken.

1797 (h) The concurrence of the chairman and not less than 2 other members of the
1798 commission shall be required for all official actions of the commission. A copy of the minutes of
1799 each meeting of the commission, including any rules and regulations adopted by the commission
1800 or any amendments thereof, shall be forthwith transmitted, by and under the certification of the
1801 secretary thereof, to the governor.

1802 (i) The commission shall have the power to issue subpoenas to compel the attendance of
1803 witnesses and the production of documents, papers, books, records and other evidence before it
1804 in any matter over which it has jurisdiction, control or supervision. The commission shall have
1805 the power to administer oaths and affirmations to persons whose testimony is required.

1806 SECTION 4B. Section 24A of said chapter 10, as so appearing, is hereby amended by
1807 striking out subsection (a) and inserting in place thereof the following subsection:-

1808 (a) For the purposes of this section, “group agreement” shall mean any lottery activity in
1809 which the commission participates pursuant to a written agreement between the commission, on
1810 behalf of the commonwealth, and any state, territory, country or other sovereignty. The
1811 commission is hereby authorized to enter into agreements with 1 or more states or other
1812 jurisdictions, hereinafter referred to as a group, for the purpose of creating and maintaining
1813 multi-jurisdictional lottery games, including multi-jurisdictional lottery games to be conducted
1814 online, over the internet, through the use of a mobile application or through any other means;
1815 provided, that any such lottery game to be conducted online, over the internet, through the use of
1816 a mobile application or through any other means has been properly authorized by each state or
1817 other jurisdiction that is part of the group; provided further, that a group agreement shall not
1818 include the state lottery games created pursuant to section 24; provided further, that nothing in
1819 this section and nothing in a group agreement shall authorize the commission to make
1820 expenditures that are not consistent with restrictions on expenditures by the commission
1821 provided for in any other general or special law. The group shall determine the types of lotteries
1822 to be conducted, the prices of tickets or shares, the manner of selecting the winning tickets or
1823 shares, the manner of payment of prizes to the holders of winning tickets or shares and the
1824 frequency of the drawings or selection of winning tickets or shares. The commission may
1825 establish, and from time to time revise, such rules and regulations as it deems necessary or
1826 desirable to carry out the group agreement and shall file the same with the office of the state
1827 secretary.

1828 SECTION 4C. Said chapter 10, as so appearing, is hereby amended by striking out
1829 section 25 and inserting in place thereof the following section:-

1830 Section 25. (a) The apportionment of the total revenues accruing from the sale of lottery
1831 tickets or shares and from all other sources at the point of sale shall be as follows: (i) the
1832 payment of prizes to the holders of winning tickets or shares which in any case shall be no less
1833 than 45 per cent of the total revenues accruing from the sale of lottery tickets; (ii) the payment of
1834 costs incurred in the operation and administration of the lottery, including the expenses of the
1835 commission and the costs resulting from any contract or contracts entered into for promotional,
1836 advertising or operational services or for the purchase or lease of lottery equipment and
1837 materials, that in no case shall exceed 15 per cent of the total revenues accruing from the sale of
1838 lottery tickets, subject to appropriation; and (iii) the balance shall be used to fund budgeted aid to
1839 cities and towns as provided in section 18C of chapter 58, subject to appropriation.

1840 (b) The apportionment of the total revenues accruing from the sale of lotteries conducted
1841 online, over the internet, through the use of a mobile application or through any other means as
1842 authorized by section 24 shall be as follows: (i) the payment of prizes to the holders of winning
1843 tickets or shares; (ii) the payment of costs incurred in the operation and administration of such
1844 lotteries, including the expenses of the commission and the costs resulting from any contract or
1845 contracts entered into for promotional, advertising or operational services or for the purchase or
1846 lease of lottery equipment and materials, that in no case shall exceed 15 per cent of the total
1847 revenues accruing from the sale of lottery tickets, subject to appropriation; and (iii) the balance
1848 shall be used to fund an early education and care fund established in section 19 of chapter 15D.

1849 SECTION 4D. Chapter 15D is hereby amended by adding the following section:-

1850 Section 19. (a) The department shall establish an early education and care fund to provide
1851 a funding stream to support early education and care in the commonwealth. Funds shall be used

1852 to provide long-term stability and develop a sustainable system for high-quality and affordable
1853 care for families including, but not limited to, subsidy reimbursement rates, workforce
1854 compensation rate increases and support for state-wide early education and care initiatives.
1855 Money in the fund shall be subject to appropriation and any unexpended balance at the end of a
1856 fiscal year shall not revert to the General Fund.

1857 (b) The fund shall consist of: (i) revenue pursuant to subsection (b) of section 25 of
1858 chapter 10; (ii) other money authorized by the general court and specifically designated to be
1859 credited to the fund; (iii) funds from public and private sources, including, but not limited to,
1860 gifts, grants and donations; and (iv) interest earned on such money.

1861 SECTION 4E. Chapter 23A of the General Laws is hereby amended by adding the
1862 following section:-

1863 Section 70. (a) The terms defined in paragraph (yy) of section 6 of chapter 64H shall
1864 apply to this section unless the context clearly requires otherwise.

1865 (b) The secretary of the executive office of housing and economic development, in
1866 consultation with the commissioner of revenue, shall determine qualifications for qualified data
1867 centers, to qualify for a sales and use tax exemption pursuant to said paragraph (yy) of said
1868 section 6 of said chapter 64H.

1869 (c) To apply for the sales and use tax exemption pursuant to paragraph (yy) of said
1870 section 6 of said chapter 64H, the owner or operator of a data center shall submit to the secretary
1871 of housing and economic development an application on a form prescribed by the commissioner
1872 of revenue that shall include:

1873 (i) the name, address and telephone number of the owner or operator;

1874 (ii) the address of the site where the qualified data center is or will be located, including,
1875 but not limited to, information sufficient to identify the facility composing the data center, and
1876 the expected commercial operations date of each data center building that will be located at the
1877 data center facility;

1878 (iii) the anticipated aggregate square feet of the qualified data center for which the sales
1879 and use tax exemption is being sought; provided, that in determining whether the facility has the
1880 required square footage, the total square footage of the data center facility shall include the space
1881 that houses the computer information technology equipment, networking, data processing or data
1882 storage, including, but not limited to, servers and routers, and the following spaces that support
1883 the operation of enterprise information technology equipment including, but not limited to, office
1884 space, meeting space, loading dock space and mechanical and other support facilities.

1885 (iv) the anticipated investment associated with the qualified data center for which the
1886 sales and use tax exemption is being sought;

1887 (v) the anticipated number of jobs that the data center will create and maintain within 1
1888 year, 5 years and 10 years of operations after certification; and

1889 (vi) an affirmation, signed by an authorized executive representing the owner or operator,
1890 that the data center is expected to satisfy the certification requirements in this section as a
1891 qualified data center.

1892 (d)(i) Within 60 days after receiving a completed application, the secretary of housing
1893 and economic development shall review the application submitted by the owner or operator of a

1894 data center and certify the data center as a certified qualified data center if the data center meets
1895 all requirements of this section.

1896 (ii) The secretary shall issue a written certification that the data center qualifies for the
1897 sales and use tax exemption or provide written reasons for its denial and an opportunity for the
1898 applicant to cure any deficiencies.

1899 (iii) Failure to approve or deny the application within 60 days after the date the owner or
1900 operator submits the application to the secretary shall constitute approval of the qualified data
1901 center, and the secretary shall issue written certification to the owner or operator within 14 days.

1902 (iv) The certification shall provide the following information related to each data center:

1903 (A) the effective date of the certification;

1904 (B) the total square footage of the qualified data center;

1905 (C) the total amount of land costs, construction costs, refurbishment costs and eligible
1906 data center equipment; and

1907 (D) the beginning and ending date of the sales and use tax exemption for the first data
1908 center building, which shall begin on the effective date of the certification and be valid for
1909 qualification period, and for a qualified data center that is comprised of more than 1 data center
1910 building, the expected commercial operations dates and expected qualification periods for
1911 subsequent data center buildings expected to be located at the qualified data center.

1912 (v) The secretary shall send a copy of the certification to the commissioner of revenue.

1913 (e) The effective date of the certification shall be the date on which the application was
1914 submitted to the secretary or a prospective date stated in the application that does not exceed 5
1915 years after the date on which the application was submitted; provided, that the certification shall
1916 be valid through the qualification period.

1917 (f) The secretary and commissioner shall review the certification after 10 years.

1918 (g)(i) For the purposes of this section, the term “material noncompliance” shall mean the
1919 failure of a qualified data center to substantially achieve the investment requirements and
1920 minimum number of jobs pursuant to paragraph (yy) of section 6 of chapter 64H.

1921 (ii) The secretary may revoke the certification of a qualified data center after an
1922 investigation by the executive office of housing and economic development, in consultation with
1923 the department of revenue, and a written determination that the qualified data center is in
1924 material noncompliance with this section, paragraph (yy) of section 6 of chapter 64H or the
1925 certification.

1926 (iii) Revocation shall take effect on the first day of the tax year in which the executive
1927 office of housing and economic development determines the qualified data center to be in
1928 material noncompliance. The commissioner of revenue shall, as of the effective date of the
1929 revocation, disallow any credits, exemptions or other tax benefits allowed by the original
1930 certification of tax benefits pursuant to paragraph (yy) of section 6 of chapter 64H.

1931 (h) Each qualified data center shall file a report with the secretary and commissioner prior
1932 to the end of the tenth year of the qualification period detailing whether it has met the specific
1933 investment requirements pursuant to paragraph (yy) of section 6 of chapter 64H.

1934 (i) The secretary, in consultation with the commissioner of revenue, shall promulgate
1935 regulations and shall issue instructions or forms necessary for the implementation of this section.

1936 SECTION 4F. The first paragraph of section 13A of chapter 22 of the General Laws, as
1937 amended by section 29 of chapter 39 of the acts of 2021, is hereby further amended by striking
1938 out the second and third sentences and inserting in place thereof the following 3 sentences:- Two
1939 of the appointive members shall be architects licensed to practice in the commonwealth. One of
1940 the appointive members shall be a licensed building inspector. Three of the appointive members
1941 shall be selected after consultation with advocacy groups on behalf of persons with disabilities.

1942 SECTION 4G. Said section 13A of said chapter 22, as so amended, is hereby further
1943 amended by striking out the fourth paragraph and inserting in place thereof the following 4
1944 paragraphs:-

1945 The board shall make and from time to time alter, amend and repeal, in accordance with
1946 the provisions of chapter 30A, rules and regulations designed to make multiple dwellings and
1947 public buildings and facilities, including, but not limited to, areas that are not generally in public
1948 use, accessible to, functional for and safe for use by persons with disabilities. The board shall
1949 also make rules and regulations requiring that any person who has lawful control of improved or
1950 enclosed private property used as off-street parking areas where the public has a right of access
1951 as invitees or licensees, shall reserve parking spaces in said off-street parking areas for vehicles
1952 authorized to display handicapped plates or placards under section 2 of chapter 90; provided, that
1953 the parking requirements shall be consistent with the ADA Standards for Accessible Design. The
1954 parking spaces reserved for vehicles of such persons with a disability shall be clearly marked as
1955 such.

1956 The rules and regulations of the board shall establish standards and procedures designed
1957 to make adaptable for persons with physical disabilities for any building, regardless of the date of
1958 construction: (i) all dwelling units in multiple dwellings equipped with an elevator; (ii) all
1959 ground floor dwelling units in multiple dwellings not equipped with an elevator; and (iii) all
1960 public use and common use portions of such multiple dwellings; provided, however, that in any
1961 building constructed before March 13, 1991, such standards and procedures for dwelling units
1962 shall apply only to such units within: (i) any non-residential building undergoing a gut
1963 rehabilitation as part of a change in use into a multiple dwelling facility; or (ii) any residential
1964 building which is vacant undergoing a gut rehabilitation.

1965 The rules and regulations of the board shall establish standards and procedures designed
1966 to make accessible to, functional for and safe for use by persons with physical disabilities
1967 residential buildings whenever constructed and without the restrictions in the above paragraph.
1968 Unless otherwise specified, 5 per cent of the units in lodging or residential facilities for hire, rent
1969 or lease, containing 20 or more units, shall meet this requirement; provided, however, that
1970 accessible units shall allow 5 feet of turning radius for a wheelchair in the kitchens and
1971 bathrooms. In the event that the board determines that the need, in certain areas of the
1972 commonwealth, for such units either exceeds or does not require said 5 percent, the board may
1973 require that, in said areas a percentage of units less than 5 per cent or not greater than 10 per cent
1974 be accessible and safe for persons with disabilities; provided, however, that said accessible units
1975 shall allow 5 feet of turning radius for a wheelchair in the kitchens and bathrooms. The board
1976 may make such determination only if there is sufficient factual basis, using data from the central
1977 registry of the Massachusetts rehabilitation commission, established in section 74 of chapter 6,
1978 and other sources, to establish with a reasonable degree of certainty the present and future needs

1979 for said accessible units in certain areas of the commonwealth. A percentage of less than 5 per
1980 cent shall not be established unless such accessible units, which are not needed by persons with
1981 disabilities cannot be readily hired, rented or leased to other persons.

1982 The rules and regulations of the board shall include, but not be limited to, detailed
1983 architectural standards further defining adaptable and accessible dwelling units and such other
1984 provisions necessary to provide rights and remedies substantially equivalent to or greater than
1985 the rights and remedies provided by the federal Fair Housing Act, the ADA Standards for
1986 Accessible Design and regulations thereunder as pertaining to such multiple dwellings.

1987 SECTION 4H. Said section 13A of said chapter 22 is hereby further amended by
1988 inserting after the word “buildings”, in lines 67, as appearing in the 2020 Official Edition, the
1989 following words:- and facilities.

1990 SECTION 4I. Said section 13A of said chapter 22 is hereby further amended by inserting
1991 after the word “section”, in line 75, as so appearing, the following words:- and facilities.

1992 SECTION 4J. Said section 13A of said chapter is hereby further amended by striking out,
1993 in lines 80 and 81, as so appearing, the words “handicapped persons,” and inserting in place
1994 thereof the following words:- persons with a disability.

1995 SECTION 4K. Said section 13A of said chapter 22 is hereby further amended by striking
1996 out, in lines 88 and 89, as so appearing, the word “newspaper” and inserting in place thereof the
1997 following words:- forms of.

1998 SECTION 4L. Said section 13A of said chapter 22, is hereby further amended by
1999 inserting after the word “building”, in line 93, as so appearing, the following words:- or facility,
2000 including areas not generally in public use,.

2001 SECTION 4M. Said section 13A of said chapter 22 is hereby further amended by striking
2002 out the words “building be changed to a”, in line 94, as so appearing, and inserting in place
2003 thereof the following words:- building or facility be changed to a residential use or a.

2004 SECTION 4N. Said section 13A of said chapter 22 is hereby further amended by
2005 inserting after the word “building”, in lines 95 and 96, as so appearing, in each instance, the
2006 following words:- or facility.

2007 SECTION 4O. Said section 13A of said chapter 22, as so appearing, is hereby further
2008 amended by striking out, in lines 102 and 103, as so appearing, the words “physically
2009 handicapped persons” and inserting in place thereof the following words:- persons with a
2010 disability.

2011 SECTION 4P. Said section 13A of said chapter 22, as amended by section 29 of chapter
2012 39 of the acts of 2021, is hereby further amended by striking out the eighth paragraph.

2013 SECTION 4Q. Said section 13A of said chapter 22 is hereby further amended by striking
2014 out, in lines 131 and 132, as appearing in the 2020 Official Edition, the word “person” and
2015 inserting in place thereof the following words:- building or facility, or portion thereof,.

2016 SECTION 4R. Said section 13A of said chapter 22 is hereby further amended by
2017 inserting after the word “building”, in line 150, as so appearing, the second time it appears, the
2018 following words:- or facility.

2019 SECTION 4S. Said section 13A of said chapter 22 is hereby further amended by inserting
2020 after the word “building”, in line 166, as so appearing, the following word:- , facility.

2021 SECTION 4T. Said section 13A of said chapter 22 is hereby further amended by striking
2022 out, in lines 177, 179 and 187, as so appearing, the words “physically handicapped persons” and
2023 inserting in place thereof, in each instance, the following words:- persons with a disability.

2024 SECTION 4U. The fourteenth paragraph of said section 13A of said chapter 22, as so
2025 appearing, is hereby further amended by inserting after the definition of “Alteration”, the
2026 following definition:-

2027 “Areas that are not generally in public use”, areas not intended for use by the public, as
2028 designated in the 1991 and 2010 ADA Standards for Accessible Design, and employee work
2029 areas.

2030 SECTION 4V. The fourteenth paragraph of said section 13A of said chapter 22, as so
2031 appearing, is hereby further amended by inserting after the definition of “Construction” the
2032 following 3 definitions:-

2033 “Employee work area”, all or any portion of a space used only by employees and used
2034 only for work, including, but not limited to, corridors, toilet rooms, kitchenettes and break rooms
2035 if said areas constitute the path of travel to or are essential to the use of employees for work;
2036 provided, that all employee work areas shall be made accessible in new construction or where
2037 renovation work being performed is otherwise subject to the jurisdiction of the board. Corridors,
2038 toilet rooms, kitchenettes and break rooms shall not otherwise be considered employee work
2039 areas; provided however, that where corridors, toilet rooms, kitchenettes and break rooms

2040 constitute the path of travel to or are essential to the use of employees for work, they shall be,
2041 when possible, adaptable.

2042 “Facility”, all or any portion of a building, structure, site improvement, complex,
2043 equipment, road, walk, passageway, parking lot or other real or personal property, including the
2044 site where the building, property, structure or equipment is located.

2045 “Gut rehabilitation”, the general replacement of the interior of a building that may or may
2046 not include changes to structural elements such as flooring systems, columns or load bearing
2047 interior or exterior walls.

2048 SECTION 4W. Said section 13A of said chapter 22 is hereby further amended by striking
2049 out, in line 200, as so appearing, the words “Physically handicapped person” and inserting in
2050 place thereof the following words:- Person with a disability.

2051 SECTION 4X. Said section 13A of said chapter 22 is hereby further amended by striking
2052 out, in line 204, as so appearing, the words “Physically handicapped persons” and inserting in
2053 place thereof the following words:- A person with a disability.

2054 SECTION 4Y. Said section 13A of said chapter 22, as so appearing, is hereby further
2055 amended by striking out the definition of “Public building”, in lines 209 through 226, inclusive,
2056 and inserting in place thereof the following definition:-

2057 “Public building”, (i) a building constructed by the commonwealth or any political
2058 subdivision thereof with public funds and open to public use, including, but not limited to, a
2059 building constructed by a public housing authority, the Massachusetts Port Authority, the
2060 Massachusetts Parking Authority, the Massachusetts Department of Transportation, the

2061 Massachusetts Bay Transportation Authority or a building authority of any public educational
2062 institution, or their successors; or (ii) a privately financed building that is open to and used by the
2063 public, including, but not limited to, places of public accommodation listed in section 92A of
2064 chapter 272, and 42 U.S.C. section 12181(7).

2065 SECTION 5. Section 16 of chapter 23D of the General Laws, as so appearing, is hereby
2066 amended by striking out, in lines 8 and 9, the words “director of the industrial services program”
2067 and inserting in place thereof the following words:- director of the Massachusetts center for
2068 employee ownership.

2069 SECTION 6. Said chapter 23D is hereby further amended by striking out section 17 and
2070 inserting in place thereof the following section:-

2071 Section 17. (a) There is hereby established a Massachusetts center for employee
2072 ownership within the Massachusetts office of business development established pursuant to
2073 section 1 of chapter 23A. The Massachusetts center for employee ownership shall provide
2074 education, conduct outreach and promote efforts to create an overall environment in the
2075 commonwealth to: (i) expand and enhance employee ownership, (ii) increase the number of
2076 employee-owned companies, (iii) publicize and promote the benefits of employee involvement
2077 and ownership to policy makers and the general public, (iv) encourage collaborative outreach
2078 efforts regarding involvement and ownership in the workplace, (v) research and evaluate
2079 employee involvement and employee ownership in the commonwealth, (vi) showcase employee
2080 ownership initiatives in the commonwealth, (vii) facilitate and coordinate the sharing of existing
2081 information and resources, and (viii) provide grants pursuant to this chapter.

2082 (b)(1) The director of the Massachusetts center for employee ownership shall have the
2083 power to hire staff, appoint any specific committee or task force and contract with consultants,
2084 agents or advisors deemed necessary to further the purposes of this section.

2085 (2) The director may accept gifts or grants of money or property from any source to
2086 further the work of the center; provided, however, that any money received shall be deposited
2087 with the state treasurer to be kept in a separate fund in the treasury to be named the
2088 Massachusetts Center for Employee Ownership Fund dedicated to the center and for expenditure
2089 without appropriation by the director of the center in accordance with the conditions of such a
2090 gift or grant. Amounts remaining in the fund at the end of a fiscal year shall not revert to the
2091 General Fund and shall be available for expenditure in subsequent fiscal years.

2092 (3) The director shall issue rules, regulations and procedures governing the application
2093 for and delivery of services which are deemed necessary for the proper performance of the duties
2094 of the center.

2095 (4) Annually, the director shall file a report with the clerks of the house of representatives
2096 and senate, including an inventory of employee-owned businesses in the state and the specific
2097 activities taken by the center to support and promote the transition of traditionally structured
2098 companies to an employee ownership model.

2099 (5) The director shall be a full-time employee of the Massachusetts office of business
2100 development and shall report directly to the director of the Massachusetts office of business
2101 development.

2102 SECTION 7. Subsection (b) of section 29A of chapter 23G of the General Laws, as
2103 appearing in the 2020 Official Edition, is hereby amended by striking out the definition of
2104 “Economically distressed area”.

2105 SECTION 8. Said section 29A of said chapter 23G, as so appearing, is hereby further
2106 amended by striking out, in line 29, the words “located within an economically distressed area”.

2107 SECTION 9. Said section 29A of said chapter 23G, as so appearing, is hereby further
2108 amended by inserting, in line 34, after the word “made” the following words:- , or will make,.

2109 SECTION 10. Said section 29A of said chapter 23G, as so appearing, is hereby further
2110 amended by striking out, in lines 44 and 45, the words “economically distressed areas of”.

2111 SECTION 11. Said section 29A of said chapter 23G, as so appearing, is hereby further
2112 amended by striking out, in lines 55 and 56, the words “within an economically distressed area as
2113 defined in section 2 of chapter 21E”.

2114 SECTION 12. Said section 29A of said chapter 23G, as so appearing, is hereby further
2115 amended by striking out, in line 66, the figure “\$500,000” and inserting in place thereof the
2116 following figure:- \$750,000.

2117 SECTION 13. Said section 29A of said chapter 23G, as so appearing, is hereby further
2118 amended by striking out, in line 69, the figure “\$100,000” and inserting in place thereof the
2119 following figure:- \$250,000.

2120 SECTION 14. Said section 29A of said chapter 23G, as so appearing, is hereby further
2121 amended by inserting, in line 78, after the word “applied;” the following words:- provided, that

2122 the required contribution may be in the form of in-kind services or other non-cash contribution as
2123 the agency may determine in its reasonable discretion;

2124 SECTION 15. Said section 29A of said chapter 23G, as so appearing, is hereby further
2125 amended by striking out, in line 84, the word “and”.

2126 SECTION 16. Said section 29A of said chapter 23G, as so appearing, is hereby further
2127 amended by striking out, in lines 87 and 88, the words “corporation or an economic development
2128 authority.” and inserting in place thereof the following words:- corporation, economic
2129 development authority or a non-profit entity in connection with a project that has a demonstrable
2130 public benefit; provided, that the agency shall establish guidelines for non-profit eligibility; and.

2131 SECTION 17. Subsection (d) of said section 29A of said chapter 23G, as so appearing, is
2132 hereby further amended by adding the following clause:-

2133 (12) preference shall be given to projects located within 1 mile of an environmental
2134 justice population as defined in section 62 of chapter 30.

2135 SECTION 18. Said section 29A of said chapter 23G, as so appearing, is hereby further
2136 amended by striking out, in lines 97 and 98, the words “economically distressed”.

2137 SECTION 19. Said section 29A of said chapter 23G, as so appearing, is hereby further
2138 amended by striking out, in lines 128 and 129 and in lines 129 and 130, the words “economically
2139 distressed area” and inserting in place thereof, in each instance, the following word:-
2140 municipality.

2141 SECTION 20. Said section 29A of said chapter 23G, as so appearing, is hereby further
2142 amended by striking out, in lines 189 and 190, the words “director of economic development or

2143 his” and inserting in place thereof the following words:- secretary of housing and economic
2144 development or the secretary’s.

2145 SECTION 21. Said section 29A of said chapter 23G, as so appearing, is hereby further
2146 amended by striking out, in lines 208 to 210, inclusive, the words “in economically distressed
2147 areas that are considered by the ombudsman and the department of economic development” and
2148 inserting in place thereof the following words:- that are considered by the ombudsman and the
2149 secretary of housing and economic development.

2150 SECTION 22. Section 1 of chapter 23M of the General Laws, as so appearing, is hereby
2151 amended by striking out the definition of “Commercial energy improvements” and inserting in
2152 place thereof the following definition:-

2153 “Commercial energy improvements”, (1) any renovation or retrofit of a qualifying
2154 commercial or industrial property to reduce greenhouse gas emissions; (2) any new construction
2155 of a qualifying commercial or industrial property that does not utilize onsite fossil fuel as its
2156 primary heating source and that reduces greenhouse gas emissions compared to a baseline
2157 established by the department; or (3) any installation of renewable energy systems to serve
2158 qualifying commercial or industrial property. Such renovation, retrofit or installation shall be
2159 permanently fixed to such qualifying commercial or industrial property.

2160 SECTION 23. Clause (13) of section 6 of chapter 25A of the General Laws, as inserted
2161 by section 31 of chapter 8 of the acts of 2021, is hereby amended by inserting after the word
2162 “improvements”, the third time it appears, the following words:- , exceed required energy code
2163 requirements at the time of project permitting or the project meets another nationally-recognized

2164 building standard for energy performance as deemed appropriate by the department of energy
2165 resources in coordination with the Massachusetts Development Finance Agency.

2166 SECTION 23A. Section 1 of chapter 25C of the General Laws, as most recently amended
2167 by section 13 of chapter 24 of the acts of 2021, is hereby further amended by inserting after the
2168 word “policy” the following words:- with the Massachusetts Broadband Institute, established
2169 pursuant to section 6B of chapter 40J.

2170 SECTION 23B. Said chapter 25C is hereby further amended by striking out section 9, as
2171 inserted by section 15 of chapter 24 of the acts of 2021, and inserting in place thereof the
2172 following section:-

2173 Section 9. Consistent with the policies of the federal communications commission, the
2174 department shall have authority to request and obtain information and data from providers of
2175 advanced telecommunications capability as necessary to identify areas that lack adequate
2176 advanced telecommunications capability. Such information and data shall be used to inform
2177 work undertaken by the Massachusetts Broadband Institute, established pursuant to section 6B of
2178 chapter 40J, to facilitate access to and adoption of advanced telecommunications capability in the
2179 commonwealth.

2180 SECTION 24. Section 10 of chapter 40G of the General Laws, as appearing in the 2020
2181 Official Edition, is hereby amended by striking out the first sentence and inserting in place
2182 thereof the following sentence:- Any documentary materials or data whatsoever made or
2183 received by any member or employee of the corporation, and consisting of, or to the extent that
2184 such material or data consist of, trade secrets, or commercial or financial information regarding
2185 the operation of any business conducted by an applicant for, or recipient of, any form of

2186 assistance which the corporation is empowered to render, or regarding the competitive position
2187 of such applicant in a particular field of endeavor, shall not be deemed public records of the
2188 corporation and shall not be subject to section 10 of chapter 66.

2189 SECTION 25. Chapter 40J of the General Laws is hereby amended by inserting after
2190 section 6I the following 2 sections:-

2191 Section 6J. (a) There shall be established within the corporation a Massachusetts
2192 cybersecurity center. The purpose of the center shall be to enhance the conditions for economic
2193 growth through outreach to the cybersecurity industry cluster in the commonwealth and to foster
2194 cybersecurity resiliency through communication, collaboration and outreach with state agencies,
2195 municipalities, educational institutions and private partners.

2196 (b) The center shall carry out the purposes of the fund established in section 4H.

2197 (c) The center shall be responsible for convening state and local officials and private
2198 sector participants to recommend actions needed to address the cybersecurity resiliency of the
2199 commonwealth. The center may also convene regional hubs for business development to support
2200 cybersecurity entrepreneurs that are establishing innovative technologies to support resiliency.

