

HOUSE No. 4529

The Commonwealth of Massachusetts



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KARYN POLITO
LIEUTENANT GOVERNOR

March 4, 2020

To the Honorable Senate and House of Representatives,

Last year, the Baker-Polito Administration appointed an economic development planning council made up of diverse individuals from across all regions of the Commonwealth representing a variety of industries, backgrounds and perspectives. Together, we engaged in a robust process to refine our economic development priorities and develop a plan to achieve them. That process included listening sessions across all the regions of the Commonwealth and engagement with thousands of businesses, municipal officials, entrepreneurs, educators, community leaders and other stakeholders. It culminated with my approval of a new strategic plan that I presented to you in December, called *Partnerships for Growth: a plan to enable the Commonwealth's regions to build, connect, and lead*. Today, I present for your consideration a bill that will create the tools needed to implement the plan.

This Administration is proud of the work done in close collaboration with the legislature, especially on economic development and housing. In the past few years, we've partnered on a number of significant initiatives that have resulted in a remarkably strong economy and shared prosperity for most of the Commonwealth's residents. Notably, through programs like the MassWorks infrastructure program, collaborative workspaces program, Seaport Economic Council, brownfields program, site readiness program, the broadband initiative and other programs, more than \$600,000,000 has been invested in over 215 communities. Together, we have also supported the production or preservation of over 18,000 housing units, including approximately 16,000 units of affordable housing. Over the past five years, private businesses

created more than 200,000 new jobs, and today we have the lowest unemployment rate in nearly two decades.

However, statewide averages do not tell the entire story. Some regions of the Commonwealth are better off than others, and economic opportunity continues to elude some of our fellow residents. This bill is designed to get at the challenges that remain and better position the state for further prosperity. We look forward to working with you on this important legislation, *An Act Enabling Partnerships for Growth*.

This bill contains a total of \$240 million in capital authorizations across three core areas: housing, community development, and business competitiveness.

Housing:

- \$50 million for transit-oriented housing for the production of high-density mixed-income affordable housing near transit nodes;
- \$25 million for neighborhood stabilization to help return blighted or vacant housing back to productive use; and
- \$10 million for sustainable and climate-resilient construction in affordable, multifamily housing developments to better respond to climate change and reduce greenhouse gas emissions.

Community Development:

- \$40 million to support the redevelopment of underutilized, blighted, or abandoned buildings;
- \$15 million to continue making sites ready for development through site assembly and assessment, permitting, and other predevelopment activities;
- \$10 million for a fund dedicated to supporting community development and infrastructure projects in rural communities and small towns;
- \$5 million for planning initiatives undertaken by individual municipalities, joint cities or towns, or entire regions working together to address shared goals related to community development, housing production or other issues of local and regional concern;
- \$5 million needed for maintenance of broadband infrastructure in central and western Massachusetts.

Business Competitiveness:

- \$45 million to support technology and innovation ecosystems and key industry clusters by funding initiatives undertaken by universities and businesses, with a focus on emerging technologies such as artificial intelligence, robotics, “bluetech,” and others;
- \$10 million to expand the advanced manufacturing pipeline, building on the successful model of the Massachusetts Manufacturing Innovation Initiative (M2I2) ;
- \$10 million to enable community development financial institutions to reach underserved populations, such as women and minority-owned businesses, and leverage federal funding to support lending for small businesses;
- \$5 million for a matching grant program to provide capital for micro-businesses and low-to-moderate income entrepreneurs looking to start or expand a new business;
- \$10 million for a matching fund to support capital improvements at the special places that attract tourists to Massachusetts, to attract new visitors and encourage return visits.

In addition to the capital authorizations, this bill includes a number of substantive outside sections that will help us to achieve the goals set out in Partnerships for Growth. Some highlights of those sections include the following:

- Building on the 2016 reforms to the Housing Development Incentive Program (HDIP), this bill raises the HDIP annual cap from \$10 million to \$30 million and expands the number of eligible cities and towns so that more multi-unit, market rate housing development projects can move forward in Gateway Cities and similarly situated communities.
- This bill proposes a series of modifications to existing law to better enable local housing authorities to address capital needs and partner with private housing developers to construct new housing units on underutilized land owned by the authorities.
- The bill will give MassDevelopment more flexibility in the administration of the successful Transformative Development Initiative (TDI), so that limited resources can be deployed more effectively on transformative projects in our Gateway Cities. We also are providing flexibility for TDI fellows to expand their work beyond their host city and collaborate with neighboring cities and towns on issues that extend across municipal boundaries.
- The bill makes updates to some of our laws related to housing production and elimination of blight, including the smart-growth zoning statute and the urban renewal statute.
- The bill proposes changes to the enabling acts of the division of insurance, the division of banks and the department of telecommunications and cable. These changes will, among other things, permit the division of insurance to maintain accreditation by the National Association of Insurance Commissioners and update provisions of the law permitting the department of telecommunications and cable to restrict unwanted robo-calls.

- The bill proposes technical changes to certain programs run by MassDevelopment, including changes that may make it easier for cities and towns to use the local infrastructure development program.
- The bill allows more flexibility for the types of businesses eligible to claim the apprenticeship tax credit.
- The bill allows for more effective organization of the agencies and departments within the executive office of housing and economic development, so that the secretary and his dedicated team can effectively and efficiently carry out their mission.

Finally, I must again point out that the Commonwealth is facing an unprecedented housing crisis. Over the last five years we have worked with you to significantly increase investments in workforce and affordable housing while deploying funds from the largest Housing Bond Bill in the history of the Commonwealth. Annually, we have increased spending in programs like the Massachusetts Rental Voucher Program and Rental Assistance for Families in Transition to help keep our most vulnerable families in stable housing situations. But state resources can only go so far in addressing this crisis.

The reality is that our current zoning laws are not working. It is critically important that local zoning allow for the private production of housing in communities that want it. I filed Housing Choice legislation last year to help communities that want to build housing to support the seniors, families, and young people who want to be able to build a life for themselves here in Massachusetts. That bill was reported favorably out of committee in December, but no further action has been taken. It is time for the legislature to enact those simple—but incredibly impactful—reforms. Accordingly, I have included in this bill the Housing Choice provisions as they were reported out of committee. I am hopeful that we can find the common ground on this simple but meaningful zoning reform and that you will send that provision to my desk for signature before the end of the session.

I urge your prompt enactment of this legislation.

Respectfully submitted

Charles D. Baker,
Governor

The Commonwealth of Massachusetts

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

An Act enabling partnerships for growth.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith finance improvements to the Commonwealth’s economic infrastructure and promote economic opportunity, 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. To provide for a program of economic development and job creation, the
2 sums set forth in sections 2 and 2A, for the several purposes and subject to the conditions
3 specified in this act, are hereby made available, subject to the laws regulating the disbursement
4 of public funds; provided, however, that the amounts specified in an item or for a particular
5 project may be adjusted in order to facilitate projects authorized in this act. These sums shall be
6 in addition to any amounts previously authorized and made available for these purposes.

7 SECTION 2.

8 Executive Office of Housing and Economic Development

9 Office of the Secretary

10 7002-8000 For the program administered by the Massachusetts Development Finance
11 Agency for site assembly, site assessment, predevelopment permitting and other predevelopment
12 and marketing activities that enhance a site’s readiness for commercial, industrial or mixed-use
13 development; provided, that a portion of the funds shall be used to facilitate the expansion or
14 replication of successful industrial parks \$15,000,000

15 7002-8001 For the Massachusetts Growth Capital Corporation established in section 2
16 of chapter 40W of the General Laws, for a program to provide matching grants to community
17 development financial institutions certified by the United States Treasury or community
18 development corporations certified under chapter 40H of the General Laws to enable the
19 community development financial institution or community development corporation to leverage
20 federal or private investments for the purpose of making loans to small businesses, including but
21 not limited to businesses owned by women, veterans, minorities and immigrants
22 \$10,000,000

23 7002-8002 To provide funds to the Massachusetts Broadband Incentive Fund
24 established in section 6C of chapter 40J of the General Laws for capital repairs and
25 improvements to broadband infrastructure owned by the Massachusetts Technology Park
26 Corporation established by section 3 of chapter 40J \$5,000,000

27 7002-8003 For the Massachusetts Technology Park Corporation established by
28 section 3 of chapter 40J for matching grants that support collaboration among manufacturers
29 located in the commonwealth and institutions of higher education, nonprofits and other public or
30 quasi-public entities; provided that eligible grantees shall include but not be limited to
31 participants in the Manufacturing USA Institutes established under the National Network for

32 Manufacturing Innovation; provided further that grants shall be awarded and administered
33 consistent with the strategic goals and priorities of the advanced manufacturing collaborative
34 established by section 10B of chapter 23A \$10,000,000

35 7002-8004 For projects receiving assistance from the Technology Research and
36 Development and Innovation Fund established by section 4G of chapter 40J of the General Laws
37 \$45,000,000

38 7002-8027 For a competitive program of grants or other financial assistance to
39 support economic development, job creation and housing for the public purpose of promoting
40 economic opportunity and prosperity in small towns or rural areas of the commonwealth;
41 provided that such financial assistance may be offered to a municipality or other public entity, a
42 community development corporation, nonprofit entity or for-profit entity; provided further that
43 such financial assistance must support a project located in a municipality with a population of
44 fewer than 7,000 year-round residents or a population density of not more than 500 persons per
45 square mile; further that financial assistance offered pursuant to this line item may be
46 administered by the executive office through a contract with the Massachusetts Development
47 Finance Agency established by section 2 of chapter 23G; and provided further that the
48 administering agency may establish additional program requirements through regulations or
49 policy guidelines \$10,000,000

50 7002-8028 For the Massachusetts Growth Capital Corporation established in section
51 2 of chapter 40W of the General Laws, to provide matching grants to low- and moderate-income
52 entrepreneurs to acquire, expand, improve or lease a facility, to purchase or lease equipment, or
53 to meet other capital needs of a business with not more than 20 employees and annual revenues

54 not exceeding \$2,500,000; provided that preference shall be given to businesses located in low-
55 or- moderate income areas or owned by women, veterans, minorities or immigrants

56 \$5,000,000

57 7002-8029 For a competitive grant program administered by the Massachusetts Office
58 of Travel and Tourism to improve facilities and destinations visited by in-state and out-of-state
59 travelers, with the goals of increasing visitation, enticing repeat visitation, and increasing the
60 direct and indirect economic impacts of the tourism industry in all regions of the commonwealth;
61 provided that grants shall support the design, repair, renovation, improvement, expansion and
62 construction of facilities owned by municipalities or nonprofit entities; and provided further that
63 all grantees shall provide a match based on a graduated formula determined by the Massachusetts
64 Office of Travel and Tourism; and further provided that grant recipients shall be required to
65 measure and report on return-on-investment data after the expenditure of grant funds

66 \$10,000,000

67 7002-8031 For a program to provide assistance to projects that will improve,
68 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
69 public purposes of eliminating blight, increasing housing production, supporting economic
70 development projects, increasing the number of commercial buildings accessible to persons with
71 disabilities, and conserving natural resources through the targeted rehabilitation and reuse of
72 vacant and underutilized property; provided that such assistance shall take the form of a grant or
73 a loan provided to a municipality or other public entity, a community development corporation,
74 nonprofit entity or for-profit entity; provided further that eligible uses of funding shall include,
75 but not be limited to, improvements and additions to or alterations of structures and other
76 facilities necessary to comply with requirements of building codes, fire or other life safety codes,

77 and regulations pertaining to accessibility for persons with disabilities, where such code or
78 regulatory compliance is required in connection with a new commercial residential or civic use
79 of such structure or facility, and also shall include the targeted removal of existing underutilized
80 structures or facilities to create or activate publicly-accessible recreational or civic spaces;
81 provided further that funding shall be awarded on a competitive basis in accordance with
82 guidelines developed by the agency; provided further that financial assistance offered pursuant to
83 this line item may be administered by the executive office through a contract with the
84 Massachusetts Development Finance Agency established by section 2 of chapter 23G; provided
85 further that the executive office or the Massachusetts Development Finance Agency may
86 establish additional program requirements through regulations or policy guidelines; and provided
87 further that program funds may be used for the reasonable costs of administering the program,
88 provided that such costs shall not exceed 5 per cent of the total assistance made during the fiscal
89 year \$40,000,000

90 7002-8032 For grants and technical assistance to be made to municipalities and
91 regional applicants, to support planning and locally-driven initiatives related to community
92 development, housing production, workforce training and economic opportunity across the
93 commonwealth within individual communities, regions or a defined subset of communities
94 therein \$5,000,000

95 SECTION 2A.

96 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

97 Department of Housing and Community Development

98 7004-0059 For state financial assistance in the form of grants or loans to accelerate
99 and support the creation of low- and moderate-income housing in close proximity to transit
100 nodes; provided that the program shall be administered to achieve the following public benefits:
101 (1) maximize the amount of affordable residential and mixed-use space in close proximity to
102 transit nodes, resulting in higher density, compact development and pedestrian-friendly,
103 inclusive and connected neighborhoods; (2) increase mass transit ridership, (3) decrease traffic
104 congestion and reduce greenhouse gas emissions, (4) increase economic opportunity for
105 disadvantaged populations by making it easier for residents of affordable housing to access
106 public transportation, including transportation supporting commutes to employment centers;
107 provided further that funds may be used for residential housing units and mixed use
108 developments that include both residential housing units and commercial or retail space in
109 proximity to any rapid transit or commuter rail station, bus terminal, or ferry terminal; provided
110 further that entities eligible to receive financial assistance shall include governmental bodies,
111 community development corporations, local housing authorities, community action agencies,
112 community-based or neighborhood-based non-profit housing organizations, other non-profit
113 organizations, and for-profit entities; provided further that financial assistance provided pursuant
114 to this section shall be made on a competitive basis, with preference for projects which are
115 located in or near neighborhood commercial areas or that incorporate mixed use development;
116 provided further, that funds may be used to assist units occupied by and affordable to persons
117 with incomes up to, but not exceeding, 110 per cent of the area median income, as defined by the
118 United States Department of Housing and Urban Development, with priority given to projects
119 that provide higher and deeper levels of affordability; provided further, that not less than 25 per
120 cent of the occupants of housing in projects assisted by this item shall be persons whose income

121 is not more than 80 per cent of the area median income, as so defined; provided further that
122 financial assistance offered pursuant to this line item may be administered by the department
123 through a contract with the Massachusetts Housing Partnership, established in section 35 of
124 chapter 405 of the acts of 1985, which in turn may directly offer financial assistance for the
125 purposes set forth herein, or may enter into subcontracts with nonprofit organizations established
126 pursuant to chapter 180 of the General Laws for those purposes; provided further that the
127 department may provide financial support to nonprofit and for-profit developers that enter into
128 binding agreements to set aside residential units in market-rate transit-oriented housing, over and
129 above any units required to be set aside under local zoning or approvals, for rent or sale to
130 income-qualified households at affordable rents or sale prices, as applicable; and provided
131 further, that the department may establish additional program requirements through regulations
132 or policy guidelines \$50,000,000

133 7004-0064 For financial assistance to accelerate and support the creation and
134 preservation of sustainable and climate resilient affordable multifamily housing; provided that
135 such financial assistance shall be made to achieve the following public benefits: (1) incorporate
136 efficient, sustainable and climate-resilient design practices in affordable residential development,
137 to support positive climate mitigation outcomes; (2) reduce greenhouse gas emissions and
138 reliance on fossil fuels; (3) increase resiliency of existing housing developments to mitigate
139 impacts of climate change, including flooding and extreme temperatures; and (4) enhance
140 emergency preparedness, including sustainable means of power generation to allow for
141 sheltering vulnerable populations in place; provided further that financial assistance shall be
142 made available on a competitive basis to community development corporations, local housing
143 authorities, community action agencies, community-based or neighborhood-based non-profit

