

**HOUSE . . . . . No. 4887**

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House bill No. 4879, as changed by the House committee on Bills in the Third Reading and as amended (on July 27 and 28) and passed to be engrossed by the House. July 28, 2020.

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The Commonwealth of Massachusetts

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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,  
2 the 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  
16 2 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 ..... \$35,000,000

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; and 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 Scientific and Technology  
36 Research and Development Matching Grant Fund established by section 4G of chapter 40J of the  
37 General Laws; provided, that not less than \$2,000,000 shall be expended for the University of  
38 Massachusetts Amherst for capital improvements to the marine station in Gloucester; provided  
39 further, that use of funds may include the following purposes: (a) capital improvements,  
40 equipment and faulty start-up costs at the marine station, and (b) capital equipment and other  
41 start-up costs for a sustainable seafood production center of excellence including, but not limited  
42 to, acquiring, expanding, improving or leasing a facility on Gloucester Harbor in Gloucester; and  
43 provided further, that the University of Massachusetts Amherst shall provide a 50 per cent match  
44 to these funds ..... \$47,000,000

45           7002-8027    For a competitive program of grants or other financial assistance to  
46 support economic development, job creation and housing and climate resilience initiatives,  
47 including nature-based solutions projects, that incorporate these elements, for the public purpose  
48 of promoting economic opportunity and prosperity in small towns or rural areas of the  
49 commonwealth; provided, that such financial assistance may be offered to a municipality or  
50 other public entity, a community development corporation, nonprofit entity or for-profit entity;  
51 provided further, that such financial assistance must support a project located in a municipality  
52 with a population of fewer than 7,000 year-round residents or a population density of not more  
53 than 500 persons per square mile; provided further, that financial assistance offered pursuant to  
54 this line item may be administered by the executive office through a contract with the

55 Massachusetts Development Finance Agency established by section 2 of chapter 23G; and  
56 provided further, that the administering agency may establish additional program requirements  
57 through regulations or policy guidelines ..... \$10,000,000

58           7002-8028   For the Massachusetts Growth Capital Corporation, established in section  
59 2 of chapter 40W of the General Laws to provide, in consultation with the microbusiness  
60 development center within the Massachusetts office of business development, matching grants to  
61 low- and moderate-income entrepreneurs to acquire, expand, improve or lease a facility, to  
62 purchase or lease equipment or to meet other capital needs of a business with not more than 20  
63 employees and annual revenues not exceeding \$2,500,000; provided, that preference shall be  
64 given to businesses located in low- or moderate-income areas or owned by women, veterans,  
65 minorities or immigrants; provided further, that funds may be expended for micro businesses  
66 with credible revenue losses due to the 2019 novel coronavirus pandemic; and provided further,  
67 that not less than \$10,000,000 shall be expended to minority-owned  
68 businesses.....  
69 .....\$20,000,000

70           7002-8029   For a competitive grant program administered by the Massachusetts office  
71 of travel and tourism to improve facilities and destinations visited by in-state and out-of-state  
72 travelers, with the goals of increasing visitation, enticing repeat visitation and increasing the  
73 direct and indirect economic impacts of the tourism industry in all regions of the commonwealth;  
74 provided, that grants shall support the design, repair, renovation, improvement, expansion and  
75 construction of facilities owned by municipalities or nonprofit entities; provided further, that all  
76 grantees shall provide a match based on a graduated formula determined by the Massachusetts  
77 office of travel and tourism; and provided further, that grant recipients shall be required to

78 measure and report on return-on-investment data after the expenditure of grant funds  
79 ..... \$10,000,000

80           7002-8031     For a program to provide assistance to projects that will improve,  
81 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the  
82 public purposes of eliminating blight, increasing housing production, supporting economic  
83 development projects, increasing the number of commercial buildings accessible to persons with  
84 disabilities and conserving natural resources through the targeted rehabilitation and reuse of  
85 vacant and underutilized property; provided, that such assistance shall take the form of a grant or  
86 a loan provided to a municipality or other public entity, a community development corporation,  
87 nonprofit entity or for-profit entity; provided further, that eligible uses of funding shall include,  
88 but not be limited to, improvements and additions to or alterations of structures and other  
89 facilities necessary to comply with requirements of building codes, fire or other life safety codes  
90 and regulations pertaining to accessibility for persons with disabilities, where such code or  
91 regulatory compliance is required in connection with a new commercial, residential or civic use  
92 of such structure or facility, and also shall include the targeted removal of existing underutilized  
93 structures or facilities to create or activate publicly-accessible recreational or civic spaces;  
94 provided further, that funding shall be awarded on a competitive basis in accordance with  
95 guidelines developed by the agency; provided further, that financial assistance offered pursuant  
96 to this line item may be administered by the executive office through a contract with the  
97 Massachusetts Development Finance Agency established by section 2 of chapter 23G; provided  
98 further, that the executive office or the Massachusetts Development Finance Agency may  
99 establish additional program requirements through regulations or policy guidelines; provided  
100 further, that program funds may be used for the reasonable costs of administering the program;

101 and provided further, that such costs shall not exceed 5 per cent of the total assistance made  
102 during the fiscal year ..... \$40,000,000

103           7002-8032     For grants and technical assistance to be made to municipalities and  
104 regional applicants, to support planning and locally-driven initiatives related to community  
105 development, housing production, workforce training and economic opportunity, childcare and  
106 early education initiatives and climate resilience initiatives, including nature-based solutions  
107 projects, that incorporate these elements, across the commonwealth within individual  
108 communities, regions or a defined subset of communities therein; provided, that funds shall be  
109 expended for culturally competent and multi-lingual technical assistance and training to small  
110 businesses; and provided further, that preference for these funds shall be given to businesses  
111 located in low- or moderate-income areas and owned by women, veterans, minorities or  
112 immigrants ..... \$10,000,000

113           7002-8033     For an employment social enterprise capital grant program to be  
114 administered by the executive office of housing and economic development, in consultation with  
115 the executive office of labor and workforce development, for the development of eligible  
116 facilities for nonprofit employment social enterprises that sell goods and services and enhance  
117 economic development; provided, that eligible applicants shall be nonprofit organizations with a  
118 demonstrated history of operating employment social enterprises targeting individuals facing  
119 significant barriers to employment; provided further, that grants shall support costs associated  
120 with the acquisition of real property, and design, construction, repair, rehabilitation or renovation  
121 of an eligible facility, and costs directly related to the development of an eligible facility;  
122 provided further, that the employment social enterprises shall employ low-income individuals,  
123 with priority to targeted populations who experience complex needs and barriers to employment

124 that require intensive interventions; and provided further, that eligible organizations provide the  
125 following services for targeted individuals as an integrated part of their paid employment in a  
126 social enterprise: (i) outreach to targeted populations; (ii) on-the-job training and skill  
127 development, including worksite supervision and performance coaching; (iii) supportive services  
128 provided for at least 1 year, including, but not limited to, case management aimed at helping to  
129 overcome barriers to employment; (iv) assistance to obtain external employment; and (v) job  
130 retention services which includes follow up with beneficiaries for at least 1 year and employers  
131 to support job retention and advancement..... \$10,000,000

