

**HOUSE . . . . . No. 394**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Chynah Tyler*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish a commission related to opportunity zones in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/18/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/28/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/28/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>

**HOUSE . . . . . No. 394**

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 394) of Chynah Tyler and others for legislation to establish a commission related to opportunity zones in the Commonwealth. Economic Development and Emerging Technologies.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act to establish a commission related to opportunity zones in the Commonwealth.

*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 Massachusetts Executive Office of Housing and Economic  
2 Development shall initiate a commission to study the impact of opportunity fund investments;  
3 ensure equitable and inclusive development in designated opportunity zones; recommend  
4 regulations towards the use of opportunity fund money; and the creation of new opportunity  
5 zones in the Commonwealth: -

6 (a) There shall be a commission to study the infrastructure, displacement,  
7 transportation and environmental impacts of designated opportunity zones; opportunity fund  
8 investments; and the creation of new opportunity zones in the Commonwealth, hereinafter  
9 referred to as the “commission”. The commission shall consist of five commissioners: one of  
10 whom shall be appointed by the governor; one of whom shall be appointed by the speaker of the  
11 house of representatives; one of whom shall be appointed by the president of the senate; one of  
12 whom shall be nominated by the Executive Office of Housing and Economic Development; and

13 one of whom shall be nominated by the joint committee on community development and small  
14 businesses. Once appointed, the commissioners shall appoint 10 members: one of whom shall be  
15 a representative from the non-profit community, who has an expertise in affordable housing for  
16 low-income families; one of whom shall be a representative from the small business community,  
17 who has not received and does not intend to receive investments from an opportunity fund; one  
18 of whom shall be a representative from a local institution of higher education, who has focused  
19 research on economic development; one of whom shall have expertise in transportation policy;  
20 one of whom shall have expertise in environmental policy; one of whom shall have expertise in  
21 fair housing policy; one of whom shall have expertise in infrastructure policy; one of whom shall  
22 have expertise in anti displacement policy; and two of whom shall be residents residing in  
23 designated opportunity zones for a period of no less than 4 years from the time of nomination  
24 and shall include one resident from a city with greater than or equal to 100,000 residents and one  
25 resident from a city with less than or equal to 100,000 residents.

26 Said commissioners and members shall serve for a term of 2 years or until a successor is  
27 appointed and shall be eligible for reappointment; provided, however, that no commissioner shall  
28 serve more than 8 years. A person appointed to fill a vacancy on the commission shall be  
29 appointed in a like manner and shall serve for only the unexpired term of such commissioner or  
30 member.

31 No commissioner or member may own any interest in or contribute to any opportunity  
32 fund that invests in designated opportunity zones in the Commonwealth at the time of its  
33 appointment to the commission or for a period of at least two years after said commissioner or  
34 member leaves the commission.

35           The commission may remove a commissioner and/or member if the commissioner or  
36 member: (i) is guilty of malfeasance in office; (ii) substantially neglects the duties of a  
37 commissioner; (iii) is unable to discharge the powers and duties of the commissioner’s office;  
38 (iv) commits gross misconduct; or (v) is convicted of a felony.

39           Members of the commission shall serve without compensation. The commission may,  
40 subject to appropriation, incur expenses and appoint an executive director who shall be the  
41 executive and administrative head of the commission. The commission may authorize the  
42 executive director to appoint such employees as may be necessary to administer this section.  
43 There shall be paid by the commonwealth to each appointive member of the commission the  
44 necessary expenses actually incurred in the discharge of his official duties.

45           (b)     The commission shall have the following responsibilities:

46           1.     to collect and track data on the potential impacts of transportation, environmental  
47 and displacement in designated opportunity zones throughout the program’s existence including,  
48 but not limited to, rental rates, property values, small business creation, and success of workforce  
49 development programs.

50           2.     to review and analyze all opportunity fund investments in designated opportunity  
51 zones in the Commonwealth and to deliver an economic impact report of such effects on  
52 municipalities to the governor, and to the minority and majority leadership of the House and  
53 Senate at the end of each legislative session;

54           3.     to promote and facilitate collaboration among investors, community based  
55 organizations, local small businesses and community members as the commission deems  
56 necessary and appropriate;

57           4.       to act as an independent advocate for the interests of local and state governments  
58 in their relations with the Internal Revenue Service, Department of Treasury, and other federal  
59 government entities; and

60           5.       to perform such other like services as the commission shall decide upon.

61           (c)       The commission may hold hearings and invite testimony from experts and the  
62 public. The commission shall review and identify best practices learned from cities and towns  
63 across the Commonwealth.

64           (d)       The opportunity funds, investors, real estate corporations, and any other  
65 individuals or entities contributing to opportunity funds in a designated opportunity zone in the  
66 district shall ensure that any data, information or materials that the commission requests for  
67 purposes of its review and deliberations are provided to the commission in a timely manner.

68           (e)       The commission shall meet at least four times annually. At the close of each  
69 regular session of the general court, the commission shall report to the Massachusetts Executive  
70 Office of Housing and Economic Development and the general court the results of its findings  
71 and provide recommendations, if any, together with drafts of legislation necessary to carry its  
72 recommendations into effect by filing the same with the clerks of the house of representatives.  
73 The clerk of the house of representatives shall post the report on the website of the general court.