144 housing organizations, other non-profit organizations, and for-profit entities; provided further,
145 that funds may be used to assist units occupied by and affordable to persons with incomes up to,
146 but not exceeding, 110 per cent of the area median income, as defined by the United States
147 Department of Housing and Urban Development, with priority given to projects that provide
148 higher and deeper levels of affordability; provided further, that not less than 25 per cent of the
149 occupants of housing in projects assisted by this item shall be persons whose income is not more
150 than 80 per cent of the area median income, as so defined; provided further that financial
151 assistance provided pursuant to this section may be administered by the department through
152 contracts with the Massachusetts Housing Partnership, established in section 35 of chapter 405 of
153 the acts of 1985, the Massachusetts Housing Finance Agency, established in chapter 708 of the
154 acts of 1966, or both, which authorities may directly offer financial assistance for the purposes
155 set forth herein, or may enter into subcontracts with nonprofit organizations established pursuant
156 to chapter 180 for those purposes; and provided further that the administering agency may
157 establish additional program requirements through regulations or policy guidelines
158 \$10,000,000

159 7004-0065 For state financial assistance to cities and towns, or to agencies, boards,
160 commissions, authorities, departments or instrumentalities within cities or towns, or to
161 community development corporations or non-profit organizations, to assist in the revitalization
162 of neighborhoods and communities with properties in blighted or substandard conditions by
163 subsidizing the purchase price, borrowing costs or costs of demolition or renovation of up to 20
164 units of residential rental housing or 1-4 units of home ownership residential housing that have
165 been cited for building or sanitary code violations or that are subject to cancellation of
166 commercial property insurance due to substandard property conditions, or are otherwise blighted

167 or substandard; provided, that contracts entered into by the department of housing and
168 community development for those projects may include, but shall not be limited to, projects
169 providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous
170 material abatement, including asbestos and lead paint, and for compliance with state codes and
171 laws and for adaptations necessary for compliance with the Americans with Disabilities Act of
172 1990; provided further, that preference shall be given to community development corporations
173 and local nonprofit organizations, to organizations sponsoring projects that secure private funds,
174 and to projects with the greatest impact on community stabilization in weak markets, including
175 but not limited to rural communities and communities that have been disproportionately affected
176 by disinvestment, foreclosure and abandonment; provided further, that such rehabilitated housing
177 shall remain affordable for such period as shall be established by the department through
178 guidance, taking into account differences in market conditions and the type of restrictions best
179 suited to promoting community stabilization in different markets; and provided further that an
180 amount not to exceed 2 per cent of the amount expended may pay for administrative costs
181 directly attributable to the purposes of this program, including costs of support personnel
182 \$25,000,000

183 SECTION 3. Subsection (a) of section 16G of chapter 6A of the General Laws, as
184 appearing in the 2018 Official Edition, is hereby amended by striking out the first and second
185 sentences and inserting in place thereof the following 2 sentences:-

186 In the executive office of housing and economic development, there shall be the
187 following departments and offices: the department of housing and community development
188 established by section 1 of chapter 23B; the Massachusetts office of consumer affairs and
189 business regulation established by section 1 of chapter 24A; the Massachusetts office of business

190 development established by section 1 of chapter 23A; the Massachusetts marketing partnership
191 established by section 13A of chapter 23A; the Massachusetts office of travel and tourism
192 established by section 13E of chapter 23A; and the Massachusetts office of international trade
193 and investment established by section 13K of chapter 23A. Subject to appropriation, such
194 departments and offices shall be provided with offices in Boston and elsewhere as may be
195 approved by the governor and may expend sums for necessary expenses of those departments
196 and offices.

197 SECTION 4. Said section 16G of said chapter 6A, as so appearing, is hereby further
198 amended by striking out subsections (b) and (c) and inserting in place thereof the following
199 subsection :-

200 (c) The following state agencies shall be within the office of consumer affairs and
201 business regulation: the division of banks, the division of insurance, the division of standards, the
202 division of professional licensure and the department of telecommunications and cable.

203 SECTION 5. Said section 16G of said chapter 6A, as so appearing, is hereby further
204 amended by striking out subsection (h) and inserting in place thereof the following subsection:-

205 (h) The secretary, with the approval of the governor, shall appoint an undersecretary for
206 each of the office of consumer affairs and business regulation and the department of housing and
207 community development, and shall appoint a director for each of the office of business
208 development, the office of travel and tourism and the office of international trade and
209 investment. Such undersecretaries and directors shall devote their full time during business
210 hours to the duties of their offices and shall not engage in other employment or business
211 activities during business hours. In accordance with the provisions of chapter 30A, and with the

212 advice of the undersecretaries and directors of the various departments and offices, the secretary
213 may promulgate regulations with respect to the matters under the secretariat's supervision or
214 control.

215 SECTION 6. Subsection (i) of said section 16G of said chapter 6A, as so appearing, is
216 hereby amended by striking out first paragraph and inserting in place thereof the following
217 paragraph:-

218 The secretary shall establish in the executive office an office of performance management
219 and oversight. The secretary shall appoint a director to operate and administer said office who
220 shall have experience with economic development in the public or private sector. The director
221 shall establish performance measurements for all public and quasi-public entities engaged in
222 economic development, and may establish such measurements for any private organizations
223 under contract with the commonwealth to perform economic development services, in order to
224 improve the effectiveness of the economic development efforts of the commonwealth. In
225 developing these measurements, the director may seek out private sector advice and models that
226 can be adapted to the needs of the commonwealth. Clear measurements shall be developed and
227 effectuated while ensuring that no undue administrative burden is placed on agencies and
228 organizations subject to this section. The director shall prepare an annual report for publication
229 on progress to improve the effectiveness of the commonwealth's economic development efforts
230 and the progress agencies within the office are making towards achieving stated goals.

231 SECTION 7. Said subsection (i) of said section 16G of said chapter 6A, as so appearing,
232 is hereby further amended by striking out, in line 61, the words "to which the system applies"
233 and inserting in place thereof the following words:- designated by the secretary.

234 SECTION 8. Said section 16G of said chapter 6A, as so appearing, is hereby further
235 amended by striking out, in line 64, the word “shall” and inserting in place thereof the following
236 words:- may.

237 SECTION 9. Said section 16G of said chapter 6A, as so appearing, is hereby further
238 amended by striking out, in line 86, the words “the previous 3 fiscal years” and inserting place
239 thereof the following words:- shall also include prior fiscal years to the extent required by the
240 secretary.

241 SECTION 10. Subsection (j) of said section 16G of said chapter 6A, as so appearing, is
242 hereby amended by inserting after the word “entities”, in line 103, the following words:-
243 receiving funding from the executive office or a department, office or agency within the
244 executive office.

245 SECTION 11. Said section 16G of said chapter 6A, as so appearing, is hereby further
246 amended by striking out, in line 234, the words “(m)” and inserting in place thereof the words:-
247 (n).

248 SECTION 12. Said section 16G of said chapter 6A, as so appearing, is hereby further
249 amended by striking out, in line 245, the word “(n)” and inserting in place thereof the word:- (o).

250 SECTION 13. Section 1 of chapter 23A of the General Laws, as so appearing, is hereby
251 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

252 (a) Within the executive office of housing and economic development, there shall be a
253 Massachusetts office of business development, in this chapter referred to as MOBD, which shall
254 be under the control of the director of the Massachusetts office of business development. The

255 director shall be appointed by the secretary of the executive office of housing and economic
256 development in accordance with subsection (h) of section 16G of chapter 6A for a term
257 conterminous with the governor's and shall not be subject to chapter 31 or section 9A of chapter
258 30. Upon expiration of the term of office of the director or in the event of a vacancy, a successor
259 shall be appointed in the same manner. The director shall devote his full time during business
260 hours to the duties of his office. The director shall be the executive and administrative head of
261 the MOBD and shall be responsible for administering and enforcing the laws relative to the
262 MOBD and to each administrative unit thereof. The director shall receive such salary as the
263 Secretary shall determine.

264 SECTION 14. Subsection (c) of said section 1 of said chapter 23A is hereby amended by
265 striking out, in line 19, the word "department" and inserting in place thereof the following word:-
266 MOBD.

267 SECTION 15. Section 2 of said chapter 23A, as so appearing, is hereby amended by
268 striking out, in lines 1 and 2, the words "serve as the principal agency of the government of the
269 commonwealth for" and inserting in place thereof the following words:- support the work of the
270 executive office and collaborate with other agencies within the executive branch to advance.

271 SECTION 16. Said section 2 of said chapter 23A is hereby further amended by striking
272 out subsection (h).

273 SECTION 17. Section 3 of said chapter 23A, as so appearing, is hereby amended by
274 striking out subsections (a) and (b) and inserting in place thereof the following subsection:

275 (a) There shall be within MOBD such divisions, offices and programs as the director
276 shall determine are necessary to achieve the mission and administer the programs of MOBD.

277 SECTION 18. Said chapter 23A of the General Laws, as appearing in the 2018 Official
278 Edition, is hereby further amended by striking out section 3H and inserting in place thereof the
279 following section:-

280 Section 3H. The secretary of the executive office of housing and economic development,
281 with the approval of the governor, shall appoint a director of the Massachusetts permit and
282 regulatory office. The director shall have experience with permitting and business development.
283 The director shall serve as ombudsman to new and expanding businesses, to provide one-stop
284 licensing for businesses and development in order to streamline and expedite the process of
285 obtaining state licenses, permits, state certificates, state approvals, and other requirements of law,
286 but not including divisions of the state secretary's office. The director shall facilitate
287 communication between the municipality and state agencies. The director shall consult with each
288 regional office of the Massachusetts office of business development and each regional office of
289 the Massachusetts Development Financing Agency, in order to better serve local businesses.

290 The director shall file an annual report with the house and senate committees on ways
291 and means by January 1 on the activities of the Massachusetts permit regulatory office and the
292 interagency permitting board, including legislative recommendations on business development
293 and expansion efforts.

294 The director shall also provide assistance to businesses in the process of complying with
295 state regulations and other requirements of law that affect businesses. The director shall facilitate
296 communication between individual businesses and state agencies and work with regulatory
297 personnel in state agencies to minimize the small business impacts of regulation.

298 SECTION 19. Section 4 of said chapter 23A, as so appearing, is hereby amended by
299 striking out, in line 2, the words “an office” and inserting in place thereof the following words:-
300 staff located.

301 SECTION 20. Said chapter 23A of the General Laws, as so appearing, is hereby further
302 amended by striking out section 5 and inserting in place thereof the following section:-

303 Section 5. The director of MOBD shall prepare and keep current a general statement of
304 the organization of MOBD, of the assignment of functions to its various administrative units,
305 officers and employees, and of the established places at which and the methods whereby the
306 public may receive information or make requests. Such statement shall be known as MOBD's
307 description of organization.

308 SECTION 21. Section 6 of said chapter 23A, as so appearing, is hereby amended by
309 striking out, in line 5, the words “shall establish an advisory council that shall” and inserting in
310 place thereof the following words:- of MOBD may establish an advisory council to.

311

312 SECTION 22. The second paragraph of said section 6 of said chapter 23A, as so
313 appearing, is hereby amended by striking out the last two sentences.

314 SECTION 23. Section 7 of said chapter 23A, as so appearing, is hereby amended by
315 striking out, in line 1, the words “economic development” and inserting in place thereof the
316 following word:- MOBD.

317 SECTION 24. Section 8 of said chapter 23A, as so appearing, is hereby amended by
318 striking out, in line 3, the words “economic development” and inserting in place thereof the
319 following word:- MOBD.

320 SECTION 25. Section 9 of said chapter 23A, as so appearing, is hereby further amended
321 by striking out the first sentence and inserting in place thereof, the following sentence:- The
322 director of MOBD may, subject to appropriation, appoint and remove all employees of the
323 MOBD as may be necessary to carry out the work of MOBD.

324 SECTION 26. Said section 9 of said chapter 23A, as so appearing, is hereby further
325 amended by striking out, in line 6, the words “economic development” and inserting in place
326 thereof the following word:- MOBD.

327 SECTION 27. Section 13A of said chapter 23A, as so appearing, is hereby amended by
328 striking out, in line 5, the words “international trade office” and inserting in place thereof the
329 following words:- office of international trade and investment.

330 SECTION 28. Section 13A of said chapter 23A, as so appearing, is hereby amended by
331 striking out, in lines 13 through 15, the words “coordinate marketing efforts on behalf of the
332 commonwealth and shall oversee the activities of agencies placed within it.” and inserting in
333 place thereof the following words:- advise the secretary and the governor regarding the most
334 effective means and methods for marketing the assets and regions of the commonwealth.

335 SECTION 29. Said section 13A of said chapter 23A, as so appearing, is hereby further
336 amended by striking out, in line 87, the words “and employees of the agencies within the
337 partnership”.

338 SECTION 30. Section 13B of said chapter 23A is hereby repealed.

339 SECTION 31. Section 13C of said chapter 23A of the General Laws, as appearing in the
340 2018 Official Edition, is hereby amended by striking out paragraphs (1) through (3), inclusive,
341 and inserting in place thereof the following 3 paragraphs:-

342 (1) adopt and amend by-laws and procedures for the governance of its affairs and the
343 conduct of its business;

344 (2) adopt an official seal and a functional name;

345 (3) conduct meetings of the partnership in accordance with the by-laws of the
346 partnership;

347 SECTION 32. Said section 13C of said chapter 23A, as so appearing, is hereby further
348 amended by striking out paragraph (22).

349 SECTION 33. Section 13D of said chapter 23A, as so appearing, is hereby amended by
350 striking out, in lines 1 to 2, the words “and the agencies within the partnership”.

351 SECTION 34. Section 13E of said chapter 23A, as so appearing, is hereby amended by
352 striking out the first and second paragraphs and inserting in place thereof the following 2
353 paragraphs:-

354 There shall be within the executive office of housing and economic development an
355 office of travel and tourism which shall be under the supervision and control of an executive
356 director. The powers and duties given to the executive director of the office of travel and tourism
357 in this chapter and in any other general or special law shall be exercised and discharged subject

358 to the direction, control and supervision of the secretary of the executive office of housing and
359 economic development.

360 The executive director of the office of travel and tourism shall be appointed by the
361 secretary of the executive office of housing and economic development in accordance with
362 subsection (h) of section 16G of chapter 6A, and serve at the pleasure of the secretary. The
363 position of executive director of the office of travel and tourism shall be classified under section
364 45 of chapter 30 and the executive director of travel and tourism shall devote full time during
365 business hours to the duties of the office of travel and tourism and shall give to the state treasurer
366 a bond for the faithful performance of those duties.

367 SECTION 35. Section 13G of said chapter 23A, as so appearing, is hereby amended by
368 striking out the first sentence and inserting place thereof the following sentence:- The executive
369 director of travel and tourism may, subject to appropriation, appoint and remove all such
370 employees as may be necessary to carry out the work of tourism promotion.

371 SECTION 36. Section 13H of said chapter 23A, as so appearing, is hereby amended by
372 striking out, in line 2, the words “to the partnership”.

373 SECTION 37. Said section 13H of said chapter 23A, as so appearing, is hereby further
374 amended by striking out, in line 6 to 7, the word “partnership” and inserting in place thereof the
375 following words:- secretary of the executive office of housing and economic development.

376 SECTION 38. Section 13J of said chapter 23A, as so appearing, is hereby amended by
377 striking out, in lines 9 to 10, the words “shall meet on a quarterly basis and”.