132           7002-8034     For the Commonwealth Zoological Corporation established in section 2 of  
133 chapter 92B of the General Laws, for costs associated with the preparation of plans, studies and  
134 specifications, repairs, construction, renovations, improvements, maintenance, asset management  
135 and demolition and other capital improvements including those necessary for the operation of  
136 facilities operated by Zoo New England, including the Franklin Park Zoo and the Walter D.  
137 Stone Memorial Zoo; provided, that not less than \$2,500,000 shall be used for construction and  
138 be required to have a one-to-one match; and provided further, that Zoo New England shall  
139 provide a matching amount equal to \$1 for every \$1 disbursed from this item.....  
140 \$12,500,000

141           7002-8035     For the Massachusetts Growth Capital Corporation established in section 2  
142 of chapter 40W of the General Laws, to provide working capital loans to small businesses  
143 severely impacted by the 2019 novel coronavirus pandemic; provided, that funds shall include,  
144 but not be limited to, employee payroll and benefit costs, mortgage interest, rent, utilities and  
145 interest on other debt obligations; provided further, that loan amounts dispersed under this item  
146 shall not require repayment if the loan recipient: (i) expends the entirety of the loan payment on

147 employee payroll and benefit costs, mortgage interest, rent, utilities and interest on other debt  
148 obligations and not less than 60 per cent of the loan payment on payroll and benefit costs; (ii)  
149 maintains the same or greater number of employees as the period prior to the governor's March  
150 10, 2020 declaration of a state of emergency relative to the 2019 novel coronavirus pandemic;  
151 and (iii) maintains employee wage or annual salary levels at not less than 75 per cent as the  
152 period prior to the governor's March 10, 2020 declaration of a state of emergency relative to the  
153 2019 novel coronavirus pandemic; provided further, that priority in awarding grants shall be  
154 given to: (i) businesses that serve areas of the commonwealth particularly impacted by the  
155 outbreak of the 2019 novel coronavirus pandemic; and (ii) businesses that have not received aid  
156 from federal programs related to the 2019 novel coronavirus; provided further, that not less than  
157 \$20,000,000 shall be made available to minority-owned, women-owned and veteran-owned  
158 businesses; provided further, that not later than April 1, 2021, the Massachusetts Growth Capital  
159 Corporation shall submit a report to the house and senate committees on ways and means  
160 detailing: (i) loan recipients; (ii) loan amounts by recipient; and (iii) any additional criteria  
161 considered in the awarding of loans and in determining loan forgiveness...\$30,000,000

162 7002-8036 For supports to local and statewide housing and economic development  
163 efforts, including relief measures to public and nonprofit entities significantly impacted by the  
164 2019 novel coronavirus pandemic; provided, that not less than \$500,000 shall be expended to  
165 fund capital improvements related to health and safety standards for early childcare facilities at  
166 United South End Settlements in the city of Boston; provided further, that not less than \$500,000  
167 shall be expended for the Natick Center Associates, Inc. for economic development in Natick  
168 center to assist in recovery from the combined effects of the 2019 fire and the 2019 novel  
169 coronavirus pandemic; provided further, that not less than \$150,000 shall be expended to the



170 town of Millis for economic development; provided further, that not less than \$150,000 shall be  
171 expended for the Sherborn Business Association, Inc. for revenue lost due to the 2019 novel  
172 coronavirus pandemic; provided further, that not less than \$100,000 shall be expended to the  
173 Center for Arts in Natick, Inc. for revenue lost due to the 2019 novel coronavirus pandemic;  
174 provided further, that not less than \$300,000 shall be expended for the executive office of  
175 housing and economic development to contract with a non-profit, which has a proven model for  
176 engagement with no less than 5 years of experience establishing connections between innovative  
177 products and Massachusetts-based manufacturers and suppliers, to build-out programming that  
178 assists startups with preparing to scale manufacturing and sourcing their supply chains to  
179 manufacturers from all regions in the commonwealth; provided further, that not less than  
180 \$75,000 shall be expended to the South End Community Center of Springfield, Inc. community  
181 youth corps program in the city of Springfield; provided further, that not less than \$75,000 shall  
182 be expended to the town of Hudson for a pilot commuter shuttle service linking employees to the  
183 Southborough commuter rail which makes stops in employment hubs such as Boston, Worcester  
184 and Framingham; provided further, that not less than \$50,000 be expended to the disability  
185 commission of the city of Framingham; provided further, that not less than \$200,000 shall be  
186 expended for capital improvements to the Cabot theatre in the city of Beverly; provided further,  
187 that not less than \$500,000 shall be expended to Greenfield Community College for the  
188 development of a SIMS lab; provided further, that not less than \$500,000 shall be expended for  
189 the Stationery Factory, LLC in the town of Dalton for accessibility improvements; provided  
190 further, that not less than \$150,000 shall be expended to the community revitalization fund run  
191 by the Greater Northampton Chamber of Commerce, Inc., the Florence Civic and Business  
192 Assoc., Inc. and the Downtown Northampton Association to support losses by Northampton,

193 Florence and Leeds small businesses due to the 2019 novel coronavirus pandemic; provided  
194 further, that not less than \$250,000 shall be expended to the town of Wakefield for building  
195 refurbishments for the Albion cultural exchange to ensure accessibility to second-floor artist  
196 lofts; provided further, that not less than \$100,000 shall be expended to the city of Melrose for  
197 reconstruction of the friends parking lot in the downtown commercial district to support transit-  
198 oriented housing development efforts; provided further, that not less than \$100,000 shall be  
199 expended for All Aces, Inc. in the city of Boston to provide equitable relief relative to impacts  
200 caused by the 2019 novel coronavirus pandemic; provided further, that not less than \$150,000  
201 shall be expended for the New North Citizens Council, Inc. for youth and senior information  
202 technology data instruction programming; provided further, that not less than \$25,000 shall be  
203 expended for the New England Center for Arts and Technology, Inc. for career training in the  
204 restaurant industry; provided further, that not less than \$100,000 shall be expended for  
205 reimbursements for expenditures related to the 2019 novel coronavirus pandemic, including but  
206 not limited to personal protective equipment, in the town of Ipswich; provided further, that not  
207 less than \$100,000 shall be expended for the Kingston Business Association, Inc. for revenue  
208 lost during the 2019 novel coronavirus pandemic; provided further, that not less than \$250,000  
209 shall be expended for the historic restoration of the Governor Bellingham-Cary house in the city  
210 of Chelsea; provided further, that not less than \$200,000 shall be expended for capital  
211 improvements to the Charlestown Working Theater, Inc. in the Charlestown section of the city of  
212 Boston; provided further, that not less than \$100,000 shall be expended for the Homeless  
213 Prevention Council, Inc. in lower cape cod to support self-sufficiency and housing stability;  
214 provided further, that not less than \$150,000 shall be expended for the Cape Cod commission for  
215 the application and administration of early education funding and grants; provided further, that