2201 (d) The center shall work in collaboration with private sector entities, educational
2202 institutions and state and local government to address cybersecurity issues, including, but not
2203 limited to: (i) improving the cybersecurity of organizations across the commonwealth, in
2204 particular municipalities, small businesses and non-profits, without access to affordable
2205 resources to defend against cybersecurity threats and to maintain cyber resiliency; (ii) the
2206 shortage of trained workers available to meet the cybersecurity industry's workforce demands,

2207 with a particular focus on increasing the diversity of the cybersecurity workforce; and (iii) the
2208 lack of affordable cybersecurity training for employees in all types of businesses.

2209 Section 6K. (a) There shall be established within the corporation a center for advanced
2210 manufacturing. The purpose of the center shall be to support companies engaged in
2211 manufacturing in Massachusetts and shall be administered in a manner that considers the needs
2212 of manufacturers in all regions of the commonwealth and supports growth in the manufacturing
2213 sector statewide. The corporation shall design and implement the activities of the center, in
2214 consultation with the secretary of housing and economic development and the Massachusetts
2215 advanced manufacturing collaborative established pursuant to section 10B of chapter 23A.

2216 (b) The center shall facilitate the growth and competitiveness of the advanced
2217 manufacturing sector in the commonwealth by: (i) aligning investments and programs with the
2218 commonwealth’s priorities for advanced manufacturing; (ii) leveraging existing state and federal
2219 programs that support manufacturers to increase the regional impact of advanced manufacturing;
2220 (iii) fostering collaboration throughout the manufacturing ecosystem; (iv) aligning programs and
2221 investments in support of federal programs to scale critical and secure supply chains; (v)
2222 supporting, coordinating and developing advanced manufacturing workforce training programs;
2223 and (vi) creating initiatives that advance the commonwealth’s manufacturing plan established
2224 pursuant to section 10B of chapter 23A.

2225 SECTION 26. Section 2 of chapter 40R of the General Laws, as appearing in the 2020
2226 Official Edition, is hereby amended by striking out the definition of “Approved starter home
2227 zoning district”.

2228 SECTION 27. Said section 2 of said chapter 40R, as so appearing, is hereby further
2229 amended by striking out, in line 38, the words “or starter home zoning”.

2230 SECTION 28. Said section 2 of said chapter 40R, as so appearing, is hereby further
2231 amended by striking out, in line 56, the words “or starter home zoning districts”.

2232 SECTION 29. Said section 2 of said chapter 40R, as so appearing, is hereby further
2233 amended by striking out, in lines 78 and 79, the words “or starter home zoning”.

2234 SECTION 30. Said section 2 of said chapter, as so appearing, is hereby further amended
2235 by striking out, in line 91, the words “under the underlying zoning” and inserting in place thereof
2236 the following words:- without the smart growth zoning district.

2237 SECTION 31. Said section 2 of said chapter 40R, as so appearing, is hereby further
2238 amended by striking out the definitions of “Production bonus payment” to “Starter home zoning
2239 district certificate of compliance”, inclusive, and inserting in place thereof the following 3
2240 definitions:-

2241 “Project”, a proposed residential or mixed-use development within a smart growth zoning
2242 district.

2243 “Smart growth zoning district”, a zoning district adopted by a city or town under this
2244 chapter that replaces or is superimposed over 1 or more zoning districts in an eligible location,
2245 within which a developer may elect to either develop a project in accordance with requirements
2246 of the smart growth zoning district ordinance or by-law, or, where superimposed over 1 or more
2247 zoning districts, develop a project in accordance with requirements of the underlying zoning
2248 district.

2249 “Smart growth zoning district certificate of compliance”, a written certification by the
2250 department in accordance with section 7.

2251 SECTION 32. Section 3 of said chapter 40R, as so appearing, is hereby amended by
2252 striking out, in lines 2, 8, and in lines 19 and 20, each time they appear, the following words:- or
2253 starter home zoning district.

2254 SECTION 33. Said section 3 of said chapter 40R, as so appearing, is hereby further
2255 amended by striking out, in line 16, the words “or starter home zoning districts”.

2256 SECTION 34. Section 4 of said chapter 40R, as so appearing, is hereby amended by
2257 striking out, in line 3, the words “or starter home”.

2258 SECTION 35. Said section 4 of said chapter 40R, as so appearing, is hereby amended by
2259 striking out, in line 15, the words “or starter home zoning district”.

2260 SECTION 36. Section 5 of said chapter 40R, as so appearing, is hereby amended by
2261 striking out, in lines 2, 7, 9, and in lines 18 and 19, each time they appear, the following words:-
2262 or starter home zoning district.

2263 SECTION 37. Said section 5 of said chapter 40R, as so appearing, is hereby amended by
2264 striking out, in line 10, the words “as to smart growth zoning districts only,”.

2265 SECTION 38. Section 6 of said chapter 40R, as so appearing, is hereby amended by
2266 striking out, in lines 1 and 2, the words “or starter home zoning district”.

2267 SECTION 39. Clause (3) of subsection (a) of said section 6 of said chapter 40R, as so
2268 appearing, is hereby amended by striking out the second sentence.

2269 SECTION 40. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2270 is hereby further amended by striking out clause (5).

2271 SECTION 41. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2272 is hereby further amended by striking out, in line 40, the figure “(6)” and inserting in place
2273 thereof the following figure:- (5).

2274 SECTION 42. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2275 is hereby further amended by striking out clause (7) and inserting in place thereof the following
2276 clause:-

2277 (6) A proposed smart growth zoning district shall not be subject to limitation of the
2278 issuance of building permits for residential uses or a local moratorium on the issuance of such
2279 permits.

2280 SECTION 43. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2281 is hereby further amended by striking out, in lines 56 and 57, the words “(8) A proposed smart
2282 growth zoning district or starter home zoning district” and inserting in place thereof the
2283 following words:- (7) A proposed smart growth zoning district.

2284 SECTION 44. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2285 is hereby further amended by striking out, in lines 70 and 71, the words “(9) Housing in a smart
2286 growth zoning district or starter home zoning district” and inserting in place thereof the
2287 following words:- (8) Housing in a smart growth zoning district.

2288 SECTION 45. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2289 is hereby further amended by striking out, in lines 73 and 74, the words “(10) A proposed smart

2290 growth zoning district or starter home zoning district” and inserting in place thereof the
2291 following words:- (9) A proposed smart growth zoning district.

2292 SECTION 46. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2293 is hereby further amended by striking out, in lines 78 and 79, the words “(11) The aggregate land
2294 area of all approved smart growth zoning districts and starter home zoning district” and inserting
2295 in place thereof the following words:- (10) The aggregate land area of all approved smart growth
2296 zoning districts.

2297 SECTION 47. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2298 is hereby further amended by striking out, in line 84, the figure “(12)” and inserting in place
2299 thereof the following figure:- (11).

2300 SECTION 48. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
2301 is hereby further amended by striking out, in lines 88 and 89, the words “(13) A proposed smart
2302 growth zoning district or starter home zoning district” and inserting in place thereof the
2303 following words:- (12) A proposed smart growth zoning district.

2304 SECTION 49. Subsection (b) of said section 6 of said chapter 40R, as so appearing, is
2305 hereby amended by striking out the first sentence and inserting in place thereof the following
2306 sentence:- A smart growth zoning district ordinance or by-law may modify or eliminate the city
2307 or town’s dimensional standards in order to support desired densities, mix of uses and physical
2308 character.

2309 SECTION 50. Said section 6 of said chapter 40R, as so appearing, is hereby further
2310 amended by striking out, in lines 101 and 102, 103, 105 and 106, 110 and 111, 116 and 117, 122,

2311 125 and 126, 131, 149 and 150, and in lines 165 and 166, each time they appear, the following
2312 words:- or starter home zoning district.

2313 SECTION 51. Said subsection (c) of said section 6 of said chapter 40R, as so appearing,
2314 is hereby further amended by striking out the second sentence.

2315 SECTION 52. Section 7 of said chapter 40R, as so appearing, is hereby amended by
2316 striking out, in lines 3 and 4, the words “or starter home zoning district certificate of compliance,
2317 as applicable,”.

2318 SECTION 53. Said section 7 of said chapter 40R, as so appearing, is hereby further
2319 amended by striking out, in line 9, the words “or a starter home zoning district, as applicable”.

2320 SECTION 54. Clause (4) of said subsection (a) of said section 7 of said chapter 40R, as
2321 so appearing, is hereby amended by striking out, in lines 16 and 17, the words “or starter home
2322 zoning district ordinance or by-law, as applicable,”.

2323 SECTION 55. Said section 7 of said chapter 40R, as so appearing, is hereby amended by
2324 striking out, in lines 29 and 30, the words “or starter home zoning district ordinance or by-law, as
2325 applicable,”.

2326 SECTION 56. Section 8 of said chapter 40R, as so appearing, is hereby amended by
2327 striking out, in lines 7 and 11, each time they appear, the following words:- or starter home
2328 zoning district.

2329 SECTION 57. Section 9 of said chapter 40R, as so appearing, is hereby amended by
2330 striking out, in lines 2, 16 and 17 and in line 20, each time they appear, the following words:- or
2331 starter home zoning district.

2332 SECTION 58. Said section 9 of said chapter 40R, as so appearing, is hereby further
2333 amended by striking out, in lines 24 to 26, inclusive, the words “and a one-time production
2334 bonus payment to each city or town with an approved starter home zoning district”.

2335 SECTION 59. Said section 9 of said chapter 40R, as so appearing, is hereby further
2336 amended by striking out, in lines 27 to 29, inclusive, the words “and \$3,000 for each housing
2337 unit of new construction created in the starter home zoning district”.

2338 SECTION 60. Said section 9 of said chapter 40R, as so appearing, is hereby further
2339 amended by striking out, in line 38, the words “or starter home zoning districts”.

2340 SECTION 61. Section 10 of said chapter 40R, as so appearing, is hereby amended by
2341 striking out, in line 5 and in lines 21 and 22, in each instance, the following words:- or starter
2342 home zoning district.

2343 SECTION 62. Said section 10 of said chapter 40R, as so appearing, is hereby further
2344 amended by striking out, in line 12, the words “In a smart growth zoning district, the” and
2345 inserting in place thereof the following word:- The.

2346 SECTION 63. Section 11 of said chapter 40R, as so appearing, is hereby amended by
2347 striking out, in lines 2, 12, 18, 71, 76 and in lines 130 and 131, each time they appear, the
2348 following words:- or starter home zoning district.

2349 SECTION 64. Section 12 of said chapter 40R, as so appearing, is hereby amended by
2350 striking out, in line 3, the words “and starter home zoning district programs” and inserting in
2351 place thereof the following word:- program.

2352 SECTION 65. Said section 12 of said chapter 40R, as so appearing, is hereby further
2353 amended by striking out, in lines 7 and 8, the words “or starter home zoning districts”.

2354 SECTION 66. Said section 12 of said chapter 40R, as so appearing, is hereby further
2355 amended by striking out, in lines 14 and 15, the words “and starter home zoning districts”.

2356 SECTION 67. Said section 12 of said chapter 40R, as so appearing, is hereby further
2357 amended by striking out, in line 16 and in lines 23 and 24, each time they appear, the following
2358 words:- and one-time production bonus payments.

2359 SECTION 68. Section 14 of said chapter 40R, as so appearing, is hereby amended by
2360 striking out, in lines 2 and 3, 5 and 6, 8, 15 and 16, and in line 24, each time they appear, the
2361 following words:- or starter home zoning district.

2362 SECTION 69. Said section 14 of said chapter 40R, as so appearing, is hereby further
2363 amended by striking out, in lines 21 and 22, the words “or starter home zoning”.

2364 SECTION 70. Section 5 of chapter 40V of the General Laws, as so appearing, is hereby
2365 amended by inserting after the word “department”, in lines 19 and 20, the following words:- ;
2366 provided, however, that any such dollar amount limit set by the department shall not be less than
2367 \$3,000,000.

2368 SECTION 71. The General Laws are hereby further amended by inserting after chapter
2369 40X the following chapter:-

2370 CHAPTER 40Y.

2371 STARTER HOME ZONING DISTRICTS

2372 Section 1. As used in this chapter, the following words shall, unless the context clearly
2373 requires otherwise, have the following meanings:

2374 “Department”, the department of housing and community development.

2375 “Developable land area”, that area within an approved starter home zoning district that
2376 can be feasibly developed into residential or mixed-use developments determined in accordance
2377 with regulations of the department. Developable land shall not include: (i) land area that is
2378 already substantially developed, including existing parks and dedicated, perpetual open space
2379 within such substantially developed land area; (ii) open space designated by the city or town as
2380 provided in section 4; or (iii) areas exceeding one-half acre of contiguous land that are unsuitable
2381 for development because of topographic features or for environmental reasons, such as wetlands.
2382 Developable land area may include the land area occupied by or associated with underutilized
2383 residential, commercial, industrial or institutional buildings or uses that have the potential to be
2384 recycled or converted into residential or mixed-use developments as determined in accordance
2385 with regulations of the department.

2386 “Historic district”, a local historic district established under chapter 40C.

2387 “Open space”, shall include, but not be limited to, land to protect existing and future well
2388 fields, aquifers, and recharge areas, watershed land, agricultural land, grasslands, fields, forest
2389 land, fresh and saltwater marshes and other wetlands, ocean, river, stream, lake and pond
2390 frontage, beaches, dunes, and other coastal lands, lands to protect scenic vistas, land for wildlife
2391 or nature preserve and land for recreational use.

2392 “Plan approval authority”, a board or other unit of municipal government designated by
2393 the city or town to conduct site plan review of proposed starter home projects.

2394 “Production bonus payment”, a 1-time payment to a municipality from the trust fund for
2395 each starter home created in a starter home zoning district.

2396 “Starter home”, a single-family home not exceeding 1,850 square feet in heated living
2397 area.

2398 “Starter home zoning district”, a base or overlay zoning district adopted in a municipal
2399 zoning ordinance or by-law that complies with the requirements of section 3.

2400 “Sustainable development standards”, provisions in the zoning, including, but not limited
2401 to, requirements that new development projects: (i) minimize site disturbance and permanently
2402 preserve undeveloped open space to the greatest extent practicable; and (ii) collect and manage
2403 storm water runoff in accordance with low impact development practices.

2404 “Trust Fund”, the Smart Growth Housing Trust Fund, established by section 35AA of
2405 chapter 10.

2406 “Zoning incentive payment”, a 1-time payment to a municipality from the trust fund
2407 payable upon the municipality’s adoption, and the department’s approval, of an approved starter
2408 home zoning district.

2409 Section 2. (a) In its zoning ordinance or by-law, a city or town may adopt a starter home
2410 zoning district in any area deemed suitable by the city or town. A starter home zoning district
2411 ordinance or by-law, or any amendment to or repeal of such ordinance or by-law, shall be
2412 adopted in accordance with section 5 of chapter 40A; provided, that the ordinance or by-law, or
2413 any amendment to or repeal of such ordinance or by-law, shall be enacted by a simple majority
2414 vote of all the members of the town council, or of the city council where there is a commission

2415 form of government or a single branch, or of each branch where there are 2 branches, or by a
2416 simple majority vote of a town meeting.

2417 (b) Prior to the adoption of a proposed starter home zoning district, a city or town shall
2418 request a preliminary determination by the department as to whether the proposed starter home
2419 zoning district will comply with the requirements of this chapter. A request for a preliminary
2420 determination of eligibility shall be submitted by the chief executive of a city or town on a form
2421 prescribed by the department, and shall include: the boundaries of the proposed starter home
2422 zoning district; a map and description of the developable land area within the proposed starter
2423 home zoning district; a copy of the proposed starter home zoning district ordinance or by-law;
2424 narrative and exhibits as needed to establish the elements set forth in section 3; and any
2425 additional information the department may require in order to make a preliminary determination
2426 of eligibility. The department shall respond to such a request within 45 days of receipt of all
2427 information required to make such a preliminary determination of compliance.

2428 (c) After the adoption of a proposed starter home zoning district, the city or town shall
2429 request from the department a final approval of the starter home zoning district. The department
2430 shall issue a final approval upon finding that the starter home zoning district as adopted complies
2431 in all respects with the requirements of this chapter, subject to any conditions imposed by the
2432 department as a condition of its approval. The department's final approval shall be required prior
2433 to the disbursement of a zoning incentive payment as set forth in section 6.

2434 (d) The city or town shall provide written notice to the department not less than 45 days
2435 before a vote taken to adopt any amendment to the zoning ordinance or by-law as it applies to an
2436 approved starter home zoning district. Such notice shall state the number of starter homes that

2437 have been built within the district since its adoption and shall include an evaluation the number
2438 of projected starter homes, if any, that will remain developable within the starter home district
2439 after the adoption of the proposed amendment.

2440 Section 3. A starter home zoning district shall comply with the following minimum
2441 requirements:

2442 (1) Starter homes shall be a use permitted as of right at a density of not fewer than 4 units
2443 per acre of developable land area. No other single-family residential uses shall be permitted as of
2444 right or by special permit in the starter home zoning district, except the zoning may permit
2445 construction of an accessory dwelling unit of 600 square feet or less on the same lot as a starter
2446 home. Accessory commercial and other non-residential uses may be allowed in a starter home
2447 district with the approval of the department.

2448 (2) Each starter home zoning district shall incorporate sustainable development standards
2449 that apply to all starter home developments.

2450 (3) At least 50 per cent of the starter homes to be developed in a proposed starter home
2451 zoning district, excluding accessory dwelling units, shall contain not fewer than 3 bedrooms.

2452 (4) The zoning ordinance or by-law for each proposed starter home zoning district shall
2453 provide that, for any proposed development of more than 12 starter homes, not less than 10 per
2454 cent of said starter homes shall be affordable to and occupied by individuals and families whose
2455 annual income is less than 110 per cent of the area median income as determined by the United
2456 States Department of Housing and Urban Development. The zoning shall specify the mechanism
2457 by which the city or town will ensure a project complies with such affordability requirements,

2458 when applicable, and may require the execution and recording of an affordable housing
2459 restriction, as defined in section 31 of chapter 184.

2460 (5) A proposed starter home zoning district shall not be subject to limitation of the
2461 issuance of building permits for residential uses or a local moratorium on the issuance of such
2462 permits. In addition, a proposed starter home zoning district shall not be subject to any municipal
2463 environmental or health ordinances, bylaws or regulations that exceed applicable requirements of
2464 state law or regulation and would render infeasible the development contemplated under the
2465 application for such district, as determined by the department.

2466 (6) A starter home zoning district shall not impose restrictions on age or any other
2467 occupancy restrictions on the district as a whole or any portion thereof or project therein.

2468 (7) Housing in a starter home zoning district shall comply with federal, state and local
2469 fair housing laws.

2470 (8) The total land area of all starter home zoning districts in a city or town shall not
2471 exceed 15 per cent of the total land area in the city or town. Upon request, the department may
2472 approve a larger land area if such approval serves the goals and objectives of this chapter.

2473 Section 4. (a) The zoning applicable to a starter home zoning district may require that
2474 individual projects design site plans in a manner that preserves developable land area as open
2475 space; provided, that the zoning allows for 4 starter homes per acre, including the developable
2476 land area preserved as open space. The zoning may provide for such open space to be preserved
2477 through a conservation restriction as defined in section 31 of chapter 184, by the grant of an
2478 easement or restriction to the municipal conservation commission or by such other means as is
2479 permitted by state law.

2480 (b) A local historic district may overlap with a starter home zoning district in whole or in
2481 part; provided, that the local historic district does not render the city or town noncompliant with
2482 this chapter, as determined by the department.

2483 (c) The zoning applicable to a starter home zoning district may include reasonable design
2484 standards applicable to individual starter home projects, to ensure that the physical character of
2485 development within the starter home zoning district is complementary to adjacent buildings and
2486 structures. Such standards may address the scale and proportions of buildings, the alignment, the
2487 width and grade of streets and sidewalks, the type and location of infrastructure, the location of
2488 building and garage entrances, off-street parking, the protection of significant natural site
2489 features, the location and design of on-site open spaces, exterior signs and buffering in relation to
2490 adjacent properties. A design standard shall not be adopted if it will add unreasonable costs to
2491 starter home developments or unreasonably impair the economic feasibility of proposed starter
2492 home projects.

2493 (d) The starter home zoning district zoning ordinance or by-law may provide for site plan
2494 review of proposed starter home projects; provided, that such review is consistent with and
2495 subject to the following limitations:

2496 (1) The ordinance or by-law may require the applicant to pay for reasonable consulting
2497 fees to provide peer review of the applications for the benefit of the plan approval authority;
2498 provided, that fees shall be held by the municipality in a separate account and used only for
2499 expenses associated with the review of the development application by outside consultants and
2500 any surplus remaining after the completion of such review, including any interest accrued, shall
2501 be returned to the applicant.

2502 (2) The starter home zoning district ordinance or by-law may provide for the referral of
2503 the plan to municipal officers, agencies or boards other than the plan approval authority for
2504 comment; provided, that any such board, agency or officer shall provide any comments to the
2505 plan approval authority within 60 days of its receipt of a copy of the plan.

2506 (3) Notwithstanding any provision in the zoning code or by-law to the contrary, the
2507 decision of the plan approval authority shall be made, and a written notice of the decision filed
2508 with the city or town clerk, not later than 120 days after the receipt of a complete application by
2509 the city or town clerk, unless such timeframe for decision is extended by written agreement
2510 between the applicant and the plan approval authority. Failure of the plan approval authority to
2511 take action within said 120 days or extended time, if applicable, shall be deemed to be an
2512 approval of the plan. An applicant who seeks approval of a plan by reason of the failure of the
2513 plan approval authority to act within said 120 days shall notify the city or town clerk, in writing,
2514 within 14 days after the expiration of said 120 days or extended time, if applicable. Such notice
2515 to the city or town clerk shall specify relevant details of the application timeline demonstrating
2516 the lack of decision.

2517 (4) Notwithstanding any provision to the contrary in the starter home zoning district
2518 ordinance or by-law, the plan approval authority may approve a site plan subject only to those
2519 conditions that are necessary to: (i) ensure substantial compliance of the proposed project with
2520 the requirements of the starter home zoning district ordinance or by-law; (ii) ensure public safety
2521 or the safety of persons living in or visiting the proposed project; or (iii) mitigate any
2522 extraordinary adverse impacts of the project on nearby properties.

2523 (5) The department may establish additional standards or limitations for site plan review
2524 pursuant to this section.

2525 Section 5. Not less frequently than once per year, on or before a date specified by the
2526 department, each city or town with 1 or more approved starter home zoning districts shall submit
2527 to the department the following information:

2528 (1) Whether the city or town has repealed or amended, or proposed to amend or repeal,
2529 any of the requirements applicable to the starter home zoning district or districts;

2530 (2) Whether there are any pending proposals to construct starter homes within the starter
2531 home district or districts; and

2532 (3) Whether any starter homes have been constructed within the starter home district or
2533 districts, and if so, whether those projects comply with the zoning requirements applicable to the
2534 district or districts.

2535 Section 6. Subject to any conditions imposed by the department as a condition of
2536 approving a starter home zoning district, each city or town with an approved starter home zoning
2537 district shall be entitled to a 1-time zoning incentive payment upon approval of the district by the
2538 department in accordance with the schedule set forth in subsection (a) of section 9 of chapter
2539 40R and a production bonus payment in the amount of \$3,000 for each starter home created in
2540 the starter home zoning district.

2541 Section 7. (a) The department may revoke its approval of an approved starter home
2542 zoning district if, at any time, the department determines that:

2543 (1) A city or town with an approved starter home zoning district has not complied with
2544 the requirements of this chapter;

2545 (2) The zoning applicable to an approved starter home zoning district no longer complies
2546 with the requirements of this chapter;

2547 (3) The zoning applicable to an approved starter home zoning district has been amended
2548 in such a way that reduces the number of starter homes that can be developed within the starter
2549 home zoning district; or

2550 (4) No building permits have been issued for any starter homes within the starter home
2551 zoning district within 5 years from the date of the department's approval of the district.

2552 The department may revoke the approval of an approved starter home zoning district only
2553 after conducting a hearing in accordance with chapter 30A, unless the municipality in writing
2554 waives its right to such a hearing. The department's revocation of approval shall not affect the
2555 validity of the starter home zoning district ordinance or by-law, as applicable, or the application
2556 of such ordinance or by-law to land, development or proposed development within the starter
2557 home zoning district.

2558 (b) If the department revokes its approval of an approved starter home zoning district, the
2559 affected city or town shall repay to the department the zoning incentive payment, or such portion
2560 thereof as the department may specify. All monies repaid to the department under this section
2561 shall be credited to the funding source from which the payment originated.

2562 Section 8. The department may promulgate regulations for the administration and
2563 enforcement of this chapter.

2564 SECTION 72. Section 53 of chapter 44 of the General Laws, as appearing in the 2020
2565 Official Edition, is hereby amended by striking out clauses (2) and (3) and inserting in place
2566 thereof the following 4 clauses:-

2567 (2) sums not in excess of \$150,000 recovered under the terms of a fire or physical
2568 damage insurance policy or received in restitution for damage done to such city, town or district
2569 property may, with the approval of the chief executive officer, be used by the officer or
2570 department having control of the city, town or district property for the restoration or replacement
2571 of such property without specific appropriation during the fiscal year in which they are received
2572 or 120 days after receipt, whichever is later, (3) sums recovered from pupils in the public schools
2573 for loss of or damage to school books, materials, electronic devices or other learning aids
2574 provided by the school committee, or paid by pupils for materials used in the industrial arts
2575 projects, may be used by the school committee for the restoration or replacement of such books
2576 or materials without specific appropriation, (4) non-recurring, unanticipated sums received by
2577 multiple cities, towns or districts and not otherwise provided for by a general or special law,
2578 may, upon the approval of the director of accounts, be expended at the direction of the chief
2579 executive officer without further appropriation only for the singular purpose for which the
2580 money was received, and (5) non-recurring, unanticipated sums received by multiple cities,
2581 towns or districts and not otherwise provided for by a general or special law, may, upon the
2582 approval of the director of accounts, be deposited in a separate revenue account established in the
2583 city, town or district treasury and expended, with appropriation, only for the purposes for which
2584 the money was received.

2585 SECTION 72A. The first paragraph of section 38A of chapter 59 of the General Laws, as
2586 so appearing, is hereby amended by striking out the first sentence and inserting in place thereof
2587 the following sentence:-

2588 For the taxable year beginning on or after January 1, 2023, and not later than June 15
2589 annually thereafter, the commissioner shall determine and certify to the owner of a pipeline used
2590 for transmitting for a distance of 25 miles or more natural gas or petroleum or the products or by-
2591 products of either and to the board of assessors of every city or town where such pipeline is
2592 subject to taxation, the valuation, as of January 1 in such year, of such pipeline in said city or
2593 town; provided, however, that aboveground equipment, facilities, structures, improvements and
2594 other components associated therewith and located at a specific situs shall be certified to the
2595 associated city or town pursuant to this section.

2596 SECTION 72B. Said section 38A of said chapter 59, as so appearing, is hereby further
2597 amended by adding the following paragraph:-

2598 For the taxable year beginning on or after January 1, 2023, and not later than June 15
2599 annually thereafter, the commissioner shall determine and certify to the owner of such pipeline
2600 and to the board of assessors of every city or town where such pipeline is subject to taxation, the
2601 valuation, as of January 1 in such year, of aboveground and belowground facilities, equipment,
2602 structures, improvements and other components associated therewith; provided, that the pipeline
2603 itself shall be included with the belowground facilities, whether above or below ground, and
2604 located at a specific situs in said city or town. The valuation of each such pipeline system
2605 component shall be certified to the city or town within which it is located. The valuation of
2606 pipeline system components that constitute aboveground equipment, facilities, structures,

2607 improvements and other components associated therewith and located at a specific situs shall be
2608 certified to the associated city or town. For pipeline system components, such as line-pipe and
2609 mains, that are continuous in nature, the commissioner shall allocate the valuation to the
2610 associated cities and towns through which the pipeline system traverses based on pipe size and
2611 mileage in each city or town, if the valuation associated with the specific cities and towns is not
2612 ascertainable.

2613 SECTION 73. Section 3 of chapter 62 of the General Laws, as so appearing, is hereby
2614 amended by striking out, in line 109, the figure “\$3,000” and inserting in place thereof the
2615 following figure:- \$4,000.

2616 SECTION 74. Section 6 of said chapter 62 is hereby amended by striking out, in lines
2617 245 and 250, as so appearing, the figure “30”, each time it appears, and inserting in place thereof,
2618 in each instance, the following figure:- 40.

2619 SECTION 75. Said section 6 of said chapter 62 is hereby amended by striking out, in line
2620 290, as so appearing, the figure “2023” and inserting in place thereof the following figure:- 2028.