378 SECTION 39. Subsection (a) of section 13K of said chapter 23A, as so appearing, is
379 hereby amended by striking out the first through fourth sentences, inclusive, and inserting in
380 place thereof the following 4 sentences:-

381 There shall be within the executive office of housing and economic development a
382 Massachusetts office of international trade and investment, which shall be under the supervision
383 and control of an executive director. The executive director shall be appointed by the secretary of
384 the executive office of housing and economic development in accordance with subsection (h) of
385 section 16G of chapter 6A, and shall serve at the pleasure of the secretary. The executive
386 director shall devote full time during business hours to the duties of the Massachusetts office of
387 international trade and investment. The executive director of the office of international trade and
388 investment shall be the executive and administrative head of the office and shall be responsible
389 for administering and enforcing the laws relative to the office and to any administrative unit of
390 the office.

391 SECTION 40. Subsection (a) of section 13L of said chapter 23A, as so appearing, is
392 hereby amended by striking out the first through fourth sentences, inclusive, and inserting in
393 place thereof the following 2 sentences:-

394 Within the office of international trade and investment, there may be established 1 or
395 more foreign offices to encourage trade between foreign businesses and businesses in the
396 commonwealth and to promote investment opportunities in the commonwealth for foreign
397 businesses. The foreign offices may be located in any country that the executive director of the
398 office of international trade and investment determines are best suited as a location for the
399 furthering of foreign trade opportunities for the businesses of the commonwealth.

400 SECTION 41. Said section 13L of said chapter 23A, as so appearing, is hereby further
401 amended by striking out, in lines 15 and 25, the word “shall” and inserting in place thereof, in
402 each instance, the following word:- may.

403 SECTION 42. Said section 13L of said chapter 23A, as so appearing, is hereby further
404 amended by striking out, in lines 31 to 32 and in line 36, in each instance, the words
405 “international trade office” and inserting in place thereof, in each instance, the following words:-
406 office of international trade and investment.

407 SECTION 43. Section 13M of said chapter 23A, as so appearing, is hereby amended by
408 striking out, in line 2, the words “international trade office” and inserting in place thereof the
409 following words:- office of international trade and investment.

410 SECTION 44. Section 13N of said chapter 23A, as so appearing, is hereby amended by
411 striking out, in lines 1 to 2, the words “international trade office” and inserting in place thereof
412 the following words:- office of international trade and investment.

413 SECTION 45. Section 13O of said chapter 23A, as so appearing, is hereby amended by
414 striking out, in lines 1 to 2 and in line 2, in each instance, the words “international trade office”
415 and inserting in place thereof, in each instance, the following words:- office of international trade
416 and investment.

417 SECTION 46. Section 13P of said chapter 23A, as so appearing, is hereby amended by
418 striking out, in lines 1 to 2, the words “international trade office” and inserting in place thereof
419 the following words:- office of international trade and investment.

420 SECTION 47. Section 13Q of said chapter 23A, as so appearing, is hereby amended by
421 striking out, in line 1, the words “international trade office shall” and inserting in place thereof
422 the following words:- office of international trade and investment may.

423 SECTION 48. Section 13R of said chapter 23A, as so appearing, is hereby amended by
424 striking out, in lines 1 to 2 and lines 4 to 5, in each instance, the words “international trade
425 office” and inserting in place thereof, in each instance, the following words:- office of
426 international trade and investment.

427 SECTION 49. Section 13S of said chapter 23A, as so appearing, is hereby amended by
428 striking out, in lines 1 to 2, the words “international trade office” and inserting in place thereof
429 the following words:- office of international trade and investment.

430 SECTION 50. Section 13S of said chapter 23A, as so appearing, is hereby amended by
431 striking out the second paragraph appearing and inserting in place thereof the following
432 paragraph:-

433 The commission shall convene at such times and with such frequency as the executive
434 director of the office of international trade and investment shall request. The commission may
435 conduct a public hearing and otherwise solicit information regarding the economic and
436 sovereignty impacts of international trade agreements on the commonwealth. The commission
437 may recommend changes to United States trade policy or commitments including, but not limited
438 to, proposed international trade agreements. Any report or recommendations prepared by the
439 commission shall be transmitted to the clerks of the house of representatives and the senate, the
440 governor, the attorney general, the United States trade representative and each member of the
441 commonwealth’s congressional delegation.

442 SECTION 51. Said section 13S of said chapter 23A, as so appearing, is hereby amended
443 by striking out, in lines 31 to 32, the words “international trade office” and inserting in place
444 thereof the following words:- office of international trade and investment.

445 SECTION 52. Section 13T of said chapter 23A, as so appearing, is hereby amended by
446 striking out the first sentence of subsection (a) and inserting in place thereof the following
447 sentence:- There shall be a Massachusetts Tourism Trust Fund which shall be administered by
448 the office of travel and tourism established by section 13E.

449 SECTION 53. Said section 13T of said chapter 23A, as so appearing, is hereby further
450 amended by striking out clause (i) of subsection (d) and inserting in place thereof the following
451 clause:-

452 (i) 40 percent to the office of travel and tourism; and

453 SECTION 54. Said section 13T of said chapter 23A, as so appearing, is hereby further
454 amended by striking out subsection (e) and replacing it with the following subsection:-

455 (e) The office of travel and tourism shall submit an annual report to the clerks of the
456 senate and house of representatives and the joint committee on tourism, arts and cultural
457 development not later than December 31 on the cost-effectiveness of the fund. The report shall
458 include expenditures out of the fund made by the office of travel and tourism to promote tourism
459 and for the administrative costs of the office of travel and tourism.

460 SECTION 55. Section 62 of said chapter 23A, as so appearing, is hereby amended by
461 striking out, in lines 3 and 4, the words “state permit ombudsman” and inserting in place thereof

462 the following words:- director of the Massachusetts permit and regulatory office established by
463 section 3H.

464 SECTION 56. Said section 62 of said chapter 23A, as so appearing, is hereby further
465 amended by striking out, in lines 17 to 18, the words “each regional office of”.

466 SECTION 57. Said section 62 of said chapter 23A, as so appearing, is hereby further
467 amended by striking out, in line 23, the figure “8” and inserting in place thereof the following
468 figure:- 4.

469 SECTION 58. Said section 62 of said chapter 23A, as so appearing, is hereby further
470 amended by inserting, in line 29, after the figure “43D”, the number the following words:- ,
471 subject to appropriation.

472 SECTION 59. Section 66 of said chapter 23A, as so appearing, is amended by inserting,
473 in line 43, after the word “shall” the following words:- , subject to appropriation,.

474 SECTION 60. Section 67 of said chapter 23A, as so appearing, is hereby amended by
475 striking out, in lines 14 to 15, the words “international trade office” and inserting in place thereof
476 the following words:- office of international trade and investment.

477 SECTION 61. Section 1 of chapter 23G of the General Laws, as so appearing, is hereby
478 amended by striking out the definition “Equity investments” and inserting in place thereof the
479 following definition:-

480 “Equity investments”, (i) investments that result in the agency holding an ownership
481 interest in any company; (ii) a membership interest that constitutes voting rights in a company;
482 (iii) an interest in real estate or other assets; (iv) a grant or loan designated pursuant to a

483 competitive process administered by the agency, provided to governmental subdivisions,
484 community development corporations, community action agencies, for-profit entities, private
485 property owners, nonprofit entrepreneur support organizations and business operators for design,
486 construction or improvement of buildings or real estate to spur economic development; (v) a
487 transaction which in substance falls into any of these categories even though it may be structured
488 as some other form of business transaction, including, but not limited to a lease of real estate for
489 such duration as the agency deems appropriate in light of the amount of the equity to be invested;
490 and (vi) an equity security; provided, however, that "equity investments" shall not include any of
491 the foregoing if the interest is taken as security for a loan.

492 SECTION 62. Section 45 of said chapter 23G, as so appearing, is hereby amended by
493 striking out, in lines 104 to 114, inclusive, the seventh paragraph.

494 SECTION 63. Section 46 of said chapter 23G, as so appearing, is hereby amended by
495 inserting in subsection (f), after the word "municipalities" in line 47, the following words:- , or to
496 address regional opportunities or challenges identified by a gateway municipality,

497 SECTION 64. Subsection (c) of section 6 of said chapter 23I of the General Laws, as so
498 appearing, is hereby amended by striking out, in lines 70 to 71 and in lines 87 to 89, in each
499 instance, the words "minority students at schools where at least 80 percent of the student
500 population is eligible for free or reduced lunch" and inserting in place thereof the following
501 words:- minority students attending schools in which at least 25 per cent of the student
502 population is considered economically disadvantaged as measured by the department of
503 elementary and secondary education.

504 SECTION 65. Section 17 of said chapter 23I, as so appearing, is hereby amended by
505 striking out, in line 23, the figure "2" and inserting in place thereof the following figure:- 1.

506 SECTION 66. Subsection (a) of section 3 of chapter 23L of the General Laws, as so
507 appearing, is hereby amended by inserting, in line 6, after the words "proposed development
508 zone and to" the following words:- the agency and.

509 SECTION 67. Subsection (a) of section 4 of said chapter 23L, as so appearing, is hereby
510 amended by inserting, in line 3, after the words "infrastructure assessments, for the cost", the
511 following words:- , or the debt service of notes or bonds used to fund such cost,.

512 SECTION 68. Said subsection (a) of said section 4 of said chapter 23L is hereby further
513 amended by inserting, in line 52 after the word "aggregate", the following word:- amount.

514 SECTION 69. Subsection (b) of said section 4 of said chapter 23L is hereby amended by
515 striking out, in line 73, the words "As an alternative to levying", and inserting in place thereof
516 the following words:- In furtherance of the ability to levy.

517 SECTION 70. Subsection (c) of said section 4 of said chapter 23L is hereby amended by
518 adding the following 2 sentences:- Infrastructure assessments levied under this chapter shall
519 continue notwithstanding any alienation or conveyance of the property in the development zone
520 by one property owner to a new property owner. A new property owner in the development zone
521 shall take title to such property subject to the infrastructure assessments and related liens.

522 SECTION 71. Subsection (b) of section 6A of chapter 25C of the General Laws, as so
523 appearing, is hereby amended by striking out, in line 18, the letter "(f)" and inserting in place
524 thereof the following letter:- (h).

525 SECTION 72. Said section 6A of said chapter 25C is hereby further amended by adding
526 the following 2 subsections:-

527 (g) Subsection (b) shall not be construed to affect or modify any obligations or authority
528 in chapter 159C.

529 (h) Subsection (b) shall not be construed to affect the authority of the department to
530 administer federal programs supported by the federal Universal Service Fund, including the
531 Lifeline program, the E-rate program or the Connect America Fund.

532 SECTION 73. Paragraph (a) of section 4 of chapter 30B of the General Laws, as so
533 appearing, is hereby amended by adding the following words:- or section 6.

534 SECTION 74. Said section 4 of said chapter 30B is hereby further amended by striking
535 out subsection (b) and inserting in place thereof the following subsection:-

536 (b) Quotations shall not be modified or disclosed until the award of the contract after
537 submission; however, the procurement officer shall waive minor informalities or allow the
538 person submitting quotations to correct the minor informality. The procurement officer shall
539 award the contract to the responsible and responsive person offering the needed quality of supply
540 or service at the lowest quotation. A contract requiring payment to the governmental body of a
541 net monetary amount shall be awarded to the responsible and responsive person offering the
542 needed quality of supply or service at the highest quotation.

543 SECTION 75. Paragraph (a) of section 6 of said chapter 30B, as so appearing, is hereby
544 amended by inserting, in line 2, after the words “\$50,000” the following words:- except as
545 permitted pursuant to subsection (a) of section 4,.

546 SECTION 76. Section 4A of chapter 40 of the General Laws, as so appearing, is hereby
547 amended by adding the following paragraph:-

548 By a majority vote of their legislative bodies, and with the approval of the mayor, board
549 of selectmen or other chief executive officer, any contiguous cities and towns may enter into an
550 agreement to allocate public infrastructure costs, municipal service costs and local tax revenue
551 associated with the development of an identified parcel or parcels or development within the
552 contiguous communities generally, provided that said agreement is approved by the department
553 of revenue.

554 SECTION 77. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby
555 amended by inserting after the introductory paragraph the following 7 definitions:-

556 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
557 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
558 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
559 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient
560 to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area
561 than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii)
562 is subject to such additional restrictions as may be imposed by a municipality, including but not
563 limited to additional size restrictions, owner-occupancy requirements, and restrictions or
564 prohibitions on short-term rental of accessory dwelling units.

565 “As of right”, development may proceed under a zoning ordinance or by-law without the
566 need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning
567 approval.

568 “Lot”, an area of land with definite boundaries that is used or available for use as the site
569 of a building or buildings.

570 “Eligible locations”, areas that by virtue of their infrastructure, transportation access,
571 existing underutilized facilities, or location make highly suitable locations for residential or
572 mixed use smart growth zoning districts or starter home zoning districts, including without
573 limitation (1) areas near transit stations, including rapid transit, commuter rail and bus and ferry
574 terminals; or (2) areas of concentrated development, including town and city centers, other
575 existing commercial districts in cities and towns, and existing rural village districts.

576 “Mixed-use development”, development containing a mix of residential uses and non-
577 residential uses, including, without limitation: commercial, institutional, industrial or other uses;

578 “Multi-family housing”, a building with 3 or more residential dwelling units or 2 or more
579 buildings on the same lot with more than 1 residential dwelling unit in each building.

580 “Natural resource protection zoning”, zoning ordinances or by-laws enacted principally
581 to protect natural resources by promoting compact patterns of development and concentrating
582 development within a portion of a parcel of land so that a significant majority of the land remains
583 permanently undeveloped and available for agriculture, forestry, recreation, watershed
584 management, carbon sequestration, wildlife habitat or other natural resource values.

585 “Open space residential development”, a residential development in which the buildings
586 and accessory uses are clustered together into one or more groups separated from adjacent
587 property and other groups within the development by intervening open land. An open space
588 residential development shall be permitted only on a plot of land of such minimum size as a
589 zoning ordinance or by-law may specify which is divided into building lots with dimensional

590 control, density and use restrictions for such building lots varying from those otherwise
591 permitted by the ordinance or by-law and open land. Such open land may be situated to promote
592 and protect maximum solar access within the development. Such open land shall either be
593 conveyed to the city or town and accepted by it for park or open space use, or be made subject to
594 a recorded use restriction enforceable by the city or town or a non-profit organization the
595 principal purpose of which is the conservation of open space, providing that such land shall be
596 kept in an open or natural state and not be built for residential use or developed for accessory
597 uses such as parking or roadway.

598 SECTION 78. Said section 1A of said chapter 40A, as so appearing, is hereby further
599 amended by striking out the definition of “Transfer of development rights” and inserting in place
600 thereof the following definition:-

601 “Transfer of development rights”, the regulatory procedure whereby the owner of a
602 parcel may convey development rights, extinguishing those rights on the first parcel, and where
603 the owner of another parcel may obtain and exercise those rights in addition to the development
604 rights already existing on that second parcel.

605 SECTION 79. Section 5 of said chapter 40A, as so appearing, is hereby amended by
606 striking out the fifth paragraph and inserting in place thereof the following paragraph:-

607 Except as provided herein, no zoning ordinance or by-law or amendment thereto shall be
608 adopted or changed except by a two-thirds vote of all the members of the town council, or of the
609 city council where there is a commission form of government or a single branch, or of each
610 branch where there are two branches, or by a two-thirds vote of a town meeting; provided,
611 however, the following shall be adopted by a vote of a simple majority of all members of the

612 town council or of the city council where there is a commission form of government or a single
613 branch or of each branch where there are two branches or by a vote of a simple majority of town
614 meeting:

615 (1) An amendment to a zoning ordinance or by-law to allow any of the following as of
616 right: (a) multifamily housing or mixed-use development; in an eligible location; (b) accessory
617 dwelling units, whether within the principal dwelling or a detached structure on the same lot; or
618 (c) open-space residential development.