216 not less than \$100,000 shall be expended for Smart from the Start, Inc. in the city of Boston;  
217 provided further, that not less than \$150,000 shall be expended for economic development in the  
218 town of Pembroke; provided further, that not less than \$400,000 shall be expended for the New  
219 North Citizen Council, Inc. for a minority community down payment and closing costs  
220 assistance program; provided further, that not less than \$350,000 shall be expended for the  
221 Talking Information Center, Incorporated in the town of Marshfield to provide supports to radio  
222 reading services for visually impaired and otherwise disabled listeners across Massachusetts;  
223 provided further, that not less than \$50,000 shall be expended for funding to conduct a study to  
224 investigate opportunities in the opportunity zones in the city of Framingham; provided further,  
225 that not less than \$20,000 shall be expended for the Framingham History Center, Inc.; provided  
226 further, that not less than \$500,000 shall be expended for the blue economy initiative at the  
227 University of Massachusetts at Dartmouth for the flume tank for ocean technology research and  
228 development; provided further, that not less than \$100,000 shall be expended for infrastructure  
229 improvements and federal Americans with Disabilities Act-compliant upgrades to the bathhouse  
230 and boathouse at West beach located on West Rodney French boulevard in the city of New  
231 Bedford; provided further, that not less than \$350,000 shall be expended for infrastructure  
232 improvements, federal Americans with Disabilities Act-compliant upgrades, safety code  
233 compliance, and the rehabilitation and renovation of the historical building serving as the Cape  
234 Verdean veterans memorial hall in the city of New Bedford; provided further, that not less than  
235 \$25,000 shall be expended for the town of Dracut for investments in economic development;  
236 provided further, that not less than \$25,000 shall be expended for the town of Tyngsborough for  
237 investments in economic development; provided further, that not less than \$150,000 shall be  
238 expended for the Wayside Inn Foundation in the town of Sudbury; provided further, that not less

239 than \$100,000 shall be expended for the city of Leominster to be used for a downtown storefront  
240 revitalization program; provided further, that not less than \$285,000 shall be expended for the  
241 study of improvements to and redevelopment of commercial districts in the town of Brookline;  
242 provided further, that not less than \$56,000 shall be expended for the Arlington Historical  
243 Society for maintenance, refurbishment, and replacement of critical assets at the Jason Russell  
244 house and the Smith museum cultural attractions; provided further, that not less than \$250,000  
245 shall be expended for the town of Belmont for costs associated with designs for the community  
246 path to connect town centers; provided further, that not less than \$300,000 shall be expended for  
247 the planning, design, development, and construction of a recreational area at 40 to 48 Geneva  
248 avenue, inclusive, in the Grove Hall section in the city of Boston; provided further, that not less  
249 than \$100,000 shall be expended for capital improvements and construction-related costs toward  
250 the development of a health center to be operated by Harvard Street Neighborhood Health  
251 Center, Inc. on Blue Hill avenue in the city of Boston; provided further, that not less than  
252 \$750,000 shall be expended for the Fitchburg State University theater block renovations;  
253 provided further, that not less than \$250,000 shall be expended for the New England Historic  
254 Genealogical Society for revenue lost during the 2019 novel coronavirus pandemic; provided  
255 further, that not less than \$250,000 shall be expended for costs related to a wastewater treatment  
256 facility in the town of Southborough; provided further, that not less than \$150,000 shall be  
257 expended for changes in gas line sizing to increase capacity in the town of Leicester; provided  
258 further, that not less than \$250,000 shall be expended for the Malden department of public works  
259 to aid the purchase of new equipment; provided further, that not less than \$50,000 shall be  
260 expended for the city of Malden to aid the purchase of new equipment for the Malden fire  
261 department; provided further, that not less than \$50,000 shall be expended for the city of Malden

262 to aid the purchase of new safety equipment for the Malden police department; provided further,  
263 that not less than \$1,000,000 shall be expended for the city of Malden for repairs to public  
264 parking garages to continue to revitalize Malden center; provided further, that not less than  
265 \$250,000 shall be expended for the city of Malden for federal Americans with Disabilities Act-  
266 compliant upgrades to the Oak Grove community center; provided further, that not less than  
267 \$75,000 shall be expended for marketing materials for the promotion of a rural development  
268 district in the town of Leicester; provided further, that not less than \$100,000 shall be expended  
269 for the establishment of an advanced manufacturing innovation village in the village of Rochdale  
270 in the town of Leicester; provided further, that not less than \$1,000,000 shall be expended for the  
271 city of Newton for the rehabilitation of the Gath memorial pool; provided further, that not less  
272 than \$1,000,000 shall be expended for the towns of Burlington and Bedford for use by each  
273 municipality to prepare unleased, pre-permitted commercial space for use by the life science  
274 industry, including costs of planning and utilities; provided further, that the funds shall be split  
275 evenly unless otherwise agreed by the municipalities; provided further, that not less than  
276 \$100,000 shall be expended for the Worcester urban agenda food hub of the Worcester regional  
277 chamber of commerce to provide targeted, in-depth and hands-on support to diverse urban food  
278 entrepreneurs in the city of Worcester; provided further, that not less than \$1,000,000 shall be  
279 expended for the city of Newton for the construction of the Newton center for active living;  
280 provided further, that not less than \$30,000 shall be expended for the Care Center of Holyoke;  
281 provided further, that not less than \$100,000 shall be expended for the city of Pittsfield to use as  
282 a site readiness grant to support the preparation of properties on Technology drive in Pittsfield  
283 for commercial development and use; provided further, that not less than \$50,000 shall be  
284 expended to the town of Great Barrington for a feasibility study for the merger of the Great

285 Barrington water district; provided further, that not less than \$100,000 shall be expended for land  
286 acquisition for senior housing in the town of Lenox; provided further, that not less than \$150,000  
287 shall be expended for the Wayland housing authority; provided further, that not less than  
288 \$150,000 shall be expended for the Sudbury housing trust; provided further, that not less than  
289 \$50,000 shall be expended to the Berkshire regional planning commission for a regional overlay  
290 study of cell towers in Berkshire county; provided further, that not less than \$20,000 shall be  
291 expended to Berkshire Grown, Inc. for a feasibility study for a meat processing facility in  
292 Berkshire county; provided further, that not less than \$30,000 shall be expended to Girls Inc. of  
293 the Valley for partnering with Holyoke public schools to provide STEM training through its  
294 eureka program at the University of Massachusetts at Amherst; provided further, that not less  
295 than \$35,000 shall be expended for economic development in the town of Grafton; provided  
296 further, that not less than \$35,000 shall be expended for economic development in the town of  
297 Northbridge; provided further, that not less than \$30,000 shall be expended for economic  
298 development in the town of Upton; provided further, that not less than \$1,000,000 shall be  
299 expended for the redevelopment of the downtown corridor in the town of Winchester; provided  
300 further, that not less than \$150,000 shall be expended for the construction and expansion of a  
301 deck and hospitality area at the clubhouse at D.W. Field golf course in the city of Brockton;  
302 provided further, that not less than \$1,000,000 shall be expended to the parks and recreation  
303 department of the city of Newton to be combined with partnering funds from the city to support  
304 the design, repair, renovation, improvement and construction of a modern facility at Crystal lake  
305 public beach to replace the old bathhouse, to support tourism and recreational needs of Crystal  
306 lake; provided further, that not less than \$500,000 shall be expended for the expansion of the  
307 Mary Cruise Kennedy Senior Center in the city of Brockton; provided further, that not less than

