

HOUSE No. 4616

The Commonwealth of Massachusetts

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

SENATE, April 9, 2020.

The committee on Senate Ways and Means to whom was referred the House Bill to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19 (House, No. 4616); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2629.

For the committee,
Michael J. Rodrigues

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

An Act to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith to make certain changes in law in response to a public health emergency, each of which is immediately necessary to carry out to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and 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. Section 20 of chapter 161A of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out, in line 2, the word, “March” and inserting in
3 place thereof the following word:- May.

4 SECTION 2. Said section 20 of said chapter 161A, as so appearing, is hereby further
5 amended by striking out, in line 4, the word, “April” and inserting in place thereof the following
6 word:- June.

7 SECTION 3. Item 7004-0202 of section 2 of chapter 41 of the acts of 2019 is hereby
8 amended by inserting after the words “permanent supportive housing” the following words:- ;

9 provided further, that as a result of the outbreak of the 2019 novel coronavirus, also known as
10 COVID-19, funds may be utilized for the purposes outlined in item 7004-0102.

11 SECTION 4. Item 7004-9024 of said section 2 of said chapter 41 is hereby amended by
12 inserting after the words “voucher management system” the following words:- ; provided further,
13 that as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the
14 governor’s March 10, 2020 declaration of a state of emergency, the department shall, from the
15 governor’s March 10, 2020 declaration of a state of emergency until the termination of said state
16 of emergency, to the maximum extent feasible, suspend, waive, delay or simplify requirements
17 for documentation, third-party verification, notarization, recipient briefings, inspections and
18 other requirements that require administering agencies, landlords or the client to engage in in-
19 person contact or mail delivery; and, to the maximum extent feasible, allow for self-certification.

20 SECTION 5. Item 7004-9316 of said section 2 of said chapter 41 is hereby amended by
21 inserting after the words “not less than annually” the following words:- ; provided further, that as
22 a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the
23 governor’s March 10, 2020 declaration of a state of emergency, the department shall, from the
24 governor’s March 10, 2020 declaration of a state of emergency until the termination of said state
25 of emergency, to the maximum extent feasible, suspend, waive, delay or simplify requirements
26 for documentation, third-party verification, notarization, recipient briefings, inspections and
27 other requirements that require administering agencies, landlords or the client to engage in in-
28 person contact or mail delivery; and, to the maximum extent feasible, allow for self-certification.

29 SECTION 6. Notwithstanding section 57, 57A and 57C of chapter 59 of the General
30 Laws, section 2 of chapter 60A of the General Laws or any other general or special law to the

31 contrary, as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19, or
32 the governor's March 10, 2020 declaration of a state of emergency, the chief executive officer of
33 a city or town, as defined in clause Fifth B of section 7 of chapter 4 of the General Laws, or the
34 prudential committee or commissioners of a district may waive the payment of interest and other
35 penalty in the event of late payment of any excise, tax, betterment assessment or apportionment
36 thereof, water rate or annual sewer use or other charge added to a tax for any payments with a
37 due date on or after March 10, 2020 and made after its respective due date but before June 30,
38 2020. Notwithstanding the forgoing, a city or town shall not terminate an essential service of a
39 resident, including, but not limited to, water, trash collection or electricity, for nonpayment of
40 taxes or fees with a due date on or after March 10, 2020, made after its respective due date but
41 before June 30, 2020, if the nonpayment resulted from a demonstrated inability to pay due to
42 circumstances related to the outbreak of COVID-19 or the governor's March 10, 2020
43 declaration of a state of emergency; provided that the inability to pay shall include a
44 demonstrated financial hardship of a resident, which may include, but not be limited to, loss of
45 employment, serious illness of someone within the home or death of someone within the home.

46 SECTION 7. Notwithstanding clause (i) of the fourth paragraph of section 1D of chapter
47 69 of the General Laws or any other general or special law to the contrary, upon
48 recommendation of the commissioner of elementary and secondary education, the board of
49 elementary and secondary education may modify or waive the requirements of the competency
50 determination for high school graduation, in order to address disruptions caused by the outbreak
51 of the 2019 novel coronavirus, also known as COVID-19, or the governor's March 10, 2020
52 declaration of a state of emergency; provided, that any grade 12 student that is unable to take or
53 otherwise complete any assessment administered in the spring of 2020 as a requirement of the

54 competency determination pursuant to said clause (i) of said fourth paragraph of said section 1D
55 of said chapter 69 shall have the opportunity to take or retake the assessment during subsequent
56 offerings.

57 SECTION 8. Notwithstanding section 1I of chapter 69 of the General Laws or any other
58 general or special law to the contrary, the commissioner of elementary and secondary education
59 shall modify or waive the requirement for a comprehensive diagnostic assessment of individual
60 students under said section 1I of said chapter 69 in order to address disruptions caused by the
61 outbreak of the 2019 novel coronavirus, also known as COVID-19, or the governor's March 10,
62 2020 declaration of a state of emergency; provided however, if any modifications are made to the
63 requirements under said section 1I of said chapter 69, then any assessments administered in the
64 spring of 2020, for grades 3 through 8, inclusive, shall be used solely for the purposes of
65 gathering information and informing teachers, parents, school administrators and students as to
66 individual academic progress.

67 SECTION 9. Notwithstanding section 16B of chapter 71 of the General Laws or any
68 other general or special law to the contrary, if a vote on the approval of a fiscal year 2021
69 regional school district budget by a town or city is delayed beyond June 30, 2020 as a result of
70 the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the declaration of a
71 state of emergency issued by the governor on March 10, 2020, the budget approval process
72 described in said section 16B shall be suspended and the district shall notify the department of
73 elementary and secondary education of a lack of a budget and the commissioner, or a designee,
74 shall certify an amount sufficient for the operation of the district commencing July 1, 2020 in an
75 amount not less than 1/12 of the total budget approved for the district in the most recent fiscal
76 year. Similar sums shall be certified for each successive month to ensure the continued provision

77 of services by the district until such time as a budget is adopted and approved by the regional
78 committee and member towns or cities in the manner otherwise provided in said section 16B.
79 The department may issue guidelines or regulations for the implementation of this section.

80 SECTION 10. Notwithstanding subsection (a) of section 23 of chapter 132 of the acts of
81 2019, or any other general or special law to the contrary, the commissioner of elementary and
82 secondary education may set the deadline for each school district to submit its first 3-year plan
83 required pursuant to subsection (d) of section 1S of chapter 69 of the General Laws as May 15,
84 2020, or such later date as determined by the commissioner, in order to address disruptions
85 caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19, or the
86 governor's March 10, 2020 declaration of a state of emergency.