2621 SECTION 76. Said section 6 of said chapter 62 is hereby further amended by striking
2622 out, in line 296, as so appearing, the figure “2024” and inserting in place thereof the following
2623 figure:- 2029.

2624 SECTION 77. Paragraph (4) of said subsection (j) of said section 6 of said chapter 62, as
2625 so appearing, is hereby amended by adding the following sentence:- For the purpose of the
2626 Brownfields Redevelopment Fund, state financial assistance shall mean the amount of any grant
2627 or principal amount of any loan, but shall not include any loan principal repaid as of the date the
2628 credit application is filed with the commissioner.

2629 SECTION 78. Said section 6 of said chapter 62 is hereby amended by striking out, in line
2630 447, as so appearing, the figure “\$750”, and inserting in place thereof the following figure:-
2631 \$1,755.

2632 SECTION 79. Said section 6 of said chapter 62 is hereby further amended by striking
2633 out, in lines 896 to 898, inclusive, as so appearing, the words “The total amount of credits that
2634 may be authorized by DHCD in a calendar year pursuant to this subsection and section 38BB of
2635 chapter 63 shall not exceed \$10,000,000 and” and inserting in place thereof the following
2636 words:- DHCD may authorize up to \$57,000,000 in credits during taxable year 2023 and up to
2637 \$30,000,000 in credits annually thereafter under this subsection and section 38BB of chapter 63.
2638 In addition, DHCD may authorize annually: (i) any portion of the annual cap on credits not
2639 authorized by DHCD in the preceding calendar years under this subsection or said section 38BB
2640 of said chapter 63; and (ii) any credits under this subsection or said section 38BB of said chapter
2641 63 returned to DHCD by a certified housing development project. The total amount of credits
2642 authorized during a year.

2643 SECTION 80. Said section 6 of said chapter 62 is hereby further amended by inserting
2644 after the figure “63;”, in line 900, as so appearing, the following word:- and.

2645 SECTION 81. Said section 6 of said chapter 62 is hereby further amended by striking
2646 out, in lines 903 to 905, inclusive, as so appearing, the words “Any portion of the \$10,000,000
2647 annual cap not awarded by the DHCD in a calendar year shall not be applied to awards in a
2648 subsequent year.”.

2649 SECTION 82. Said section 6 of said chapter 62 is hereby further amended by striking
2650 out, in line 906, as so appearing, the word “The” the first time it appears.

2651 SECTION 83. Said section 6 of said chapter 62 is hereby further amended by inserting
2652 after the figures “31-33”, in line 1158, as so appearing, the following words:- or other expansion
2653 industries new to apprenticeship that the secretary of labor and workforce development identifies
2654 as critical to a regional labor market economy.

2655 SECTION 84. Said section 6 of said chapter 62, as most recently amended by section 31
2656 of chapter 102 of the acts of 2021, is hereby further amended by striking out subsections (x) and
2657 (y) and inserting in place thereof the following subsection:-

2658 (x) A taxpayer who maintains a household that includes as a member: (i) at least 1
2659 individual under the age of 13 who qualifies for exemption as a dependent under section 151 of
2660 the Code; (ii) at least 1 qualifying individual, as defined in said section 21 of the Code; or (iii) at
2661 least 1 individual who is: (A) not less than 65 years of age or who is disabled; and (B) who
2662 qualifies as a dependent under section 152 of the Code, shall be allowed a credit in an amount
2663 equal to \$310 for each such dependent or qualifying individual with respect to the taxpayer;
2664 provided, however, that if the taxpayer is married at the close of the taxable year, the credit
2665 provided in this subsection shall be allowed if the taxpayer and the taxpayer’s spouse file a joint
2666 return for the taxable year or if the taxpayer qualifies as a head of household under section 2(b)
2667 of the Code; and provided further, that for the purposes of this subsection, “maintains a
2668 household” shall have the same meaning as in said section 21 of the Code. With respect to a
2669 taxpayer who is a non-resident for part of the taxable year, the credit shall be further limited to
2670 the amount of allowable credit multiplied by a fraction, the numerator of which shall be the
2671 number of days in the taxable year the person resided in the commonwealth and the denominator
2672 of which shall be the number of days in the taxable year. A person who is a non-resident for the
2673 entire taxable year shall not be allowed the credit. If the amount of the credit allowed under this

2674 subsection exceeds the taxpayer’s tax liability, the commissioner shall treat the excess as an
2675 overpayment and shall pay the taxpayer the entire amount of the excess without interest.

2676 SECTION 85. Said section 6 of said chapter 62 of the General Laws, as so amended, is
2677 hereby further amended by adding the following subsection:-

2678 (aa)(1) As used in this subsection, the following words shall, unless the context clearly
2679 requires otherwise, have the following meanings:

2680 “Advertising and public relations expenditure”, a cost incurred within the commonwealth
2681 by an eligible theater production for goods or services related to the marketing, public relations,
2682 creation and placement of print, electronic, television, billboards or other forms of advertising to
2683 promote the eligible theater production.

2684 “Eligible theater production”, a live stage musical, dance or theatrical production or tour
2685 being presented in a qualified production facility that is either: (a) a pre-Broadway production;
2686 (b) a pre-off Broadway production; or (c) a national tour launch.

2687 “Eligible theater production certificate”, a final certificate issued by the office, in
2688 consultation with the commissioner, certifying that a production is an eligible theater production
2689 that meets the rules or regulations of the office.

2690 “National tour launch”, a live stage production that, in its original or adaptive version, is
2691 performed in a qualified production facility and opens its national tour in the commonwealth.

2692 “Office”, the office of travel and tourism established in section 13E of chapter 23A.

2693 “Payroll”, all salaries, wages, fees and other compensation, including, but not limited to,
2694 taxes, benefits and any other consideration incurred or paid to talent and non-talent employees of

2695 the applicant for services rendered within the commonwealth to and on behalf of an eligible
2696 theater production; provided, that the payroll expenditure shall be incurred or paid by the
2697 applicant for services related to any portion of an eligible theater production from its pre-
2698 production stages, including, but not limited to: (a) the writing of the script, (b) casting, (c) hiring
2699 of service providers, (d) purchases from vendors, (e) marketing, (f) advertising, (g) public
2700 relations, (h) load in, (i) rehearsals, (j) performances, (k) other eligible theater production related
2701 activities, and (l) load out; and provided further, that the payroll expenditure shall be directly
2702 attributable to the eligible theater production and shall be limited to the first \$100,000 of wages
2703 incurred or paid to each employee of an eligible theater production in each tax year.

2704 “Pre-Broadway production”, a live stage production that, in its original or adaptive
2705 version, is performed in a qualified production facility having a presentation scheduled for New
2706 York City’s Broadway theater district within 24 months after its presentation in the
2707 commonwealth.

2708 “Pre-off Broadway production”, a live stage production that, in its original or adaptive
2709 version, is performed in a qualified production facility having a presentation scheduled for New
2710 York City’s off-Broadway theater district within 24 months after its presentation in the
2711 commonwealth.

2712 “Production and performance expenditures”, a contemporaneous exchange of cash or
2713 cash equivalent for goods or services related to development, production, performance or
2714 operating expenditures incurred in the commonwealth for a qualified theater production,
2715 including, but not limited to, expenditures for design, construction and operation, including sets,
2716 special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with

2717 sound, lighting, staging, advertising and public relations expenditures, facility expenses, rentals,
2718 per diems, accommodations and other related costs.

2719 “Qualified production facility”, a facility located in the commonwealth in which live
2720 theater productions are, or are intended to be, exclusively presented that contains at least 1 stage,
2721 a seating capacity of not less than 175 seats, dressing rooms, storage areas and other ancillary
2722 amenities necessary for the eligible theater production.

2723 “Transportation expenditures”, expenditures for the packaging, crating and transportation
2724 both to the commonwealth for use in a qualified theater production of sets, costumes or other
2725 tangible property constructed or manufactured out of state, or from the commonwealth after use
2726 in a qualified theater production of sets, costumes or other tangible property constructed or
2727 manufactured in the commonwealth and the transportation of the cast and crew to and from the
2728 commonwealth; provided, that “transportation expenditures” shall include the packaging, crating
2729 and transporting of property and equipment used for special and visual effects, sound, lighting
2730 and staging, costumes, wardrobes, make-up and related accessories and materials and any other
2731 performance or production-related property and equipment.

2732 (2) Any taxpayer that receives an eligible theater production certificate shall be allowed a
2733 tax credit against taxes imposed by this chapter. The credit shall be equal to 35 per cent of the
2734 total in-state payroll costs and 25 per cent of the production and performance expenditures and
2735 transportation expenditures and all out of state payroll costs for the eligible theater production
2736 directly attributable to activities in the commonwealth. The credit shall not be greater than
2737 \$5,000,000 and shall be limited to (i) in-state payroll costs, (ii) production and performance
2738 expenditures, (iii) transportation expenditures, and (iv) all out of state payroll costs, directly

2739 attributable to activities in the commonwealth. The eligible theater production budget shall be
2740 not less than \$100,000.

2741 (3) Not more than \$5,000,000 in total may be issued for any tax year for tax credits
2742 pursuant to this subsection. If the total amount of allocated credits applied for in any particular
2743 year exceeds the aggregate amount of tax credits allowed for such year, the excess shall be
2744 treated as having been applied on the first day of the subsequent year.

2745 (4) The tax credit shall be allowed against the tax for the taxable period in which the
2746 credit is issued and any amount of the tax credit that exceeds the tax due for a taxable year may
2747 be carried forward for not more than 5 succeeding tax years.

2748 (5) If a taxpayer has not claimed the tax credits in whole or part, a taxpayer eligible for
2749 the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or
2750 otherwise to any individual or entity and such assignee of the tax credits that have not claimed
2751 the tax credits, in whole or in part, may assign, transfer or convey the tax credits, in whole or in
2752 part, by sale or otherwise to any individual or entity. The assignee of the tax credits may use
2753 acquired credits to offset up to 100 per cent of the tax liabilities otherwise imposed pursuant to
2754 this chapter. The assignee may apply the tax credits against taxes imposed on the assignee for not
2755 more than 5 succeeding tax years from the date an eligible theater production certificate is first
2756 issued by the office. The assignor shall perfect the transfer by notifying the commissioner, in
2757 writing, within 30 calendar days following the effective date of the transfer and shall provide any
2758 information as may be required by the commissioner to administer and carry out this subsection.

2759 (6) Any assignment or sales of proceeds received by the assignor for its assignment or
2760 sale of the tax credits allowed pursuant to this subsection shall be exempt from tax under this
2761 chapter.

2762 (7) Upon determination by the office, in consultation with the commissioner, that the
2763 taxpayer qualifies for an eligible theater production certificate the commissioner shall issue to
2764 the taxpayer a tax credit in an amount in accordance with paragraph (2).

2765 (8) The commissioner shall promulgate such rules and regulations necessary for the
2766 administration of this subsection.

2767 SECTION 86. Section 38Q of chapter 63 of the General Laws, as appearing in the 2020
2768 Official Edition, is hereby amended by striking out, in line 3, the figure “2023” and inserting in
2769 place thereof the following figure:- 2028.

2770 SECTION 87. Said section 38Q of said chapter 63, as so appearing, is hereby further
2771 amended by striking out, in line 9, the figure “2024” and inserting in place thereof the following
2772 figure:- 2029.

2773 SECTION 88. Subsection (d) of said section 38Q of said chapter 63, as so appearing, is
2774 hereby amended by adding the following sentence:- For the purpose of the Brownfields
2775 Redevelopment Fund, state financial assistance shall mean the amount of any grant or principal
2776 amount of any loan, but shall not include any loan principal repaid as of the date the credit
2777 application is filed with the commissioner.

2778 SECTION 89. Section 38BB of said chapter 63, as so appearing, is hereby amended by
2779 striking out, in lines 42 to 44, inclusive, the words “The total amount of credits that may be

2780 authorized by DHCD in a calendar year under this section and subsection (q) of section (6) of
2781 chapter 62 shall not exceed \$10,000,000 and” and inserting in place thereof the following
2782 words:- DHCD may authorize up to \$57,000,000 in credits during taxable year 2023 and up to
2783 \$30,000,000 in credits annually thereafter under this section and subsection (q) of section (6) of
2784 chapter 62. In addition, DHCD may authorize annually: (i) any portion of the annual cap on
2785 credits not authorized by DHCD in the preceding calendar years under this section or said
2786 subsection (q) of said section (6) of said chapter 62; and (ii) any credits under this section or said
2787 subsection (q) of said section (6) of said chapter 62 returned to DHCD by a certified housing
2788 development project. The total amount of credits authorized during a year.

2789 SECTION 90. Said section 38BB of said chapter 63, as so appearing, is hereby further
2790 amended by inserting after the words “chapter 62;”, in line 46, the following word:- and.

2791 SECTION 91. Subdivision (5) of said section 38BB of said chapter 63, as so appearing, is
2792 hereby amended by striking out the second sentence.

2793 SECTION 92. Section 38HH of said chapter 63, as so appearing, is hereby amended by
2794 inserting after the figure “31-33”, in line 18, the following words:- or other expansion industries
2795 new to apprenticeship that the secretary of labor and workforce development identifies as critical
2796 to a regional labor market economy.

2797 SECTION 93. Said chapter 63 is hereby further amended by inserting after section 38JJ
2798 the following section:-

2799 Section 38KK. (a) As used in this section the following words shall, unless the context
2800 clearly requires otherwise, have the following meanings:

2801 “Advertising and public relations expenditure”, a cost incurred within the commonwealth
2802 by an eligible theater production for goods or services related to the marketing, public relations,
2803 creation and placement of print, electronic, television, billboards or other forms of advertising to
2804 promote the eligible theater production.

2805 “Eligible theater production”, a live stage musical, dance or theatrical production or tour
2806 being presented in a qualified production facility that is either: (a) a pre-Broadway production;
2807 (b) a pre-off Broadway production; or (c) a national tour launch.

2808 “Eligible theater production certificate”, a final certificate issued by the office, in
2809 consultation with the commissioner, certifying that a production is an eligible theater production
2810 that meets the rules or regulations of the office.

2811 “National tour launch”, a live stage production that, in its original or adaptive version, is
2812 performed in a qualified production facility and opens its national tour in the commonwealth.

2813 “Office”, the office of travel and tourism established in section 13E of chapter 23A.

2814 “Payroll”, all salaries, wages, fees and other compensation, including, but not limited to,
2815 taxes, benefits and any other consideration incurred or paid to talent and non-talent employees of
2816 the applicant for services rendered within the commonwealth to and on behalf of an eligible
2817 theater production; provided, that the payroll expenditure shall be incurred or paid by the
2818 applicant for services related to any portion of an eligible theater production from its pre-
2819 production stages, including, but not limited to: (a) the writing of the script, (b) casting, (c) hiring
2820 of service providers, (d) purchases from vendors, (e) marketing, (f) advertising, (g) public
2821 relations, (h) load in, (i) rehearsals, (j) performances, (k) other eligible theater production related
2822 activities, and (l) load out; and provided further, that the payroll expenditure shall be directly

2823 attributable to the eligible theater production and shall be limited to the first \$100,000 of wages
2824 incurred or paid to each employee of an eligible theater production in each tax year.

2825 “Pre-Broadway production”, a live stage production that, in its original or adaptive
2826 version, is performed in a qualified production facility having a presentation scheduled for New
2827 York City’s Broadway theater district within 24 months after its presentation in the
2828 commonwealth.

2829 “Pre-off Broadway production”, a live stage production that, in its original or adaptive
2830 version, is performed in a qualified production facility having a presentation scheduled for New
2831 York City’s off-Broadway theater district within 24 months after its presentation in the
2832 commonwealth.

2833 “Production and performance expenditures”, a contemporaneous exchange of cash or
2834 cash equivalent for goods or services related to development, production, performance or
2835 operating expenditures incurred in the commonwealth for a qualified theater production,
2836 including, but not limited to, expenditures for design, construction and operation, including sets,
2837 special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with
2838 sound, lighting, staging, advertising and public relations expenditures, facility expenses, rentals,
2839 per diems, accommodations and other related costs.

2840 “Qualified production facility”, a facility located in the commonwealth in which live
2841 theater productions are, or are intended to be, exclusively presented that contains at least 1 stage,
2842 a seating capacity of not less than 175 seats, dressing rooms, storage areas and other ancillary
2843 amenities necessary for the eligible theater production.

2844 “Transportation expenditures”, expenditures for the packaging, crating and transportation
2845 both to the commonwealth for use in a qualified theater production of sets, costumes or other
2846 tangible property constructed or manufactured out of state, or from the commonwealth after use
2847 in a qualified theater production of sets, costumes or other tangible property constructed or
2848 manufactured in the commonwealth and the transportation of the cast and crew to and from the
2849 commonwealth; provided, that “transportation expenditures” shall include the packaging, crating
2850 and transporting of property and equipment used for special and visual effects, sound, lighting
2851 and staging, costumes, wardrobes, make-up and related accessories and materials and any other
2852 performance or production-related property and equipment.

2853 (b) Any taxpayer that receives an eligible theater production certificate shall be allowed a
2854 tax credit against taxes imposed by this chapter. The credit shall be equal to 35 per cent of the
2855 total in-state payroll costs and 25 per cent of the production and performance expenditures and
2856 transportation expenditures and all out of state payroll costs for the eligible theater production
2857 directly attributable to activities in the commonwealth. The credit shall not be greater than
2858 \$5,000,000 and shall be limited to (i) in-state payroll costs, (ii) production and performance
2859 expenditures, (iii) transportation expenditures, and (iv) all out of state payroll costs, directly
2860 attributable to activities in the commonwealth. The eligible theater production budget shall be
2861 not less than \$100,000.

2862 (c) Not more than \$5,000,000 in total may be issued for any tax year for tax credits
2863 pursuant to this section. If the total amount of allocated credits applied for in any particular year
2864 exceeds the aggregate amount of tax credits allowed for such year, the excess shall be treated as
2865 having been applied on the first day of the subsequent year.

2866 (d) The tax credit shall be allowed against the tax for the taxable period in which the
2867 credit is issued and any amount of the tax credit that exceeds the tax due for a taxable year may
2868 be carried forward for not more than 5 succeeding tax years.

2869 (e) If a taxpayer has not claimed the tax credits in whole or part, a taxpayer eligible for
2870 the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or
2871 otherwise to any individual or entity and such assignee of the tax credits that have not claimed
2872 the tax credits, in whole or in part, may assign, transfer or convey the tax credits, in whole or in
2873 part, by sale or otherwise to any individual or entity. The assignee of the tax credits may use
2874 acquired credits to offset up to 100 per cent of the tax liabilities otherwise imposed pursuant to
2875 this chapter. The assignee may apply the tax credits against taxes imposed on the assignee for not
2876 more than 5 succeeding tax years from the date an eligible theater production certificate is first
2877 issued by the office. The assignor shall perfect the transfer by notifying the commissioner, in
2878 writing, within 30 calendar days following the effective date of the transfer and shall provide any
2879 information as may be required by the commissioner to administer and carry out this section.

2880 (f) Any assignment or sales of proceeds received by the assignor for its assignment or
2881 sale of the tax credits allowed pursuant to this section shall be exempt from tax under this
2882 chapter.

2883 (g) The credit shall only be allowed against the tax of a corporation included in a
2884 consolidated return that qualifies for the credit and shall not be allowed against the tax of other
2885 corporations that may join in the filing of a consolidated tax return; provided, however, that in
2886 the case of a corporation that files a consolidated return with 1 or more other corporations with

2887 operations in the commonwealth, the credit shall be allowed to be included in a consolidated
2888 return with respect to such corporations with operations only in the commonwealth.

2889 (h) Credits allowed to a company that is a S corporation, as defined in section 1361 of the
2890 Code, partnership or a limited liability company that is taxed as a partnership shall be passed
2891 through respectively to persons designated as partners, members or owners of such companies on
2892 a pro rata basis or pursuant to an executed agreement among such persons designated as S
2893 corporation shareholders, partners or members documenting an alternate distribution method
2894 without regard to their sharing of other tax or economic attributes of such entity.

2895 (i) Upon determination by the office, in consultation with the commissioner, that the
2896 taxpayer qualifies for an eligible theater production certificate, the commissioner shall issue to
2897 the taxpayer a tax credit in an amount in accordance with subsection (b).

2898 (j) The commissioner shall promulgate such rules and regulations necessary for the
2899 administration of this section.

2900 SECTION 93A. Section 1 of chapter 64H of the General Laws, as appearing in the 2020
2901 Official Edition, is hereby amended by inserting, after the definition of “Retail establishment”,
2902 the following definition:-

2903 “Rolling stock”, trucks, tractors and trailers, used by common carriers to transport goods
2904 in interstate commerce.

2905 SECTION 93B. Section 6 of said chapter 64H, as so appearing, is hereby amended by
2906 inserting, after paragraph (xx), the following 2 paragraphs:-

2907 (yy)(1) Sale of: (A) eligible data center equipment for use in a qualified data center; (B)
2908 computer software for use in a qualified data center; (C) electricity for use or consumption in the
2909 operation of a qualified data center; or (D) construction costs incurred for the construction,
2910 renovation or refurbishment of a qualified data center.

2911 (2) If secretary revokes the certification of a qualified data center the commissioner shall,
2912 as of the effective date of the revocation, disallow any credits, exemptions or other tax benefits
2913 allowed by the original certification of tax benefits under this paragraph.

2914 (3) If the qualified data center is sold to a new owner prior to the expiration of the
2915 exemption, tax benefits under this paragraph shall remain in effect and apply to a subsequent
2916 owner for the remaining duration of the 20-year qualification period.

2917 (4) As used in this paragraph, the following words shall, unless the context clearly
2918 otherwise requires, have the following meanings:

2919 “Colocation tenant”, a person, partnership, company, corporation or other entity that
2920 contracts with or leases from the owner or operator of a qualified data center to use or occupy all
2921 or part of a qualified data center.

2922 “Computer software”, software purchased, leased, utilized or loaded at a qualified data
2923 center, including, but not limited to, maintenance, licensing and software customization.

2924 “Construction costs”, costs of materials, labor, services and equipment purchased or
2925 leased to construct a qualified data center facility, including, but not limited to, data center
2926 building costs, accessory building costs and building improvement costs, land development and
2927 site improvement costs, site utility infrastructure costs, building materials, steel, concrete, gravel,

2928 engineering services, heavy equipment, cranes, transportation equipment, excavation costs, storm
2929 water system and management costs, access roads, bridges, fencing, lighting, landscaping and
2930 other costs to construct the facility.

2931 “Eligible data center equipment”, computers and equipment supporting computing,
2932 networking, data processing or data storage, including, but not limited to, servers and routers;
2933 computer servers, routers, connections, chassis, networking equipment, switches, racks, fiber
2934 optic and copper cables, trays, conduits and other enabling machinery, equipment and hardware;
2935 component parts, replacement parts and upgrades; cooling systems, cooling towers, chillers,
2936 mechanical equipment, HVAC equipment, refrigerant piping, fuel piping and storage, adiabatic
2937 and free cooling systems, water softeners, air handling units, indoor direct exchange units, fans,
2938 ducting, filters and other temperature control infrastructure; power infrastructure for
2939 transformation, generation, distribution, or management of electricity used for the operations and
2940 maintenance of a qualified data center, including, but not limited to, substations, switchyards,
2941 transformers, generators, uninterruptible power supplies, backup power generation systems,
2942 battery systems, energy efficiency measures, supplies, fuel piping and storage, duct banks,
2943 switches, switchboards, testing equipment and related utility infrastructure; monitoring and
2944 security equipment; water conservation systems, including, but not limited to, equipment
2945 designed to collect, conserve and reuse water; modular data center equipment and preassembled
2946 components of any item described in this paragraph, including, but not limited to, components
2947 used in the manufacturing of modular data centers; and any other personal property or equipment
2948 that is used or consumed in the operation and maintenance of the qualified data center.

2949 “Qualified data center costs”, expenditures made for the construction, refurbishment,
2950 renovation or improvement of a facility to be used as a qualified data center, including, but not

2951 limited to, the cost of land, land development and site improvement costs, site utility
2952 infrastructure costs, construction costs, data center building costs, accessory building costs and
2953 building improvement costs, and eligible data center equipment.

2954 “Qualified data center”, a facility in the commonwealth that:

2955 (A) is owned or leased by: (i) the operator of the data center facility; or (ii) a person,
2956 partnership, company, corporation or other entity under common ownership of the operator of
2957 the data center facility;

2958 (B) is comprised of 1 or more data center buildings that consist in the aggregate of not
2959 less than 100,000 square feet, and that are located on a single parcel, or on contiguous parcels,
2960 where the total eligible qualified data center costs of the data center facility are at least
2961 \$50,000,000 within a 10-year period from the effective date of the certification by the secretary
2962 as a qualified data center facility;

2963 (C) is constructed or substantially refurbished;

2964 (D) maintains a minimum of 100 jobs in the commonwealth; and

2965 (E) is used to house computer information technology equipment, networking, data
2966 processing or data storage, including, but not limited to, servers and routers for the storage,
2967 management, and dissemination of data and information where the facility has the following
2968 characteristics: (i) uninterruptible power supplies, generator backup power, or both; (ii)
2969 sophisticated fire suppression and prevention systems; and (iii) enhanced security; provided, that
2970 a qualified data center shall be considered to have enhanced security if it has restricted access to

2971 the facility to selected personnel, permanent security guards, video camera surveillance, an
2972 electronic system requiring pass codes, keycards or biometric scans or similar security features.

2973 “Qualification period”, a 20-year period of time beginning on the effective date of the
2974 certification by the secretary of the qualified data center for the first data center building, and
2975 expiring at the end of the twentieth full calendar year following the calendar year in which the
2976 certification became effective; provided, that if the qualified data center is comprised of more
2977 than 1 data center building, the qualification period for each subsequent data center building that
2978 is constructed at the qualified data center facility shall start when each data center building
2979 begins commercial operations, as evidenced by receipt of a certificate of occupancy, and shall
2980 continue for a period of 20 full calendar years, expiring at the end of the twentieth full calendar
2981 year following the calendar year each respective data center building began commercial
2982 operations.

2983 “Secretary”, the secretary of the executive office of housing and economic development.

2984 “Substantially refurbished”, a rebuild, modification or construction of not less than
2985 100,000 square feet of an existing facility that is a qualified data center where the total eligible
2986 qualified data center costs are not less than \$50,000,000 within a 10-year period from the
2987 effective date of the certification by the secretary as a qualified data center facility, including, but
2988 not limited to: (i) installation of computer information technology equipment, networking, data
2989 processing or data storage, including servers and routers, environmental control, computer
2990 software and energy efficiency improvements; and (ii) building improvements.

2991 (3) The commissioner shall promulgate regulations necessary for the administration of
2992 this paragraph.

2993 (zz) Sales of rolling stock.

2994 SECTION 94. Section 1 of chapter 64I of the General Laws, as appearing in the 2020
2995 Official Edition, is hereby amended by inserting after the words ““retail establishment””, in line
2996 7, the following words:- , “rolling stock”.

2997 SECTION 95. Section 2A of chapter 65C of the General Laws, as so appearing, is hereby
2998 amended by striking out subsection (a) and inserting in place the following subsection:-

2999 (a)(1) A tax is hereby imposed upon the transfer of the estate of each person dying on or
3000 after January 1, 1997 who, at the time of death, was a resident of the commonwealth. The
3001 amount of the tax shall be equal to the credit for state death taxes that would have been allowable
3002 to a decedent’s estate as computed under section 2011 of the Code, as in effect on December 31,
3003 2000, hereinafter referred to as the “credit”. For the estate of a decedent dying on or after
3004 January 1, 2023, who at the time of death, was a resident of the commonwealth, the following
3005 shall be used for the computation of the maximum credit for the state death taxes:

3006	(1)	(2)	(3)	(4)
3007	Adjusted taxable	Adjusted taxable	Credit on	Rate of Credit on excess
3008	estate equal	to estate less than—	amount in	over amount in column (1)
3009	or more than—		column (1)	
3010	0	\$40,000	0	0.0
3011	\$40,000	90,000	0	0.8
3012	90,000	140,000	\$400	1.6

3013	140,000	240,000	1,200	2.4
3014	240,000	440,000	3,600	3.2
3015	440,000	640,000	10,000	4.0
3016	640,000	840,000	18,000	4.8
3017	840,000	1,040,000	27,600	5.6
3018	1,040,000	1,540,000	38,800	6.4
3019	1,540,000	2,040,000	70,800	7.2
3020	2,040,000	2,540,000	106,800	8.0
3021	2,540,000	3,040,000	146,800	8.8
3022	3,040,000	3,540,000	90,800	9.6
3023	3,540,000	4,040,000	238,800	10.4
3024	4,040,000	5,000,000	290,800	11.2
3025	5,000,000	---	398,320	17.0

3026

3027 (2) In the event that the federal gross estate of a person includes real or tangible personal
3028 property located outside of Massachusetts at the time of death, the tax shall be reduced by an
3029 amount equal to the proportion of such allowable credit as the value of said real or tangible
3030 personal property located outside of Massachusetts bears to the value of the entire federal gross

3031 estate wherever situated, as determined under section 2011 of the Code, as in effect on December
3032 31, 2000.