619 (2) An amendment to a zoning ordinance or by-law to allow by special permit: (a) multi-
620 family housing or mixed-use development in an eligible location (b) an increase in the
621 permissible density of population or intensity of a particular use in a proposed multi-family or
622 mixed use development pursuant to section 9 of chapter 40A of the general laws; (c) accessory
623 dwelling units in a detached structure on the same lot or (d) a diminution in the amount of
624 parking required for residential or mixed-use development pursuant to section 9 of chapter 40A
625 of the general laws;

626 (3) Zoning ordinances or by-laws or amendments thereto that (a) provide for TDR zoning
627 or natural resource protection zoning in instances where the adoption of such zoning promotes
628 concentration of development in areas that the municipality deems most appropriate for such
629 development, but will not result in a diminution in the maximum number of housing units that
630 could be developed within the municipality; or (b) modify regulations concerning the bulk and
631 height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage
632 requirements to allow for additional housing units beyond what would otherwise be permitted
633 under the existing zoning ordinance or by-law.

634 (4) The adoption of a smart growth zoning district or starter home zoning district in
635 accordance with section 3 of chapter 40R of the general laws.

636 Provided, further, that any amendment that requires a simple majority vote shall not be
637 combined with amendments that require a two-thirds majority vote; provided, further, that if in a
638 city or town with a council of fewer than 25 members there is filed with the clerk prior to final
639 action by the council a written protest against a zoning change under this section, stating the
640 reasons duly signed by owners of 50 per cent or more of the area of the land proposed to be
641 included in such change or of the area of the land immediately adjacent extending 300 feet
642 therefrom, no change of any such ordinance shall be adopted except by a two-thirds vote of all
643 members.

644 SECTION 80. Section 9 of said chapter 40A, as so appearing, is hereby amended by
645 inserting after the word “interests,” in line 34, the following words:- ; provided, however, that
646 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of
647 development rights to be permitted as of right, without the need for a special permit or other
648 discretionary zoning approval.

649 SECTION 81. Said section 9 of said chapter 40A, as so appearing, is hereby further
650 amended by striking out, in lines 35 and 39, the word “cluster” each time it appears and inserting
651 in place thereof in each instance the following words:- open space residential.

652 SECTION 82. Said section 9 of said chapter 40A, as so appearing, is hereby further
653 amended by inserting, after the word “control,” in line 43, the following words:- ; provided,
654 however, that nothing herein shall prohibit a zoning ordinance or by-law from allowing open

655 space residential developments to be permitted as of right, without the need for a special permit
656 or other discretionary zoning approval.

657 SECTION 83. Said section 9 of said chapter 40A, as so appearing, is hereby further
658 amended by striking out the seventh paragraph and inserting in place thereof the following
659 paragraph:-

660 Zoning ordinances or by-laws may also provide that special permits may be granted for
661 reduced parking space to residential unit ratio requirements after a finding by the special permit
662 granting authority that the public good would be served and that the area in which the
663 development is located would not suffer a substantial adverse effect from such diminution in
664 parking.

665 SECTION 84. Said section 9 of said chapter 40A, as so appearing, is hereby further
666 amended by inserting after the twelfth paragraph the following paragraph:-

667 However, a special permit issued by a special permit granting authority shall require a
668 simple majority vote for any of the following: (a) multifamily housing that is located within .5
669 miles of a commuter rail station, subway station, ferry terminal, or bus station, provided, not less
670 than 10 per cent of the housing is affordable to and occupied by households whose annual
671 income is less than 80 per cent of the area wide median income as determined by the United
672 States Department of Housing and Urban Development and affordability is assured for a period
673 of not less than 30 years through the use of an affordable housing restriction as defined in section
674 31 of chapter 184; (b) mixed-use development in centers of commercial activity within a
675 municipality, including town and city centers, other commercial districts in cities and towns, and
676 rural village districts, provided, not less than 10 per cent of the housing is affordable to and

677 occupied by households whose annual income is less than 80 per cent of the area wide median
678 income as determined by the United States Department of Housing and Urban Development and
679 affordability is assured for a period of not less than 30 years through the use of an affordable
680 housing restriction as defined in section 31 of chapter 184; or (c) a reduced parking space to
681 residential unit ratio requirement, pursuant to this section, provided that a reduction in the
682 parking requirement will result in the production of additional housing units.

683 SECTION 85. Section 2 of chapter 40G of the General Laws, as so appearing, is hereby
684 amended by striking out, in lines 23 through 25, inclusive, the words “1 person appointed by the
685 governor who is a cabinet secretary or officer of the commonwealth having experience
686 appropriate to the functions of MTDC” and inserting in place thereof the following words:- the
687 executive director of the Massachusetts Technology Park Corporation established by chapter 40J.

688 SECTION 86. Chapter 40J of the General Laws, as so appearing, is hereby amended by
689 striking out section 4G and inserting in place thereof the following section:-

690 Section 4G. (a) In order to undertake projects and programs to promote job creation and
691 retention and economic development, competitiveness and growth in the commonwealth through
692 support of the technology and innovation ecosystems, there is hereby established a fund to be
693 known as the Technology Research and Development and Innovation Fund, hereinafter referred
694 to as the fund, to which shall be credited the proceeds of bonds or notes of the commonwealth
695 issued for this purpose, and any appropriations designated by the general court to be credited
696 thereto. The fund shall be administered by the corporation. The corporation shall hold the fund in
697 an account or accounts separate from other funds of the corporation.

698 (b) The fund shall be administered to foster scientific and technology research and
699 development in the Commonwealth by providing matching funds for capital expenditures to be
700 made in connection with projects which are sponsored by the University of Massachusetts,
701 research universities, non-profit entities, independent research institutions, or technology
702 companies in the commonwealth for scientific or technology research and development that will
703 increase and strengthen the commonwealth's economic development, employment opportunities
704 and commercial and industrial sectors, and are funded in part by the federal government or other
705 public or private funds; provided, however, that any grant awarded in accordance with this
706 subsection shall leverage at least \$1, in the aggregate, during activities funded by such grant,
707 from sources other than an agency as defined in section 39 of chapter 6 for each dollar granted;
708 provided further, funds expended specifically for this matching grant program from the higher
709 education bond bill, established by chapter 258 of the acts of 2008, shall not count towards the
710 \$1 of financing that is required for the matching grant program; provided further, that as a
711 condition of such grants being awarded, the corporation shall reach agreement with the grant
712 recipient on performance measures and indicators that will be used to evaluate the performance
713 of the grant recipient in carrying out the activities described in the recipient's application;
714 provided further, that prior to awarding any grant under this subsection the corporation shall
715 determine that the grant will advance the purposes of this subsection; provided further, that
716 priority shall be given to large-scale, long-term research and development activities that have the
717 greatest potential to support scientific and technological innovation and stimulate economic and
718 employment opportunities in the commonwealth through industry partnerships; and provided,
719 further that at least 50 per cent of the grant funds under this subsection shall be reserved for
720 award, over the term of each authorization or appropriation, subject to qualification, to the

721 University of Massachusetts. The University of Massachusetts may, if it deems necessary to help
722 ensure efficient and effective research and development efforts, enter into collaborative
723 agreements with other higher education institutions in the commonwealth to undertake parts of
724 any research and development project for which grant funding under this subsection is sought.
725 Funds may be used by the corporation to support costs associated with managing this program.

726 (c) The fund also shall be administered to support technology and innovation ecosystems
727 through grants or loans to eligible participants to pay or reimburse eligible capital costs of
728 facilities that foster innovation, demonstration, research and product development in emerging
729 technologies and systems, with preference given to sectors identified by the corporation as of
730 strategic importance to the commonwealth, including but not limited to artificial intelligence,
731 robotics, quantum computing, advanced manufacturing, cyber security, financial technology,
732 blockchain and marine technologies. Eligible participants shall include universities and public
733 entities, and may include for-profit business entities when the corporation has made a finding
734 that the use of funds by the private entity is primarily for a public purpose and will result in a
735 significant and measurable public benefit. Eligible costs shall include the costs of acquiring and
736 improving real property; costs of acquiring and installing fixtures, equipment and other personal
737 property; costs of planning and designing, any combination of the foregoing. Any such
738 improvements, property or equipment shall be owned by one or more public entities but may be
739 leased or licensed for use by private institutions; provided, however, that such assets may be
740 privately owned where the corporation makes a finding that such private ownership is necessary
741 to achieve the public purpose of the grant. The corporation shall establish guidelines,
742 requirements and standards for participation in the program.

743 (d) There shall be credited to the fund revenue from appropriations or other monies
744 authorized by the general court and specifically designated for the fund. Any such
745 appropriations remaining in the fund at the end of a fiscal year shall not revert to the General
746 Fund. Appropriations from the general court into the fund may be expended by the corporation
747 to establish programs that support technology and innovation ecosystems, consistent with the
748 terms of the appropriation.

749 (e) A portion of the fund proceeds may be used by the corporation to support costs of
750 administering the fund.

751 (f) The corporation shall annually file a report with the joint committee on higher
752 education and the house and senate committees on ways and means detailing the grants awarded
753 under this section.

754 SECTION 87. Section 6B of said chapter 40J, as so appearing, is hereby amended by
755 inserting after the words “secretary of housing and economic development,” in line 33, the
756 following words:- or a designee,.

757 SECTION 88. The definition of “Affordable housing” in section 2 of chapter 40R of the
758 General Laws, as so appearing, is hereby amended by striking out, in line 4, the words “less
759 than” and inserting in place thereof the following words:- at or below.

760 SECTION 89. Said section 2 of said chapter 40R, as amended by section 12 of chapter 5
761 of the acts of 2019, is hereby further amended by striking out the definition of “Approving
762 authority”.

763 SECTION 90. Said section 2 of said chapter 40R, as so amended, is hereby further
764 amended by inserting after the definition of “Open space” the following definition:-

765 “Plan approval authority”, a unit of municipal government designated by the city or town
766 to review projects and issue approvals under section 11.

767 SECTION 91. Section 3 of said chapter 40R of the General Laws, as appearing in the
768 2018 Official Edition, is hereby amended by inserting, in line 4, after the word “have” the
769 following word:- safe.

770 SECTION 92. Said section 3 of said chapter 40R, as so appearing, is hereby further
771 amended by inserting, in line 5, after the word “frequent”, the following word:- pedestrian.

772 SECTION 93. Said section 3 of said chapter 40R, as so appearing, is hereby further
773 amended by striking out, in line 14, the words “by a city or town”.

774 SECTION 94. Said section 3 of said chapter 40R, as so appearing, is hereby further
775 amended by adding the following words:-

776 ; provided, however, that a smart growth zoning district or starter home zoning district
777 ordinance or by-law shall be adopted by a simple majority vote of all the members of the town
778 council, or of the city council where there is a commission form of government or a single
779 branch, or of each branch where there are two branches, or by a simple majority vote of a town
780 meeting.

781 SECTION 95. Section 6 of said chapter 40R, as so appearing, is hereby amended by
782 striking out, in lines 55 to 56, the words “the comprehensive housing plan, housing production
783 plan or housing production summary submitted as part of”.

784 SECTION 96. Subsection (a) of said section 6 of said chapter 40R, as so appearing, is
785 hereby amended by striking out clause (8) and inserting in place thereof the following clause:-

786 (8) A proposed smart growth zoning district or starter home zoning district shall not
787 impose restrictions on age or any other occupancy restrictions on the district as a whole or any
788 portion thereof or project therein. Applicants may pursue the development of specific projects
789 within a smart growth zoning district that are exclusively for the elderly, the disabled or for
790 assisted living, provided that the department shall adopt regulations limiting the percentage of
791 units in the district that qualify the city or town for density bonus payments under section 9 that
792 may be subject to such restrictions that limit occupancy exclusively for the elderly, the disabled
793 or for assisted living. Not less than 25 per cent of the housing units in a project that limits
794 occupancy exclusively for the elderly, the disabled or for assisted living within a smart growth
795 zoning district shall be affordable housing, as defined in section 2.

796 SECTION 97. Said section 6 of said chapter 40R, as so appearing, is hereby further
797 amended by striking out, in line 86, the words “approving authority” and inserting in place
798 thereof the following words:- plan approval authority.

799 SECTION 98. Said section 6 of said chapter 40R is hereby further amended by striking
800 out subsection (c) and inserting in place thereof the following subsection:-

801 (c) The zoning for a proposed smart growth zoning district or starter home zoning district
802 may provide for mixed use development subject to any limitations that may be imposed by
803 regulations of the department. In a starter home zoning district, mixed use development will only
804 be permitted if the proposed density achieves a minimum of 4 units per acre.

805 SECTION 99. Said section 6 of said chapter 40R is hereby further amended by striking
806 out subsection (g) and inserting in place thereof the following subsection:-

807 (g) Any amendment or repeal of a zoning ordinance or by-law affecting an approved
808 smart growth zoning district or starter home zoning district shall not be effective without the
809 written approval by the department. In addition, no such amendment or repeal shall be effective
810 until the city or town has made the payment required under subsection (b) of section 14. Each
811 amendment or repeal shall be submitted to the department with an evaluation of the effect on the
812 number of projected units that will remain developable, if any, in relation to the number of units
813 that have been built and the number of units that determined any corresponding zoning incentive
814 payment paid to the city or town. Amendments shall be approved only to the extent that the
815 district remains in compliance with this chapter. If the department does not respond to a
816 complete request for approval of an amendment or repeal within 60 days of receipt, the request
817 shall be deemed approved.

818 SECTION 100. Section 7 of said chapter 40R, as so appearing, is hereby amended by
819 striking out, in line 14, the words “approving authority” and inserting in place thereof the
820 following words:- plan approval authority.

821 SECTION 101. Said section 7 of said chapter 40R, as so appearing, is hereby further
822 amended by striking out, in lines 17 through 20, inclusive, the words “the city or town’s
823 comprehensive housing plan, housing production plan, or the housing production summary
824 submitted with the city or town’s initial application for approval by the department, as
825 applicable,”.

826 SECTION 102. Section 9 of said chapter 40R, as amended by section 13 of chapter 5 of
827 the acts of 2019, is hereby further amended by striking out, in lines 18 through 21, inclusive, the
828 words “, and consistent with either the city or town’s comprehensive housing plan or housing
829 production plan, if any, or the housing production summary submitted in accordance with section
830 8”.

831 SECTION 103. Section 10 of said chapter 40R of the General Laws, as appearing in the
832 2018 Official Edition, is hereby amended by striking out, in line 3, the words “approving
833 authority” and inserting in place thereof the following words:- plan approval authority.

834 SECTION 104. Said section 10 of said chapter 40R, as so appearing, is hereby further
835 amended by striking out, in lines 6 through 8, inclusive, the words “and is consistent with the
836 city or town’s comprehensive housing plan or housing production plan, if any, and any
837 applicable master plan or plans for the city or town”.

838 SECTION 105. Said chapter 40R, as so appearing, is hereby amended by striking out
839 section 11 and inserting in place thereof the following section:-

840 Section 11. (a) A city or town may incorporate provisions within the smart growth zoning
841 district or starter home zoning district ordinance or by-law that prescribe contents of an
842 application for approval of a project. The ordinance or by-law may require the applicant to pay
843 for reasonable consulting fees to provide peer review of the applications for the benefit of the
844 plan approval authority. Such fees shall be held by the municipality in a separate account and
845 used only for expenses associated with the review of the development application by outside
846 consultants and any surplus remaining after the completion of such review, including any interest
847 accrued, shall be returned to the applicant forthwith. The smart growth zoning district or starter

848 home zoning district ordinance or by-law may provide for the referral of the plan to municipal
849 officers, agencies or boards other than the plan approval authority for comment. Any such
850 board, agency or officer shall provide any comments within 60 days of its receipt of a copy of
851 the plan and application for approval.