308 \$100,000 shall be expended for the replacement and repair of roads within D.W. Field Park in  
309 the city of Brockton; provided further, that not less than \$500,000 shall be expended for  
310 maintenance, repairs and additions to the Brockton Cape Verdean Association building; provided  
311 further, that not less than \$1,000,000 shall be expended for the planning and development of a  
312 regional transit service in the town of Stoneham; provided further, that not less than \$180,000  
313 shall be expended for the build out and staffing of the Brockton Innovation Center; provided  
314 further, that not less than \$100,000 shall be expended for life sciences planning and zoning in the  
315 city of Brockton; provided further, that not less than \$500,000 shall be expended for design  
316 funding for sewer, roadway and pedestrian infrastructure improvement in the Easton Industrial  
317 Park in the town of Easton; provided further, that not less than \$50,000 shall be expended for the  
318 revitalization, repair, and electrical upgrades of the Robert Goddard Rocket and Fountain area in  
319 Goddard park in the town of Auburn; provided further, that not less than \$250,000 shall be  
320 expended for free remote field trip experiences for Massachusetts schools by the Boston  
321 Museum of Science on the topics of science, technology, engineering and mathematics; provided  
322 further, that not less than \$200,000 shall be expended for the Brookline housing authority for the  
323 purpose of upgrading kitchens to all-electric appliances; provided further, that not less than  
324 \$250,000 shall be expended for, in consultation with the department of conservation and  
325 recreation, renovations and improvements to the historic Stone Building in Hemlock Gorge in  
326 Wellesley to establish a visitor center, including but not limited to: improvements to the interior  
327 and exterior of the building, the building's immediate surroundings and the development of a  
328 paved trail from the parking lot on Ellis street in Newton along Route 9 to the Stone building,  
329 connecting to the sidewalk along the south side of Route 9 in Wellesley; provided further, that  
330 not less than \$75,000 shall be expended for the Stoneham Historical Society, Inc. to increase

331 remote access to enhance and provide remote programming; provided further, that not less than  
332 \$50,000 shall be expended for the renovation of the playground at the West Somerville  
333 Neighborhood school in the city of Somerville; provided further, that not less than \$75,000 shall  
334 be expended for the Winchester Historical Society, Inc. to increase remote access to enhance and  
335 provide remote programming; provided further, that not less than \$250,000 shall be expended to  
336 support the capital costs at the Colonel Floyd Apartments in the town of Brookline; provided  
337 further, that not less than \$10,000 shall be expended for the Massachusetts Alliance for  
338 Portuguese Speakers Framingham office; provided further, that not less than \$10,000 shall be  
339 expended for the Framingham public schools drama department; provided further, that not less  
340 than \$500,000 shall be expended for a laundry facility at the Bunker Hill housing development in  
341 the Charlestown section of Boston; provided further, that not less than \$10,000 shall be expended  
342 for Downtown Framingham Inc.; provided further, that not less than \$10,000 shall be expended  
343 for Amazing Things Arts Center, Inc.; provided further, that not less than \$20,000 shall be  
344 expended for the Ashland Community Theatre; provided further, that not less than \$10,000 shall  
345 be expended for the city of Framingham for funding for professional and technical consultants in  
346 order to undertake a downtown parking study; provided further, that not less than \$20,000 shall  
347 be expended for the Ashland Historical Society; provided further, that not less than \$10,000 shall  
348 be expended for the Ashland housing authority; provided further, that not less than \$100,000  
349 shall be expended for the Weymouth Teen Center Jobs program; provided further, that not less  
350 than \$50,000 shall be expended for the implementation of a parking management program in  
351 downtown Reading; provided further, that not less than \$50,000 shall be expended for the town  
352 of Scituate for economic development in the North Scituate business district; provided further,  
353 that not less than \$50,000 shall be expended for technology upgrades to the Willis Ave



354 Community Center in the city of Medford; provided further, that not less than \$50,000 shall be  
355 expended for cultural and educational programs for the senior center and the Ventress Memorial  
356 Library of the town of Marshfield; provided further, that not less than \$15,000 shall be expended  
357 for the Hitchcock Center for the Environment, Inc. in Amherst for expenses related to virtual  
358 tours and educational programming; provided further, that not less than \$15,000 shall be  
359 expended for The Eric Carle Museum of Picture Book Art, Inc. in Amherst for expenses related  
360 to virtual tours and programming; provided further, that not less than \$15,000 shall be expended  
361 for the National Yiddish Book Center, Inc. in Amherst for expenses related to virtual tours and  
362 programming; provided further, that not less than \$20,000 shall be expended for the Amherst  
363 Cinema Center, Inc. for revenue lost during the 2019 novel coronavirus pandemic and needed  
364 modifications to ensure adherence to public health guidelines; provided further, that not less than  
365 \$40,000 shall be expended for the Taunton Council on Aging for the purchasing of supplies and  
366 hiring of qualified staff to increase program offerings to seniors in order to reduce social  
367 isolation and improve health and mental health in respond to the 2019 novel coronavirus  
368 pandemic; provided further, that not less than \$50,000 shall be expended for the Methuen  
369 Arlington Neighborhood, Inc. for workforce development training for young men and women;  
370 provided further, that not less than \$50,000 shall be expended for the Amherst Business  
371 Improvement District, Inc. to provide economic relief to restaurants in distress as a result of the  
372 2019 novel coronavirus pandemic health or economic crisis in the town of Amherst; provided  
373 further, that not less than \$75,000 shall be expended for the Methuen Arlington Neighborhood  
374 District for façade and signage to promote local, small businesses; provided further, that not less  
375 than \$75,000 shall be expended for The Downtown Amherst Foundation, Inc. in its efforts to  
376 revitalize downtown Amherst; provided further, that not less than \$100,000 shall be expended

377 for the city of Lawrence for the rehabilitation of the handball court located at the corner of  
378 Oxford street and Lowell street; provided further, that not less than \$125,000 shall be expended  
379 for the Methuen Arlington Neighborhood, Inc. community center in the city of Methuen for  
380 youth recreational programming; provided further, that not less than \$150,000 shall be expended  
381 for the city of Watertown for business assistance grants for store redesign, outside seating and  
382 other improvements to ensure safe business operations during the 2019 novel coronavirus  
383 pandemic; provided further, that not less than \$150,000 shall be expended for a public facilities  
384 planning study to result in new housing and economic development opportunities in the  
385 downtown of the city of Methuen; provided further, that not less than \$200,000 shall be  
386 expended to the town of Andover for upgrades to the Andover Senior Center; provided further,  
387 that not less than \$250,000 shall be expended for strategic planning and pre-development  
388 expenditures resulting in a mixed-use and historic preservation project at the Searles Estate in the  
389 city of Methuen; provided further, that not less than \$250,000 shall be expended for the Amherst  
390 Municipal Affordable Housing Trust to be used to develop and secure affordable housing;  
391 provided further, that not less than \$250,000 shall be expended for the town of Amherst to use to  
392 develop climate resilience affordable multi-family units, upon receiving LEED Gold or LEED  
393 silver certification; provided further, that not less than \$300,000 shall be expended for the town  
394 of Littleton for costs associated with the expansion of commuter parking at the Littleton  
395 Massachusetts Bay Transportation Authority train station; provided further, that not less than  
396 \$500,000 shall be expended for the city of Lawrence for the construction of a footbridge along  
397 the Lawrence Rail Trail; provided further, that not less than \$450,000 shall be expended for a  
398 gateway identification, signage, wayfinding and beautification program for economic  
399 development districts in the city of Methuen; provided further, that not less than \$50,000 shall be