3033 SECTION 96. Said section 2A of said chapter 65C, as so appearing, is hereby further
3034 amended by adding the following subsection:-

3035 (f) Effective for the estates of decedents dying on or after January 1, 2023, for purposes
3036 of computing the tax imposed by subsections (a) and (b), the credit shall be determined based on
3037 the value of the federal taxable estate after such estate is reduced by \$2,000,000. Estates of
3038 decedents dying on or after January 1, 2023 are not required to pay any tax under subsection (a)
3039 or (b) if the value of the federal taxable estate is \$2,000,000 or less. For purposes of this
3040 subsection, the federal taxable estate is the federal gross estate less any qualified conservation
3041 exclusion elected under section 2031(c) of the Code, as in effect on December 31, 2000, and
3042 further reduced by the deductions allowable by the Code, as in effect on December 31, 2000.

3043 SECTION 97. Chapter 69 of the General Laws is hereby amended by adding the
3044 following section:-

3045 Section 37. For the purposes of this section, the following words shall, unless the context
3046 clearly requires otherwise, have the following meanings:

3047 “Career technical education” or “CTE”, organized education programs offering
3048 sequences of courses designed to educate and prepare students for both employment and
3049 continuing academic and occupational preparation. Such programs shall integrate academic and
3050 vocational education and shall include competency-based applied learning which contributes to
3051 an individual’s academic knowledge, higher order reasoning and problem-solving skills, work
3052 attitudes, general employability skills and the occupational-specific skills necessary for

3053 economic independence as a productive and contributing member of society. Vocational-
3054 technical education shall also include applied technology education to be taught by personnel
3055 certified in technology education.

3056 “Collaborative CTE demonstration programs”, programs where students split time
3057 between a comprehensive high school and a school offering programs pursuant to chapter 74.

3058 “Office”, the office of career technical education.

3059 (b) There is hereby established within the department of elementary and secondary
3060 education an office of career technical education, which shall be under the supervision and
3061 management of the deputy commissioner of career technical education. The deputy
3062 commissioner shall be appointed by the commissioner of elementary and secondary education,
3063 with the approval of the board. It shall be the duty of the deputy commissioner to improve and
3064 maximize career technical education throughout the commonwealth. The office of career
3065 technical education shall, in collaboration with the board, promulgate regulations and develop
3066 and implement policies to enhance all career technical education programs in the commonwealth,
3067 including, but not limited to, ensuring the enforcement of regulations relative to certificates of
3068 occupational proficiency.

3069 (c) The office shall:

3070 (1) promote and support innovative and collaborative CTE demonstration programs;
3071 provided, that under said programs, participating students shall take required academic classes in
3072 the morning and vocational courses in the afternoon when the equipment is available;

3073 (2) develop credentials for students graduating from high quality CTE programs in
3074 applied knowledge, effective relationships and workplace skills as described in the
3075 Employability Skills Framework of the federal Office of Career, Technical, and Adult Education;

3076 (3) ensure instructional ability and competence of CTE instructors through the utilization
3077 of occupational advisory boards and nationally validated teacher competency testing;

3078 (4) utilize both pre- and post-technical assessment in both cognitive and psychomotor
3079 domains to determine students' abilities and knowledge;

3080 (5) collaborate with recognized industry credential providers to develop state-customized
3081 credentials to measure career readiness through skill assessments appropriate to each tier of
3082 CTE;

3083 (6) consider the use of the 21st Century Skills for Workplace Success credential
3084 developed by NOCTI which validates overall workplace readiness skills and is aligned to the
3085 Employability Skills Framework of the federal Office of Career, Technical, and Adult Education;
3086 provided, that the credential may be utilized to validate basic competencies before participation
3087 in externships or school-based enterprises and may be utilized with Massachusetts one-stop
3088 career centers or as a graduation or completion requirement for post-graduate and post-secondary
3089 programs pursuant to chapter 74;

3090 (7) support the use of industry-recognized credentials in a program offered pursuant to
3091 chapter 74;

3092 (8) support the use of both longitudinal and pre- and post-student assessment as a means
3093 of obtaining meaningful data for curricular improvement; provided that data may be utilized for
3094 facilities improvement, equipment investments, mission success and professional development;

3095 (9) engage in statewide data sharing agreements with credential providers that include a
3096 variety of access portals for a variety of levels of personnel, including, but not limited to, state
3097 and local CTE administration, CTE teachers, parents and students, providing access to
3098 stakeholders to assess program effectiveness;

3099 (10) encourage and work to increase the use of articulation agreements with community
3100 colleges and public universities and other dual credit programs to allow CTE students to earn
3101 credit and stacked credentials that lead to an associate degree; and

3102 (11) implement and promote efforts, including those related to student outreach and
3103 retention, to ensure that CTE programs are accessible to all students, including English language
3104 learners, students with disabilities and student populations traditionally underrepresented in CTE
3105 programs.

3106 SECTION 98. Section 3A of chapter 70B of the General Laws, as appearing in the 2020
3107 Official Edition, is hereby amended by striking out, in line 7, the figure “17” and inserting in
3108 place thereof the following figure:- 19.

3109 SECTION 99. Said section 3A of said chapter 70B, as so appearing, is hereby further
3110 amended by inserting after the word “Inc.”, in line 21, the following words:- , Massachusetts
3111 Association of Vocational Administrators, Inc., Alliance for Vocational Technical Education.

3112 SECTION 100. Section 16 of chapter 71 of the General Laws, as so appearing, is hereby
3113 amended by striking out, in line 152, the word “five” and inserting in place thereof the following
3114 figure:- 25.

3115 SECTION 101. Chapter 94C of the General Laws is hereby amended by inserting after
3116 section 19D the following section:-

3117 Section 19E. (a) As used in this section and unless the context clearly requires otherwise,
3118 “COVID-19 control measure” shall mean a COVID-19 drug, COVID-19 test or other COVID-19
3119 diagnostic device approved or otherwise authorized by the federal Food and Drug
3120 Administration.

3121 (b) Notwithstanding any general or special law to the contrary, the commissioner, or a
3122 physician who is designated by the commissioner and is registered to distribute or dispense a
3123 controlled substance in the course of professional practice under section 7, may issue a standing
3124 order that may be used for a licensed pharmacist to dispense a COVID-19 control measure. A
3125 standing order issued pursuant to this section shall include, but not be limited to, any necessary
3126 information or standardized procedures or protocols for the dispensing of the COVID-19 control
3127 measure.

3128 (c) Notwithstanding any general or special law to the contrary, a pharmacist may
3129 dispense a COVID-19 control measure in accordance with a standing order issued under
3130 subsection (b).

3131 (d) A pharmacist who dispenses a COVID-19 control measure in accordance with a
3132 standing order issued under subsection (b) shall, upon request, report to the department on the
3133 doses, tests or devices dispensed. Reports shall be confidential and shall not constitute a public

3134 record as defined in clause Twenty-sixth of section 7 of chapter 4. The department shall publish
3135 an annual report that includes aggregate information about the dispensing of COVID-19 control
3136 measures in the commonwealth.

3137 (e) A pharmacist who dispenses a COVID-19 control measure pursuant to this section
3138 shall, for the purposes of health insurance billing and cost-sharing, treat the transaction as the
3139 dispensing of a prescription to the person purchasing the COVID-19 control measure in
3140 accordance with clinical guidelines as developed by the department. Unless the person
3141 purchasing the COVID-19 control measure requests to pay for the prescription out-of-pocket, the
3142 pharmacist shall make a reasonable effort to identify the purchaser's insurance coverage and to
3143 submit a claim for the COVID-19 control measure to the insurance carrier prior to dispensing the
3144 COVID-19 control measure.

3145 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a
3146 physician who issues the statewide standing order under subsection (b) and any pharmacist who,
3147 acting in good faith, directly or through the standing order, dispenses a COVID-19 control
3148 measure in accordance with a standing order issued under subsection (b) shall not be subject to
3149 any criminal or civil liability or any professional disciplinary action.

3150 (g) The department, the board of registration in medicine and the board of registration in
3151 pharmacy may adopt regulations to implement this section.

3152 SECTION 101A. Section 72W of chapter 111 of the General Laws, as appearing in the
3153 2020 Official Edition, is hereby amended by inserting after the fifth paragraph the following
3154 paragraph:-

3155 A nurses' aide who receives their training and works in a facility whose resident
3156 population is predominantly non-English speaking, shall be offered the option to take the nurse
3157 aide certification exam in a language other than English, including Spanish and Chinese;
3158 provided, that the department shall determine which languages the exam shall be offered in.

3159 SECTION 101B. Chapter 112 of the General Laws is hereby amended by inserting after
3160 section 52G the following section:-

3161 Section 52H. (a) For the purposes of this section, the following words shall, unless the
3162 context clearly requires otherwise, have the following meanings:

3163 "Board", the board of registration in dentistry established in section 19 of chapter 13.

3164 "Continuing care", guidance, support, toxicology collection and accountability through a
3165 formal monitoring contract concurrent with or following an evaluation and treatment process.

3166 "Peer review committee", a committee of healthcare providers which evaluates or
3167 improves the quality of health care rendered by providers of health care services and the
3168 evaluates and assists health care providers impaired or allegedly impaired by reason of alcohol,
3169 drugs, physical disability, mental instability or otherwise.

3170 "Substantive non-compliance", a pattern of non-compliance or dishonesty in continuing
3171 care monitoring or an episode of non-compliance which could place patients at risk.

3172 (b)(1) The board is hereby authorized and directed to offer a remediation program for
3173 dentists and dental hygienists.

3174 (2) The board shall select 1 or more providers to serve as designated remediation
3175 programs.

3176 (3) The board shall establish: (i) criteria for the acceptance, denial or termination of
3177 registered dentists and dental hygienists in the program; and (ii) an outreach program to identify
3178 registered dentists and dental hygienists who may have a substance use disorder and to provide
3179 education about the remediation program.

3180 (4) No member of the board shall be employed by or volunteer for the program.

3181 (c)(1) A remediation program shall serve as a voluntary alternative to traditional
3182 disciplinary actions. Any registered dentist or dental hygienist in the commonwealth may request
3183 to participate in the program.

3184 (2) To be eligible for designation, a remediation program shall have demonstrable
3185 experience in the field of substance use disorder and shall employ a licensed mental health
3186 professional with experience in the treatment of substance use disorders.

3187 (3) The remediation program shall have the following duties and responsibilities: (i) to
3188 evaluate registered dentists and dental hygienists who request to participate in the program for
3189 admission into the program; (ii) to agree to accept referrals from the board; (iii) to review and
3190 designate treatment facilities and assessment services to which participants may be referred; (iv)
3191 to receive and review information concerning a participant in the program; (v) to disclose to the
3192 board aggregate data on compliance-based on ongoing recovery documentation; (vi) to provide
3193 each participant, through contracted agreements, with an individualized remediation plan
3194 according to guidelines developed through collaboration between the board and the remediation
3195 program with regards to requirements for supervision; (vii) to provide information to dentists or
3196 dental hygienists who request to participate in the program; and (viii) to establish an outreach

3197 program to identify registered dentists and dental hygienists who may have a substance use or
3198 other mental health disorder, and to provide education about the remediation program.

3199 (4) A registered dentist or dental hygienist who requests to participate in the remediation
3200 program shall agree to cooperate with the individualized remediation plan recommended by the
3201 remediation program. The remediation program may report to the board the name and license
3202 number of a registered dentist or dental hygienist who fails to comply with an individualized
3203 remediation plan.

3204 (5) After the remediation program, in its discretion, has determined that a registered
3205 dentist or dental hygienist has successfully completed an individualized remediation plan
3206 through the program, the board shall seal all records pertaining to the participation of the
3207 registered dentist or dental hygienist in the program. No record shall be sealed sooner than 5
3208 years from the participant's date of entry into the program. All board and remediation program
3209 records of a participant's involvement in the program shall be kept confidential and shall not be
3210 subject to discovery or subpoena in any civil, criminal, legislative or administrative proceeding
3211 without the prior written consent of the participant.

3212 (6) The designated remediation programs shall be confidential and shall offer a means of
3213 recovery and rehabilitation without the loss of a license by providing access to early
3214 identification, intervention, evaluation, monitoring, referral to appropriate intervention programs
3215 and treatment services, and earned advocacy, when appropriate, of licensees with potentially
3216 impairing illness, ideally prior to functional impairment.

3217 (7) In accordance with peer review law, proceedings, reports and records of the
3218 remediation program shall be confidential pursuant to section 240. Such records shall not be

3219 disclosed, and shall not subject to subpoena or discovery, and shall not be introduced into
3220 evidence in any judicial or administrative proceeding, subject to paragraph (4) and (5).

3221 (8) No employee or volunteer member of the remediation program who is licensed to
3222 practice by the department of public health division of professional licensure or by the board
3223 shall have had any type of disciplinary or enforcement action taken against them by their
3224 respective licensing board, during the 5 years preceding their appointment to the program.

3225 SECTION 102. Section 1 of chapter 121B of the General Laws, as appearing in the 2020
3226 Official Edition, is hereby amended by inserting, after the definition of “Blighted open area,” the
3227 following definition:-

3228 “Capital funds”, funds advanced by the department to a housing authority to finance
3229 capital outlays for housing production or preservation from proceeds of a bond authorization as
3230 defined in section 1 of chapter 29.

3231 SECTION 103. Said section 1 of said chapter 121B, as so appearing, is hereby further
3232 amended by inserting, after the definition of “Relocation project,” the following definition:-

3233 “Replacement units”, low-rent housing created to replace an existing housing project that
3234 is demolished or disposed of under subsection (k) of section 26; provided, that such units may be
3235 included within a privately-owned mixed-income development that also includes dwellings that
3236 are not low-rent housing; and provided further, that the use and occupancy of the replacement
3237 units is subject to a binding legal contract and land use restriction under paragraph (7) of
3238 subsection (k) of section 26.

3239 SECTION 104. Section 11 of said chapter 121B, as so appearing, is hereby amended by
3240 adding the following paragraph:-

3241 Notwithstanding any general or special law to the contrary, a housing authority, with the
3242 approval of the department, shall have the power to secure indebtedness incurred for the
3243 preservation, modernization and maintenance of 1 or more of its low-rent housing developments
3244 assisted under section 32 or section 34 by a pledge of a portion of capital funds awarded to it for
3245 improvements to be carried out pursuant to a department-approved capital improvement plan in
3246 accordance with department regulations governing capital projects. The department shall
3247 promulgate regulations establishing limitations on the percentage of awarded capital funds that
3248 may be pledged to secure indebtedness, describing permitted terms for borrowing and repayment
3249 and establishing criteria for housing authorities that will be permitted to incur indebtedness
3250 secured by a pledge of capital funds. Any pledge of future year capital funds pursuant to this
3251 section is subject to the availability of funds under the department’s capital spending plan as
3252 approved by the governor for that year. All financing documents related to future year capital
3253 fund amounts shall include a statement that the credit of the commonwealth is not pledged and
3254 that the pledging of funds is subject to the availability of funds under the department’s capital
3255 spending plan as approved by the governor.

3256 SECTION 105. Section 26 of said chapter 121B is hereby amended by inserting after the
3257 word “sale”, in line 91, as so appearing, the following words:- or other disposition.

3258 SECTION 106. Subsection (k) of said section 26 of said chapter 121B, as amended by
3259 section 72 of chapter 39 of the acts of 2021, is hereby further amended by striking out paragraphs
3260 (1) to (4), inclusive, and inserting in place thereof the following 4 paragraphs:-

3261 (1) found that all or a substantial portion of such existing housing project or part thereof
3262 requires such substantial modernization or rehabilitation to continue to provide decent, safe and
3263 sanitary housing and that, in the judgment of the department, the required substantial
3264 modernization or rehabilitation cannot feasibly be executed by the housing authority pursuant to
3265 this chapter;

3266 (2) approved the proposed project, including a relocation plan for occupants of the
3267 existing project and a plan to make housing available on the land where the existing project is
3268 situated, in which the number of replacement units restricted as low-rent housing for occupancy
3269 by low-income persons or families shall be the same as the number of low-rent housing units in
3270 the existing housing project or part thereof that is subject to demolition or disposition, unless the
3271 department determines that: (i) a shortage of low-rent housing no longer exists in the applicable
3272 city or town; or (ii) the reduction in the number of units is necessary to increase the number of
3273 units that are accessible for persons with disabilities, which project may include plans to use a
3274 portion of such land for market-rate housing or for a public purpose ancillary to such
3275 development and approved by the department;

3276 (3) approved the sale or other disposition and the terms thereof, which shall be at a value
3277 determined through procedures customarily accepted by the appraising profession as valid,
3278 unless the department determines that a below-market disposition would be in the public interest
3279 in order to support the continued occupancy of dwelling units in the new development by low-
3280 income families;

3281 (4) determined that the availability of funds to the housing authority for such project is
3282 conditioned upon the occurrence of the initial mortgage loan closing for the development of new

3283 or rehabilitated housing on the land where the existing project is situated, and the housing
3284 authority has selected, through a qualifications-based competitive procurement process approved
3285 by the department, a developer best qualified to develop, own and operate the new or
3286 rehabilitated housing on the existing land, to provide for such development of the new housing
3287 within a reasonable time in accordance with department-approved contracts, and to assure
3288 continued occupancy of the required number of replacement units in the new development by
3289 low-income families in accordance with this chapter.

3290 SECTION 107. Said subsection (k) of said section 26 of said chapter 121B, as so
3291 amended, is hereby further amended by adding the following paragraph:-

3292 (7) approved a binding legal contract and land use restriction to be entered into by the
3293 transferee of the property in favor of the local housing authority and the department that requires
3294 compliance with this chapter and the department's regulations to the extent this chapter and
3295 regulations apply to tenancy at and application to public housing, as determined by the
3296 department, with respect to the replacement units in the same manner and to the same effect as if
3297 such entity were a housing authority, subject to such regulatory waivers given by the department
3298 as may be necessary to secure financing. The contract shall require compliance in perpetuity
3299 unless the department determines that the project financing requires the use of federal low-
3300 income housing tax credits and that compliance in perpetuity would make it infeasible to comply
3301 with Internal Revenue Service requirements with respect to the low-income housing tax credit
3302 program.

3303 SECTION 108. Subsection (p) of said section 26 of said chapter 121B, as appearing in
3304 the 2020 Official Edition, is hereby amended by striking out, in line 243, the words “this section
3305 or section 34” and inserting in place thereof the following words:- any provision of this chapter.

3306 SECTION 109. Said subsection (p) of said section 26 of said chapter 121B, as so
3307 appearing, is hereby further amended by inserting after the words “feasible to”, in line 248, the
3308 following words:- maintain or to.

3309 SECTION 110. Said subsection (p) of said section 26 of said chapter 121B, as so
3310 appearing, is hereby further amended by inserting after the word “demolition”, in line 252, the
3311 following words:- or other disposition.

3312 SECTION 111. Said subsection (p) of said section 26 of said chapter 121B, as so
3313 appearing, is hereby further amended by striking out, in line 254, the words “as of November 1,
3314 2012”, and inserting in place thereof the following words:- for reasons the department has
3315 determined not to be the fault of the housing authority for at least 2 years.

3316 SECTION 112. Said section 26 of said chapter 121B, as amended by section 72 of
3317 chapter 39 of the acts of 2021, is hereby further amended by adding the following subsection:-

3318 (q) Notwithstanding any general or special law to the contrary, including, without
3319 limitation, section 16 of chapter 30B, a housing authority may dispose of property pursuant to
3320 this section or section 34 to a developer selected by competitive, qualifications-based
3321 procurement without separately soliciting proposals for the property disposition; provided, that
3322 the developer procurement declares the property available for disposition and that, in the case of
3323 a disposition of property pursuant to subsection (k), the number of replacement units required

3324 under paragraph (2) of said subsection (k) are provided. Without limiting the generality of the
3325 foregoing:

3326 (1) A housing authority shall not be required to determine the value of the property prior
3327 to soliciting proposals for selection of a developer best qualified to develop, own and operate the
3328 new or rehabilitated housing on the land. Prior to disposition of property by deed or other
3329 instrument, the housing authority shall determine the value of the property through procedures
3330 customarily accepted by the appraising profession as valid prior to the sale or other disposition of
3331 the property and if, with the approval of the department, the housing authority decides to dispose
3332 of the property at a price less than the value as so determined, the housing authority shall publish
3333 notice of its decision in the central register, explaining the reasons for its decision and disclosing
3334 the difference between such value and the price to be received; and

3335 (2) A housing authority shall not be required to specify all the restrictions that may be
3336 placed on the subsequent use of property prior to selecting a developer through a qualifications-
3337 based competitive procurement process; provided, that the developer procurement shall identify
3338 the minimum number of dwelling units in the new development that shall be occupied by low-
3339 income families. In the case of a disposition pursuant to subsection (k), such minimum number
3340 shall conform to the requirements of paragraph (2) of said subsection (k).

3341 SECTION 113. Section 29 of said chapter 121B, as appearing in the 2020 Official
3342 Edition, is hereby amended by adding the following paragraph:-

3343 Notwithstanding any provision in this chapter to the contrary, if a housing authority does
3344 not own, lease or manage any housing project eligible to receive ongoing capital or operating
3345 assistance under section 32 or 34, the department shall not investigate such housing authority's

3346 budgets, finances, dealings, transactions and relationships or other affairs, nor shall the
3347 department require periodic reporting by any such housing authority. Without limiting the
3348 generality of the foregoing, a housing authority that does not own, lease or manage any housing
3349 project eligible to receive ongoing capital or operating assistance under said section 32 or 34
3350 shall not be required to: (i) participate in a training program under section 5B; (ii) submit
3351 contracts with its executive director to the department for review pursuant to section 7A; (iii)
3352 participate in the performance-based monitoring program established pursuant to section 26B;
3353 (iv) participate in the regional capital assistance team program established pursuant to section
3354 26C; (v) prepare and submit an annual plan pursuant to section 28A and this section; or (vi)
3355 prepare and submit, or make available, a written report and agreed upon procedures for review of
3356 housing authority financial records pursuant to this section.

3357 SECTION 114. Section 34 of said chapter 121B, as so appearing, is hereby amended by
3358 striking out the fifth paragraph and inserting in place thereof the following paragraph:-

3359 The proceeds of any sale or other disposition of such project in excess of the total of all
3360 obligations of the housing authority with respect to such project shall, after the payment of all
3361 bonds issued by the housing authority to finance the cost of such project and payment of the
3362 costs of the sale or disposition, be retained by the housing authority for the preservation,
3363 modernization and maintenance of its public housing assisted under this chapter as approved by
3364 the department, or where the housing authority has no public housing assisted pursuant to this
3365 chapter, such proceeds shall be paid to the department to fund capital improvements for the
3366 preservation, modernization and maintenance of state-aided public housing.

3367 SECTION 115. Said section 34 of said chapter 121B, as so appearing, is hereby further
3368 amended by striking out the tenth paragraph and inserting in place thereof the following
3369 paragraph:-

3370 Whenever a housing authority shall determine that land acquired by it pursuant to clause
3371 (d) of section 11 for the purpose of this section is in excess of or no longer required for such
3372 purposes it may, upon approval by the department, sell or otherwise dispose of such land by deed
3373 or instrument approved as to form by the attorney general. If the housing authority is disposing
3374 of such land for purposes of housing development, it may do so in accordance with section 26.
3375 So long as any bonds issued by a housing authority to finance the cost of a project under this
3376 section or section 35 and guaranteed by the commonwealth are outstanding, funds received from
3377 a disposition of land as provided in this chapter shall be applied in accordance with the fourth
3378 paragraph of this section. After the payment of all bonds issued by the housing authority to
3379 finance the cost of such project, funds received shall be applied in accordance with the fifth
3380 paragraph of this section.

3381 SECTION 116. Said section 34 of said chapter 121B, as so appearing, is hereby further
3382 amended by adding the following paragraph:-

3383 Notwithstanding any general or special law to the contrary, construction and development
3384 activity related to redevelopment of state-aided or federally-aided public housing projects where
3385 the land, buildings or structures associated with the housing project have been conveyed or
3386 transferred to an affiliated non-profit or private entity for purposes of completing the
3387 redevelopment shall not be subject to any general or special law related to the procurement and
3388 award of contracts for the planning, design, construction management, construction,

3389 reconstruction, installation, demolition, maintenance or repair of buildings by a public agency;
3390 provided, that the department shall review and approve the procurement processes used to
3391 undertake this redevelopment in accordance with subsection (q) of section 26; and provided
3392 further, that all construction, reconstruction, alteration, installation, demolition, maintenance or
3393 repair shall be subject to sections 26 to 27F, inclusive, and section 29 of chapter 149. The
3394 department shall request rates and updates from the division of labor standards for these projects.

3395 SECTION 116A. Section 3 of chapter 137 of the General Laws, as so appearing, is
3396 hereby amended by inserting after the word “to”, in line 6, the following words:- chapter 10 or.

3397 SECTION 116B. Section 96 of chapter 140 of the General Laws, as so appearing, is
3398 hereby amended by striking out the second paragraph, and inserting in place thereof the
3399 following paragraph:-

3400 This section shall not apply to loans that are subject to section 90A or section 28B of
3401 chapter 183 nor to any transactions engaged in pursuant to a license granted under section 58 or
3402 section 2 of chapter 255B.

3403 SECTION 116C. Chapter 149 of the General Laws is hereby amended by adding the
3404 following section:-

3405 Section 204. (a) No employer or prospective employer as a condition of hire,
3406 commencement of employment or continuation of employment, shall require a prospective
3407 employee, an employee who has not commenced employment or an employee to enter into a
3408 contract waiving a substantive or procedural right or remedy relating to any employment or
3409 employment-related claim, including, but not limited to, any claim for a violation of this chapter,

3410 chapter 151B or for a violation of public policy in employment. A contract executed in violation
3411 of this section shall be unenforceable.

3412 (b) Whoever enforces or attempts to enforce a waiver in violation of subsection (a) shall
3413 be liable for damages, reasonable attorneys' fees and costs.

3414 (c) No employer or prospective employer shall take retaliatory action against a
3415 prospective employee, an employee who has not commenced employment or an employee who
3416 refuses to enter a contract in violation of subsection (a). Retaliation shall include, but not be
3417 limited to, the failure to hire, discharge, suspension, demotion or discrimination in the terms,
3418 conditions or privileges of employment, or any other adverse action, against a prospective
3419 employee, an employee who has not commenced employment or an employee because the
3420 prospective employee, employee who has not commenced employment or employee refuses to
3421 enter into a contract in violation of subsection (a).

3422 (d) A prospective employee, an employee who has not commenced employment or an
3423 employee aggrieved by a violation of this section may, within 3 years after the violation,
3424 commence a civil action for damages and injunctive relief. If the court finds that a person was
3425 aggrieved by a violation of this section, the person shall recover reasonable attorneys' fees and
3426 costs. The rights and remedies in this section shall not be exclusive and shall not preempt other
3427 available procedures and remedies for retaliatory actions, including, but not limited to, those
3428 contained in section 150 and section 4 of chapter 151B.

3429 (e) The attorney general may enforce this section if the substantive or procedural right or
3430 remedy at issue arises under section 150.

3431 (f) The Massachusetts commission against discrimination may enforce this section if the
3432 substantive or procedural right or remedy at issue arises under chapter 151B.

3433 (g) A person aggrieved by a violation of chapter 151B who seeks a remedy other than: (i)
3434 nonenforcement of a contract provision prohibited by this section; or (ii) reasonable attorneys'
3435 fees and costs for enforcement of any provision of this section, shall seek such remedy under
3436 said chapter 151B.

3437 SECTION 116D. Chapter 167F of the General Laws is hereby amended by striking out
3438 section 4 and inserting in place thereof the following section:-

3439 Section 4. A bank may engage directly in the business of selling, issuing or registering
3440 checks.

3441 SECTION 116E. Chapter 169 of the General Laws is hereby repealed.

3442 SECTION 116F. The General Laws are hereby amended by inserting after chapter 169A
3443 the following chapter:-

3444 CHAPTER 169B.

3445 LICENSING AND SUPERVISION OF MONEY TRANSMITTERS.

3446 Section 1. As used in this chapter, the following words shall, unless the context clearly
3447 requires otherwise, have the following meanings:

3448 "Authorized delegate", a person designated by a licensee under this chapter to engage in
3449 money transmission on behalf of a licensee.