852 (b) An application to a plan approval authority for approval under a smart growth
853 zoning district or starter home zoning district ordinance or by-law shall be governed by the
854 applicable zoning provisions in effect at the time of the submission, while the plan is being
855 processed, during the pendency of any appeal and for 3 years after approval. If an application is
856 denied, the zoning provisions in effect at the time of the application shall continue in effect with
857 respect to any further application filed within 2 years after the date of the denial except as the
858 applicant may otherwise choose.

859 (c) An application for approval under this section shall be filed by the applicant with
860 the city or town clerk and a copy of the application including the date of filing certified by the
861 town clerk shall be filed forthwith with the plan approval authority. The plan approval authority
862 shall hold a public hearing for which notice has been given as provided in section 11 of chapter
863 40A. The decision of the plan approval authority shall be made, and a written notice of the
864 decision filed with the city or town clerk, within 120 days of the receipt of the application by the
865 city or town clerk. The required time limits for such action may be extended by written
866 agreement between the applicant and the plan approval authority, with a copy of such agreement
867 being filed in the office of the city or town clerk. Failure of the plan approval authority to take
868 action within said 120 days or extended time, if applicable, shall be deemed to be an approval of
869 the plan. The applicant who seeks approval of a plan by reason of the failure of the plan
870 approval authority to act within such time prescribed, shall notify the city or town clerk, in

871 writing within 14 days from the expiration of said 120 days or extended time, if applicable, of
872 such approval and that notice has been sent by the applicant to parties in interest. The applicant
873 shall send such notice to parties in interest by mail and each such notice shall specify that
874 appeals, if any, shall be made pursuant to this section and shall be filed within 20 days after the
875 date the city or town clerk received such written notice from the applicant that the plan approval
876 authority failed to act within the time prescribed.

877 (d) The plan approval authority shall issue to the applicant a copy of its decision
878 containing the name and address of the owner, identifying the land affected, and the plans that
879 were the subject of the decision, and certifying that a copy of the decision has been filed with the
880 city or town clerk and that all plans referred to in the decision are on file with the plan approval
881 authority. If 20 days have elapsed after the decision has been filed in the office of the city or
882 town clerk without an appeal having been filed or if such appeal, having been filed, is dismissed
883 or denied, the city or town clerk shall so certify on a copy of the decision. If the plan is approved
884 by reason of the failure of the plan approval authority to timely act, the clerk shall make such
885 certification on a copy of the application. A copy of the decision or application bearing such
886 certification shall be recorded in the registry of deeds for the county and district in which the
887 land is located and indexed in the grantor index under the name of the owner of record or
888 recorded and noted on the owner's certificate of title. The fee for recording or registering shall be
889 paid by the owner or applicant.

890 (e) The project shall be approved by the plan approval authority subject only to those
891 conditions that are necessary: (1) to ensure substantial compliance of the proposed project with
892 the requirements of the smart growth zoning district or starter home zoning district ordinance or
893 by-law; or (2) to mitigate any extraordinary adverse impacts of the project on nearby properties.

894 An application may be denied only on the grounds that: (i) the project does not meet the
895 conditions and requirements set forth in the smart growth zoning district or starter home zoning
896 district ordinance or by-law; (ii) the applicant failed to submit information and fees required by
897 the ordinance or by-law and necessary for an adequate and timely review of the design of the
898 project or potential project impacts; or (iii) it is not possible to adequately mitigate extraordinary
899 adverse project impacts on nearby properties by means of suitable conditions.

900 (f) Any court authorized to hear appeals under section 17 of chapter 40A shall be
901 authorized to hear an appeal from a decision under this section by a party who is aggrieved by
902 such decision. Such appeal may be brought within 20 days after the decision has been filed in
903 the office of the city or town clerk. Notice of the appeal, with a copy of the complaint shall be
904 given to such city or town clerk so as to be received within such 20 days. Review shall be based
905 on the record of information and plans presented to the plan approval authority. To avoid delay
906 in the proceedings, instead of the usual service of process, the plaintiff shall within 14 days after
907 the filing of the complaint, send written notice thereof, with a copy of the complaint, by delivery
908 or certified mail to all defendants, including the members of the plan approval authority, and
909 shall within 21 days after the entry of the complaint file with the clerk of the court an affidavit
910 that such notice has been given. If no such affidavit is filed within such time, the complaint shall
911 be dismissed.

912 (g) A complaint by a plaintiff challenging the approval of a project under this section
913 shall allege the specific reasons why the project fails to satisfy the requirements of this chapter or
914 other applicable law and allege specific facts establishing how the plaintiff is aggrieved by such
915 decision. The plan approval authority's decision in such a case shall be affirmed unless the court
916 concludes the plan approval authority abused its discretion under subsection (e) in approving the

917 project. The applicant and all members of the plan approval authority shall be named as
918 defendant parties.

919 (h) A plaintiff seeking to reverse approval of a project under this section shall post a
920 bond in an amount to be set by the court that is sufficient to cover twice the estimated: (i) annual
921 carrying costs of the property owner, or a person or entity carrying such costs on behalf of the
922 owner for the property, as may be established by affidavit; plus (ii) an amount sufficient to cover
923 the defendant's attorneys fees, all of which shall be computed over the estimated period of time
924 during which the appeal is expected to delay the start of construction. The bond shall be
925 forfeited to the property owner in an amount sufficient to cover the property owner's carrying
926 costs and legal fees less any net income received by the plaintiff from the property during the
927 pendency of the court case in the event a plaintiff does not substantially prevail on its appeal.

928 (i) An applicant for plan approval who appeals from a project denial or conditional
929 approval shall identify in its complaint the specific reasons why the plan approval authority's
930 decision fails to satisfy requirements of this chapter or other applicable law. The plan approval
931 authority shall have the burden of justifying its decision by substantial evidence in the record.

932 (j) The land court department, the superior court department and the housing court
933 department shall have jurisdiction over an appeal under this section and shall give priority to
934 such an appeal.

935 (k) The first paragraph of section 16 of chapter 40A shall not apply to applications for
936 projects within a smart growth zoning district or starter home zoning district.

937 (l) A project approval shall remain valid and shall run with the land indefinitely
938 provided that construction has commenced within 2 years after the decision is issued, which time

939 shall be extended by the time required to adjudicate any appeal from such approval and which
940 time shall also be extended if the project proponent is actively pursuing other required permits
941 for the project or there is other good cause for the failure to commence construction, or as may
942 be provided in an approval for a multi-phase project.

943 SECTION 106. Section 14 of said chapter 40R, as amended by section 14 of chapter 5 of
944 the acts of 2019, is hereby amended by striking out said section 14, and inserting in place thereof
945 the following section:-

946 Section 14. (a) If, within 3 years, no construction of an approved project has been started
947 within the smart growth zoning district or starter home zoning district, the department shall
948 require the cities and towns to repay to the department all monies paid to the city or town under
949 this chapter for said smart growth zoning district or starter home zoning district. Said 3 years
950 shall commence on the date of the payment of the zoning incentive payment for said smart
951 growth zoning district or starter home zoning district and may be extended by the department for
952 good cause in accordance with the department's regulations. All monies repaid to the department
953 under this section shall be credited to the funding source from which the payment originated.

954 (b) Within 60 days of receiving written approval by the department of an amendment of a
955 zoning ordinance or by-law affecting an approved smart growth zoning district or starter home
956 zoning district in accordance with subsection (g) of section 6, the city or town must repay to the
957 department any portion of the zoning incentive payment received in excess of the zoning
958 incentive payment that would have been payable based on the sum of (i) the number of units that
959 have been built and (ii) the number of units, if any, that will remain developable under the smart
960 growth zoning or starter home zoning. The department may include under (ii) in the preceding

961 sentence any units that are developable in one or more adopted smart growth zoning district or
962 starter home zoning district for which no zoning incentive payment has been paid but for which
963 the city or town is nonetheless eligible if the associated units would have the effect of replacing
964 some or all of the units that will no longer be developable as a result of the proposed amendment
965 or repeal. All monies repaid to the department under this section shall be credited to the funding
966 source from which the payment originated.

967 SECTION 107. Section 1 of chapter 40S of the General Laws, as appearing in the 2018
968 Official Edition, is hereby amended by striking out, in line 51, the word “properties” and
969 inserting in place thereof the following word:- buildings.

970 SECTION 108. Said section 1 of said chapter 40S, as so appearing, is hereby further
971 amended by inserting, in line 61, after the figure “40R,” the following words:- including without
972 limitation smart growth zoning districts and starter home zoning districts as defined in section 1
973 of said chapter 40R.

974 SECTION 109. Section 1 of chapter 40V of the General Laws, as so appearing, is hereby
975 amended by inserting after the definition of “Gateway municipality”, the following definition:-

976 “Gateway-like municipality”, a city or town determined by the department to have
977 similar economic and demographic characteristics to a gateway municipality and to be in need of
978 increased housing production.

979 SECTION 110. Said section 1 of said chapter 40V, as so appearing, is hereby further
980 amended by inserting, in line 15, after the word “municipalities”, the following words:- and
981 gateway-like municipalities.

982 SECTION 111. Said section 1 of said chapter 40V, as so appearing, is hereby further
983 amended by inserting, in line 17, after the word “municipality”, the following words:- or
984 gateway-like municipality.

985 SECTION 112. Said section 1 of said chapter 40V, as so appearing, is hereby further
986 amended by striking out the definition of “Housing development zone” and inserting in place
987 thereof the following definition:-

988 "Housing development zone" or "HD zone", a zone designated by a gateway municipality
989 or gateway-like municipality which shall be characterized by a need for multi-unit market rate
990 residential properties in accordance with department guidelines.

991 SECTION 113. Section 2 of said chapter 40V, as so appearing, is hereby amended by
992 inserting, in line 2, after the word “municipality”, the following words:- or gateway-like
993 municipality.

994 SECTION 114. Said section 2 of said chapter 40V, as so appearing, is hereby further
995 amended by striking the last sentence and inserting in place thereof the following:- The
996 application shall include a plan which shall include a description of the activities, public and
997 private, contemplated for such zone as of the date of the adoption of the zone plan, with such
998 detail and information as the department may require in written guidelines.

999 SECTION 115. Clause (i) of subsection (a) of section 4 of said chapter 40V, as so
1000 appearing, is hereby amended by striking out, in line 4, the figure “2” and inserting in place
1001 thereof the following figure:- 8.

1002 SECTION 116. Subsection (b) of said section 4 of said chapter 40V, as so appearing, is
1003 hereby amended by striking out, in line 15, the words “HD zones designated as certified projects
1004 under section 2” and inserting in place thereof the following words:- HD zones designated under
1005 section 2 as certified projects under this section.

1006 SECTION 117. Clause (ii) of said subsection (b) of said section 4 of said chapter 40V, as
1007 so appearing, is hereby amended by striking out, in line 25, the words “executed agreement by
1008 the municipality which” and inserting in place thereof the following words:- agreement executed
1009 by the municipality which is approved by the department and.

1010 SECTION 118. Said clause (ii) of said subsection (b) of said section 4 of said chapter
1011 40V, as so appearing, is hereby further amended by striking out subclause (A) and inserting in
1012 place thereof the following subclause:-

1013 (A) is consistent with and can reasonably be expected to benefit significantly from the
1014 plans of the gateway municipality or gateway-like municipality relative to the project property
1015 tax exemption;.

1016 SECTION 119. Subsection (c) of said section 4 of said chapter 40V, as so appearing, is
1017 hereby amended by striking out, in line 51, the words “a term of 20 years” and inserting in place
1018 thereof the following words:- the term approved by the municipality, which term shall be
1019 consistent with clause (iii) of subsection (b).

1020 SECTION 120. Subsection (e) of said section 4 of said chapter 40V, as so appearing, is
1021 hereby amended by inserting, in line 60, after the word “decision” the following words:- or, in
1022 the case a housing development project is constructively approved under subsection (c), for the
1023 period approved by the municipality,.

1024 SECTION 121. Section 5 of said chapter 40V, as so appearing, is hereby amended by
1025 inserting, in line 9, after the word “municipality”, the following words:- or gateway-like
1026 municipality.

1027 SECTION 122. Said section 5 of said chapter 40V, as so appearing, is hereby further
1028 amended by striking out clause (iii) and inserting in place thereof the following 2 clauses:-

1029 (iii) the total number of units in the project; and

1030 (iv) the percentage of market rate units contained in the certified housing development
1031 project.

1032 SECTION 123. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby
1033 amended by adding the following clause: -

1034 Fifty-ninth. Up to 100 percent of the assessed value of real estate in agricultural,
1035 horticultural or agricultural and horticultural use, as those terms are defined in sections 1 and 2
1036 of chapter 61A, provided that the real estate or portion thereof in agricultural, horticultural or
1037 agricultural and horticultural use is less than 2 acres in area; provided further, that gross sales of
1038 agricultural, horticultural or agricultural and horticultural products resulting from such uses
1039 together total not less than \$500 in the previous year. The exemption provided in this clause shall
1040 apply only to the portion of real estate in agricultural, horticultural or agricultural and
1041 horticultural use. This clause shall take effect in any city or town upon acceptance of this section;
1042 provided, that such city or town has a population of at least 50,000 inhabitants or meets the
1043 definition of a gateway municipality under section 3A of chapter 23A. The legislative body of
1044 any city or town that accepts this clause shall establish and may thereafter modify the percentage
1045 of the assessed value exempt from taxation.

1046 SECTION 124. Paragraph (2) of subsection (q) of section 6 of chapter 62 of the General
1047 Laws, as so appearing, is hereby amended by striking out, in line 868, the following words:-
1048 Credits passed through to individual partners and members are not transferable.

1049 SECTION 125. Paragraph (5) of said subsection (q) of said section 6 of said chapter 62,
1050 as so appearing, is hereby further amended by striking out, in lines 896 through 898, inclusive,
1051 the words “The total amount of credits that may be authorized by DHCD in a calendar year
1052 pursuant to this subsection and section 38BB of chapter 63 shall not exceed \$10,000,000 and”
1053 and inserting in place thereof the following:- DHCD may authorize up to \$30,000,000 in credits
1054 annually under this subsection and section 38BB of chapter 63. In addition, DHCD may
1055 authorize (i) any unused credits for the preceding calendar years under this subsection or said
1056 section 38BB of said chapter 63; and (ii) any credits under this subsection or said section 38BB
1057 of said chapter 63 returned to DHCD by a certified housing development project. The total
1058 amount of credits authorized during a year.

1059 SECTION 126. Said paragraph (5) of said subsection (q) of said section 6 of said chapter
1060 62, is hereby further amended by inserting, in line 900, after the words “chapter 63;” the
1061 following word:- and.

1062 SECTION 127. Said paragraph (5) of said subsection (q) of said section 6 of said chapter
1063 62, is hereby further amended by striking out, in lines 903 through 905, inclusive, the words
1064 “Any portion of the \$10,000,000 annual cap not awarded by the DHCD in a calendar year shall
1065 not be applied to awards in a subsequent year.”

1066 SECTION 128. Said paragraph (5) of said subsection (q) of said section 6 of said chapter
1067 62, as so appearing, is hereby further amended by striking out, in line 906, the words “The
1068 DHDC” and inserting in place thereof the following word:- DHCD.

1069 SECTION 129. Paragraph (1) of subsection (v) of said section 6 of said chapter 62, as so
1070 appearing,, is hereby amended by adding, in line 1158, after the words “NAICS code 31-33” the
1071 following words:- and other expansion industries new to apprenticeship the secretary of labor
1072 and workforce development identifies as critical to a regional labor market economy.