400 expended for an economic development grant for downtown North Reading; provided further,  
401 that not less than \$150,000 be provided to the town of Braintree for economic development;  
402 provided further, that not less than \$250,000 shall be expended for Northeastern University for  
403 equipment and infrastructure at its Technology Research Center in Burlington; provided further,  
404 that not less than \$250,000 shall be expended for design, construction and making safety and  
405 other improvements to roadways and sidewalks, and to improve pedestrian and bicycle safety,  
406 including a crosswalk, at Soldiers Field road at William F. Smith Playground in the city of  
407 Boston; provided further, that not less than \$100,000 shall be expended for the Leo M.  
408 Birmingham Parkway Trust Fund which shall be used for the purposes of advancing recreational,  
409 educational, and conservation interests including, but not limited to, the maintenance of facilities  
410 and infrastructure improvements for the parcel of land; provided further, that not less than  
411 \$150,000 shall be expended for the town of Wilmington and its development committee for  
412 consultation services to develop, promote and retain small businesses within the town of  
413 Wilmington; provided further, that not less than 25,000 shall be expended for Roslindale Village  
414 main streets in the city of Boston for training and resources; provided further, that not less than  
415 \$1,500,000 shall be expended for Roca, Inc. to provide and administer a transitional employment  
416 program to at-risk, court involved young people and adults; provided further, that not less than  
417 \$1,000,000 shall be made available to the Dorchester Bay Economic Development Corporation,  
418 in matching grants for low-income housing developments in which at least 50 per cent of units  
419 are affordable; provided further, that not less than \$1,000,000 shall be made available to the  
420 Codman Square Neighborhood Development Corporation, in matching grants for low-income  
421 housing developments in which at least 50 per cent of units are affordable; provided further, that  
422 not less than \$300,000 shall be expended for the department of transitional assistance to establish

423 a telephone hotline to provide residents of the commonwealth information and consultation on  
424 program benefits, program eligibility, application processes and intersectionality with other  
425 programs facilitated by agencies including, but not limited to, the executive office of housing and  
426 economic development, the executive office of labor and workforce development and the  
427 executive office of education; provided further, that not less than \$500,000 shall be expended to  
428 establish an online platform in order to conduct and provide services, communication and  
429 support for nonprofits, charitable organizations and other mission-oriented institutions impacted  
430 by the 2019 novel coronavirus pandemic; provided further, that not less than \$3,000,000 shall be  
431 expended for the New England Aquarium Corporation for costs associated with the preparation  
432 of plans, studies and specifications, repairs, construction, renovations, improvements,  
433 maintenance, asset management and demolition and other capital improvements including those  
434 necessary for the operation of facilities operated by the New England Aquarium Corporation on  
435 Central Wharf in the city of Boston; provided further, that not less than \$750,000 shall be  
436 expended for capital improvements to the "Z" building at the Dimock Center in the city of  
437 Boston to provide additional clinical stabilization services; provided further, that not less than  
438 \$2,000,000 shall be expended for grants to be made available for seafood processing facilities for  
439 the purposes of mechanical or technological upgrades necessary to: (i) combat the effects of the  
440 2019 novel coronavirus pandemic on supply chains, processing, distribution and sale of seafood  
441 products; (ii) limit the transmission of the 2019 novel coronavirus among the workforce; and (iii)  
442 undertake any further compliance measures in response to executive orders issued related to the  
443 declaration of the state of emergency beginning as of March 10, 2020; provided further, that not  
444 less than \$250,000 shall be expended for the department of housing and community development  
445 to distribute as grants to any provider of temporary housing assistance, which shall include but

446 not be limited to, a family shelter, a shelter for adults, a hotel used for emergency shelter, an  
447 emergency apartment, a domestic violence shelter, a runaway and homeless youth shelter or a  
448 safe house for refugees, to provide disposable menstrual products, including but not limited to,  
449 sanitary napkins, tampons and panty liners at no cost to menstruating individuals; provided  
450 further, that such products shall be available in a convenient manner that does not stigmatize any  
451 persons seeking such products; provided further, that not less than \$100,000 shall be expended  
452 for the Canton housing authority for the renovation, reconstruction and improvement of existing  
453 housing units under the authority's control; provided further, that not less than \$1,000,000 shall  
454 be expended for the Massachusetts Food Trust Program established by section 65 of chapter 23A  
455 of the General Laws; provided further, that not less than \$500,000 shall be expended for the  
456 office of travel and tourism to expand and promote agriculture tourism in the aquaculture and  
457 cranberry industries; provided further, that not less than \$2,000,000 shall be expended for the  
458 New North Citizen's Council, Inc. in Springfield for programming at the Barbara Rivera  
459 Community Center, including youth programs, HIV outreach, family support, disabled and the  
460 community welcome center, to help individuals from housing and food bank programs; provided  
461 further, that not less than \$150,000 shall be expended for the town of Tewksbury and its  
462 development committee for consultation services to develop, promote and retain small  
463 businesses within the town of Tewksbury; provided further, that not less than \$300,000 shall be  
464 expended for Taunton public schools for the adoption of a new English language arts program to  
465 provide online access for students and families to address equity and learning gaps; provided  
466 further, that no less than \$25,000 shall be expended for Mission Hill Main Streets, Inc. in the city  
467 of Boston for training and resources; provided further, that not less than \$1,000,000 shall be  
468 expended for the town of Arlington for the redesign of the Arlington Heights Commercial

469 Corridor; provided further, that not less than \$500,000 shall be expended for the town of  
470 Arlington for improvements to Arlington center and Whittemore park; provided further, that not  
471 less than \$500,000 shall be expended for the town of Arlington for the Arlington workforce  
472 training program; provided further, that not less than \$400,000 shall be expended for the town of  
473 Randolph to be used for business district revitalization efforts; provided further, that not less than  
474 \$25,000 shall be expended to JP Centre and South Main Streets in the city of Boston for training  
475 and resources; provided further, that not less than \$5,000,000 shall be expended for the  
476 relocation of Springfield Technical Community College’s Allied Health Service Programs in  
477 Building 20 across Federal street to Building 103B at Springfield Technology Park, operated by  
478 Springfield Technical Community College’s Assistance Corporation, an eligible public entity, as  
479 established by section 125 of chapter 273 of the acts of 1994, to address infrastructure  
480 inadequacies in Building 20 and allow for the sustainability of important healthcare programs  
481 that contribute to the regional workforce; provided further, that not less than \$350,000 shall be  
482 expended for Commonwealth Kitchen, Inc. for the purpose of developing an economic  
483 development recovery plan including regional market based strategies to address food access and  
484 security in gateway municipalities, as defined in section 3A of chapter 23A of the General Laws,  
485 and Boston, including but not limited to, assessing infrastructure and food chain gaps; provided  
486 further, that not less than \$400,000 shall be expended to the town of Milton to be used for  
487 overlay district revitalization efforts; provided further, that not less than \$250,000 shall be  
488 expended to create a pilot Sibling Cities Youth Work Initiative program for the design, planning,  
489 and implementation of a tri-community jobs creation and training effort wherein the city of  
490 Boston, city of Haverhill and town of Lexington shall collaborate on a pilot in pairing and  
491 matching employers with underprivileged youth and young adults; provided further, that not less