3450 “Branch office”, any office in the commonwealth operated by a licensee at which the
3451 licensee engages in money transmission.

3452 “Closed loop stored value”, stored value that is redeemable by the issuer only for goods
3453 or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except
3454 to the extent required by applicable law to be redeemable in cash for its cash value.

3455 “Commissioner”, the commissioner of banks.

3456 “Licensee”, a person licensed pursuant to this chapter to engage in the business of money
3457 transmission.

3458 “Material litigation”, any litigation that, according to generally accepted accounting
3459 principles, is deemed significant to an applicant’s or licensee’s financial health and would be
3460 required to be referenced in that entity’s annual audited financial statements, report to
3461 shareholders or similar documents.

3462 “Money transmission”, any of the following: (i) selling or issuing a payment instrument
3463 to a person located in the commonwealth; (ii) selling or issuing stored value to a person located
3464 in the commonwealth; or (iii) receiving money for transmission from a person located in the
3465 commonwealth; provided, that “money transmission” shall not include: (i) transactions
3466 undertaken for other than personal, family or household purposes; or (ii) the provision solely of
3467 online or telecommunications services or network access.

3468 “Nationwide Multistate Licensing System and Registry” or “NMLS”, the multistate
3469 system developed by the Conference of State Bank Supervisors and the American Association of
3470 Residential Mortgage Regulators and owned and operated by the State Regulatory Registry,

3471 LLC, or any successor or affiliated entity, for the licensing and registration of persons in
3472 financial services industries.

3473 “Outstanding money transmission obligations”, (i) any payment instrument or stored
3474 value issued or sold by the licensee to a person located in the United States or reported as sold by
3475 an authorized delegate of the licensee to a person that is located in the United States that has not
3476 yet been paid or refunded by or for the licensee, or escheated in accordance with applicable
3477 unclaimed property laws; or (ii) any money received for transmission by the licensee or an
3478 authorized delegate in the United States from a person located in the United States that has not
3479 been received by the payee or refunded to the sender, or escheated in accordance with applicable
3480 unclaimed property laws.

3481 “Payment instrument”, a written or electronic check, draft, money order, traveler’s check,
3482 or other written or electronic instrument for the transmission or payment of money or monetary
3483 value, whether or not negotiable; provided, however, that “payment instrument” shall not
3484 include: any credit card voucher; any letter of credit; stored value; or any instrument that is: (i)
3485 redeemable by the issuer only for goods or services provided by the issuer or its affiliate or
3486 franchisees of the issuer or its affiliate, except to the extent required by applicable law to be
3487 redeemable in cash for its cash value; or (ii) not sold to the public but issued and distributed as
3488 part of a loyalty, rewards or promotional program.

3489 “Person”, any individual, partnership, association, joint-stock association, trust, limited
3490 liability company, limited liability partnership or corporation.

3491 “Principal shareholder”, any person or group of persons acting in concert who owns not
3492 less than 10 per cent of any voting class of an applicant’s stock.

3493 “Remit”, (i) to make direct payment of money to a licensee or its representatives
3494 authorized to receive the money; or (ii) to deposit money in a bank, credit union or savings and
3495 loan association or other similar financial institution in an account specified by the licensee.

3496 “Stored value”, monetary value representing a claim against the issuer evidenced by an
3497 electronic or digital record, and that is intended and accepted for use as a means of redemption
3498 for money or monetary value, or payment for goods or services; provided, that “stored value”
3499 shall include, but is not limited to, prepaid access, as defined by 31 C.F.R. 1010.100, as amended
3500 or recodified from time to time; and provided further, that notwithstanding the foregoing, “stored
3501 value” shall not include a payment instrument or closed loop stored value, or stored value not
3502 sold to the public but issued and distributed as part of a loyalty, rewards or promotional program.

3503 Section 2. No person or entity shall engage in the business of money transmission
3504 without first obtaining a license from the commissioner pursuant to this chapter. A license shall
3505 not be required for a person that is an authorized delegate of a licensee acting within the scope of
3506 authority conferred by a written contract with the licensee.

3507 A licensee that intends to engage in money transmission business at a location other than
3508 its main office shall register each such branch office with the commissioner by providing such
3509 information as the commissioner may determine necessary; provided, however, that registration
3510 shall not be required for a location of an authorized delegate.

3511 Section 3. Nothing in this chapter shall be construed to apply to:

3512 (a) the United States or a department, agency or instrumentality thereof;

3513 (b) money transmission by the United States Postal Service or by a contractor on behalf
3514 of the United States Postal Service;

3515 (c) a state or a governmental subdivision, agency or instrumentality thereof;

3516 (d) a bank, as defined in section 1 of chapter 167, a national banking association, a
3517 federally chartered credit union, a federal savings and loan association, a federal savings bank, or
3518 any subsidiary of the above, or any bank, trust company, savings bank, savings and loan
3519 association, or credit union organized under the laws of any other state, or any subsidiary of the
3520 above, a bank holding company, an office of an international banking corporation, a branch of a
3521 foreign bank, a corporation organized pursuant to the Bank Service Company Act 12 U.S.C.
3522 1861 et seq, or a corporation organized under the Edge Act 12 U.S.C. 611-632, under the laws of
3523 a state or the United States if the person does not issue, sell or provide payment instruments or
3524 stored value through an authorized delegate that is not such a person;

3525 (e) electronic funds transfer of governmental benefits for a federal, state or governmental
3526 agency by a contractor on behalf of the United States or a department, agency or instrumentality
3527 thereof, or a state or governmental subdivision, agency or instrumentality thereof;

3528 (f) a board of trade designated as a contract market under the Commodity Exchange Act
3529 7 U.S.C. 1 or a person that, in the ordinary course of business, provides clearance and settlement
3530 services for a board of trade to the extent of its operation as or for such a board of trade;

3531 (g) a registered futures commission merchant under the federal commodities laws to the
3532 extent of its operation as such a merchant;

3533 (h) a person that provides clearance or settlement services pursuant to a registration as a
3534 clearing agency or an exemption from such registration granted under the federal securities laws
3535 to the extent of its operation as such a provider;

3536 (i) a person appointed as an agent of a payee to collect and process a payment from a
3537 payor to the payee for goods or services, other than money transmission itself, provided to the
3538 payor by the payee; provided, that: (A) there exists a written agreement between the payee and
3539 the agent directing the agent to collect and process payments from payors on the payee's behalf;
3540 (B) the payee holds the agent out to the public as accepting payments for goods or services on
3541 the payee's behalf; and (C) payment for the goods and services is treated as received by the
3542 payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk
3543 of loss to the payor if the agent fails to remit the funds to the payee;

3544 (j) an operator of a payment system to the extent that it provides processing, clearing or
3545 settlement services, between or among persons excluded by this section, in connection with wire
3546 transfers, credit card transactions, debit card transactions, stored value transactions, automated
3547 clearing house transfers or similar funds transfers;

3548 (k) a person registered as a securities broker-dealer under federal or state securities laws
3549 to the extent of its operation as such a broker-dealer;

3550 (l) a person that acts as an intermediary by processing payments between an entity that
3551 has directly incurred an outstanding money transmission obligation to a sender, and the sender's
3552 designated recipient; provided, that the entity: (A) is properly licensed or exempt from licensing
3553 requirements under this chapter; (B) provides a receipt, electronic record or other written
3554 confirmation to the sender identifying the entity as the provider of money transmission in the

3555 transaction; and (C) bears sole responsibility to satisfy the outstanding money transmission
3556 obligation to the sender, including the obligation to make the sender whole in connection with
3557 any failure to transmit the funds to the sender's designated recipient;

3558 (m) a person expressly appointed as a third-party service provider to or agent of an entity
3559 exempt pursuant to subsection (d), solely to the extent that: (A) such service provider or agent is
3560 engaging in money transmission on behalf of and pursuant to a written agreement with the
3561 exempt entity that sets forth the specific functions that the service provider or agent is to
3562 perform; and (B) the exempt entity assumes all risk of loss and all legal responsibility for
3563 satisfying the outstanding money transmission obligations owed to purchasers and holders of the
3564 outstanding money transmission obligations upon receipt of the purchaser's or holder's money or
3565 monetary value by the service provider or agent; or

3566 (n) a person exempt by regulation or order if the commissioner finds such exemption to
3567 be in the public interest and that the regulation of such person is not necessary for the purposes
3568 of this chapter.

3569 Section 4. (a) The commissioner may establish a minimum net worth not greater than
3570 \$5,000,000 for entities engaged in the business of money transmission.

3571 (b) The commissioner may adopt, amend or repeal rules and regulations to aid in the
3572 administration and enforcement of this chapter. Such regulation may contain such classifications,
3573 differentiations or other provisions, and may provide for such adjustments and exceptions for any
3574 class of transactions, as in the judgment of the commissioner are necessary or proper to carry out
3575 the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate
3576 compliance therewith.

3577 (c) Notwithstanding any other provision of this chapter, the commissioner may issue an
3578 advisory opinion or adopt regulations relative to the business of money transmission for the
3579 purpose of maintaining consistency with regulations adopted by a federal regulatory agency and
3580 governing provisions similar to those contained in this chapter.

3581 Section 5. (a)(1) The application for a license shall be in a form prescribed by the
3582 commissioner and shall contain the name and address or addresses where the business of the
3583 applicant is located and if the applicant is a partnership, association, corporation or other form of
3584 business organization, the names and addresses of each member, director and principal officer
3585 thereof, and any individual acting as a manager of a branch office location. Such application
3586 shall also include a description of the activities of the applicant, in such detail and for such
3587 periods as the commissioner may require, and such further information as the commissioner may
3588 require.

3589 (2) The commissioner may require a background investigation of each applicant for a
3590 license to engage in the business of money transmission by means of fingerprint and state and
3591 national criminal history record checks by the department of criminal justice information
3592 services pursuant to section 172 of chapter 6 and the Federal Bureau of Investigation. If the
3593 applicant is a partnership, association, corporation or other form of business organization, the
3594 commissioner may require such background investigation by means of fingerprint checks on
3595 each member, director, principal officer of such applicant, and any individual acting as a
3596 manager of a branch office, or a manager of a location from which an authorized delegate
3597 engages in money transmission. The commissioner may require a background investigation by
3598 means of state criminal history record checks by the department of criminal justice information
3599 services pursuant to section 172 of chapter 6 for a manager of a location from which an

3600 authorized delegate engages in money transmission during an investigation or examination of a
3601 licensee. Receipt of criminal history record information by a private entity shall be prohibited.

3602 (3) Each application for a license shall be accompanied by an investigation fee.
3603 Investigation and license fees shall be determined annually by the secretary of administration and
3604 finance under section 3B of chapter 7.

3605 (b) Upon the filing of an application for a license, if the commissioner finds that the
3606 financial responsibility, character, reputation, integrity and general fitness of the applicant, and
3607 of the partners or members thereof if the applicant is a partnership or association, and of the
3608 officers, directors and principal employees if the applicant is a corporation, are such as to
3609 warrant belief that the business will be operated honestly, fairly, soundly and efficiently in the
3610 public interest consistent with the purposes of this chapter, the commissioner shall thereupon
3611 issue the applicant a license to engage in the business of money transmission. The commissioner
3612 shall not issue a license and shall notify the applicant of the denial, if: (i) the applicant made a
3613 false statement of a material fact in the application for a license; (ii) an officer, director or
3614 member of the applicant business, or manager of a location from which the applicant's
3615 authorized delegate will engage in money transmission, has, within 10 years prior to the filing of
3616 the application: (A) been convicted of or pleaded nolo contendere to a felony; or (B) committed
3617 an act involving fraud or deceit, which act is substantially related to the qualifications, functions
3618 or duties of a person engaged in the business of money transmission; (iii) the applicant violated
3619 this chapter or regulations promulgated hereunder, any similar regulatory scheme of another
3620 jurisdiction or any other law applicable to the conduct of the business sought to be licensed; or
3621 (iv) a licensee or authorized delegate of a licensee located at the address at which the applicant
3622 intends to operate the business has had any license, registration or other authorization issued by

3623 the commissioner suspended or revoked within 6 months of the date of the new application.
3624 Within 20 days thereafter, the commissioner shall enter upon the records a written decision and
3625 findings containing the reasons supporting the denial and shall forthwith give written notice
3626 thereof by registered mail to the applicant. Within 30 days after the date of such notice, the
3627 applicant may appeal from such denial to the superior court for Suffolk county, sitting in equity.
3628 The court shall hear all pertinent evidence and determine the facts and upon the facts as so
3629 determined, review said denial and, as justice and equity may require, affirm the same or order
3630 the commissioner to issue such license.

3631 (c) The commissioner may participate in the NMLS for entities engaged in the business
3632 of money transmission. The commissioner may establish requirements for participation by an
3633 applicant in the NMLS, which may vary from the provisions of this section and section 6. The
3634 applicant shall pay directly to the NMLS any additional fee relating to participation in the
3635 NMLS.

3636 Section 6. A license shall not be transferable or assignable and shall expire annually at
3637 such date as determined by the commissioner. The license may be renewed upon the filing of a
3638 renewal application in such form and containing all such information as the commissioner shall
3639 prescribe. The commissioner may refuse to renew a license for any reason that the commissioner
3640 may refuse to issue an initial license under section 5. The closing of a location of the licensee,
3641 including an authorized delegate location, or a change of location of the main address of the
3642 licensee, shall require notification to the commissioner in accordance with regulations
3643 promulgated by the commissioner.

3644 If there shall be any change among the officers, partners or directors of any licensee, the
3645 licensee shall notify the commissioner of the name, address and occupation of each new officer,
3646 partner, or director and provide such other information as the commissioner may require in
3647 accordance with regulations promulgated by the commissioner.

3648 Section 7. All money received for transmission by any licensee shall be forwarded to the
3649 person to whom the money is directed within 7 days following receipt thereof, unless the
3650 licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim
3651 of fraud or that a crime or violation of law, rule, or regulation has occurred, is occurring, or may
3652 occur. Receipts given for deposits of money received for transmission shall contain all
3653 appropriate information relative to the transaction, as determined by the commissioner.

3654 Section 8. The commissioner may suspend or revoke a license issued pursuant to this
3655 chapter or order a licensee to revoke the designation of an authorized delegate if the
3656 commissioner finds that:

3657 (i) the licensee or an authorized delegate has violated this chapter or any rule or
3658 regulation adopted hereunder or any other law applicable to the conduct of its business; or

3659 (ii) a fact or condition exists which, if it had existed at the time of the original application
3660 for such license, would have warranted the commissioner in refusing to issue such license.

3661 Except as provided in subsection (b) of section 9, no license shall be revoked or
3662 suspended except after notice and hearing pursuant to chapter 30A.

3663 A licensee may surrender a license by delivering to the commissioner written notice that
3664 it surrenders the license; provided, however, that the surrender shall not affect the civil or
3665 criminal liability of the licensee for acts committed before the surrender.

3666 No revocation, suspension or surrender of a license shall impair or affect the obligation of
3667 any preexisting lawful contract between the licensee, either directly or through an authorized
3668 delegate, and any person.

3669 In lieu of suspension or revocation of a license issued hereunder, the commissioner may
3670 fine a licensee not more than \$500 per day for each violation.

3671 Section 9. (a) If the commissioner determines, after giving notice of and opportunity for a
3672 hearing, that a licensee has engaged in or is about to engage in an act or practice constituting a
3673 violation of this chapter or a rule, regulation or order adopted hereunder, the commissioner may
3674 order the licensee to cease and desist from such unlawful act or practice and take such
3675 affirmative action as in the commissioner's judgment will effect the purposes of this chapter.

3676 (b) If the commissioner makes written findings of fact that the public interest will be
3677 irreparably harmed by a delay in issuing an order pursuant to subsection (a), the commissioner
3678 may issue a temporary cease and desist order. Upon the entry of a temporary cease and desist
3679 order, the commissioner shall promptly notify, in writing, the licensee affected by the order that
3680 such order has been so entered, the reasons for the order, and that within 20 days after the receipt
3681 of a written request for a hearing from the licensee, the matter will be scheduled for such hearing
3682 to determine whether or not such temporary order shall become permanent and final. If no such
3683 hearing is requested and none is ordered by the commissioner, the order shall remain in effect
3684 until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the

3685 commissioner, after giving notice of and opportunity for a hearing to the licensee subject to such
3686 order, shall, by written finding of facts and conclusions of law, vacate, modify or issue a
3687 permanent cease and desist order.

3688 (c) No order pursuant to this section, except an order issued pursuant to subsection (b),
3689 may be entered without prior notice and opportunity for a hearing. The commissioner may vacate
3690 or modify an order under this section upon a finding that the conditions which required the order
3691 have changed and that it is in the public interest to vacate or modify the order.

3692 (d) An order issued pursuant to this section shall be subject to review as provided in
3693 chapter 30A.

3694 Section 10. (a) The commissioner may issue an order suspending or revoking the
3695 designation of an authorized delegate, if the commissioner finds that:

3696 (i) the authorized delegate violated this chapter or a rule promulgated pursuant to this
3697 chapter;

3698 (ii) the authorized delegate engaged in fraud, intentional misrepresentation or gross
3699 negligence;

3700 (iii) the authorized delegate has been convicted of a violation of a state or federal anti-
3701 money laundering statute;

3702 (iv) the competence, experience, character or general fitness of the authorized delegate or
3703 a person in control of the authorized delegate indicates that it is not in the public interest to
3704 permit the authorized delegate to provide money services; or

3705 (v) the authorized delegate is engaging in an unsafe or unsound practice.

3706 (b) An order issued pursuant to this section shall be subject to review as provided in
3707 chapter 30A.

3708 Section 11. A licensee or authorized delegate shall, when directed by the commissioner,
3709 permit the commissioner or a duly authorized representative to inspect its records and evidence
3710 of compliance with this chapter or any rule and regulation issued pursuant to this chapter and
3711 with any other law, rule and regulation applicable to the conduct of its business. The
3712 commissioner shall preserve a full record of each such examination of a licensee including a
3713 statement of its condition. All records of investigations and reports of examinations by the
3714 commissioner, including workpapers, information derived from such reports or responses to such
3715 reports, and any copies thereof in the possession of any licensee under the supervision of the
3716 commissioner, shall be confidential and privileged communications, shall not be subject to
3717 subpoena and shall not be a public record under clause twenty-sixth of section 7 of chapter 4. For
3718 the purposes of this paragraph, records of investigation and reports of examinations shall include
3719 records of investigation and reports of examinations conducted by a financial regulatory agency
3720 of the federal government and any other state, and of any foreign government which are
3721 considered confidential by such agency or foreign government and which are in possession of the
3722 commissioner. In any proceeding before a court, the court may issue a protective order to seal the
3723 record protecting the confidentiality of any such record, and other than any such record on file
3724 with the court or filed in connection with the court proceeding, and the court may exclude the
3725 public from any portion of a proceeding at which any such record may be disclosed. Copies of
3726 such reports of examination shall be furnished to a licensee for its use only and shall not be
3727 exhibited to any other person, organization or agency without prior written approval by the
3728 commissioner. The commissioner may furnish to regulatory agencies of the federal government,

3729 of other states, or of foreign countries, and any law enforcement agency, such information,
3730 reports, inspections and statements relating to the licensees under supervision of the division.

3731 The commissioner, or an examiner or such others of the commissioner's assistants as may
3732 be designated by the commissioner, may summon the directors, officers or agents of a licensee,
3733 or any other witnesses, and examine them relative to the affairs, transactions and condition of the
3734 licensee, and, for that purpose, may administer oaths. Whoever, without justifiable cause, refuses
3735 to appear and testify when so required or obstructs the person making such examination in the
3736 performance of such duties, shall be punished by a fine of not more than \$1,000 or by
3737 imprisonment for not more than 1 year.

3738 Section 12. The commissioner, if there is reason to believe that a person other than a
3739 licensee has violated this chapter, shall be authorized to make such investigations as the
3740 commissioner shall deem necessary and may examine such other person and shall compel the
3741 production of all relevant books, records, accounts and documents.

3742 Section 13. A licensee shall annually, not later than a date to be determined by the
3743 commissioner, file a report with the commissioner containing such information as the
3744 commissioner may require concerning the business and operations during the preceding calendar
3745 year. A licensee neglecting to file such report or failing to amend the same within 15 days of
3746 notice from the commissioner directing the same shall, unless such neglect or failure is due to
3747 justifiable cause and not due to willful neglect, pay to the commonwealth \$50 for each day
3748 during which such neglect or failure continues.

3749 A licensee shall periodically file, on dates determined by the commissioner, a report of its
3750 current authorized delegates in a form determined by the commissioner and containing such

3751 information as the commissioner shall require, and including other information the NMLS may
3752 reasonably require with respect to the licensee. The commissioner may change or update the
3753 delegate reporting requirements to carry out the purposes of this chapter and to maintain
3754 consistency with NMLS licensing standards and practices.

3755 A licensee and its authorized delegates shall keep and use such business records in such
3756 form and at such location as the commissioner shall, by regulation, determine, which shall enable
3757 the commissioner to determine whether such licensee or authorized delegate is complying with
3758 this chapter and any rules or regulations promulgated pursuant to this chapter by the
3759 commissioner and any other law, rule or regulation applicable to the conduct of the business for
3760 which it is licensed pursuant to this chapter. Each licensee shall ensure that all of its authorized
3761 delegates maintain books and records as required by the commissioner. Such regulations may
3762 contain provisions for the suspension or revocation of licenses for violations hereof and for such
3763 records to be recorded, copied or reproduced by photographic, photostatic, microfilm, microcard,
3764 miniature photographic, electronic, including, but not limited to, optical imaging, or other
3765 process which accurately reproduces or forms a durable medium for reproducing the original
3766 record or document or in any other form or manner authorized by the commissioner; provided,
3767 however, that nothing in this section shall be construed to permit any such licensee to destroy
3768 original records or documents. Each such licensee shall preserve all such business records for as
3769 long a period as the commissioner shall prescribe by regulation. Notwithstanding any general or
3770 special law to the contrary, service of a subpoena for business records upon a licensee, delivered
3771 to an office of such licensee located within the commonwealth shall be deemed to have been
3772 served at the location, whether within or outside the commonwealth, where the original business
3773 records or documents are kept or maintained.

3774 Section 14. The commissioner or an aggrieved party may enforce this chapter, or restrain
3775 any violations thereof, by filing a civil action in a court of competent jurisdiction. A violation of
3776 this chapter or a rule or regulation adopted pursuant to this chapter shall constitute a violation of
3777 chapter 93A.

3778 Section 15. Whoever violates this chapter or any rule or regulation promulgated pursuant
3779 to this chapter by the commissioner shall be punished by a fine of not more than \$5,000 or by
3780 imprisonment in state prison for not more than 5 years, or both. Each day a violation continues
3781 shall be deemed a separate offense. This penalty shall be in addition to, and not in lieu of, any
3782 other provision of law applicable to a licensee or other person for violating section 2 or any rule
3783 or regulation made thereunder.

3784 Section 16. (a) Whenever the commissioner finds that any licensee or exempt person
3785 under section 3 has violated this chapter or any rule or regulation adopted thereunder, or any
3786 other law of the commonwealth applicable to the conduct of the business of money transmission,
3787 the commissioner may, by order, in addition to any other action authorized pursuant to this
3788 chapter or any rule or regulation made pursuant to this chapter, impose a penalty upon such
3789 person not more than \$5,000 for each violation, and not more than \$100,000 for such violation
3790 plus the costs of investigation. The commissioner may impose a penalty not more than \$5,000
3791 for each violation of this chapter or any rule or regulation adopted thereunder by a person other
3792 than a licensee or exempt person under section 3, plus the costs of investigation.

3793 (b) Nothing in this section shall limit the right of any individual or entity who has been
3794 injured as a result of any violation of this chapter by a licensee, or any person other than a

3795 licensee or exempt person under section 3, to bring an action to recover damages or restitution in
3796 a court of competent jurisdiction.

3797 (c) Any findings or order issued by the commissioner pursuant to this section shall be
3798 subject to review as provided in chapter 30A.

3799 Section 17. (a) Whenever the commissioner determines that any person has, directly or
3800 indirectly, violated this chapter or any rule or regulation adopted pursuant to this chapter,
3801 applicable to the conduct of the business of money transmission, or any order issued by the
3802 commissioner pursuant to this chapter or any written agreement entered between a licensee and
3803 the commissioner, the commissioner may serve upon such person a written notice of intention:

3804 (i) to prohibit such person from performing in the capacity of a principal employee on
3805 behalf of any licensee for such period of time that the commissioner deems necessary;

3806 (ii) to prohibit the person from applying for or obtaining a license from the commissioner
3807 for a period not greater than 36 months following the effective date of an order issued under
3808 subsection (b) or (c); or

3809 (iii) to prohibit such person from any further participation, in any manner, in the conduct
3810 of the business of money transmission in the commonwealth or to prohibit such person from
3811 being employed by, an authorized delegate of, or operating on behalf of a licensee under this
3812 chapter or any other business which requires a license from the commissioner.

3813 (b) A written notice issued pursuant to subsection (a) shall contain a written statement of
3814 the facts that support the prohibition and shall give notice of an opportunity for a hearing to be
3815 held thereon. The hearing shall be fixed for a date not later than 30 days after the date of service

3816 upon the commissioner of such request for a hearing. If the person fails to submit a request for a
3817 hearing not later than 20 days of service of notice under subsection (a), or otherwise fails to
3818 appear in person or by a duly authorized representative, the party shall be deemed to have
3819 consented to the issuance of an order of such prohibition in accordance with the notice.

3820 (c) In the event of such consent pursuant to subsection (b), or if after a hearing the
3821 commissioner finds that any of the grounds specified in such notice have been established, the
3822 commissioner may issue an order of prohibition in accordance with subsection (a) as the
3823 commissioner finds appropriate.

3824 (d) An order issued pursuant to subsection (b) or (c) shall be effective upon service upon
3825 the person. The commissioner shall also serve a copy of the order upon the licensee of which the
3826 person is an employee or on whose behalf the person is performing. The order shall remain in
3827 effect and enforceable until it is modified, terminated, suspended or set aside by the
3828 commissioner or a court of competent jurisdiction.

3829 (e) Except as consented to in writing by the commissioner, any person who, pursuant to
3830 an order issued pursuant to subsection (b) or (c), has been prohibited from participating in whole
3831 or in part in the conduct of the business of money transmission in the commonwealth shall not,
3832 while such order is in effect, continue or commence to perform in the capacity of a principal
3833 employee, or otherwise participate in any manner, if so prohibited by order of the commissioner,
3834 in the conduct of the affairs of: (i) any licensee under this chapter; (ii) any other business which
3835 requires a license from the commissioner; or (iii) any bank, as defined under section 1 of chapter
3836 167, or any subsidiary thereof.

3837 Section 18. A surety bond, in an amount determined by the commissioner and in a form
3838 prescribed by the commissioner, to secure the faithful performance of the obligations of the
3839 licensee with respect to money transmission shall accompany an application for licensure. The
3840 aggregate liability on a surety bond may not exceed the principal sum of the bond. A claimant
3841 against a licensee may maintain an action on the bond, or the commissioner may maintain an
3842 action on behalf of the claimant.

3843 Section 19. (a) A licensee engaged in the business of money transmission who intends to
3844 conduct licensed activities through the use of authorized delegates shall submit the names and
3845 addresses of such persons listed in the original application to the commissioner. There shall be an
3846 express written contract between the parties detailing the duties and responsibilities of each such
3847 authorized delegate.

3848 (b) A contract between a licensee and an authorized delegate shall require the authorized
3849 delegate to operate in full compliance with this chapter. The licensee shall furnish in a record to
3850 each authorized delegate policies and procedures sufficient to permit compliance with this
3851 chapter.

3852 (c) An authorized delegate shall remit all money owing to the licensee in accordance with
3853 the terms of the contract between the licensee and the authorized delegate.

3854 (d) An authorized delegate may not provide money transmission services outside the
3855 scope of activity permissible under the contract between the authorized delegate and the licensee.