1073 SECTION 130. Subdivision (5) of section 38BB of chapter 63 of the General Laws, as so
1074 appearing, is hereby amended by striking out, in lines 42 through 44, inclusive, the words “The
1075 total amount of credits that may be authorized by DHCD in a calendar year under this section
1076 and subsection (q) of section (6) of chapter 62 shall not exceed \$10,000,000 and” and inserting in
1077 place thereof the following:- DHCD may authorize up to \$30,000,000 in credits annually under
1078 this section and subsection (q) of section (6) of chapter 62. In addition, DHCD may authorize; (i)
1079 any unused credits for the preceding calendar years under this section or said subsection (q) of
1080 said section (6) of said chapter 62; and (ii) any credits under this section or said subsection (q) of
1081 said section (6) of said chapter 62 returned to DHCD by a certified housing development project.
1082 The total amount of credits authorized during a year.

1083 SECTION 131. Said subdivision (5) of said section 38BB of said chapter 63, as so
1084 appearing, is hereby further amended by inserting, in line 46, after the words “chapter 62;” the
1085 following word:- and.

1086 SECTION 132. Said subdivision(5) of said section 38BB of said chapter 63, as so
1087 appearing, is hereby further amended by striking out, in lines 50 through 52, inclusive, the words

1088 “Any portion of the \$10,000,000 annual cap not awarded by DHCD in a calendar year shall not
1089 be applied to awards in a subsequent year.”

1090 SECTION 133. Subsection (a) of section 38HH of said chapter 63, as so appearing, is
1091 hereby amended by adding, in line 18, after the words “NAICS code 31-33” the following
1092 words:- and other expansion industries new to apprenticeship the secretary of labor and
1093 workforce development identifies as critical to a regional labor market economy.

1094 SECTION 134. The definition of “Blighted open area” in section 1 of chapter 121B of
1095 the General Laws, as so appearing, is hereby amended by striking out in lines 7 and 31 to 32, the
1096 word “morals”.

1097 SECTION 135. Said section 1 of said chapter 121B, as so appearing, is hereby further
1098 amended by inserting, after the definition of “Blighted open area,” the following definition:-

1099 “Capital funds”, funds advanced by the department to a housing authority financing
1100 capital outlays for housing production or preservation from proceeds of a bond authorization as
1101 defined in section 1 of chapter 29.

1102 SECTION 136. Said section 1 of said chapter 121B, as so appearing, is hereby further
1103 amended by striking out, in line 36, the words “subsection (d) of section twenty-six”, and
1104 inserting the following words:- sections 11, 26 or 46.

1105 SECTION 137. Said section 1 of said chapter 121B as so appearing, is hereby further
1106 amended by striking out, in line 58, the word “morals”.

1107 SECTION 138. Said section 1 of said chapter 121B, as so appearing, is hereby further
1108 amended by striking out, in line 99, the word “director” and inserting the following word:-
1109 department.

1110 SECTION 139. The definition of “Redevelopment authority” in said section 1 of said
1111 chapter 121B, as so appearing, is hereby amended by adding the following words:- or by special
1112 legislation.

1113 SECTION 140. Said section 1 of said chapter 121B, as so appearing, is hereby further
1114 amended by striking out the definitions of “Relocation payments”, “Relocation project”, and
1115 “Substandard area” and inserting in place thereof the following 3 definitions:-

1116 "Relocation payments", payments made by an operating agency to persons, businesses,
1117 farm operations or other organizations displaced as a result of the public actions described in this
1118 chapter. Such payments shall be made in accordance with the applicable federal or state
1119 relocation requirements.

1120 “Replacement units”, low rent housing created to replace an existing housing project that
1121 is demolished or disposed of under subsection (k) of section 26; such units may be included
1122 within a privately owned mixed-income development that also includes dwellings that are not
1123 low rent housing, provided that the use and occupancy of the replacement units is subject to a
1124 binding legal contract and land use restriction under paragraph (7) of subsection (k) of section
1125 26.

1126 "Substandard area", any area wherein dwellings or other buildings predominate which, by
1127 reason of dilapidation, abandonment, foreclosure, overcrowding, faulty arrangement or design,

1128 lack of ventilation, light or sanitation facilities or any combination of these factors, are
1129 detrimental to safety or health.

1130 SECTION 141. Said section 1 of said chapter 121B, as so appearing, is hereby further
1131 amended by striking out the definitions of “Urban renewal plan”, “Urban renewal project”, and
1132 “Urban Revitalization and Development Project” and inserting in place thereof the following 2
1133 definitions:-

1134 "Urban renewal plan", a detailed plan to redevelop a decadent, substandard or blighted
1135 open area within a municipality, which shall comply with all requirements prescribed by state
1136 legislation and regulations of the department. Such plan shall (1) conform to the general plan for
1137 the municipality as a whole and be consistent with any definite local objectives respecting
1138 appropriate land uses, improved traffic, public transportation, public utilities, recreational,
1139 educational and community facilities and other public improvements; (2) be sufficiently
1140 complete to indicate the boundaries of the area, such land acquisition, such demolition, removal,
1141 and rehabilitation of structures, and such redevelopment and general public improvements as
1142 may be proposed to be carried out within such area, zoning and planning changes, if any, and
1143 proposed land uses, maximum densities and building requirements; and (3) indicate or be
1144 accompanied by materials indicating that persons, businesses, farm operations and other
1145 organizations displaced by the project will be provided relocation benefits and payments in
1146 accordance with applicable federal and state requirements.

1147 "Urban renewal project", a project to be undertaken in accordance with an urban renewal
1148 plan.

1149 SECTION 142. Said chapter 121B as so appearing is hereby amended by striking out
1150 Section 7A and inserting in place thereof the following section:-

1151 Section 7A. The department shall promulgate guidelines for contracts to be executed by
1152 the housing authority and an executive director. The department may review all contracts
1153 between the housing authorities and executive directors and all terms for payments or monetary
1154 remuneration where a housing authority operates state-aided housing, regardless of the source of
1155 such remuneration; provided, however, that the department shall review all contracts and all
1156 terms for payments or monetary remuneration that exceed \$100,000 per annum. The department
1157 may, and for contracts providing for payments or monetary remuneration in excess of \$100,000
1158 per annum shall, strike or require modification of contract provisions that do not conform to the
1159 guidelines.

1160 SECTION 143. Section 11 of said chapter 121B, as so appearing, is hereby amended by
1161 adding the following paragraph:-

1162 Notwithstanding any general or special law to the contrary, a housing authority, with the
1163 approval of the department, shall have the power to secure indebtedness incurred for the
1164 preservation, modernization and maintenance of one or more of its low-rent housing
1165 developments assisted under section 32 or section 34 of chapter 121B by a pledge of a portion of
1166 capital funds awarded to it for improvements to be carried out pursuant to a department-approved
1167 capital improvement plan in accordance with department regulations governing capital projects.
1168 The department shall promulgate regulations establishing limitations on the percentage of
1169 awarded capital funds that may be pledged to secure indebtedness, describing permitted terms for
1170 borrowing and repayment, and establishing criteria for housing authorities that will be permitted

1171 to incur indebtedness secured by a pledge of capital funds. Any pledge of future year capital
1172 funds under this section is subject to the availability of funds under the department's capital
1173 spending plan as approved by the governor for that year. All financing documents related to
1174 future year capital fund amounts must include a statement that the pledging of funds is subject to
1175 the availability of funds under the department's capital spending plan as approved by the
1176 governor.

1177 SECTION 144. Section 16 of said chapter 121B, as so appearing, is hereby amended by
1178 adding the following paragraph:-

1179 Notwithstanding any provision to the contrary in this chapter or in any other general or
1180 special law relative to the tax status of real property, where a housing authority sells or transfers
1181 ownership of buildings or other structures on land owned by it to a private entity, including
1182 without limitation a for-profit or charitable corporation, general or limited partnership, or limited
1183 liability company, for the purpose of rehabilitation, repair, development, or redevelopment of
1184 multifamily housing that will contain replacement units as defined in section 1, so much of the
1185 resulting buildings or structures as is restricted for use as replacement units, including associated
1186 common areas, and associated land shall be exempt from taxation, betterments and special
1187 assessments. If replacement units and associated common areas constitute only a portion of such
1188 resulting buildings or structures, the exemption shall be prorated based on the ratio which the
1189 square footage of replacement units bears to the square footage of all other residential or
1190 commercial units within the buildings or structures. The private entity shall pay (i) with respect
1191 to the exempt portion of the buildings or structures and land, a payment in lieu of taxes
1192 consistent with the valuation or other formula generally applicable under this section to the
1193 housing authority's real estate in the city or town in which such real estate is located, or as

1194 otherwise previously agreed upon between the city or town and the housing authority as the
1195 method for computing the payments to be made in lieu of taxes, and using the ratio described
1196 above, and (ii) with respect to the non-exempt portion of the buildings or structures and land, real
1197 estate taxes in accordance with chapter 59 based on the fair cash value of the non-exempt portion
1198 of the buildings or structures and non-exempt portion of the land using the ratio described above.

1199 SECTION 145. Section 26 of said chapter 121B, as so appearing, is hereby amended by
1200 inserting, in line 91, after the word “sale,” the following words:- or other disposition.

1201 SECTION 146. Subsection (k) of said section 26 of said chapter 121B, as so appearing, is
1202 hereby further amended by striking out paragraphs (1) through (4), inclusive, and inserting in
1203 place thereof the following 4 paragraphs:-

1204 (1) found that all or a substantial portion of such existing housing project or part thereof
1205 requires such substantial modernization or rehabilitation to continue to provide decent, safe and
1206 sanitary housing that, in the judgment of the department, the required substantial modernization
1207 or rehabilitation cannot feasibly be executed by the housing authority pursuant to the provisions
1208 of this chapter;

1209 (2) approved the proposed project, including a relocation plan for occupants of the
1210 existing project and a plan to make housing available on the land where the existing project is
1211 situated, in which the number of replacement units restricted as low rent housing for occupancy
1212 by low income persons or families shall be the same as the number of low rent housing units in
1213 the existing housing project or part thereof that is subject to demolition or disposition, unless the
1214 department determines that (A) a shortage of low-rent housing no longer exists in the applicable
1215 city or town, or (B) the reduction in the number of units is necessary to increase the number of

1216 units that are accessible for persons with disabilities, which project may include plans to use a
1217 portion of such land for market-rate housing or for a public purpose ancillary to such
1218 development and approved by the department;

1219 (3) approved the sale or other disposition and the terms thereof, which shall be at a value
1220 determined through procedures customarily accepted by the appraising profession as valid,
1221 unless the department determines that a below-market disposition would be in the public interest
1222 in order to support the continued occupancy of dwelling units in the new development by
1223 families of low income;

1224 (4) determined that the availability of funds to the housing authority for such project is
1225 conditioned upon the occurrence of the initial mortgage loan closing for the development of new
1226 or rehabilitated housing on the land where the existing project is situated; and the housing
1227 authority has selected, through a qualifications-based competitive procurement process approved
1228 by the department, a developer best qualified to develop, own and operate the new or
1229 rehabilitated housing on the existing land, to provide for such development of the new housing
1230 within a reasonable time in accordance with department-approved contracts, and to assure
1231 continued occupancy of the required number of replacement units in the new development by
1232 families of low income in accordance with the requirements of this chapter.

1233 SECTION 147. Said subsection (k) of said section 26 of said chapter 121B, as so
1234 appearing, is hereby further amended by adding the following paragraph:-

1235 (7) approved a binding legal contract and land use restriction to be entered into by the
1236 transferee of the property in favor of the local housing authority and the department of housing
1237 and community development that requires compliance with chapter 121B of the General Laws

1238 and the department’s regulations in so far as the statute and regulations apply to tenancy at and
1239 application to public housing, as determined by the department, with respect to the replacement
1240 units in the same manner and to the same effect as if such entity were a housing authority,
1241 subject to such regulatory waivers given by the department of housing and community
1242 development as may be necessary to secure financing. The contract shall require compliance in
1243 perpetuity unless the department determines that the project financing requires the use of Federal
1244 low income housing tax credits and that compliance in perpetuity would make it infeasible to
1245 comply with Internal Revenue Service requirements with respect to the low income housing tax
1246 credit program.

1247 SECTION 148. Said section 26 of said chapter 121B, as so appearing, is hereby further
1248 amended by striking out, in line 243 the words “this section or section 34” and inserting in place
1249 thereof the following words:- any provision of this chapter.

1250 SECTION 149. Said section 26 of said chapter 121B, as so appearing, is hereby further
1251 amended by inserting, in line 248, after the words “feasible to”, the following words:- maintain
1252 or to.

1253 SECTION 150. Said section 26 of said chapter 121B, as so appearing, is hereby further
1254 amended by inserting, in line 252, after the word “demolition” the following words:- or other
1255 disposition

1256 SECTION 151. Said section 26 of said chapter 121B, as so appearing, is hereby further
1257 amended by striking out, in line 254 the words “as of November 1, 2012”, and inserting in place
1258 thereof the following words:- for reasons DHCD has determined not to be the fault of the
1259 housing authority for at least two years,.

1260 SECTION 152. Said section 26 of said chapter 121B, as so appearing, is hereby further
1261 amended by adding the following subsection:-

1262 (q) Notwithstanding any general or special law to the contrary, including without
1263 limitation section 16 of chapter 30B, a housing authority may dispose of property pursuant to this
1264 section or section 34 to a developer selected by competitive, qualifications-based procurement
1265 without separately soliciting proposals for the property disposition, provided that the developer
1266 procurement declares the property available for disposition and that, in the case of a disposition
1267 of property pursuant to subsection (k), the number of replacement units required under paragraph
1268 (2) of said subsection (k) are provided. Without limiting the generality of the foregoing:

1269 (1) A housing authority shall not be required to determine the value of the property prior
1270 to soliciting proposals for selection of a developer best qualified to develop, own and operate the
1271 new or rehabilitated housing on the land. Prior to disposition of property by deed or other
1272 instrument, the housing authority shall determine the value of the property through procedures
1273 customarily accepted by the appraising profession as valid prior to the sale or other disposition of
1274 the property, and if, with the approval of the department, the housing authority decides to dispose
1275 of the property at a price less than the value as so determined, the housing authority shall publish
1276 notice of its decision in the central register, explaining the reasons for its decision and disclosing
1277 the difference between such value and the price to be received; and

1278 (2) A housing authority shall not be required to specify all of the restrictions that may be
1279 placed on the subsequent use of property prior to selecting a developer through a qualifications-
1280 based competitive procurement process, provided that the developer procurement identifies the
1281 minimum number of dwelling units in the new development that must be occupied by families of

1282 low income. In the case of a disposition pursuant to subsection (k), such minimum number must
1283 conform to the requirements of paragraph (2) of subsection (k).

1284 SECTION 153. Section 29 of said chapter 121B, as so appearing, is hereby amended by
1285 adding the following paragraph:-

1286 Notwithstanding any provision to the contrary in this section or elsewhere in this chapter,
1287 if a housing authority does not own, lease or manage any housing project eligible to receive
1288 ongoing capital or operating assistance under section 32 or section 34 of this chapter, the
1289 department shall not investigate such housing authority's budgets, finances, dealings,
1290 transactions and relationships or other affairs, nor shall the department require periodic reporting
1291 by any such housing authority. Without limiting the generality of the foregoing, a housing
1292 authority that does not own, lease or manage any housing project eligible to receive ongoing
1293 capital or operating assistance under section 32 or section 34 of this chapter shall not be required
1294 to: (a) participate in a training program under section 5B; (b) submit contracts with its executive
1295 director to the department for review pursuant to section 7A; (c) participate in the performance-
1296 based monitoring program established pursuant to section 26B; (d) participate in the regional
1297 capital assistance team program established pursuant to section 26C; (e) prepare and submit an
1298 annual plan pursuant to section 28A and this section; or (f) prepare and submit, or make
1299 available, a written report and agreed upon procedures for review of housing authority financial
1300 records pursuant to this section.