492 than \$25,000 shall be expended to Three Square Main Streets JP in the city of Boston for training  
493 and resources; provided further, that no less than \$200,000 shall be expended for the town of  
494 Clinton for parking solutions for older housing stock in the downtown area; provided further,  
495 that not less than \$25,000 shall be expended for the Allston Village Main Streets, Inc. for the  
496 beautification of the Allston and Brighton business district; provided further, that not less than  
497 \$100,000 shall be expended for The Megan House Foundation, Inc. in conjunction with The  
498 Bridge Club of Greater Lowell to be expended for the purpose of the Career Success in Sobriety  
499 program; provided further, that not less than \$50,000 shall be expended for local economic  
500 development in the town of Holliston; provided further, that not less than \$200,000 shall be  
501 expended to the Clinton housing authority for Presentation Apartments to improve building  
502 quality; provided further, that not less than \$300,000 shall be expended for the town of Lancaster  
503 to be used for the creation of a new well system to help alleviate town water shortage; provided  
504 further, that not less than \$750,000 shall be expended to CitySpace Easthampton for the  
505 renovation of Old Town Hall; provided further, that not less than \$1,000,000 shall be expended  
506 for the MassChallenge technology incubator; provided further, that not less than \$1,000,000 shall  
507 be expended for the city of Revere for investments in economic development; provided further,  
508 that not less than \$1,000,000 shall be expended for town of Winthrop for investments in  
509 economic development; provided further, that not less than \$1,000,000 shall be expended for  
510 infrastructure improvements to parks and open space in the city of Medford; provided further,  
511 that not less than \$1,000,000 shall be expended for parking improvements and economic  
512 development opportunities for Medford square in the city of Medford; provided further, that not  
513 less than \$1,000,000 shall be expended for parking improvements and economic development  
514 opportunities for West Medford square in the city of Medford; provided further, that not less than

515 \$250,000 shall be expended for the West Medford Community Center in the city of Medford;  
516 provided further, that not less than \$1,500,000 shall be expended for capital improvements for  
517 the Needham housing authority; provided further, that not less than \$4,000,000 shall be  
518 expended for the Shaw Wharf Pier in the city of Boston; provided further, that such funds shall  
519 be disbursed upon a match of not less than \$1 in private contributions for every \$1 in state grant  
520 funding; provided further, that not less than \$100,000 shall be expended for infrastructure  
521 including public sewer improvements towards the construction of the Power Mill Place  
522 affordable housing development in the town of Acton; provided further, that not less than  
523 \$100,000 shall be expended for infrastructure improvements for economic development at Depot  
524 square in the town of Ayer; and provided further, that not less than \$250,000 shall be expended  
525 for the Island Housing Trust on the island of Martha's Vineyard for wastewater remediation in  
526 housing development.....\$62,976,000

527 SECTION 2A.

528 JUDICIARY

529 Trial Court

530 1102-5702 For costs associated with information technology capital improvements at  
531 the trial court to support the provision of virtual mediation services pursuant to section 109  
532 ....\$15,000,000

533 TREASURER AND RECEIVER GENERAL

534 Lottery Commission



535           0640-0100    For costs associated with information technology projects at the state  
536 lottery  
537 commission.....\$15,000,000

538           Massachusetts Cultural Council

539           0640-0303    For a competitive grant program to be administered by the Massachusetts  
540 cultural council to: (i) promote artists, among all disciplines and sectors, including, arts,  
541 humanities and sciences, in creating new mediums to showcase their art, including showcasing  
542 their work in a variety of media formats and platforms, including, video, audio and interactive  
543 platforms; and (ii) promote local museums in the commonwealth, to showcase their exhibits and  
544 events by using remote access, including, video, audio and interactive platforms; provided, that  
545 funds may be used to assist artists to enhance and expand remote media platforms in response to  
546 the outbreak of the 2019 novel coronavirus, also known as COVID-19; provided further, that the  
547 funds may be used to increase remote access to enhance and provide remote programming and  
548 operations by local museums; provided further, that the Massachusetts cultural council shall  
549 determine the criteria to evaluate applications for the grant program; provided further, that the  
550 criteria shall promote remote access to cultural experiences, including new operation and  
551 programming models within the arts, humanities and sciences; provided further, that the criteria  
552 shall include, but not be limited to, the commitment by the artists and museums to improve and  
553 diversify access to remote cultural experiences, the artists and museums having the knowledge  
554 and skill to develop and implement the remote media platforms; and provided further, that the  
555 criteria shall prioritize local artists, local museums, local performing arts organizations, local  
556 performance venues, and other arts and cultural nonprofit organizations in the commonwealth,  
557 including, small to mid-sized museums....\$6,000,000

558           0640-0304    For a competitive grant program to be administered by the Massachusetts  
559 cultural council, in consultation with the department of elementary and secondary education, to  
560 assist public school districts in providing access to cultural experiences in the community,  
561 including arts, humanities and sciences, through the use of information technology to provide  
562 remote experiences; provided, that the funds may be used to reimburse the costs incurred by  
563 school districts providing remote cultural experiences in response to the outbreak of the 2019  
564 novel coronavirus, also known as COVID-19; provided further, that the Massachusetts cultural  
565 council, in consultation with the department of elementary and secondary education, shall  
566 determine criteria used to evaluate applications for the grant program; provided further, that the  
567 criteria shall promote access to cultural experiences, including, arts, humanities and sciences, for  
568 public school districts; and provided further, that the criteria shall include, but not be limited to,  
569 school districts using creative means to educate students during the outbreak of COVID-19 in  
570 place of school field trips and the ease of student access to the remote cultural  
571 experience.....\$5,000,000

572           EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

573           Department of Housing and Community Development

574           7004-0059    For state financial assistance in the form of grants or loans to accelerate  
575 and support the creation of low- and moderate-income housing in close proximity to transit  
576 nodes; provided, that the program shall be administered to achieve the following public benefits:  
577 (1) maximize the amount of affordable residential and mixed-use space in close proximity to  
578 transit nodes, resulting in higher density, compact development and pedestrian-friendly,  
579 inclusive and connected neighborhoods; (2) increase mass transit ridership; (3) decrease traffic