3856 Section 20. (a) Except to the extent otherwise limited by the commissioner pursuant to
3857 this section, the following shall be considered permissible investments:

3858 (1) cash, a certificate of deposit or senior debt obligation of an insured depository
3859 institution, as defined in section 3 of the Federal Deposit Insurance Act, 12 U.S.C. section 1813;

3860 (2) any receivable owed by a bank and resulting from an automated clearinghouse, debit
3861 or credit-funded transmission;

3862 (3) banker's acceptance or bill of exchange that is eligible for purchase upon
3863 endorsement by a member bank of the Federal Reserve System and is eligible for purchase by a
3864 Federal Reserve Bank;

3865 (4) an investment bearing a rating of 1 of the 3 highest grades as defined by a nationally
3866 recognized organization that rates securities;

3867 (5) an investment security that is an obligation of the United States or a department,
3868 agency, or instrumentality thereof, an investment in an obligation that is guaranteed fully as to
3869 principal and interest by the United States or an investment in an obligation of a state or a
3870 governmental subdivision, agency, or instrumentality thereof;

3871 (6) receivables that are payable to a licensee from its authorized delegate, in the ordinary
3872 course of business, pursuant to contracts which are not past due or doubtful of collection;
3873 provided, that a receivable shall be deemed to be past due or doubtful of collection if the money
3874 owed to the licensee is not remitted within 7 business days; and provided further, that the
3875 aggregate amount of receivables under this paragraph from any 1 person shall not comprise more
3876 than 10 per cent of the licensee's total permissible investments; and

3877 (7) a share or a certificate issued by an open-end management investment company that is
3878 registered with the United States Securities and Exchange Commission under the Investment

3879 Companies Act of 1940, 15 U.S.C. Section 80a-1-64 and whose portfolio is restricted by the
3880 management company's investment policy to investments specified in paragraphs (1) through
3881 (4).

3882 (b) The following investments shall be permissible, but only to the extent specified in this
3883 subsection:

3884 (1) an interest-bearing bill, note, bond or debenture of a person whose equity shares are
3885 traded on a national securities exchange or on a national over-the-counter market if the aggregate
3886 of investments under this paragraph does not exceed 20 per cent of the total permissible
3887 investments of a licensee and the licensee does not at 1 time hold investments under this
3888 paragraph in any 1 person aggregating more than 10 per cent of the licensee's total permissible
3889 investments;

3890 (2) a share of a person traded on a national securities exchange or a national over-the-
3891 counter market or a share or a certificate issued by an open-end management investment
3892 company that is registered with the United States Securities and Exchange Commission pursuant
3893 to the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 and whose portfolio is
3894 restricted by the management company's investment policy to shares of a person traded on a
3895 national securities exchange or a national over-the-counter market if the aggregate of
3896 investments under this paragraph does not exceed 20 per cent of the total permissible
3897 investments of a licensee and the licensee does not at 1 time hold investments in any 1 person
3898 aggregating more than 10 per cent of the licensee's total permissible investments;

3899 (3) a demand-borrowing agreement made to a corporation or a subsidiary of a corporation
3900 whose securities are traded on a national securities exchange if the aggregate of the amount of

3901 principal and interest outstanding under demand-borrowing agreements pursuant to this
3902 paragraph does not exceed 20 per cent of the total permissible investments of a licensee and the
3903 licensee does not at 1 time hold principal and interest outstanding under demand-borrowing
3904 agreements pursuant to this paragraph with any 1 person aggregating more than 10 per cent of
3905 the licensee's total permissible investments;

3906 (c) The aggregate of investments pursuant to subsection (b) may not exceed 50 per cent
3907 of the total permissible investments of a licensee calculated in accordance with section 21.

3908 (d) The commissioner may promulgate regulations to allow other types of investments
3909 that the commissioner determines are of sufficient liquidity and quality to be a permissible
3910 investment, to the extent specified by the commissioner.

3911 Section 21. (a) A licensee shall maintain at all times permissible investments that have a
3912 market value computed in accordance with generally accepted accounting principles of not less
3913 than the aggregate amount of all of its outstanding money transmission obligations.

3914 (b) The commissioner, with respect to any licensees, may limit the extent to which a type
3915 of investment within a class of permissible investments may be considered a permissible
3916 investment, except for money and certificates of deposit issued by a bank. The commissioner, by
3917 rule, may prescribe, or by order allow, other types of investments that the commissioner
3918 determines to have a safety standard substantially equivalent to other permissible investments.

3919 (c) Permissible investments, even if commingled with other assets of the licensee, shall
3920 be held in trust for the benefit of the purchasers and holders of the licensee's outstanding money
3921 transmission obligations in the event of bankruptcy or receivership of the licensee.

3922 Section 22. (a) In order to carry out the purposes of this chapter, the commissioner may:

3923 (1) enter into agreements or relationships with other government officials or federal and
3924 state regulatory agencies and regulatory associations to improve efficiencies and reduce
3925 regulatory burden by standardizing methods or procedures, and sharing resources, records or
3926 related information obtained pursuant to this chapter;

3927 (2) use, hire, contract or employ analytical systems, methods or software to examine or
3928 investigate any person subject to this chapter; and

3929 (3) accept licensing, examination or investigation reports made by other state or federal
3930 government agencies or officials.

3931 (b) The commissioner may participate in the multistate supervisory processes established
3932 between states for all licensees that hold licenses in the commonwealth and other states. As a
3933 participant in multistate supervision, the commissioner may:

3934 (1) cooperate, coordinate and share information with other state and federal regulators in
3935 accordance with section 11;

3936 (2) enter into written cooperation, coordination or information-sharing contracts or
3937 agreements with organizations, the membership of which is made up of state or federal
3938 governmental agencies; and

3939 (3) cooperate, coordinate and share information with organizations, the membership of
3940 which is made up of state or federal governmental agencies; provided, that the organizations
3941 agree in writing to maintain the confidentiality and security of the shared information in
3942 accordance with section 11.

3943 (c) Nothing in this section shall constitute a waiver of the commissioner’s authority to
3944 conduct an examination or investigation or otherwise take independent action authorized by this
3945 chapter or any rule adopted or order issued pursuant to this chapter to enforce compliance with
3946 applicable state or federal law.

3947 SECTION 116G. Chapter 175 of the General Laws is hereby amended by striking out
3948 section 162Z and inserting in place thereof the following section:-

3949 Section 162Z. (a) As used in this section, the following words shall, unless the context
3950 clearly requires otherwise, have the following meanings:

3951 “Designated responsible producer” or “DRP”, a person responsible for a limited lines
3952 travel insurance producer’s compliance with travel insurance laws, rules and regulations.

3953 “Limited lines travel insurance producer”, a (i) licensed managing general agent or third-
3954 party administrator; (ii) licensed insurance producer, including a limited lines producer; or (iii)
3955 travel administrator.

3956 “Offer and disseminate”, to provide general information, including a description of the
3957 coverage and price, as well as processing an application for travel insurance and collecting
3958 premium payments.

3959 “Travel administrator”, a person who directly or indirectly underwrites, collects charges,
3960 collateral or premiums from or adjusts or settles claims on residents of the commonwealth in
3961 connection with travel insurance; provided, however, that a person shall not be considered a
3962 travel administrator if that person’s only characteristic or action that would otherwise cause it to
3963 be considered a travel administrator is 1 of the following:

3964 (i) a person working for a travel administrator to the extent that the person’s activities are
3965 subject to the supervision and control of the travel administrator;

3966 (ii) an insurance producer selling insurance or engaged in administrative and claims-
3967 related activities within the scope of the producer’s license;

3968 (iii) a travel retailer offering and disseminating travel insurance and registered under the
3969 license of a limited lines travel insurance producer in accordance with this section;

3970 (iv) an individual adjusting or settling claims in the normal course of that individual’s
3971 practice or employment as an attorney-at-law and who does not collect charges or premiums in
3972 connection with insurance coverage; or

3973 (v) a business entity that is affiliated with a licensed insurer while acting as a travel
3974 administrator for the direct and assumed insurance business of an affiliated insurer.

3975 “Travel insurance”, insurance coverage for personal risks incidental to planned travel
3976 including: (i) an interruption or cancellation of trip or event; (ii) loss of baggage or personal
3977 effects; (iii) damages to accommodations or rental vehicles; (iv) sickness, accident, disability or
3978 death occurring during travel; (v) emergency evacuation; (vi) repatriation of remains; or (vii) any
3979 other contractual obligations to indemnify or pay a specified amount to the traveler upon
3980 determinable contingencies related to travel as approved by the commissioner; provided,
3981 however, that “travel insurance” shall not include major medical plans which provide
3982 comprehensive medical protection for travelers with trips lasting longer than 6 months,
3983 including, but not limited to, people working or residing overseas as an expatriate or any other
3984 product that requires a specific insurance producer license.

3985 “Travel retailer”, a business entity that makes, arranges or offers planned travel and may
3986 offer and disseminate travel insurance as a service to its customers on behalf of and under the
3987 direction of a limited lines travel insurance producer.

3988 (b)(1) The commissioner may issue to an individual or business entity a limited lines
3989 travel insurance producer license if that individual or business entity has filed an application for
3990 a limited lines travel insurance producer license with the commissioner in a form and manner
3991 prescribed by the commissioner. A limited lines travel insurance producer license shall authorize
3992 a limited lines travel insurance producer to sell, solicit or negotiate travel insurance through a
3993 licensed insurer. No person may act as a limited lines travel insurance producer or travel retailer
3994 unless properly licensed or registered, respectively.

3995 (2) A travel retailer may offer and disseminate travel insurance under a limited lines
3996 travel insurance producer license if the following conditions are met:

3997 (i) the limited lines travel insurance producer or travel retailer provides to purchasers of
3998 travel insurance: (A) a description of the material terms or the actual material terms of the
3999 insurance coverage; (B) a description of the process for filing a claim; (C) a description of the
4000 review or cancellation process for the travel insurance policy; and (D) the identity and contact
4001 information of the insurer and limited lines travel insurance producer;

4002 (ii) at the time of licensure, the limited lines travel insurance producer shall establish and
4003 maintain a register, on a form prescribed by the commissioner, of each travel retailer that offers
4004 travel insurance on the limited lines travel insurance producer’s behalf; provided, however, that
4005 the register shall be maintained and updated annually by the limited lines travel insurance
4006 producer and shall include the name, address and contact information of the travel retailer, an

4007 officer or person who directs or controls the travel retailer's operations and the travel retailer's
4008 federal tax identification number; provided further, that the limited lines travel insurance
4009 producer shall submit the register to the division of insurance upon reasonable request and shall
4010 certify that the travel retailer register complies with 18 U.S.C. section 1033; and provided
4011 further, that the grounds for the suspension, revocation and the penalties applicable to resident
4012 insurance producers under this chapter and chapter 176D shall be applicable to the limited lines
4013 travel insurance producers and travel retailers;

4014 (iii) the limited lines travel insurance producer has designated 1 of its employees, who is
4015 a licensed individual producer, as the DRP;

4016 (iv) the DRP, president, secretary, treasurer and any other officer or person who directs or
4017 controls the limited lines travel insurance producer's insurance operations shall comply with the
4018 fingerprinting requirements applicable to insurance producers in the resident state of the limited
4019 lines travel insurance producer;

4020 (v) the limited lines travel insurance producer has paid all applicable insurance producer
4021 licensing fees;

4022 (vi) the limited lines travel insurance producer requires each employee and authorized
4023 representative of the travel retailer, whose duties include offering and disseminating travel
4024 insurance, to receive a program of instruction or training, which may be subject, at the discretion
4025 of the commissioner, to review and approval by the commissioner; provided, however, that the
4026 training material shall, at a minimum, contain instructions on the types of insurance offered,
4027 ethical sales practices and required disclosures to prospective customers;

4028 (c) Any travel retailer offering or disseminating travel insurance shall make available to
4029 prospective purchasers, brochures or other written materials that have been approved by the
4030 travel insurer. Such materials shall include information which, at a minimum: (i) provides the
4031 identity and contact information of the insurer and the limited lines travel insurance producer; (ii)
4032 explains that the purchase of travel insurance is not required in order to purchase any other
4033 product or service from the travel retailer; and (iii) explains that an unlicensed travel retailer is
4034 permitted to provide general information about the insurance offered by the travel retailer,
4035 including a description of the coverage and price, but is not qualified or authorized to answer
4036 technical questions about the terms and conditions of the insurance offered by the travel retailer
4037 or to evaluate the adequacy of the customer's existing insurance coverage.

4038 (d) A travel retailer's employee or authorized representative who is not licensed as a
4039 limited lines travel insurance producer shall not: (i) evaluate or interpret the technical terms,
4040 benefits and conditions of the offered travel insurance coverage; (ii) evaluate or provide advice
4041 concerning a prospective purchaser's existing insurance coverage; or (iii) hold oneself out as a
4042 licensed insurer, licensed producer or insurance expert.

4043 (e) Notwithstanding any general or special law to the contrary, a travel retailer, whose
4044 insurance-related activities, and those of its employees and authorized representatives, are
4045 limited to offering and disseminating travel insurance on behalf of and under the direction of a
4046 limited lines travel insurance producer who meets the conditions set forth in this section may
4047 receive related compensation, not in the form of commissions, upon registration by the limited
4048 lines travel insurance producer as described in subsection (b).

4049 (f) Travel insurance may be provided under an individual policy or under a group or
4050 blanket policy.

4051 (g) As the insurer designee, the limited lines travel insurance producer shall be
4052 responsible for the acts of the travel retailer and shall use reasonable means to ensure compliance
4053 by the travel retailer with this section.

4054 (h) Any person licensed in a major line of authority as an insurance producer may sell,
4055 solicit and negotiate travel insurance. A property and casualty insurance producer shall not be
4056 required to become appointed by an insurer in order to sell, solicit or negotiate travel insurance.

4057 SECTION 117. Section 206 of chapter 175 of the General Laws, as so appearing, is
4058 hereby amended by inserting after the definition of “Control”, the following 2 definitions:-

4059 “Division”, the division of insurance.

4060 “Enterprise risk”, any activity, circumstance, event or series of events involving 1 or
4061 more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse
4062 effect upon the financial condition or liquidity of the insurer or its insurance holding company
4063 system as a whole, including, but not limited to, anything that would cause the insurer’s risk-
4064 based capital to fall into company action level as set forth by the commissioner by regulation or
4065 would cause the insurer to be in hazardous financial condition as set forth in section 3 of chapter
4066 175J.

4067 SECTION 118. Said section 206 of said chapter 175, as so appearing, is hereby further
4068 amended by inserting after the definition of “Group-wide supervisor”, the following definition:-

4069 “Group capital calculation instructions”, the group capital calculation instructions as
4070 adopted by the National Association of Insurance Commissioners and as amended by the
4071 National Association of Insurance Commissioners from time to time in accordance with the
4072 procedures adopted by the National Association of Insurance Commissioners.

4073 SECTION 119. Said section 206 of said chapter 175, as so appearing, is hereby further
4074 amended by inserting after the definition of “Internationally active insurance group”, the
4075 following definition:-

4076 “National Association of Insurance Commissioners liquidity stress test framework” or
4077 “Framework”, a publication from the National Association of Insurance Commissioners that
4078 includes a history of the National Association of Insurance Commissioners’ development of
4079 regulatory liquidity stress testing, the scope criteria applicable for a specific data year and the
4080 liquidity stress test instructions and reporting templates for a specific data year, such scope
4081 criteria, instructions and reporting template as adopted by the National Association of Insurance
4082 Commissioners and as amended by the National Association of Insurance Commissioners from
4083 time to time in accordance with the procedures adopted by the National Association of Insurance
4084 Commissioners.

4085 SECTION 120. Said section 206 of said chapter 175, as so appearing, is hereby further
4086 amended by inserting after the definition of “Person”, the following definition:-

4087 “Scope criteria”, the designated exposure bases, along with minimum magnitudes thereof
4088 for the specified data year, used to establish a preliminary list of insurers considered scoped into
4089 the National Association of Insurance Commissioners liquidity stress test framework for that

4090 data year, as detailed in the National Association of Insurance Commissioners liquidity stress test
4091 framework.

4092 SECTION 121. Subsection (d) of section 206C of said chapter 175, as so appearing, is
4093 hereby amended by adding the following sentence:-

4094 The definition of materiality in this subsection shall not apply for purposes of the group
4095 capital calculation or the liquidity stress test framework.

4096 SECTION 122. Subsection (m) of said section 206C of said chapter 175, as so appearing,
4097 is hereby amended by adding the following 3 paragraphs:-

4098 (6) if an insurer subject to the provisions of this section is deemed by the commissioner to
4099 be in a hazardous financial condition as described in section 3 of chapter 175J or a condition that
4100 would be grounds for supervision, conservation or a delinquency proceeding, the commissioner
4101 may require the insurer to secure and maintain either a deposit held by the commissioner or a
4102 bond, as determined by the insurer at the insurer's discretion, for the protection of the insurer for
4103 the duration of the contract or agreement, or the existence of the c1599-6073

4104 condition for which the commissioner required the deposit or the bond. In determining
4105 whether a deposit or a bond is required, the commissioner shall consider whether concerns exist
4106 with respect to the affiliated person's ability to fulfill the contract or agreement if the insurer
4107 were to be put into liquidation. Once the insurer is deemed to be in a hazardous financial
4108 condition or a condition that would be grounds for supervision, conservation or a delinquency
4109 proceeding and a deposit or bond is deemed necessary by the commissioner, the commissioner
4110 may determine the amount of the deposit or bond, not to exceed the value of the contract or

4111 agreement in any one year, and whether such deposit or bond should be required for a single
4112 contract, multiple contracts or a contract only with a specific person;

4113 (7) all records and data of the insurer held by an affiliate are and remain the property of
4114 the insurer, are subject to control of the insurer, are identifiable and are segregated or readily
4115 capable of segregation, at no additional cost to the insurer, from all other persons' records and
4116 data. This shall include all records and data that are otherwise the property of the insurer, in
4117 whatever form maintained, including, but not limited to, claims and claim files, policyholder
4118 lists, application files, litigation files, premium records, rate books, underwriting manuals,
4119 personnel records, financial records or similar records within the possession, custody or control
4120 of the affiliate. At the request of the insurer, the affiliate shall provide that the receiver can obtain
4121 a complete set of all records of any type that pertain to the insurer's business; obtain access to the
4122 operating systems on which the data is maintained; obtain the software that runs those systems
4123 either through assumption of licensing agreements or otherwise; and restrict the use of the data
4124 by the affiliate if it is not operating the insurer's business. The affiliate shall provide a waiver of
4125 any landlord lien or other encumbrance to give the insurer access to all records and data in the
4126 event of the affiliate's default under a lease or other agreement; and

4127 (8) premiums or other funds belonging to the insurer that are collected by or held by an
4128 affiliate are the exclusive property of the insurer and are subject to the control of the insurer. Any
4129 right of offset in the event an insurer is placed into receivership shall be subject to sections 180A
4130 to 180L1/2, inclusive.

4131 SECTION 123. Said section 206C of said chapter 175, as so appearing, is hereby further
4132 amended by inserting after subsection (q) the following subsection:-

4133 (q ½)(1) Any affiliate that is party to an agreement or contract with a domestic insurer
4134 that is subject to paragraph (4) of subsection (n) shall be subject to the jurisdiction of any
4135 supervision, seizure, conservatorship or receivership proceedings against the insurer and to the
4136 authority of any supervisor, conservator, rehabilitator or liquidator for the insurer appointed
4137 pursuant to sections 180A to 180L1/2, inclusive, for the purpose of interpreting, enforcing and
4138 overseeing the affiliate's obligations under the agreement or contract to perform services for the
4139 insurer that:

4140 (i) are an integral part of the insurer's operations, including, but not limited to
4141 management, administrative, accounting, data processing, marketing, underwriting, claims
4142 handling, investment or any other similar functions; or

4143 (ii) are essential to the insurer's ability to fulfill its obligations under insurance policies.

4144 (2) The commissioner may require that an agreement or contract that is subject to
4145 paragraph (4) of subsection (n) for the provision of services described in clauses (i) and (ii) of
4146 paragraph (1) of this subsection specify that the affiliate consents to the jurisdiction as set forth
4147 in this subsection.

4148 SECTION 124. Subsection (v) of said section 206C of said chapter 175, as so appearing,
4149 is hereby amended by striking out paragraph (1) and inserting in place thereof the following
4150 paragraph:-

4151 (1) Documents, materials or other information in the possession or control of the division
4152 that are obtained by or disclosed to the commissioner or any other person in the course of an
4153 examination or investigation made pursuant to subsection (u) and all information reported or
4154 provided to the division pursuant to this section shall be recognized as being proprietary and

4155 containing trade secrets, shall be confidential by law and privileged, shall not be a public record
4156 under clause Twenty-sixth of section 7 of chapter 4 or under chapter 66, shall not be subject to
4157 subpoena and shall not be subject to discovery or admissible in evidence in any private civil
4158 action; provided, however, that the commissioner may use the documents, materials or other
4159 information in the furtherance of any regulatory or legal action brought as a part of the
4160 commissioner's official duties. The commissioner shall not otherwise make the documents,
4161 materials or other information public without the prior written consent of the insurer to which it
4162 pertains unless the commissioner, after giving the insurer and its affiliates who would be affected
4163 thereby notice and opportunity to be heard, determines that the interest of policyholders,
4164 shareholders or the public shall be served by the publication thereof, in which event the
4165 commissioner may publish all or any part in such manner as may be considered appropriate.

4166 (i) For purposes of the information reported and provided to the division pursuant to
4167 paragraph (2) of subsection (z), the commissioner shall maintain the confidentiality of the group
4168 capital calculation and group capital ratio produced within the calculation and any group capital
4169 information received from an insurance holding company supervised by the Federal Reserve
4170 Board or any U.S. group-wide supervisor.

4171 (ii) For purposes of the information reported and provided to the division pursuant to
4172 paragraph (3) of subsection (z), the commissioner shall maintain the confidentiality of the
4173 liquidity stress test results and supporting disclosures and any liquidity stress test information
4174 received from an insurance holding company supervised by the Federal Reserve Board and non-
4175 U.S. group-wide supervisors.

4176 SECTION 125. Said subsection (v) of said section 206C of said chapter 175, as so
4177 appearing, is hereby further amended by striking out paragraph (3) and inserting in place thereof
4178 the following paragraph:-

4179 (3) In order to assist in the performance of the commissioner's duties, the commissioner:

4180 (i) may share documents, materials or other information, including the confidential and
4181 privileged documents, materials or information subject to paragraph (1) of this subsection,
4182 including proprietary and trade secret documents with other state, federal and international
4183 regulatory agencies, the National Association of Insurance Commissioners and its affiliates and
4184 subsidiaries, the International Association of Insurance Supervisors, the Bank for International
4185 Settlements, the Federal Insurance Office and state, federal and international law enforcement
4186 authorities, including members of any supervisory college described in subsection (x); provided,
4187 that the recipient agrees in writing to maintain the confidentiality and privileged status of the
4188 document, material or other information and has verified in writing the legal authority to
4189 maintain confidentiality;

4190 (ii) may receive documents, materials or information, including otherwise confidential
4191 and privileged documents, materials or information, including proprietary and trade-secret
4192 information from the National Association of Insurance Commissioners and its affiliates and
4193 subsidiaries, the International Association of Insurance Supervisors, the Bank for International
4194 Settlements, the Federal Insurance Office and from regulatory and law enforcement officials of
4195 other foreign or domestic jurisdictions and shall maintain as confidential and privileged any
4196 document, material or information received with notice or the understanding that it is

4197 confidential or privileged under the laws of the jurisdiction that is the source of the document,
4198 material or information; and

4199 (iii) shall enter into written agreements with the National Association of Insurance
4200 Commissioners and any third-party consultant designated by the commissioner governing
4201 sharing and the use of information provided pursuant to this subsection that shall:

4202 (A) specify procedures and protocols regarding the confidentiality and security of
4203 information shared with the National Association of Insurance Commissioners and any third-
4204 party consultant designated by the commissioner pursuant to this section, including procedures
4205 and protocols for sharing by the National Association of Insurance Commissioners with other
4206 state, federal or international regulators;

4207 (B) provide within the agreement that the recipient agrees in writing to maintain the
4208 confidentiality and privileged status of the documents, materials or other information and has
4209 verified in writing the legal authority to maintain such confidentiality;

4210 (C) specify that ownership of information shared with the National Association of
4211 Insurance Commissioners or a third-party consultant designated by the commissioner pursuant to
4212 this section remains with the commissioner and the National Association of Insurance
4213 Commissioners or the third-party consultant, and that use of the information is subject to the
4214 direction of the commissioner;

4215 (D) excluding documents, materials or information reported pursuant to paragraph (3) of
4216 subsection (z), prohibit the National Association of Insurance Commissioners or a third-party
4217 consultant designated by the commissioner pursuant to this section from storing the information

4218 shared pursuant to this section in a permanent database after the underlying analysis is
4219 completed;

4220 (E) require prompt notice to be given to an insurer whose confidential information is in
4221 the possession of the National Association of Insurance Commissioners or a third-party
4222 consultant designated by the commissioner pursuant to this section and is subject to a request or
4223 subpoena to the National Association of Insurance Commissioners or a third-party consultant
4224 designated by the commissioner for disclosure or production;

4225 (F) require the National Association of Insurance Commissioners or a third-party
4226 consultant designated by the commissioner pursuant to this section to consent to intervention by
4227 an insurer in any judicial or administrative action in which the National Association of Insurance
4228 Commissioners or the third-party consultant may be required to disclose confidential information
4229 about the insurer shared with the National Association of Insurance Commissioners or the third-
4230 party consultant; and

4231 (G) for documents, material or information reporting pursuant to paragraph (3) of
4232 subsection (z), in the case of an agreement involving a third-party consultant designated by the
4233 commissioner pursuant to this section, provide for notification of the identity of the consultant to
4234 the applicable insurers.

4235 SECTION 126. Said subsection (v) of said section 206C of said chapter 175, as so
4236 appearing, is hereby further amended by adding the following paragraph:-

4237 (7) The group capital calculation and resulting group capital ratio required pursuant to
4238 paragraph (2) of subsection (z) and the liquidity stress test along with its results and supporting
4239 disclosures required pursuant to paragraph (3) of said subsection (z) shall be regulatory tools for

4240 assessing group risks and capital adequacy and group liquidity risks, respectively, and are not
4241 intended as a means to rank insurers or insurance holding company systems generally. Except as
4242 otherwise may be required pursuant to this section, the making, publishing, disseminating,
4243 circulating or placing before the public in a newspaper, magazine or other publication, or in the
4244 form of a notice, circular, pamphlet, letter or poster, or over any radio or television station or any
4245 electronic means of communication available to the public, or in any other way as an
4246 advertisement, announcement or statement containing a representation or statement with regard
4247 to the group capital calculation, group capital ratio, the liquidity stress test results or supporting
4248 disclosures for the liquidity stress test of any insurer or any insurer group, or of any component
4249 derived in the calculation by any insurer, broker, or other person engaged in any manner in the
4250 insurance business shall be deemed misleading and shall be prohibited; provided, however, that
4251 if any materially false statement with respect to the group capital calculation, resulting group
4252 capital ratio, an inappropriate comparison of any amount to an insurer's or insurance group's
4253 capital calculation or resulting group capital ratio, liquidity stress test result, supporting
4254 disclosures for the liquidity stress test or an inappropriate comparison of any amount to an
4255 insurer's or insurance group's liquidity stress test result or supporting disclosures is published in
4256 any written publication and the insurer is able to demonstrate to the commissioner with
4257 substantial proof the falsity of such statement or the inappropriateness, the insurer may publish
4258 announcements in a written publication if the sole purpose of the announcement is to rebut the
4259 materially false statement.

4260 SECTION 127. Said section 206C of said chapter 175, as so appearing, is hereby further
4261 amended by adding the following subsection:-

4262 (z)(1) The ultimate controlling person of every insurer subject to registration shall also
4263 file an annual enterprise risk report. The report shall, to the best of the ultimate controlling
4264 person's knowledge and belief, identify the material risks within the insurance holding company
4265 system that could pose enterprise risk to the insurer. The report shall be filed with the lead state
4266 commissioner of the insurance holding company system as determined by the procedures within
4267 the financial analysis handbook adopted by the National Association of Insurance
4268 Commissioners.