1301 SECTION 154. Section 34 of said chapter 121B, as so appearing, is hereby amended by
1302 striking out the fifth paragraph and inserting in place thereof the following paragraph:-

1303 The proceeds of any sale or other disposition of such project in excess of the total of all
1304 obligations of the housing authority with respect to such project shall, after the payment of all
1305 bonds issued by the housing authority to finance the cost of such project and payment of the
1306 costs of the sale or disposition, be retained by the housing authority for the preservation,
1307 modernization and maintenance of its public housing assisted under this chapter as approved by
1308 the department, or where the housing authority has no public housing assisted under this chapter,
1309 such proceeds shall be paid to the department to fund capital improvements for the preservation,
1310 modernization and maintenance of state-aided public housing.

1311 SECTION 155. Said section 34 of said chapter 121B, as so appearing, is hereby further
1312 amended by striking out the tenth paragraph and inserting in place thereof the following
1313 paragraph:-

1314 Whenever a housing authority shall determine that land acquired by it under clause (d) of
1315 section 11 for the purpose of this section is in excess of or no longer required for such purposes it
1316 may, upon approval by the department, sell or otherwise dispose of such land by deed or
1317 instrument approved as to form by the attorney general. If the housing authority is disposing of
1318 such land for purposes of housing development, it may do so in accordance with section 26. So
1319 long as any bonds issued by a housing authority to finance the cost of a project under this section
1320 or section 35 and guaranteed by the commonwealth are outstanding, funds received from a
1321 disposition of land as provided in this chapter shall be applied in accordance with the fourth
1322 paragraph of this section. After the payment of all bonds issued by the housing authority to
1323 finance the cost of such project, funds received shall be applied in accordance with the fifth
1324 paragraph of this section.

1325 SECTION 156. Sections 42 through 44A, inclusive, of said chapter 121B are hereby
1326 repealed.

1327 SECTION 157. Section 45 of said chapter 121B of the General Laws, as appearing in the
1328 2018 Official Edition, is hereby further amended by striking out, in line 4, the word “morals”.

1329 SECTION 158. Said section 45 of said chapter 121B, as so appearing, is hereby further
1330 amended by striking out, in line 9, the words “the treatment of juvenile delinquency and”.

1331 SECTION 159. Said section 45 of said chapter 121B, as so appearing, is hereby further
1332 amended by inserting after the word “business,” in lines 42 to 43, the following words:-
1333 including the conduct of business by nonprofit entities,.

1334 SECTION 160. Said section 45 of said chapter 121B, as so appearing, is hereby further
1335 amended by striking out, in line 55, the words “and evils”.

1336 SECTION 161. Section 46 of said chapter 121B, as so appearing, is hereby further
1337 amended by striking out, in line 32, the words “to the federal government,”.

1338 SECTION 162. Said section 46 of said chapter 121B, as so appearing, is hereby further
1339 amended by striking out, in lines 41 to 42, the words “In any city whose population exceeds one
1340 hundred and fifty thousand,”.

1341 SECTION 163. Section 47 of said chapter 121B, as so appearing, is hereby repealed.

1342 SECTION 164. Section 48 of said chapter 121B, as appearing in the 2018 Official
1343 Edition, is hereby amended by striking out, in lines 2 through 3, the words “for such project”.

1344 SECTION 165. Said section 48 of said chapter 121B, as so appearing, is hereby further
1345 amended by striking out the third paragraph.

1346 SECTION 166. Said section 48 of said chapter 121B, as so appearing, is hereby further
1347 amended by striking out, in lines 37 through 38, the words “the relocation plan has been
1348 approved under chapter seventy-nine A.” and inserting in place thereof the following words:-
1349 relocation assistance will be provided pursuant to the applicable federal or state relocation
1350 requirements.

1351 SECTION 167. Said section 48 of said chapter 121B, as so appearing, is hereby further
1352 amended by striking out the seventh and eighth paragraphs and inserting in place thereof the
1353 following paragraph:-

1354 When the urban renewal plan or such a project has been approved by the department and
1355 notice of such approval has been given to the urban renewal agency, such agency may proceed at
1356 once to acquire real estate within the urban renewal project area as is necessary to carry out the
1357 urban renewal plan, either by eminent domain or by grant, purchase, lease, gift, exchange or
1358 otherwise.

1359 SECTION 168. Said chapter 121B, as so appearing, is hereby amended by striking out
1360 section 49 as and inserting in place thereof the following section:-

1361 Section 49. If an urban renewal agency shall sell or lease any property acquired by it for
1362 an urban renewal project, the terms of such sales or leases shall obligate the purchasers or
1363 lessees: (a) to devote the land to the use specified in the urban renewal plan for said land; (b) to
1364 begin the building of their improvements within a reasonable time; (c) for a residential
1365 redevelopment project, to give preference in the selection of tenants to eligible families displaced

1366 as a result of the project, subject to applicable federal or state laws and requirements; and (d) to
1367 comply with such other conditions as are deemed necessary to carry out the purposes of this
1368 chapter, including complying with the applicable federal or state relocation requirements.
1369 Nothing in this chapter shall be construed as limiting the power of an urban renewal agency in
1370 the event of a default by a purchaser or lessee of land in an urban renewal project to retake title
1371 to and possession of the property sold or leased free from the obligations in the conveyance or
1372 lease thereof.

1373 SECTION 169. Said chapter 121B, as so appearing, is hereby amended by striking out
1374 section 50 and inserting in place thereof the following section:-

1375 Section 50. If necessary to redevelop a decadent, substandard or blighted open area, an
1376 urban renewal agency is authorized to delegate to a city or town or other public body or to any
1377 board or officer of a city, town or other public body any of the powers or functions of the agency
1378 with respect to the planning or undertaking of an urban renewal project in the area in which such
1379 city, town or other public body is authorized to act, and such city, town or other public body, or
1380 such board or officer thereof, is authorized to carry out or perform such powers or functions for
1381 the agency. An urban renewal agency, to the greatest extent it determines to be feasible in
1382 carrying out the provisions of this chapter, shall afford maximum opportunity consistent with the
1383 sound needs of the city or town as a whole for the rehabilitation or redevelopment of decadent,
1384 substandard or blighted open areas by private enterprise.

1385 SECTION 170. Section 51 of said chapter 121B is hereby repealed.

1386 SECTION 171. Section 52 of said chapter 121B, as appearing in the 2018 Official
1387 Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the
1388 following paragraph:-

1389 Each urban renewal agency shall keep an accurate account of all its activities, receipts
1390 and expenditures in connection with the planning and execution of urban renewal projects and
1391 shall annually in the month of January make a report of such activities, receipts and expenditures
1392 to the department, the state auditor and the mayor of the city or to the selectmen of the town
1393 within which such authority is organized. The department or state auditor shall have the power
1394 to examine into the properties and records of urban renewal agencies for such activities, receipts
1395 and expenditures.

1396 SECTION 172. Said section 52 of said chapter 121B, as so appearing, is hereby further
1397 amended by striking out, in line 32, the word “six,” and inserting in place thereof the following
1398 figure:- 9.

1399 SECTION 173. Sections 53 through 57, inclusive, of said chapter 121B are hereby
1400 repealed.

1401 SECTION 174. Section 97 of chapter 140 of the General Laws, as appearing in the 2018
1402 Official Edition, is hereby amended by striking out, in lines 15 to 16, the words “, at least once in
1403 every two calendar years and more often if he deems it necessary,”.

1404 SECTION 175. Sections 19B, 19C, 19D, and 19E of chapter 159 of the General Laws are
1405 hereby repealed.

1406 SECTION 176. Section 37 of chapter 159 of the General Laws, as appearing in the 2018
1407 Official Edition, is hereby amended by inserting, in line 3, after the word “thereof,” the
1408 following words:-by electronic medium as defined by the department,.

1409 SECTION 177. Section 1 of chapter 159C of the General Laws, as so appearing, is
1410 hereby amended by inserting after the definition of “Unsolicited telephonic sales call” the
1411 following definitions:-

1412 “voice service”, (a) any service that is interconnected with the public switched telephone
1413 network and that furnishes voice communications to an end user using resources from the North
1414 American Numbering Plan or any successor to the North American Numbering Plan adopted by
1415 the Federal Communication Commission under section 251(e)(1) of the Communications Act of
1416 1934 (47 U.S.C. 251(e)(1)); and (b) includes—

1417 (i) transmissions from a telephone facsimile machine, computer, or other device to a
1418 telephone facsimile machine; and

1419 (ii) without limitation, any service that enables real-time, two-way voice
1420 communications, including any service that requires internet protocol-compatible customer
1421 premises equipment (commonly known as “CPE”) and permits out-bound calling, whether or not
1422 the service is one-way or two-way voice over internet protocol.

1423 “voice service provider”, a person that provides voice service to a subscriber or end user.

1424 SECTION 178. Subsection (b) of section 5 of said chapter 159C, as so appearing, is
1425 hereby amended by striking out, in lines 12 to 14, inclusive, the words “telephone company,
1426 subject to the authority of the department of telecommunications and energy”, and in lines 18

1427 and 19, the words “telephone company” and inserting in place thereof in each instance the
1428 following words:- voice service provider.

1429 SECTION 179. Section 6 of said chapter 159C, as so appearing, is hereby amended by
1430 striking out, in line 2, the words “local exchange company” and inserting in place thereof the
1431 following words:- voice service provider.

1432 SECTION 180. Said chapter 159C, as so appearing, is hereby further amended by
1433 inserting after section 7 the following section:-

1434 Section 7A. A person shall not, with the intent to deceive, defraud, harass, cause harm, or
1435 wrongfully obtain anything of value, including, but not limited to, financial resources or personal
1436 identifying information, (a) utilize voice service, or (b) engage in conduct that results in the
1437 display of misleading, false, or inaccurate caller identification information on the receiving
1438 party’s telephone or device.

1439 SECTION 181. Subsection (a) of section 8 of said chapter 159C, as so appearing, is
1440 hereby amended by striking out, in line 4, the figure “\$5,000” and inserting in place thereof the
1441 following figure:- “\$25,000”

1442 SECTION 182. Said subsection (a) of said section 8 of said chapter 159C, as so
1443 appearing, is hereby further amended and by striking out, in line 5, the figure “\$1,500” and
1444 inserting in place thereof the following figure:- “\$5,000”.

1445 SECTION 183. Subsection (b) of section 8 of said chapter 159C, as so appearing, is
1446 hereby amended by striking out, in line 15, the figure “\$5,000” and inserting in place thereof the
1447 following figure:- “\$25,000”.

1448 SECTION 184. Section 47E of chapter 164 of the General Laws, as so appearing, is
1449 hereby amended by adding the following 2 sentences:- A cooperative or municipal lighting plant
1450 shall, upon commencing operations of a telecommunications system, provide notice to the
1451 department of telecommunications and cable. A cooperative or municipal lighting plant that is
1452 engaged in the business of operating a broadband telecommunications system shall file annually
1453 with the department of telecommunications and cable, on a form prescribed by the department of
1454 telecommunications and cable, a statement of its revenues and expenses and a financial balance
1455 sheet, each of which shall be open to public inspection.

1456 SECTION 185. Subsection (1) of section 20A of chapter 175 of the General Laws, as so
1457 appearing, is hereby amended by inserting, in line 4, after the words “(E)” the following words:-
1458 , (E1/2).

1459 SECTION 186. Said subsection (1) of said section 20A of said chapter 175, as so
1460 appearing, is hereby further amended by inserting after paragraph (E) the following paragraph:-

1461 (E1/2) (i) Credit shall be allowed when the reinsurance is ceded to an assuming
1462 insurer meeting each of the conditions set forth below.

1463 (a) The assuming insurer must have its head office or be domiciled in, as applicable,
1464 and be licensed in a Reciprocal Jurisdiction. A “Reciprocal Jurisdiction” is a jurisdiction that
1465 meets one of the following:

1466 1. A non-U.S. jurisdiction that is subject to an in-force covered agreement with the
1467 United States, each within its legal authority, or, in the case of a covered agreement between the
1468 United States and European Union, is a member state of the European Union. For purposes of
1469 this subsection, a “covered agreement” is an agreement entered into pursuant to Dodd-Frank

1470 Wall Street Reform and Consumer Protection Act, 31 U.S.C. §§ 313 and 314, that is currently in
1471 effect or in a period of provisional application and addresses the elimination, under specified
1472 conditions, of collateral requirements as a condition for entering into any reinsurance agreement
1473 with a ceding insurer domiciled in this state or for allowing the ceding insurer to recognize credit
1474 for reinsurance.

1475 2. A U.S. jurisdiction that meets the requirements for accreditation under the NAIC
1476 financial standard and accreditation program; or

1477 3. A qualified jurisdiction, as determined by the commissioner pursuant to clause
1478 (iii) of paragraph (E) of subsection (1), which is not otherwise described in subclause 1 or 2 of
1479 this subparagraph above and which meets certain additional requirements, consistent with the
1480 terms and conditions of inforce covered agreements, as specified by the commissioner in
1481 regulation.

1482 (b) The assuming insurer must have and maintain, on an ongoing basis, minimum
1483 capital and surplus, or its equivalent, calculated according to the methodology of its domiciliary
1484 jurisdiction, in an amount to be set forth in regulation. If the assuming insurer is an association,
1485 including incorporated and individual unincorporated underwriters, it must have and maintain,
1486 on an ongoing basis, minimum capital and surplus equivalents (net of liabilities), calculated
1487 according to the methodology applicable in its domiciliary jurisdiction, and a central fund
1488 containing a balance in amounts to be set forth in regulation.

1489 (c) The assuming insurer must have and maintain, on an ongoing basis, a minimum
1490 solvency or capital ratio, as applicable, which will be set forth in regulation. If the assuming
1491 insurer is an association, including incorporated and individual unincorporated underwriters, it

1492 must have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the
1493 Reciprocal Jurisdiction where the assuming insurer has its head office or is domiciled, as
1494 applicable, and is also licensed.

1495 (d) The assuming insurer must agree and provide adequate assurance to the
1496 commissioner, in a form specified by the commissioner pursuant to regulation, as follows:

1497 1. The assuming insurer must provide prompt written notice and explanation to the
1498 commissioner if it falls below the minimum requirements set forth in subparagraphs (b) or (c), or
1499 if any regulatory action is taken against it for serious noncompliance with applicable law;

1500 2. The assuming insurer must consent in writing to the jurisdiction of the courts of
1501 the Commonwealth and to the appointment of the commissioner as agent for service of process.
1502 The commissioner may require that consent for service of process be provided to the
1503 commissioner and included in each reinsurance agreement. Nothing in this provision shall limit,
1504 or in any way alter, the capacity of parties to a reinsurance agreement to agree to alternative
1505 dispute resolution mechanisms, except to the extent such agreements are unenforceable under
1506 applicable insolvency or delinquency laws;

1507 3. The assuming insurer must consent in writing to pay all final judgments, wherever
1508 enforcement is sought, obtained by a ceding insurer or its legal successor, that have been
1509 declared enforceable in the jurisdiction where the judgment was obtained;

1510 4. Each reinsurance agreement must include a provision requiring the assuming
1511 insurer to provide security in an amount equal to 100 per cent of the assuming insurer's liabilities
1512 attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists
1513 enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it

1514 was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer
1515 or by its legal successor on behalf of its resolution estate; and

1516 5. The assuming insurer must confirm that it is not presently participating in any
1517 solvent scheme of arrangement which involves this state's ceding insurers, and agrees to notify
1518 the ceding insurer and the commissioner and to provide security in an amount equal to 100 per
1519 cent of the assuming insurer's liabilities to the ceding insurer, should the assuming insurer enter
1520 into such as solvent scheme of arrangement. Such security shall be in a form consistent with the
1521 provisions of paragraph (E) of subsection (1) and subsection (2) and as specified by the
1522 commissioner in regulation.