580 congestion and reduce greenhouse gas emissions; and (4) increase economic opportunity for  
581 disadvantaged populations by making it easier for residents of affordable housing to access  
582 public transportation, including transportation supporting commutes to employment centers;  
583 provided further, that entities eligible to receive financial assistance shall include governmental  
584 bodies, community development corporations, local housing authorities, community action  
585 agencies, community-based or neighborhood-based nonprofit housing organizations, other  
586 nonprofit organizations and for-profit entities; provided further, that financial assistance  
587 provided pursuant to this section shall be made on a competitive basis, with preference for  
588 projects in communities that are most impacted by the 2019 novel coronavirus pandemic;  
589 provided further, that funds may be used to assist units occupied by and affordable to persons  
590 with incomes up to, but not exceeding, 110 per cent of the area median income, as defined by the  
591 United States Department of Housing and Urban Development, with priority given to projects  
592 that provide higher and deeper levels of affordability; provided further, that not less than 25 per  
593 cent of the occupants of housing in projects assisted by this item shall be persons whose income  
594 is not more than 60 per cent of the area median income, as so defined; provided further, that  
595 financial assistance offered pursuant to this line item may be administered by the department  
596 through a contract with the Massachusetts Housing Partnership Fund, established in section 35 of  
597 chapter 405 of the acts of 1985, which in turn may directly offer financial assistance for the  
598 purposes set forth herein, or may enter into subcontracts with nonprofit organizations established  
599 pursuant to chapter 180 of the General Laws for those purposes; provided further, that the  
600 department may provide financial support to nonprofit and for-profit developers that enter into  
601 binding agreements to set aside residential units in market-rate transit-oriented housing, over and  
602 above any units required to be set aside under local zoning or approvals, for rent or sale to

603 income-qualified households at affordable rents or sale prices, as applicable; and provided  
604 further, that the department may establish additional program requirements through regulations  
605 or policy guidelines ..... \$50,000,000

606           7004-0064    For financial assistance to accelerate and support the creation and  
607 preservation of sustainable and climate-resilient affordable multifamily housing; provided, that  
608 such financial assistance shall be made to achieve the following public benefits: (1) incorporate  
609 efficient, sustainable and climate-resilient design practices in affordable residential development,  
610 to support positive climate mitigation outcomes; (2) reduce greenhouse gas emissions and  
611 reliance on fossil fuels; (3) increase resiliency of existing housing developments to mitigate  
612 impacts of climate change, including flooding and extreme temperatures; and (4) enhance  
613 emergency preparedness, including sustainable means of power generation to allow for  
614 sheltering vulnerable populations in place; provided further, that financial assistance shall be  
615 made available on a competitive basis to community development corporations, local housing  
616 authorities, community action agencies, community-based or neighborhood-based nonprofit  
617 housing organizations, other nonprofit organizations and for-profit entities; provided further, that  
618 funds may be used to assist units occupied by and affordable to persons with incomes up to, but  
619 not exceeding, 110 per cent of the area median income, as defined by the United States  
620 Department of Housing and Urban Development, with priority given to projects that provide  
621 higher and deeper levels of affordability; provided further, that not less than 25 per cent of the  
622 occupants of housing in projects assisted by this item shall be persons whose income is not more  
623 than 60 per cent of the area median income, as so defined; provided further, that financial  
624 assistance provided pursuant to this section may be administered by the department through  
625 contracts with the Massachusetts Housing Partnership Fund, established in section 35 of chapter

626 405 of the acts of 1985, the Massachusetts Housing Finance Agency, established in chapter 708  
627 of the acts of 1966, or both, which authorities may directly offer financial assistance for the  
628 purposes set forth herein, or may enter into subcontracts with nonprofit organizations established  
629 pursuant to chapter 180 for those purposes; and provided further, that the administering agency  
630 may establish additional program requirements through regulations or policy guidelines  
631 ..... \$10,000,000

632           7004-0065     For state financial assistance to cities and towns, or to agencies, boards,  
633 commissions, authorities, departments or instrumentalities within cities or towns, or to  
634 community development corporations or nonprofit organizations, to assist in the revitalization of  
635 neighborhoods and communities with properties in blighted or substandard conditions by  
636 subsidizing the purchase price, borrowing costs or costs of demolition or renovation of up to 50  
637 units of residential rental housing or 1 to 4 units of home ownership residential housing that have  
638 been cited for building or sanitary code violations or that are subject to cancellation of  
639 commercial property insurance due to substandard property conditions or are otherwise blighted  
640 or substandard; provided, that contracts entered into by the department of housing and  
641 community development for those projects may include, but shall not be limited to, projects  
642 providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous  
643 material abatement, including asbestos and lead paint, and for compliance with state codes and  
644 laws and for adaptations necessary for compliance with the Americans with Disabilities Act of  
645 1990; provided further, that preference shall be given to community development corporations  
646 and local nonprofit organizations, to organizations sponsoring projects that secure private funds,  
647 and to projects with the greatest impact on community stabilization in weak markets, including,  
648 but not limited to, rural communities and communities that have been disproportionately affected

649 by the 2019 novel coronavirus pandemic, disinvestment, foreclosure and abandonment; provided  
650 further, that such rehabilitated housing shall remain affordable for such period as shall be  
651 established by the department through guidance, taking into account differences in market  
652 conditions and the type of restrictions best suited to promoting community stabilization in  
653 different markets; and provided further, that an amount not to exceed 2 per cent of the amount  
654 expended may pay for administrative costs directly attributable to the purposes of this program,  
655 including costs of support personnel ..... \$40,000,000

656           7004-0066     For a gateway city housing pilot program to support the construction of  
657 shovel-ready market-rate housing opportunities in gateway municipalities, as defined in section  
658 3A of chapter 23A, by providing funding in an amount up 150 per cent of the maximum Housing  
659 Development Incentive Program tax credit under chapter 40V of the General Laws; provided,  
660 that awards to projects shall be based on the following criteria: (1) communities that have  
661 satisfied the 10 per cent affordable housing stock requirements under chapter 40B of the General  
662 Laws; (2) non-profit developers; (3) new construction or market rate apartment rentals or  
663 homeownership; (4) projects that are ready to commence construction within 6 months of  
664 approval; and (5) projects that are located in a zoning area that permits high density housing such  
665 as a TDI district, waterfront, or zoning overlay district such as those permitted under chapter 40R  
666 of the General Laws; and provided further, that a developer’s fee under the program would be  
667 deferred by 33 per cent with positive net cash flow from the development to be split with the  
668 commonwealth on an equal basis after payment of any first mortgage permanent  
669 financing...\$5,000,000

670 SECTION 3. Section 7 of chapter 4 of the General Laws, appearing in the 2018 Official  
671 Edition, is hereby amended by striking out the Tenth clause and inserting in place thereof the  
672 following clause:-

673 Tenth, “Illegal gaming,” a banking or percentage game played with cards, dice, tiles,  
674 dominoes, or an electronic, electrical or mechanical device or machine for money, property,  
675 checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the  
676 state lottery commission, under sections 24, 24A and 27 of chapter 10; (ii) a game conducted  
677 under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) pari-mutuel wagering  
678 on horse races under chapters 128A and 128C and greyhound races under said chapter 128C; (v)  
679 a game of bingo conducted under chapter 271; and (vi) charitable gaming conducted under said  
680 chapter 271.

681 SECTION 3A. Section 66 of chapter 23A of the General Laws, as so appearing, is hereby  
682 amended by inserting after the words “Commission” in lines 19 and 20, the following:- , 1 of  
683 whom shall be from the Southeastern Regional Planning and Economic Development District.

684 SECTION 3B. Chapter 23A of the General Laws, as so appearing, is hereby amended by  
685 inserting after section 66 the following new section:-

686 Section 66A. (a) There is hereby established within the executive office of housing and  
687 economic development an office of rural policy, which shall consult with the rural policy  
688 advisory commission established in section 66. The office shall not be under the control of the  
689 executive office and shall be an independent public entity not subject to the supervision and  
690 control of any other executive office, department, commission, board, bureau, agency, or  
691 political subdivision of the commonwealth. The mission of said office shall be to enhance the

692 economic vitality of rural communities, defined as municipalities with a population density of  
693 less than 500 persons per square mile, and to advance the health and well-being of rural  
694 residents.