4269 (2) Except as otherwise provided by this paragraph, the ultimate controlling person of
4270 every insurer subject to registration pursuant to this section shall concurrently file with the
4271 registration statement an annual group capital calculation as directed by the lead state
4272 commissioner. The report shall be completed in accordance with the National Association of
4273 Insurance Commissioner's group capital calculation instructions, which may permit the lead state
4274 commissioner to allow a controlling person that is not the ultimate controlling person to file the
4275 group capital calculation. The report shall be filed with the lead state commissioner of the
4276 insurance holding company system as determined by the commissioner in accordance with the
4277 procedures within the financial analysis handbook adopted by the National Association of
4278 Insurance Commissioners. Insurance holding company systems described below are exempt
4279 from filing the group capital calculation:

4280 (i) An insurance holding company system that has only 1 insurer within its holding
4281 company structure, that only writes business and is only licensed in its domestic state and
4282 assumes no business from any other insurer;

4283 (ii) An insurance holding company system that is required to perform a group capital
4284 calculation specified by the United States Federal Reserve Board. The lead state commissioner
4285 shall request the calculation from the Federal Reserve Board under the terms of information
4286 sharing agreements in effect. If the Federal Reserve Board cannot share the calculation with the
4287 lead state commissioner, the insurance holding company system is not exempt from the group
4288 capital calculation filing;

4289 (iii) An insurance holding company system whose non-United States group-wide
4290 supervisor is located within a reciprocal jurisdiction as described in section 20A that recognizes
4291 the United States regulatory approach to group supervision and group capital; and

4292 (iv) An insurance holding company system:

4293 (A) That provides information to the lead state that meets the requirements for
4294 accreditation under the National Association of Insurance Commissioners financial standards and
4295 accreditation program, either directly or indirectly through the group-wide supervisor, who has
4296 determined such information is satisfactory to allow the lead state to comply with the National
4297 Association of Insurance Commissioners group supervision approach, as detailed in the National
4298 Association of Insurance Commissioners financial analysis handbook; and

4299 (B) Whose non-United States group-wide supervisor that is not in a reciprocal
4300 jurisdiction recognizes and accepts, as specified by the commissioner in regulation, the group
4301 capital calculation as the world-wide group capital assessment for United States insurance groups
4302 who operate in that jurisdiction.

4303 (3)(i) Notwithstanding the provisions of clauses (iii) and (iv) of paragraph (2) of this
4304 subsection, a lead state commissioner shall require the group capital calculation for United States

4305 operations of any non-United States based insurance holding company system where, after any
4306 necessary consultation with other supervisors or officials, it is deemed appropriate by the lead
4307 state commissioner for prudential oversight and solvency monitoring purposes or for ensuring
4308 the competitiveness of the insurance marketplace.

4309 (ii) Notwithstanding the exemptions from filing the group capital calculation stated in
4310 clauses (i) to (iv), inclusive, of paragraph (2), the lead state commissioner shall have the
4311 discretion to exempt the ultimate controlling person from filing the annual group capital
4312 calculation or to accept a limited group capital filing or report in accordance with criteria as
4313 specified by the commissioner in regulation.

4314 (iii) If the lead state commissioner determines that an insurance holding company system
4315 no longer meets 1 or more of the requirements for an exemption from filing the group capital
4316 calculation under this subsection, the insurance holding company system shall file the group
4317 capital calculation at the next annual filing date unless given an extension by the lead state
4318 commissioner based on reasonable grounds shown.

4319 (4) The ultimate controlling person of every insurer subject to registration pursuant to this
4320 section and scoped into the National Association of Insurance Commissioners liquidity stress test
4321 Framework shall file the results of a specific year's liquidity stress test. The filing shall be made
4322 to the lead state insurance commissioner of the insurance holding company system as determined
4323 by the procedures within the financial analysis handbook adopted by the National Association of
4324 Insurance Commissioners.

4325 (i) The National Association of Insurance Commissioners liquidity stress test Framework
4326 includes scope criteria applicable to a specific data year. The scope criteria are reviewed at least

4327 annually by the financial stability task force or its successor. Any change to the National
4328 Association of Insurance Commissioners liquidity stress test framework or to the data year for
4329 which the scope criteria are to be measured shall be effective on January 1 of the year following
4330 the calendar year when such changes are adopted. Insurers meeting at least 1 threshold of the
4331 scope criteria are considered scoped into the National Association of Insurance Commissioners
4332 liquidity stress test framework for the specified data year unless the lead state insurance
4333 commissioner, in consultation with the National Association of Insurance Commissioners
4334 financial stability task force or its successor, determines the insurer should not be scoped into the
4335 framework for that data year. Similarly, insurers that do not trigger at least 1 threshold of the
4336 scope criteria are considered scoped out of the National Association of Insurance Commissioners
4337 liquidity stress test framework for the specified data year, unless the lead state insurance
4338 commissioner, in consultation with the National Association of Insurance Commissioners
4339 financial stability task force or its successor, determines the insurer should be scoped into the
4340 framework for that data year.

4341 (A) The lead state insurance commissioner, in consultation with the financial stability
4342 task force or its successor, shall take into consideration how best to avoid having insurers scoped
4343 in and out of the National Association of Insurance Commissioners liquidity stress test
4344 framework on a frequent basis as part of the determination for an insurer.

4345 (ii) The performance of, and filing of the results from, a specific year's liquidity stress
4346 test shall comply with the National Association of Insurance Commissioners liquidity stress test
4347 framework's instructions and reporting templates for that year and any lead state insurance
4348 commissioner determinations, in consultation with the financial stability task force or its
4349 successor, provided within the framework.

4350 SECTION 127A. The General Laws are hereby further amended by inserting after
4351 chapter 175M the following chapter:-

4352 Chapter 175N.

4353 TRAVEL INSURANCE.

4354 Section 1. (a) This chapter shall apply to travel insurance that covers any resident of the
4355 commonwealth and is sold, solicited, negotiated or offered in the commonwealth and policies
4356 and certificates that are delivered or issued for delivery in the commonwealth; provided, that this
4357 chapter shall not apply to cancellation fee waivers or travel assistance services, except as
4358 expressly provided herein.

4359 (b) All other applicable provisions of the commonwealth's insurance laws shall apply to
4360 travel insurance; provided, that the specific provisions of this chapter shall supersede any general
4361 provisions of law that would otherwise be applicable to travel insurance.

4362 Section 2. As used in this chapter, the following words shall, unless the context clearly
4363 requires otherwise, have the following meanings:

4364 "Aggregator site", a website that provides access to information regarding insurance
4365 products from more than 1 insurer, including product and insurer information, for use in
4366 comparison shopping.

4367 "Blanket travel insurance", a policy of travel insurance issued to any eligible group
4368 providing coverage for specific classes of persons defined in the policy with coverage provided
4369 to all members of the eligible group without a separate charge to individual members of the
4370 eligible group.

4371 “Cancellation fee waiver”, a contractual agreement between a supplier of travel services
4372 and its customer to waive some or all of the non-refundable cancellation fee provisions of the
4373 supplier’s underlying travel contract with or without regard to the reason for the cancellation or
4374 form of reimbursement; provided, however, that a cancellation fee waiver shall not be considered
4375 insurance.

4376 “Commissioner”, the commissioner of insurance.

4377 “Eligible group”, solely for the purposes of travel insurance, 2 or more persons who are
4378 engaged in a common enterprise, or have an economic, educational or social affinity or
4379 relationship including, but not limited to, any of the following:

4380 (i) any entity engaged in the business of providing travel or travel services including, but
4381 not limited to: tour operators, lodging providers, vacation property owners, hotels and resorts,
4382 travel clubs, travel agencies, property managers, cultural exchange programs and common
4383 carriers or the operator, owner or lessor of a means of transportation of passengers including, but
4384 not limited to, airlines, cruise lines, railroads, steamship companies and public bus carriers,
4385 wherein with regard to any particular travel or type of travel or travelers, all members or
4386 customers of the group shall have a common exposure to risk attendant to such travel;

4387 (ii) any college, school or other institution of learning covering students, teachers,
4388 employees or volunteers;

4389 (iii) any employer covering any group of employees, volunteers, contractors, board of
4390 directors, dependents or guests;

4391 (iv) any sports team or camp or sponsor thereof, covering participants, members,
4392 campers, employees, officials, supervisors or volunteers;

4393 (v) any religious, charitable, recreational, educational or civic organization or branch
4394 thereof, covering any group of members, participants or volunteers;

4395 (vi) any financial institution or financial institution vendor, or parent holding company,
4396 trustee, or agent of or designated by 1 or more financial institutions or financial institution
4397 vendors, including accountholders, credit card holders, debtors, guarantors or purchasers;

4398 (vii) any incorporated or unincorporated association including, labor unions, having a
4399 common interest, constitution and bylaws and organized and maintained in good faith for
4400 purposes other than obtaining insurance for members or participants of such association covering
4401 its members;

4402 (viii) any trust or the trustees of a fund established, created or maintained for the benefit
4403 of and covering members, employees or customers, subject to the commissioner's permitting the
4404 use of a trust and the commonwealth's premium tax provisions in section 3 of 1 or more
4405 associations meeting the requirements of paragraph (vii);

4406 (ix) any entertainment production company covering any group of participants,
4407 volunteers, audience members, contestants or workers;

4408 (x) any volunteer fire department, ambulance, rescue, police, court or any first aid, civil
4409 defense or other such volunteer group;

4410 (xi) any preschool, daycare institution for children or adults or senior citizen club;

4411 (xii) any automobile or truck rental or leasing company covering a group of individuals
4412 who may become renters, lessees or passengers defined by their travel status on the rented or
4413 leased vehicles; provided, that the common carrier, the operator, owner or lessor of a means of
4414 transportation or the automobile or truck rental or leasing company is the policyholder under a
4415 policy to which this chapter applies; or

4416 (xiii) any other group where the commissioner has determined that the members are
4417 engaged in a common enterprise, or have an economic, educational or social affinity or
4418 relationship and that issuance of the policy would not be contrary to the public interest.

4419 “Fulfillment materials”, documentation sent to the purchaser of a travel protection plan
4420 confirming the purchase and providing the travel protection plan’s coverage and assistance
4421 details.

4422 “Group travel insurance”, travel insurance issued to any eligible group.

4423 “Limited lines travel insurance producer”, a (i) licensed managing general agent or third-
4424 party administrator; (ii) licensed insurance producer including, a limited lines producer,
4425 designated by an insurer as the travel insurance supervising entity under subsection (g) of section
4426 162Z of chapter 175; or (iii) travel administrator.

4427 “Offer and disseminate”, to provide general information including, a description of the
4428 coverage and price, as well as processing the application, collecting premiums and performing
4429 other permitted non-licensable activities.

4430 “Primary certificate holder”, specific to section 3, an individual person who elects and
4431 purchases travel insurance under a group policy.

4432 “Primary policyholder”, specific to section 3, an individual person who elects and
4433 purchases individual travel insurance.

4434 “Travel administrator”, a person who directly or indirectly underwrites, collects charges,
4435 collateral or premiums from or adjusts or settles claims on residents of the commonwealth, in
4436 connection with travel insurance; provided, that a person shall not be considered a travel
4437 administrator if that person’s only characteristics or actions that would otherwise cause it to be
4438 considered a travel administrator are 1 of the following:

4439 (i) a person working for a travel administrator to the extent that the person’s activities are
4440 subject to the supervision and control of the travel administrator;

4441 (ii) an insurance producer selling insurance or engaged in administrative and claims-
4442 related activities within the scope of the producer’s license;

4443 (iii) a travel retailer offering and disseminating travel insurance and registered under the
4444 license of a limited lines travel insurance producer in accordance with said section 162Z of said
4445 chapter 175;

4446 (iv) an individual adjusting or settling claims in the normal course of that individual’s
4447 practice or employment as an attorney-at-law and who does not collect charges or premiums in
4448 connection with insurance coverage; or

4449 (v) a business entity that is affiliated with a licensed insurer while acting as a travel
4450 administrator for the direct and assumed insurance business of an affiliated insurer.

4451 “Travel assistance services”, non-insurance services for which the consumer is not
4452 indemnified based on a fortuitous event, and where providing the service does not result in

4453 transfer or shifting of risk that would constitute the business of insurance. Travel assistance
4454 services shall include, but shall not be limited to: (i) security advisories; (ii) destination
4455 information; (iii) vaccination and immunization information services; (iv) travel reservation
4456 services; (v) entertainment; (vi) activity and event planning; (vii) translation assistance; (viii)
4457 emergency messaging; (ix) international legal and medical referrals; (x) medical case
4458 monitoring; (xi) coordination of transportation arrangements; (xii) emergency cash transfer
4459 assistance; (xiii) medical prescription replacement assistance; (xiv) passport and travel document
4460 replacement assistance; (xv) lost luggage assistance; (xvi) concierge services; and (xvii) any
4461 other service that is furnished in connection with planned travel. Travel assistance services shall
4462 not be considered insurance or related to insurance.

4463 “Travel insurance”, insurance coverage for personal risks incidental to planned travel
4464 including, but not limited to: (i) an interruption or cancellation of trip or event; (ii) loss of
4465 baggage or personal effects; (iii) damages to accommodations or rental vehicles; (iv) sickness,
4466 accident, disability or death occurring during travel; (v) emergency evacuation; (vi) repatriation
4467 of remains; or (vii) any other contractual obligations to indemnify or pay a specified amount to
4468 the traveler upon determinable contingencies related to travel as approved by the commissioner;
4469 provided, however, that “travel insurance” shall not include major medical plans which provide
4470 comprehensive medical protection for travelers with trips lasting longer than 6 months,
4471 including, for example, people working or residing overseas as an expatriate, or any other
4472 product that requires a specific insurance producer license.

4473 “Travel protection plans”, plans that provide 1 or more of the following: travel insurance,
4474 travel assistance services and cancellation fee waivers.

4475 “Travel retailer”, a business entity that makes, arranges or offers travel services and may
4476 offer and disseminate travel insurance as a service to its customers on behalf of and under the
4477 direction of a limited lines travel insurance producer.

4478 Section 3. (a) A travel insurer shall pay a premium tax, as provided in section 22 of
4479 chapter 63, on travel insurance premiums paid by any of the following:

4480 (i) an individual primary policyholder who is a resident of the commonwealth;

4481 (ii) a primary certificate holder who is a resident of the commonwealth who elects
4482 coverage under a group travel insurance policy; or

4483 (iii) a blanket travel insurance policyholder who is a resident, or has its principal place of
4484 business or the principal place of business of an affiliate or subsidiary that has purchased blanket
4485 travel insurance, in the commonwealth for eligible blanket group members, subject to any
4486 apportionment rules which apply to the insurer across multiple taxing jurisdictions or that permit
4487 the insurer to allocate premium on an apportioned basis in a reasonable and equitable manner in
4488 those jurisdictions.

4489 (b) A travel insurer shall: (i) document the state of residence or principal place of
4490 business of the policyholder or certificate holder, as required pursuant to subsection (a); and (ii)
4491 report as premium only the amount allocable to travel insurance and not any amounts received
4492 for travel assistance services or cancellation fee waivers.

4493 Section 4. Travel protection plans may be offered for 1 price for the combined features
4494 that the travel protection plan offers in the commonwealth if:

4495 (i) the travel protection plan clearly discloses to the consumer, at or prior to the time of
4496 purchase, that it includes travel insurance, travel assistance services and cancellation fee waivers,
4497 as applicable, and provides information and an opportunity, at or prior to the time of purchase,
4498 for the consumer to obtain additional information regarding the features and pricing of each; and

4499 (ii) the fulfillment materials: (A) describe and delineate the travel insurance, travel
4500 assistance services and cancellation fee waivers in the travel protection plan; and (B) include the
4501 travel insurance disclosures and the contact information for persons providing travel assistance
4502 services and cancellation fee waivers, as applicable.

4503 Section 5. (a) All persons offering travel insurance to residents of the commonwealth
4504 shall be subject to chapter 176D, except as otherwise provided in this section. In the event of a
4505 conflict between this chapter and other provisions of this chapter regarding the sale and
4506 marketing of travel insurance and travel protection plans, this chapter shall control.

4507 (b) Offering or selling a travel insurance policy that could never result in payment of any
4508 claims for any insured under the policy shall be an unfair trade practice under said chapter 176D.

4509 (c)(1) All documents provided to consumers prior to the purchase of travel insurance
4510 including, but not limited to, sales materials, advertising materials and marketing materials, shall
4511 be consistent with the travel insurance policy itself including, but not limited to, forms,
4512 endorsements, policies, rate filings and certificates of insurance.

4513 (2) For travel insurance policies or certificates that contain pre-existing condition
4514 exclusions, information and an opportunity to learn more about the pre-existing condition
4515 exclusions shall be provided any time prior to the time of purchase, and in the coverage's
4516 fulfillment materials.

4517 (3) The fulfillment materials and the information described in clause (i) of paragraph (2)
4518 of subsection (b) of said section 162Z of said chapter 175 shall be provided to a policyholder or
4519 certificate holder as soon as practicable, following the purchase of a travel protection plan.
4520 Unless the insured has either started a covered trip or filed a claim under the travel insurance
4521 coverage, a policyholder or certificate holder may cancel a policy or certificate for a full refund
4522 of the travel protection plan price from the date of purchase of a travel protection plan until at
4523 least: (i) 15 days following the date of delivery of the travel protection plan’s fulfillment
4524 materials by postal mail; or (ii) 10 days following the date of delivery of the travel protection
4525 plan’s fulfillment materials by means other than postal mail. For the purposes of this section,
4526 delivery shall mean handing fulfillment materials to the policyholder or certificate holder or
4527 sending fulfillment materials by postal mail or electronic means to the policyholder or certificate
4528 holder.

4529 (4) The company shall disclose in the policy documentation and fulfillment materials
4530 whether the travel insurance is primary or secondary to other applicable coverage.

4531 (5) Where travel insurance is marketed directly to a consumer through an insurer’s
4532 website or by others through an aggregator site, it shall not be an unfair trade practice or other
4533 violation of law if an accurate summary or short description of coverage is provided on the web
4534 page; provided, that the consumer has access to the full provisions of the policy through
4535 electronic means.

4536 (d) No person offering, soliciting or negotiating travel insurance or travel protection plans
4537 on an individual or group basis may do so by using negative option or opt out, which would

4538 require a consumer to take an affirmative action to deselect coverage, such as unchecking a box
4539 on an electronic form when the consumer purchases a trip.

4540 (e) It shall be an unfair trade practice pursuant to said chapter 176D to market blanket
4541 travel insurance coverage as free.

4542 (f) Where a consumer's destination jurisdiction requires insurance coverage, it shall not
4543 be an unfair trade practice pursuant to said chapter 176D to require that a consumer choose
4544 between the following options as a condition of purchasing a trip or travel package: (i)
4545 purchasing the coverage required by the destination jurisdiction through the travel retailer or
4546 limited lines travel insurance producer supplying the trip or travel package; or (ii) agreeing to
4547 obtain and provide proof of coverage that meets the destination jurisdiction's requirements prior
4548 to departure.

4549 Section 6. (a) Notwithstanding any other provision of this chapter, no person shall act or
4550 represent itself as a travel administrator for travel insurance in the commonwealth unless that
4551 person:

4552 (i) is a licensed property and casualty insurance producer in the commonwealth for
4553 activities permitted under that producer license;

4554 (ii) holds a valid managing general agent license in the commonwealth; or

4555 (3) holds a valid third-party administrator license in the commonwealth .

4556 (b) An insurer shall be responsible for the acts of a travel administrator administering
4557 travel insurance underwritten by the insurer, and shall be responsible for ensuring that the travel

4558 administrator maintains all books and records relevant to the insurer to be made available by the
4559 travel administrator to the commissioner upon request.

4560 Section 7. (a) Notwithstanding any other provision of this chapter, travel insurance shall
4561 be classified and filed for purposes of rates and forms under an inland marine line of insurance;
4562 provided, however, that travel insurance that provides coverage for sickness, accident, disability
4563 or death occurring during travel, either exclusively, or in conjunction with related coverages of
4564 emergency evacuation, repatriation of remains or incidental limited property and casualty
4565 benefits such as baggage or trip cancellation, may be filed under either an accident and health
4566 line of insurance or an inland marine line of insurance.

4567 (b) Eligibility and underwriting standards for travel insurance may be developed and
4568 provided based on travel protection plans designed for individual or identified marketing or
4569 distribution channels; provided, that those standards shall meet the commonwealth's
4570 underwriting standards for inland marine.

4571 Section 8. The commissioner may promulgate regulations to implement this chapter.

4572 SECTION 127B. Section 1 of chapter 176J of the General Laws, as appearing in the 2020
4573 Official Edition, is hereby amended by striking out, in line 201, the words "travel insurance;"

4574 SECTION 127C. Said section 1 of said chapter 176J, as so appearing, is hereby further
4575 amended by striking out, in lines 208 through 219, inclusive, the words "Travel insurance for the
4576 purpose of this chapter is insurance coverage for personal risks incident to planned travel,
4577 including but not limited to: (i) interruption or cancellation of trip or event; (ii) loss of baggage
4578 or personal effects; (iii) damages to accommodations or rental vehicles; or (iv) sickness,
4579 accident, disability or death occurring during travel, provided that the health benefits are not

4580 offered on a stand-alone basis and are incidental to other coverages. The term, “travel insurance”
4581 shall not include major medical plans, which provide comprehensive medical protection for
4582 travelers with trips lasting 6 months or longer, including for example, those working overseas as
4583 an ex-patriot or military personnel being deployed.

4584 SECTION 128. Subsection (a) of section 60 of chapter 46 of the acts of 2013 is hereby
4585 amended by inserting after the words “in fiscal year 2018” the following words:- and each fiscal
4586 year thereafter.

4587 SECTION 129. Sections 46, 48, 61, 63 and 124A of chapter 287 of the acts of 2014, as
4588 most recently amended by section 26 of chapter 99 of the acts of 2018, are hereby repealed.

4589 SECITON 129A. Item 7002-0010 of section 2 of chapter 24 of the acts of 2021 is hereby
4590 amended by inserting after the word “Kingston”, the second time it appears, the following
4591 words:- and such funds shall be made available until June 30, 2023.

4592 SECTION 129B. Item 8000-0313 of said section 2 of said chapter 24 is hereby amended
4593 by inserting after the word “efforts”, the first time it appears, the following words:- and such
4594 funds shall be made available until June 30, 2023.

4595 SECTION 129C. Item 8000-0313 of said section 2 of said chapter 24 is hereby amended
4596 by inserting after the word “2020”, the first time it appears, the following words:- and such funds
4597 shall be made available until June 30, 2023.

4598 SECTION 129D. Item 1599-2023 of section 2A of chapter 102 of the acts of 2021 is
4599 hereby amended by adding the following words:- ; and provided further, that not less than
4600 \$1,500,000 shall be expended to the city of Boston for the coordination teams for triage

4601 treatment and service supports; and provided further, that not less than \$5,000,000 shall be
4602 expended to the city of Boston for post-treatment supportive housing.

4603 SECTION 130. Section 2 of chapter 42 of the acts of 2022 is hereby amended by striking
4604 out item 4003-0100 and inserting in place thereof the following item:-

4605 4003-0122.....\$10,000,000

4606 SECTION 131. Notwithstanding any general or special law to the contrary, the
4607 commissioner of conservation and recreation is authorized to amend and extend for a 30-year
4608 period the existing lease authorized under chapter 287 of the acts of 1977.

4609 SECTION 132. (a) The Massachusetts Convention Center Authority, established in
4610 section 33 of chapter 190 of the acts of 1982, shall update and supplement the report entitled
4611 “BCEC Expansion 2019 Project Report”, dated January 2020, to account for changes in the
4612 convention, venue management and hospitality industry that have developed since January 2020,
4613 including, but not limited to, changes resulting from the outbreak of the 2019 novel coronavirus,
4614 also known as COVID-19, and subsequent variants, and shall file the same with the clerks of the
4615 house of representatives and senate, the house and senate committees on ways and means, the
4616 joint committee on economic development and emerging technologies and the joint committee
4617 on state administration and regulatory oversight; provided, that the update and supplement shall
4618 include, but not be limited to, an analysis of the following: (i) the competitiveness of the city of
4619 Boston and the commonwealth nationally and globally as a destination for conventions,
4620 gatherings and similar public meetings; (ii) the needs of the Boston Convention and Exhibition
4621 Center to accommodate conventions, gatherings and public meetings; (iii) how conventions,
4622 gatherings and public meetings will take place going forward, including safety and public health

4623 considerations for COVID-19 and possible future public health crises; and (iv) technology, air
4624 filtration and any other physical plant enhancements.

4625 (b) The filing by the Massachusetts Convention Center Authority of the update and
4626 supplement described in subsection (a) shall constitute authorization by the general court and full
4627 compliance with section 38N of chapter 190 of the acts of 1982, as amended, with respect to any
4628 capital facility project undertaken by the authority in connection with this study.

4629 SECTION 133. (a) The state treasurer, the state auditor and the mayor of Boston shall
4630 jointly study and report on the feasibility of the sale, lease, transfer or other disposition of the
4631 land and improvements comprising the Hynes convention center or any interest therein, to
4632 determine whether it would be in the best interest of the commonwealth to retain the Hynes
4633 convention center, and shall make recommendations on attracting more business and events to
4634 the Hynes convention center. The study shall include, but not be limited to: (i) the economic
4635 effects on the property of a sale, lease, transfer or other disposition; (ii) the economic effects on
4636 the businesses of the Back Bay neighborhood of the city of Boston of a sale, lease, transfer or
4637 other disposition; (iii) the economic effects on the city of Boston of a sale, lease, transfer or other
4638 disposition; (iv) the number of jobs that might be lost as a result of a sale, lease, transfer or other
4639 disposition; (v) plans to mitigate the effects of jobs lost as a result of a sale, lease, transfer or
4640 other disposition; and (vi) the economic effects the current operation of the Hynes convention
4641 center has to the Back Bay neighborhood, the city of Boston and the commonwealth.

4642 (b) The report shall be filed with the clerks of the house of representatives and the senate,
4643 the house and senate committees on ways and means and the joint committee on economic
4644 development and emerging technologies not later than December 31, 2022.

4645 SECTION 133A. (a) A license issued pursuant to chapter 169 of the General Laws or
4646 section 4 of chapter 167F of the General Laws, including all authorized delegate location
4647 designations, that is in effect immediately before the effective date of this act shall remain in
4648 force as a license under said chapter 169 or said section 4 of said chapter 167F. Such licensees
4649 shall file a renewal application in accordance with section 6 of chapter 169B of the General
4650 Laws, as inserted by section 116F.

4651 (b) Any person that was not required to obtain a license pursuant to chapter 169 of the
4652 General Laws or pursuant to section 4 of chapter 167F of the General Laws, but that is now
4653 required to obtain a license under chapter 169B of the General Laws shall file an application for
4654 a license within 6 months of the effective date of this act to continue conducting money
4655 transmission in the commonwealth directly or through authorized delegates. If such application
4656 is timely filed and pending with the commissioner, that person may continue to conduct money
4657 transmission in the commonwealth, until such time as the application has been approved,
4658 withdrawn or denied.

4659 (c) All authorized delegate designations under section 4 of chapter 167F of the General
4660 Laws shall be deemed in compliance with this chapter.

4661 SECTION 133B. (a) The department of elementary and secondary education shall, in
4662 consultation with relevant stakeholders, implement a 5-year pilot program to develop a process
4663 for granting educator certification that may be used as an alternative to the testing requirements
4664 in section 38G of chapter 71 of the General Laws. The program shall allow candidates for
4665 certification to earn an initial preliminary certification that may lead to permanent certification
4666 after 4 years of teaching experience during which the candidate for licensure demonstrates

4667 teacher proficiency as measured by student growth scores and other factors, as determined by the
4668 department.

4669 (b) The alternative certification process may allow for waiver of not more than 1 of the 2
4670 testing requirements pursuant to said section 38G of said chapter 71, per candidate, and shall
4671 include consideration of factors including, but not limited to, whether a candidate has: (i)
4672 obtained certification in another state approved by the department; (ii) completed a satisfactory
4673 portfolio of items that may include student feedback or competency-based projects; or (iii)
4674 obtained a master's degree or doctorate from an accredited institution.

4675 (c) The department shall limit the hiring of candidates alternatively certified pursuant to
4676 this section to those public school districts and charter schools that the department certified as
4677 having demonstrated 1 of the following characteristics: (i) a demographic disparity between the
4678 district's student population and its teaching workforce; (ii) a shortage of teachers to serve
4679 English language learners; or (iii) a critical need to fill teacher vacancies. The department shall
4680 not allow any district to fill more than 10 per cent of its teaching positions with educators
4681 alternatively certified.

4682 (d) The department may use the results of the alternative assessment pilot authorized by
4683 subsection (e) of 603 CMR 7.04 to inform the development of the alternative licensure process
4684 required by this section.

4685 (e) The department shall conduct a comprehensive evaluation of the pilot program and
4686 the use of the alternative certification process during the pilot period. The evaluation shall
4687 include: (i) a measurement of student impacts as measured by student growth and other factors;

4688 (ii) an assessment of progress made in diversifying the educator workforce; and (iii) an
4689 assessment of the impacts on candidates of diverse backgrounds.