1523 (e) The assuming insurer or its legal successor must provide, if requested by the
1524 commissioner, on behalf of itself and any legal predecessors, certain documentation to the
1525 commissioner, as specified by the commissioner in regulation.

1526 (f) The assuming insurer must maintain a practice of prompt payment of claims
1527 under reinsurance agreements, pursuant to criteria set forth in regulation.

1528 (g) The assuming insurer's supervisory authority must confirm to the commissioner
1529 on an annual basis, as of the preceding December 31 or at the annual date otherwise statutorily
1530 reported to the Reciprocal Jurisdiction, that the assuming insurer complies with the requirements
1531 set forth in subparagraphs (b) and (c).

1532 (h) Nothing in this provision precludes an assuming insurer from providing the
1533 commissioner with information on a voluntary basis.

1534 (ii) The commissioner shall timely create and publish a list of Reciprocal Jurisdictions.

1535 (a) A list of Reciprocal Jurisdictions is published through the NAIC Committee Process.
1536 The commissioner's list shall include any Reciprocal Jurisdiction as defined under subclauses 1
1537 and 2 of subparagraph (a) of clause (i) of this paragraph, and shall consider any other Reciprocal
1538 Jurisdiction included on the NAIC list. The commissioner may approve a jurisdiction that does
1539 not appear on the NAIC list of Reciprocal Jurisdictions in accordance with criteria to be
1540 developed under regulations issued by the commissioner.

1541 (b) The commissioner may remove a jurisdiction from the list of Reciprocal Jurisdictions
1542 upon a determination that the jurisdiction no longer meets the requirements of a Reciprocal
1543 Jurisdiction, in accordance with a process set forth in regulations issued by the commissioner,
1544 except that the commissioner shall not remove from the list of Reciprocal Jurisdiction as defined
1545 under subclauses 1 and 2 of subparagraph (a) of clause (i) of this paragraph. Upon removal of a
1546 Reciprocal Jurisdiction from the list credit for reinsurance ceded to an assuming insurer which
1547 has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise allowed
1548 pursuant to this section 20A.

1549 (iii) The commissioner shall timely create and publish a list of assuming insurers that
1550 have satisfied the conditions set forth in this subsection and to which cessions shall be granted
1551 credit in accordance with this subsection. The commissioner may add an assuming insurer to
1552 such list if an NAIC accredited jurisdiction has added such assuming insurer to a list of such
1553 assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to
1554 the commissioner as required under subparagraph (d) of clause (i) of this paragraph and complies
1555 with any additional requirements that the commissioner may impose by regulation, except to the
1556 extent that they conflict with an applicable covered agreement.

1557 (iv) If the commissioner determines that an assuming insurer no longer meets one or
1558 more of the requirements under this subsection, the commissioner may revoke or suspend the
1559 eligibility of the assuming insurer for recognition under this subsection in accordance with
1560 procedures set forth in regulation.

1561 (a) While an assuming insurer's eligibility is suspended, no reinsurance agreement
1562 issued, amended or renewed after the effective date of the suspension qualified for credit except
1563 to the extent that the assuming insurer's obligations under the contract are secured in accordance
1564 with subsection 2.

1565 (b) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be
1566 granted after the effective date of the revocation with respect to any reinsurance agreements
1567 entered into by the assuming insurer, including reinsurance agreements entered into prior to the
1568 date of revocation, except to the extent that the assuming insurer's obligations under the contract
1569 are secured in a form acceptable to the commissioner and consistent with the provision of
1570 subsection 2.

1571 (v) If subject to a legal process of rehabilitation, liquidation or conservation, as
1572 applicable, the ceding insurer, or its representative, may seek and, if determined appropriate by
1573 the court in which the proceedings are pending, may obtain an order requiring that the assuming
1574 insurer post security for all outstanding ceded liabilities.

1575 (vi) Nothing in this subsection shall limit or in any way alter the capacity of parties to a
1576 reinsurance agreement to agree on requirements for security or other terms in that reinsurance
1577 agreement, except as prohibited by this section 20A or other applicable law or regulation.

1578 (vii) Credit may be taken under this subsection only for reinsurance agreements entered
1579 into, amended, or renewed on or after the effective date of the statute adding this subsection, and
1580 only with respect to losses incurred and reserves reported on or after the later of (1) the date on
1581 which the assuming insurer has met all eligibility requirements pursuant to clause (i) of this
1582 paragraph (E1/2) of this subsection herein, and (2) the effective date of the new reinsurance
1583 agreement, amendment, or renewal.

1584 (a) This paragraph does not alter or impair a ceding insurer's right to take credit for
1585 reinsurance, to the extent that credit is not available under this subsection, as long as the
1586 reinsurance qualifies for credit under any other applicable provision of this section 20A.

1587 (b) Nothing in this subsection shall authorize an assuming insurer to withdraw or
1588 reduce the security provided under any reinsurance agreement except as permitted by the terms
1589 of the agreement.

1590 (c) Nothing in this subsection shall limit, or in any way alter, the capacity of parties
1591 to any reinsurance agreement to renegotiate the agreement.

1592 SECTION 187. Said subsection (1) of said section 20A of said chapter 175, as so
1593 appearing, is hereby further amended by striking out paragraph (F) and inserting in place thereof
1594 the following paragraph:-

1595 (F) Credit shall be allowed when the reinsurance is ceded to an assuming insurer not
1596 meeting the requirements of paragraphs (A), (B), (C), (D), (E), or (E1/2) but only with respect to
1597 the insurance of risks located in jurisdictions where such reinsurance is required by applicable
1598 law or regulation of that jurisdiction.

1599 SECTION 188. Said subsection (1) of said section 20A of said chapter 175, as so
1600 appearing, is hereby further amended by striking out paragraph (H) and inserting thereof the
1601 following paragraph :-

1602 (H) If the assuming insurer does not meet the requirements of paragraphs (A), (B), (C) or
1603 (E1/2), the credit permitted by paragraph (D) shall not be allowed unless the assuming insurer
1604 agrees in substance in the trust agreements to the following conditions:.

1605 SECTION 189. Clause (iv) of paragraph (B) of subsection (5) of said section 20A of said
1606 chapter 175, as so appearing, is hereby amended by striking out subparagraphs (a) and (b) and
1607 inserting in place thereof the following 3 subparagraphs:-

1608 (a) meets the conditions set forth in paragraph (E1/2) of subsection (1) of this section;

1609 (b) is certified in the commonwealth; or

1610 (c) maintains at least \$250,000,000 in capital and surplus when determined in
1611 accordance with the NAIC Accounting Practices and Procedures Manual, including all
1612 amendments thereto adopted by the NAIC, excluding the impact of any permitted or prescribed
1613 practices; and is licensed in at least 26 states; or licensed in at least 10 states and licensed or
1614 accredited in a total of at least 35 states.

1615 SECTION 190. Said chapter 175 of the General Laws, as so appearing, is hereby further
1616 amended by striking out section 117C and inserting in place thereof the following section:-

1617 Section 117C. (a) The following method of determination of premium rates with respect
1618 to credit life insurance and credit accident and health insurance is required only for such
1619 insurance written in connection with obligations, other than loans secured by first liens on real

1620 property, which are subject to section 12G of chapter 255, section 10 of chapter 255B, section
1621 14A of chapter 255C, or subsection C of section 26 of chapter 255D, for which an identifiable
1622 charge is paid by insured persons.

1623 (b) The following are the procedures for determining the maximum premium rates
1624 permitted to be charged any account:

1625 A. Rate Review.

1626 (1) Minimum loss ratio test: Benefits will be considered reasonable in relation to the
1627 premium charged if the loss ratio equals or exceeds or is reasonably expected to equal or exceed
1628 the minimum loss ratio standard specified below. The minimum loss ratio standard is:

1629 (i) for credit life insurance, 50 per cent and

1630 (ii) for credit accident and health insurance, 55 per cent.

1631 In applying the minimum loss ratio test, the commissioner shall make appropriate
1632 adjustment to account for differences in loss ratios that may be expected on single premium
1633 credit life insurance plans resulting from changes in the benefit structure.

1634 The rate review will be made each year for all classes of business.

1635 B. Reports of Experience:

1636 (1) Each insurer writing said life insurance and accident and health insurance shall report
1637 to the commissioner its claims experience and loss ratio data on said insurance separately for the
1638 motor vehicle dealers class of business and for all classes of business combined on the credit

1639 insurance supplement forms as specified by the National Association of Insurance
1640 Commissioners for inclusion in the annual statement blanks filed pursuant to section 25.

1641 (2) Each insurer writing said life insurance and accident and health insurance shall
1642 annually report to the commissioner, on a form prescribed by him or her, its claims experience
1643 and loss ratio data on said insurance separately for motor vehicle dealers and other than motor
1644 vehicle dealers. Should the reported experience indicate that claims experience does not meet
1645 the minimum loss ratio tests, taking into consideration the credibility of said experience as
1646 measured by the table set forth in paragraph C, corrective action will be required. If corrective
1647 action is indicated, the carrier shall include with its submission its proposed plan for such
1648 corrective action.

1649 C. Definitions:

1650 As used in this section the following terms, unless the context clearly requires otherwise,
1651 shall have the following meanings:

1652 (1) "Average Number of Life Years", the average number of group certificates in force
1653 during the experience period, without regard to multiple coverage, times the number of years in
1654 the experience period, or some equivalent calculation, which shall be made separately for credit
1655 life insurance and for credit accident and health insurance.

1656 (2) "Credibility factor", the extent to which past experience can be expected to recur in
1657 the future. The credibility factor may be based on either the number of claims incurred or on the
1658 "average number of life years" for the case during the experience period using the credibility
1659 table.

1660 (3) "Credibility table" means the following table:

<i>Average Number of Life Years</i>			
<i>Credit Life</i>	<i>Credit Accident and Health</i>	<i>Incurred Claim Count</i>	<i>Credibility "Z" Factor</i>
7	1	1	.00
1,800	209	9	.25
2,400	279	12	.30
3,000	349	15	.35
3,600	419	18	.40
4,600	535	23	.45
5,600	651	28	.50
6,600	767	33	.55
7,600	884	38	.60
9,600	1,116	48	.65
11,600	1,349	58	.70
14,600	1,698	73	.75
17,600	2,047	88	.80
20,600	2,395	103	.85
25,600	2,977	128	.90
30,600	3,558	153	.95
40,600	4,651	200	1.00

1661

1662 The above integral numbers represent the lower end of the bracket for each "Z" factor.

1663 The upper is 1 less than the lower end for the next higher "Z" factor.

1664 (4) "Earned premiums", the premiums earned at the premium rates actually charged for

1665 coverage in force during the experience period.

1666 (5) "Experience", earned premiums, incurred claims, incurred claim count, number of life

1667 years insured, and average amount of insurance during the experience period.

1668 (6) "Incurred claims", total claims paid during the experience period, adjusted for the

1669 change in the claim reserve.

1670 (7) "Incurred claim count", the number of claims incurred during the experience period.

1671 This means the total number of claims reported during the experience period, whether paid or in

1672 the process of payment. If a debtor has been issued more than one certificate for the same plan of

1673 insurance, only one claim is counted. If a debtor receives disability benefits, only the initial claim
1674 payment for that period of disability is counted.

1675 (8) “Loss Ratio”, the ratio of incurred claims to earned premiums.

1676 SECTION 191. The second paragraph of section 32 of chapter 184 of the General Laws,
1677 as so appearing, is hereby amended by adding the following sentence:-

1678 Notwithstanding the foregoing, the director of housing and community development may
1679 release or approve the release of an affordable housing restriction after soliciting public comment
1680 upon reasonable public notice, in lieu of a public hearing, provided that the director first
1681 determines that the release is likely to be in the public interest and states the basis for such
1682 determination in the notice of public comment.

1683 SECTION 192. Section 2 of chapter 239 of the General Laws, as so appearing, is hereby
1684 amended by adding the following paragraph:- The defendant named in a summary process
1685 summons and complaint shall not include any minors, and any such minors’ names so included
1686 shall be expunged from any court record and electronic docket entry.

1687 SECTION 193. Section 3 of chapter 614 of the acts of 1968, as most recently amended
1688 by section 5 of chapter 454 of the acts of 1969, is hereby further amended by adding after
1689 subsection (h) the following subsection:-

1690 (i) “Nonprofit Beneficiary”. Any nonprofit person, as defined in section 1 of chapter 23G
1691 of the General Laws, to which the agency is authorized to provide financing.

1692 SECTION 194. Section 5 of said chapter 614, as most recently amended by section 9 of
1693 said chapter 454, is hereby further amended by striking out subsection (o) and inserting in place
1694 thereof the following 2 subsections:-

1695 (o) to make loans from the assets of any existing authority trust to nonprofit beneficiaries
1696 in support of such trust;

1697 (p) to do all things necessary and convenient to carry out the purposes of this act.

1698 SECTION 195. Section 12 of chapter 490 of the acts of 1980 is hereby repealed.

1699 SECTION 196. Sections 46, 48, 61 and 63 of chapter 287 of the acts of 2014, as most
1700 recently amended by chapter 99 of the acts of 2018, are hereby repealed.

1701 SECTION 197. Section 124A of chapter 287 of the acts of 2014, as added by section 26
1702 of chapter 99 of the acts of 2018, is hereby repealed.

1703 SECTION 198. The executive office of housing and economic development shall issue
1704 guidance to assist local officials determining the voting thresholds for various zoning
1705 amendments. Such guidance shall be assembled in consultation with the Department of Housing
1706 and Community Development, the Massachusetts Attorney General's Municipal Law Unit, and
1707 Massachusetts Housing Partnership.

1708 SECTION 199. The secretary of housing and economic development shall report
1709 annually to the clerks of the house of representatives and the senate, who shall forward the report
1710 to the house of representatives and the senate, the chairs of the joint committee on housing, and
1711 the chairs of the senate and house committees on ways and means, on the activities and status of
1712 the Housing Choice Initiative, as described by the governor in a message to the general court

1713 dated December 11, 2017, including progress made towards the production of 135,000 new units
1714 by 2025. The report also shall include a list of all cities and towns that qualify as “housing
1715 choice” communities and a list and description of grant funds disbursed to such cities and towns
1716 and a description of how the funds were used to support the production of new housing.

1717 SECTION 200. Notwithstanding any general or special law to the contrary, to meet the
1718 expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a
1719 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
1720 by the governor from time to time but not exceeding, in the aggregate, \$155,000,000. All bonds
1721 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
1722 Economic Development Act of 2020”, and shall be issued for a maximum term of years, not
1723 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
1724 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
1725 be payable not later than June 30, 2055. All interest and payments on account of principal on
1726 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
1727 under the authority of this section shall, notwithstanding any other provision of this act, be
1728 general obligations of the commonwealth.

1729 SECTION 201. Notwithstanding any general or special law to the contrary, to meet the
1730 expenditures necessary in carrying out section 2A, the state treasurer shall, upon receipt of a
1731 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
1732 by the governor from time to time but not exceeding, in the aggregate, \$85,000,000. All bonds
1733 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
1734 Economic Development Act of 2020”, and shall be issued for a maximum term of years, not
1735 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of

1736 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
1737 be payable not later than June 30, 2055. All interest and payments on account of principal on
1738 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
1739 under the authority of this section shall, notwithstanding any other provision of this act, be
1740 general obligations of the commonwealth.

1741 SECTION 202. Sections 76 to 84, inclusive, section 94, sections 107 and 108, and
1742 sections 198 and 199, shall take effect 90 days after enactment.

1743 SECTION 203. Sections 124 to 128, inclusive, and sections 130 to 132, inclusive, shall
1744 apply to tax years beginning on or after January 1, 2021.