4690 SECTION 134. (a) There is hereby established a CTE Funding Commission to study
4691 funding options for career technical education, or CTE, programs. The commission shall consist
4692 of: (i) 4 representatives from the department of elementary and secondary education, to be
4693 appointed by the deputy commissioner of the office of career technical education established in
4694 section 37 of chapter 69 of the General Laws, as inserted by section 97; provided, that 1
4695 appointee shall be the secretary of education or a designee, who shall serve as chair; and (ii) 3
4696 representatives of the executive office of labor and workforce development, to be appointed by
4697 the secretary of labor and workforce development. The commission shall identify funding
4698 options for changing market needs. This commission shall make recommendations, which shall
4699 include, but not be limited to, the following:

4700 (1) whether the Massachusetts School Building Authority may make expenditures on
4701 equipment, or whether it is limited to funding for education structures;

4702 (2) whether the Massachusetts School Building Authority should add incentives for the
4703 approved educational spaces created pursuant to chapter 74 of the General Laws in programs that
4704 align to labor market demand;

4705 (3) methods to simplify state law, including, but not limited to, section 16 of chapter 71
4706 of the General Laws, in order for all regional school districts to be able to secure bonding for
4707 critical capital projects through the district-wide referendum process outlined in subsection (n) of
4708 said section 16 of said chapter 71;

4709 (4) language changes in subsection (d) of said section 16 of said chapter 71 to allow all
4710 regional school districts the option to secure project bonding approval upon a 2/3 vote of
4711 approval of each legislative body of a municipality comprising the district; and

4712 (5) any other recommendations relative to CTE funding at the commission's discretion.

4713 (b) The commission shall submit a report, including the findings of the study and any
4714 recommendations, and including proposed legislation, not later than July 31, 2023.

4715 SECTION 134A. (a) There shall be a commission to study and report on the feasibility
4716 and potential benefits of procuring large-scale energy storage through contracts to assist the
4717 commonwealth in meeting its climate change goals. The study shall include, but not be limited
4718 to: (i) an assessment of current utilization of large-scale energy storage in the ISO-NE control
4719 area and total available capacity; (ii) an examination of current ISO-NE market rules with
4720 regards to large-scale energy storage; (iii) an analysis of cost benefits to ratepayers of the
4721 commonwealth, if any, of pairing large-scale energy storage with long-term contracts procured
4722 under sections 83C and 83D of chapter 285 of the acts of 2016; and (iv) an analysis of benefits to
4723 energy demand if large-scale energy storage is paired.

4724 (b) The commission shall consist of the secretary of energy and environmental affairs, or
4725 a designee, who shall be chair; the commissioner of energy resources, or a designee; the chairs of
4726 the joint committee on telecommunications, utilities and energy; the chairperson of the
4727 department of public utilities, or a designee; the executive director of the Massachusetts clean
4728 energy center, or a designee; and the following members who shall be appointed by the chair of
4729 the commission: 1 representative from an environmental organization; 1 representative from a
4730 pumped hydropower storage facility; and 1 representative from an electric distribution company.

4731 (c) The commission shall file a report of its findings and recommendations together with
4732 proposed legislation, if any, with the clerks of the house of representatives and the senate, the
4733 chairs of the joint committee on telecommunications, utilities and energy and the chairs of the
4734 house and senate committees on ways and means.

4735 SECTION 135. (a) For the purposes of this section, the following words shall, unless the
4736 context clearly requires otherwise, have the following meanings:

4737 “Net patient service revenue”, the sum of inpatient and outpatient net patient service
4738 revenue for fiscal year 2020 as published by the center for health information and analysis in
4739 April 2022 in its databook titled Massachusetts Hospital Profiles.

4740 “Net patient service revenue adjustment”, an amount equal to a hospital’s net patient
4741 service revenue: (i) multiplied by 1, in the case of a tier 1 hospital; (ii) multiplied by 2 in the case
4742 of a tier 2 hospital; (iii) multiplied by 3 in the case of a tier 3 hospital; and (iv) multiplied by 4 in
4743 the case of a tier 4 hospital.

4744 “Public payer mix”, the public payer mix for fiscal year 2020 calculated using data
4745 published by the center for health information and analysis in April 2022 in its databook titled
4746 Massachusetts Hospital Profiles.

4747 “Statewide median relative price”, the statewide median cross-payer relative price for
4748 calendar year 2019 as determined by the center for health information and analysis.

4749 “Statewide relative price”, the statewide cross-payer relative price for calendar year 2019
4750 as published in March 2022 by the center for health information and analysis in its databook
4751 titled Relative Price and Provider Price Variation in the Massachusetts Commercial Market.

4752 “Tier 1 hospital”, an acute care hospital licensed under section 51 of chapter 111 of the
4753 General Laws that has: (i) a statewide relative price less than 145 per cent of the statewide
4754 median relative price; and (ii) a public payer mix that is greater than 50 per cent.

4755 “Tier 2 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
4756 that has: (i) a statewide relative price less than 125 per cent of the statewide median relative
4757 price; and (ii) a public payer mix that is greater than 60 per cent.

4758 “Tier 3 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
4759 that has: (i) a statewide relative price less than 110 per cent of the statewide median relative
4760 price; and (ii) a public payer mix that is greater than 65 per cent.

4761 “Tier 4 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
4762 that has: (i) a statewide relative price less than 90 per cent of the statewide median relative price;
4763 and (ii) a public payer mix that is greater than 70 per cent.

4764 “Total acute hospital distribution amount”, an amount equal to \$300,000,000.

4765 “Total adjustment amount”, an amount equal to the sum of all tier 1, tier 2, tier 3 and tier
4766 4 hospitals’ net patient service revenue adjustments.

4767 (b) The secretary of health and human services shall direct funds to acute care hospitals
4768 licensed under section 51 of chapter 111 of the General Laws according to the following
4769 formula:

4770 (i) A tier 1 hospital shall receive a pro rata share of the total acute hospital distribution
4771 amount, which shall be calculated by dividing the hospital’s net patient service revenue

4772 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
4773 amount;

4774 (ii) A tier 2 hospital shall receive a pro rata share of the total acute hospital distribution
4775 amount, which shall be calculated by dividing the hospital's net patient service revenue
4776 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
4777 amount;

4778 (iii) A tier 3 hospital shall receive a pro rata share of the total acute hospital distribution
4779 amount, which shall be calculated by dividing the hospital's net patient service revenue
4780 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
4781 amount; and

4782 (iv) A tier 4 hospital shall receive a pro rata share of the total acute hospital distribution
4783 amount, which shall be calculated by dividing the hospital's net patient service revenue
4784 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
4785 amount.

4786 (c) No hospital shall receive an award amount greater than \$30,000,000. A hospital that
4787 has a relative price that is equal to or greater than 145 per cent of the statewide median relative
4788 price or that has a public payer mix that is equal to or less than 50 per cent shall not be eligible to
4789 receive funds under this section.

4790 SECTION 136. (a) There shall be established and set up on the books of the
4791 commonwealth a separate fund to be known as the Offshore Wind Ports Fund. The executive
4792 director of the Massachusetts clean energy technology center, established in section 2 of chapter
4793 23J of the General Laws, shall administer the fund. The executive director shall expend

4794 \$45,000,000 for the port of Salem and all remaining money in the fund shall be subject to
4795 appropriation and shall be expended to invest in offshore wind ports in the commonwealth.

4796 (b) The fund shall consist of: (i) revenue from appropriations or other money authorized
4797 by the general court and specifically designated to be credited to the fund; (ii) funds from public
4798 and private sources, including, but not limited to, gifts, grants and donations; and (iii) interest
4799 earned on such money. Amounts credited to the fund that are unexpended at the end of a fiscal
4800 year shall not revert to the General Fund. The executive director shall not make any expenditures
4801 from the fund that cause the fund to be in deficiency at the close of the fiscal year.

4802 SECTION 137. There shall be established a fund known as the Taxpayer Energy and
4803 Economic Relief Fund to be administered by the executive office for administration and finance.
4804 The purpose of the fund shall be to issue 1-time direct financial support to taxpayers for energy
4805 costs and increased prices due to inflation. There shall be credited to the fund all amounts that
4806 are transferred or authorized to be transferred thereto or directed to be deposited therein, and all
4807 amounts received as gifts, grants or contributions for the purposes of the fund. Amounts credited
4808 to the fund shall not be subject to appropriation and any money remaining in the fund shall not
4809 revert to the General Fund.

4810 SECTION 138. (a) Notwithstanding any general or special law to the contrary, in order to
4811 address rising energy costs and inflation, the executive office for administration and finance, in
4812 consultation with the department of revenue, shall administer a Taxpayer Energy and Economic
4813 Relief Rebate program to provide 1-time direct financial support to eligible taxpayers, in an
4814 amount of: (i) \$250 for a taxpayer who earns not less than \$38,000 and not more than \$100,000
4815 and files an individual return, as: (A) single; (B) head of household; or (C) married filing

4816 separately; or (ii) \$500 for married taxpayers who file joint returns, who earn not less than
4817 \$38,000 and not more than \$150,000 combined; provided, that legislators in the commonwealth
4818 shall not be considered eligible taxpayers. The executive office for administration and finance, in
4819 consultation with the department of revenue, shall confirm eligibility based on the adjusted gross
4820 income in each taxpayer's tax filing for taxable year 2021. For the purposes of this section, the
4821 term "eligible taxpayer" shall mean a taxpayer who filed an income tax return for the taxable
4822 year beginning on January 1, 2021 and is a resident of the commonwealth.

4823 (b) Rebates to eligible taxpayers shall be issued not later than September 30, 2022, in the
4824 manner in which the taxpayer elected to receive their tax refund for taxable year 2021, if
4825 applicable, or by check.

4826 SECTION 139. Notwithstanding any general or special law to the contrary, for any
4827 taxable year beginning on or after January 1, 2022, any amount received from the Taxpayer
4828 Energy and Economic Relief Rebate program administered by the executive office for
4829 administration and finance, in consultation with the department of revenue, to address rising
4830 energy costs and inflation shall be deducted from federal gross income for the purpose of
4831 determining Massachusetts gross income under section 2 of chapter 62 of the General Laws and
4832 from federal gross income for purposes of determining Massachusetts gross income under
4833 section 30 of chapter 63 of the General Laws.

4834 SECTION 140. (a) Notwithstanding any general or special law to the contrary, there is
4835 hereby established a pilot program for a live theater tax credit for which a live theater company
4836 doing business with a Massachusetts-based theater venue, theater company, theater presenter or
4837 producer may be eligible. The credit shall be established to support the expansion of pre-

4838 Broadway productions, pre-off Broadway productions and national tour launches, as those terms
4839 are defined in paragraph (1) of subsection (aa) of section 6 of chapter 62 of the General Laws,
4840 and shall assist in the development of long run show development and growth.

4841 (b)(1) An applicant for a live theater tax credit shall properly prepare, sign and submit to
4842 the office of travel and tourism an application for initial certification of the theater production.
4843 The initial application shall include information and data the office deems necessary for the
4844 evaluation and administration of the application, including, but not limited to, any information
4845 about the theater production company or its related partners or presenters and a specific
4846 Massachusetts live theater or musical production.

4847 (2) The office of travel and tourism shall review the completed application and determine
4848 whether it meets the requisite criteria and qualifications for the initial certification for the
4849 production. If the initial certification is granted, the office shall issue a notice of initial
4850 certification of the eligible theater production or presentation to the theater production company,
4851 co-producer or presenter and to the commissioner of revenue. The notice shall state that, after
4852 appropriate review, the initial application meets the appropriate criteria for eligibility. The notice
4853 of initial certification shall provide a unique identification number for the production and shall be
4854 a statement of conditional eligibility for the production and shall not grant or convey any
4855 Massachusetts tax credits or other benefits.

4856 (c)(1) Upon completion of an eligible theater production, the applicant shall properly
4857 prepare, sign and submit to the office of travel and tourism an application for final certification
4858 of the eligible theater production. The final application shall contain a cost report and an
4859 accountant's certification; provided, that an eligible theater production, as defined in paragraph

4860 (1) subsection (aa) of section 6 of chapter 62 of the General Laws, shall not use state funds, state
4861 loans or state guaranteed loans to qualify for the live theater tax credit. The office of travel and
4862 tourism and commissioner of revenue may rely, without independent investigation, upon an
4863 accountant's certification, in the form of an opinion, confirming the accuracy of the information
4864 included in the cost report.

4865 (2) Upon review of a duly completed and filed application and not later than 30 days after
4866 submission, the office of travel and tourism, in consultation with the commissioner of revenue,
4867 shall make a determination pertaining to the final certification of the eligible theater production
4868 and the tax credits pursuant to said subsection (aa) of said section 6 of said chapter 62 and
4869 section 38KK of chapter 63 of the General Laws. Upon final determination of eligibility the
4870 office shall issue a final certificate.

4871 (d)(1) If the office of travel and tourism or the department of revenue receives
4872 information that is materially inconsistent with representations made in an application, the office
4873 may deny the requested certification.

4874 (2) If a tax credit or a portion of a tax credit is subject to recapture for ineligible costs and
4875 such tax credit has been transferred, assigned or allocated, the commonwealth shall pursue its
4876 recapture remedies and rights against the recipient of the theater production tax credit. No
4877 redress shall be sought against assignees, sellers, transferees or allocates of such credit.

4878 (e) All documents that are issued by the office of travel and tourism pursuant to this
4879 section shall reference the identification number issued to the production as part of its initial
4880 certification.

4881 (f) The office of travel and tourism, in consultation with the commissioner of revenue,
4882 shall promulgate rules and regulations to carry out this section.

4883 (g) The secretary of housing and economic development, in conjunction with the
4884 commissioner of revenue, shall report on the impact of the live theater tax credit pursuant to
4885 subsection (aa) of section 6 of chapter 62 and section 38KK of chapter 63 of the General Laws
4886 and shall submit the report to the clerks of the house of representatives and the senate, the house
4887 and senate committees on ways and means and the joint committee on economic development
4888 and emerging technologies not later than December 31, 2027. The secretary and commissioner
4889 shall collaborate with the live theater industry to collect the relevant data for the report. Said
4890 report shall include, but not be limited to, the following information regarding live theater in the
4891 commonwealth during the pilot program:

4892 (i) the number of shows that have been presented in the commonwealth since enactment
4893 of this section;

4894 (ii) the number of live show days since enactment of this section;

4895 (iii) an analysis of the number of shows and live show days after enactment of this
4896 section as compared to before enactment of this section;

4897 (iv) the total spending by live theater productions on local businesses and vendors,
4898 including supplies, hotels, car rental, food and beverage, and items related to the live theater
4899 production;

4900 (v) the total expenditure on local labor to set up, support and take down each production,
4901 including total labor hours;

4902 (vi) the number of ticket orders from outside the commonwealth;
4903 (vii) the number of ticket orders from outside the United States; and
4904 (viii) the impact on local businesses in proximity to live theaters, including hotels and
4905 restaurants.

4906 (h) No tax credit pursuant to subsection (aa) of section 6 of chapter 62 or section 38KK
4907 of chapter 63 of the General Laws shall be issued on or after January 1, 2028 unless the
4908 production has received initial certification under this section prior to January 1, 2028.

4909 SECTION 140A. Notwithstanding any general or special law to the contrary, the
4910 department of revenue shall study the annual loss of municipal tax revenue resulting from tax
4911 exemptions on real property assessed at a value of not less than \$1,000,000. The study shall
4912 calculate the annual loss of tax revenue by each municipality in the commonwealth from tax-
4913 exempt real property assessed at a value of not less than \$1,000,000, including state-owned
4914 properties and properties eligible for payments in lieu of taxes. The department shall submit its
4915 findings to the clerks of the house of representatives and the senate not later than December 31,
4916 2023 and shall make the report publicly available on its website.

4917 SECTION 140B. The executive office of health and human services, in coordination with
4918 the Massachusetts rehabilitation commission, established pursuant to section 76 of chapter 6 of
4919 the General Laws, shall publicly promote the disability employment tax credit pursuant to 101
4920 CMR 28 to provide information to employers in the commonwealth. The executive office, in
4921 coordination with the Massachusetts rehabilitation commission, shall report all efforts related to
4922 the public promotion of the disability employment tax credit to the joint committee on labor and
4923 workforce development not later than December 31, 2023.

4924 SECTION 140C. Notwithstanding any general or special law, rule or regulation to the
4925 contrary, a certain parcel of land located at 173 Alford street situated partly in the city of Everett
4926 and partly in the city of Boston shall be removed from and not considered within the boundaries
4927 or a part of any designated port area, including any designated port area pursuant to 310 C.M.R.
4928 25 and 310 C.M.R. 9 and any other applicable provision of the code of Massachusetts
4929 regulations. This parcel consists of approximately 43.11 acres and is located on the southeasterly
4930 side of Alford street, on the southwesterly side of Dexter street and bounded southwesterly by
4931 the Mystic river, and is more particularly described in a deed filed with the Middlesex south
4932 registry district of the land court as document No. 1554521 and recorded with the Middlesex
4933 south registry of deeds in book 56211, page 350, and also filed with the Suffolk registry district
4934 of the land court as document No. 786425 and recorded with the Suffolk county registry of deeds
4935 in book 47428, page 145.

4936 SECTION 140D. (a) Notwithstanding chapter 91 of the General Laws or any other
4937 general or special law, or rule or regulation to the contrary, including 310 C.M.R. 9, any height,
4938 setback, open space or other dimensional limitations and requirements imposed under said
4939 chapter 91 or any other general or special law, and the rules and regulations applicable thereto,
4940 shall not be applicable to the demolition, construction, reconstruction, renovation, use or re-use
4941 of any building or structure located on the parcel described in section 140C, for the purposes of a
4942 sports, recreation or events center, including any ancillary structures that directly support the
4943 operation of a sports, recreation or events center.

4944 (b) This section shall be void and of no effect if no such sports, recreation or events
4945 center described in subsection (a) has been permitted for construction within 3 years from the
4946 effective date of this act.

4947 SECTION 140E. (a) Notwithstanding any general or special law to the contrary, each
4948 school district, as defined in section 2 of chapter 70 of the General Laws, and each charter
4949 school, as defined in section 89 of chapter 71 of the General Laws, shall establish a diversity
4950 plan that conforms with the guidelines established by the department of elementary and
4951 secondary education pursuant to subsection (b). Such plans shall set forth specific goals and
4952 timetables for achievement. The plans shall comply with all applicable state and federal laws and
4953 shall be updated after 3 years.

4954 (b) To promote a racially and ethnically diverse educator workforce, the department of
4955 elementary and secondary education shall:

4956 (i) establish guidelines for diversity plans that shall include, but not be limited to, the
4957 following goals: (A) identify and eliminate discriminatory barriers to hiring and learning in a
4958 school or district; (B) remedy the effects of past discriminatory practices; (D) identify, recruit
4959 and hire employees who are members of under-represented groups; (E) develop, promote and
4960 retain employees who are members of under-represented groups; and (F) ensure equal
4961 opportunity in employment for educators. In developing these guidelines, the department shall
4962 consult with experts and school leaders from public schools or school districts that have
4963 experienced significant increases in hiring and retaining racially and ethnically diverse
4964 educators;

4965 (ii) establish a process for reviewing diversity plans based on clearly defined criteria. A
4966 public school district or charter school shall amend any plan deemed not to conform with the
4967 requirements of this section. A public school district or charter school shall be deemed to have
4968 satisfied the requirements of this section if it has prioritized diversity in its 3-year plan required

4969 by section 1S of chapter 69 of the General Laws or in any other strategic plan developed by the
4970 district;

4971 (iii) establish periodic reporting requirements for public school districts and charter
4972 schools concerning the implementation of their diversity plans and all actions taken to ensure
4973 compliance with this section and applicable state and federal laws. These reporting requirements
4974 shall be incorporated into existing reporting mechanisms and schedules where feasible;

4975 (iv) assist public school districts and charter schools in complying with their diversity
4976 plans and applicable federal and state laws; and

4977 (v) require approved educator preparation programs to implement diversity plans to
4978 increase the racial and ethnic diversity of program completers. These plans shall be required as
4979 part of the educator preparation program approval process and the department shall make each
4980 program's plan publicly available. The department shall establish guidelines for educator
4981 preparation program diversity plans.

4982 (c) The board of elementary and secondary education shall review compliance with these
4983 diversity plans and policies on a regular basis and may provide further recommendations
4984 regarding educator diversity.

4985 SECTION 140F. (a) Notwithstanding any general or special law to the contrary, each
4986 school district, as defined in section 2 of chapter 70 of the General Laws, and each charter school
4987 as defined in section 89 of chapter 71 of the General Laws, shall have a diversity, equity and
4988 inclusion officer or shall establish a diversity team, referred to in this section as a diversity
4989 officer or team. The role and responsibilities of a diversity officer or team may be assigned to an
4990 existing school employee or existing school entity. Diversity officers and teams shall report

4991 directly to the superintendent. Diversity officers and teams shall coordinate their school district
4992 or school's compliance with the requirements of this section and applicable federal and state
4993 laws.

4994 (b) Each school district and charter school shall establish a process for advising the
4995 school committee or board of trustees on matters of diversity, equity and inclusion in the school
4996 district. The process may include establishing an educator diversity council consisting of
4997 educators, administrators and students, which shall meet regularly with the superintendent or the
4998 diversity officer or team and the school committee or board of trustees. The school committee or
4999 board of trustees may appoint 1 of its members to serve as an ex-officio member of the educator
5000 diversity council.

5001 (c) Pursuant to guidelines established by the department of elementary and secondary
5002 education, all superintendents, school committee members, boards of trustees, district leaders,
5003 principals and school district employees shall complete a diversity and implicit bias training
5004 course, the frequency of which shall be established by the department.

5005 SECTION 140G. (a) Notwithstanding any general or special law to the contrary, the
5006 department of elementary and secondary education shall set measurable educator diversity goals
5007 for the commonwealth and shall collect and report publicly statewide educator diversity data.
5008 The data shall be reported in an online dashboard established in consultation with the board of
5009 elementary and secondary education. The data shall include, but not be limited to, (i) the number
5010 of educators hired and retained who meet the department's educator diversity goals; (ii) racial
5011 demographics of educators who complete Massachusetts state educator preparation programs,
5012 and (iii) teacher qualification data from school and district report cards. The department shall

5013 report on the success of the 5-year pilot program developed pursuant to section 133B, diversity
5014 plans implemented pursuant to section 140E and the diversity, equity and inclusion officers or
5015 diversity teams implemented pursuant to section 140F. The department shall report annually to
5016 the board of elementary and secondary education on state educator diversity data and goals. The
5017 department shall also submit a report on the state of educator diversity to the clerks of the house
5018 of representatives and the senate not later than June 30.

5019 (b) Each public school district and charter school shall collect and report educator
5020 diversity data publicly in a manner prescribed by the department; provided, that the department
5021 shall utilize existing reporting mechanisms and schedules to collect educator diversity data and
5022 outcomes and shall annually present both to the school committee or board of trustees. The data
5023 reported pursuant to this paragraph shall include information regarding the achievement of goals
5024 set pursuant to clause (i) of subsection (b) of section 140E.

5025 SECTION 140H. The department of elementary and secondary education shall
5026 promulgate rules and regulations for sections 133B, 140E, 140F and 140G to implement the
5027 requirements. Such regulations shall include a schedule for public school districts and charter
5028 schools to meet the planning and reporting requirements; provided, that such schedule shall
5029 prioritize implementation for school districts and charter schools that have significant race and
5030 ethnicity disparities between educator and student demographics.

5031 SECTION 141. Notwithstanding any general or special law to the contrary, not later than
5032 14 days after the effective date of this act, the secretary of administration and finance shall direct
5033 the comptroller to transfer \$510,000,000 from the General Fund to the Taxpayer Energy and
5034 Economic Relief Fund established in section 137.

5035 SECTION 142. Notwithstanding any general or special law to the contrary, not later than
5036 14 days after the effective date of this act, the comptroller shall transfer \$100,000,000 from the
5037 General Fund to the Offshore Wind Ports Fund established in section 136.

5038 SECTION 143. Notwithstanding any general or special law to the contrary, not later than
5039 14 days after the effective date of this act the comptroller shall transfer up to \$300,000,000 of the
5040 undesignated fund balance in the General Fund to the Unemployment Compensation Fund
5041 established in section 48 of chapter 151A.

5042 SECTION 144. Notwithstanding any general or special law to the contrary, items funded
5043 in this act, including appropriations in sections 2 and 2A and all other authorized uses, shall be
5044 supported through the following resources: (i) up to \$1,427,245,775 from the federal COVID-19
5045 response fund established in section 2JJJJ of chapter 29 of the General Laws; and (ii) up to
5046 \$1,427,245,775 from the General Fund; provided, however, that the secretary of administration
5047 and finance shall ensure that the coronavirus state fiscal recovery fund monies received under the
5048 American Rescue Plan Act of 2021, 42 U.S.C. 802, comply with applicable federal law,
5049 including statutes, regulations and sub-regulatory guidance; provided further, that the
5050 appropriations in the items funded in said sections 2 and 2A shall not be used to supplant
5051 existing appropriations. The secretary shall continue quarterly reporting consistent with the
5052 quarterly reports required in section 81 of chapter 102 of the acts of 2021 that detail the source of
5053 revenue matched to each item in this act for all expenditures made during that quarter.

5054 SECTION 145. The salary adjustments and other economic benefits authorized by the
5055 following collective bargaining agreements shall be effective for the purposes of section 7 of
5056 chapter 150E of the General Laws:

5057 (1) between the University of Massachusetts and the Massachusetts Society of Professors,
5058 Amherst Campus, Unit A50;

5059 (2) between the University of Massachusetts and the New England Police Benevolent
5060 Association (NEPBA) Local 190, Amherst Campus, Unit A07; and

5061 (3) between the Commonwealth of Massachusetts, Essex North and South Registries of
5062 Deeds and the American Federation of State, County and Municipal Employees (AFSCME)
5063 Local 653, Council 93, Administrative Unit.

5064 SECTION 146. Notwithstanding any general or special law to the contrary, to meet the
5065 expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a
5066 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
5067 by the governor from time to time but not exceeding, in the aggregate, \$1,057,473,040. All
5068 bonds issued by the commonwealth, as aforesaid, shall be designated on their face
5069 “Commonwealth Economic Development Act of 2022”, and shall be issued for a maximum term
5070 of years, not exceeding 30 years, as the governor may recommend to the general court pursuant
5071 to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
5072 such bonds shall be payable not later than June 30, 2057. All interest and payments on account of
5073 principal on such obligations shall be payable from the General Fund. Bonds and interest thereon
5074 issued under the authority of this section shall, notwithstanding any other provision of this act, be
5075 general obligations of the commonwealth.

5076 SECTION 147. Notwithstanding any general or special law to the contrary, to meet the
5077 expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a
5078 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified

5079 by the governor from time to time but not exceeding, in the aggregate, \$268,800,000. All bonds
5080 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
5081 Economic Development Act of 2022”, and shall be issued for a maximum term of years, not
5082 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
5083 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
5084 be payable not later than June 30, 2057. All interest and payments on account of principal on
5085 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
5086 under the authority of this section shall, notwithstanding any other provision of this act, be
5087 general obligations of the commonwealth.

5088 SECTION 148. Notwithstanding any general or special law to the contrary, to meet the
5089 expenditures necessary in carrying out section 3C, the state treasurer shall, upon receipt of a
5090 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
5091 by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds
5092 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
5093 Economic Development Act of 2022”, and shall be issued for a maximum term of years, not
5094 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
5095 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
5096 be payable not later than June 30, 2057. All interest and payments on account of principal on
5097 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
5098 under the authority of this section shall, notwithstanding any other provision of this act, be
5099 general obligations of the commonwealth.

5100 SECTION 149. To provide for the continued availability of a bond-funded spending
5101 authorization that otherwise would expire, the balance of item 7002-0016 of section 2 of chapter

5102 112 of the acts of 2018, as amended by section 46 of chapter 102 of the acts of 2021 and any
5103 allocations thereof shall be extended to June 30, 2025 for the purposes of and subject to the
5104 conditions stated for the item in the original authorization, and any amendments to such
5105 authorization.

5106 SECTION 149A. Sections 133B, 140E, 140F, 140G and 140H are hereby repealed.

5107 SECTION 150. Sections 73, 74, 78 to 82, inclusive, 84, 85, 89 to 91, inclusive, 93, 93A,
5108 93B, 94 to 96, inclusive, and 140 shall apply to tax years beginning on or after January 1, 2023.

5109 SECTION 150A. The exemptions authorized in paragraph (yy) of section 6 of chapter
5110 64H of the General Laws shall be effective for costs incurred after the effective date of this act.

5111 SECTION 150B. Section 116C of this act shall apply to contracts executed on or after the
5112 effective date of this act.

5113 SECTION 150C. Sections 116D, 127A, 127B, 127C and 133B shall take effect 90 days
5114 after the effective date of this act.

5115 SECTION 150D. Section 116F shall take effect 9 months after the effective date of this
5116 act.

5117 SECTION 150E. Section 149A is effective 5 years after the effective date of this act.

5118 SECTION 151. Section 130 shall take effect as of April 1, 2022.