695 (b) The office shall serve as a research and policy clearinghouse for issues critical to the  
696 welfare and vitality of rural communities, including but not limited to, economic development,  
697 education, environment, health, housing, infrastructure, technology and transportation. In  
698 furtherance of that responsibility, the office shall work in coordination with and under the  
699 direction of the rural policy advisory commission.

700 (c) The powers of the office shall include, but not be limited to, the following: (i) to use  
701 such voluntary and uncompensated services of private individuals, agencies and organizations as  
702 may from time to time be offered and needed; (ii) to recommend policies and make  
703 recommendations to agencies and officers of the state and local subdivisions of government to  
704 effectuate and the purposes of this section; (iii) to select an executive director and to acquire  
705 adequate staff to perform its duties, subject to appropriation; (iv) to establish and maintain such  
706 offices as it may deem necessary, subject to appropriation; (v) to enact bylaws for its own  
707 governance; and (vi) to hold regular, public meetings and to hold fact-finding hearings and other  
708 public forums as deemed necessary.

709 SECTION 3C. Chapter 23A of the General Laws is hereby amended by adding the  
710 following section:-

711 Section 69. (a) The MOBD shall establish a micro business development center, in this  
712 section referred to as the center, which shall foster micro businesses in the commonwealth by  
713 providing resources, including information on available loans, grants and technical assistance.



714 The center shall provide micro businesses with information and technical assistance related to  
715 aspects of micro business management, including but not limited to, (i) business plan  
716 development; (ii) technology development; (iii) lending assistance; (iv) market research support;  
717 and (v) procurement and contracting aid. For the purposes of this section the term “micro  
718 business” shall mean a business: (i) with no more than 5 employees; (ii) located in a city or town  
719 with 75 per cent of residents living under the federal poverty level; and (iii) with no more than  
720 \$200,000 in annual revenue.

721 (b) The center shall advise the Massachusetts Growth Capital Corporation in the design,  
722 administration and disbursement of loans and grants to entrepreneurs in the commonwealth for  
723 low and moderate-income entrepreneurs who are forming, running or expanding microbusinesses  
724 in the commonwealth.

725 (c) The center may expend funds as may be appropriated therefor, accept federal funds,  
726 or private gifts and grants to assist in carrying out the purposes as set forth in this section.

727 SECTION 4. Section 1 of chapter 23G of the General Laws, as so appearing, is hereby  
728 amended by striking out the definition “Equity investments” and inserting in place thereof the  
729 following definition:-

730 “Equity investments”, (i) investments that result in the agency holding an ownership  
731 interest in any company; (ii) a membership interest that constitutes voting rights in a company;  
732 (iii) an interest in real estate or other assets; (iv) a grant or loan designated pursuant to a  
733 competitive process administered by the agency, provided to governmental subdivisions,  
734 community development corporations, community action agencies, for-profit entities, private  
735 property owners, nonprofit entrepreneur support organizations and business operators for design,

736 construction or improvement of buildings or real estate to spur economic development; (v) a  
737 transaction which in substance falls into any of these categories even though it may be structured  
738 as some other form of business transaction, including, but not limited to, a lease of real estate for  
739 such duration as the agency deems appropriate in light of the amount of the equity to be invested;  
740 and (vi) an equity security; provided, however, that “equity investments” shall not include any of  
741 the foregoing if the interest is taken as security for a loan.

742 SECTION 4A. Said chapter 23G is hereby further amended by adding the following  
743 section:-

744 Section 47. (a) There shall be established within the agency a maritime piers repair and  
745 rehabilitation program to advance the public purpose of ensuring the physical integrity and safety  
746 of piers and other maritime infrastructure that is essential to the continued viability of (i)  
747 maritime industries; (ii) water-dependent uses, as defined in section 1 of chapter 91; and (iii)  
748 other commercial and industrial uses that contribute to the economic vitality of a designated port  
749 area. The agency, in consultation with the secretary of housing and economic development, shall  
750 design and implement the program. The agency may coordinate with other agencies, community  
751 development organizations and instrumentalities of the commonwealth to effectuate this section.

752 (b) The program shall be eligible to receive funds as appropriated by the general court,  
753 the board, federal grants and programs, and transfers, grants and donations from state agencies,  
754 foundations and private parties. Such funds shall be held in a separate account or accounts  
755 segregated from other funds. Money in or received for the fund may be deposited with and  
756 invested by an institution designated by the executive office and paid as the agency shall direct.  
757 A return on an investment received by the fund shall be deposited and held for the use and

758 benefit of the fund. The agency may make payments from a deposit account for use under this  
759 section.

760 (c) The agency shall use the fund to make grants, loans or a combination thereof for the  
761 reconstruction, repair, renovation or rehabilitation of existing commercial and marine industrial  
762 infrastructure and public or private maritime transportation infrastructure. Eligible recipients of  
763 such financial assistance shall include public entities, community development corporations,  
764 non-profit and for-profit corporations and other private business entities. In making a loan or  
765 grant, the agency shall consider: (i) the impacts on future economic growth, commercial and  
766 industrial development and wastewater and wastewater pre-treatment within the designated port  
767 area and on the commercial fishing industry; (ii) the attendant economic benefits to the  
768 commonwealth; and (iii) the benefits to the commonwealth's transportation system including the  
769 benefits derived from enhancing intermodal connections from the seaports to road, rail and air  
770 facilities. Funding shall be awarded on a competitive basis in accordance with guidelines  
771 developed by the agency.

772 (d) The agency shall be reimbursed from the fund for all reasonable and necessary direct  
773 costs and expenses incurred in any fiscal year associated with its administration, management  
774 and operation of the fund, including reasonable staff time and out-of-pocket expenses and the  
775 reasonable and approved administrative costs.

776 (e) The agency shall submit an annual report to the clerks of the house of representatives  
777 and the senate who shall forward the report to the house and senate committees on ways and  
778 means and the joint committee on economic development and emerging technologies not later

779 than December 31. The report shall include a current assessment of the progress of each project  
780 funded through the program.

781 SECTION 5. Subsection (c) of section 6 of chapter 23I of the General Laws, as so  
782 appearing, is hereby amended by striking out, in lines 70 to 71 and in lines 87 to 89, inclusive, in  
783 each instance, the words "minority students at schools where at least 80 per cent of the student  
784 population is eligible for free or reduced lunch" and inserting in place thereof the following  
785 words:- minority students attending schools in which at least 25 per cent of the student  
786 population is considered economically disadvantaged as measured by the department of  
787 elementary and secondary education.

788 SECTION 6. Section 17 of said chapter 23I, as so appearing, is hereby amended by  
789 striking out, in line 23, the figure "2" and inserting in place thereof the following figure:- 1.

790 SECTION 6A. Section 58 of chapter 23K of the General Laws, as so appearing, is hereby  
791 amended by striking the words "abuse services, educational campaigns to mitigate the potential  
792 addictive nature of gambling", in lines 10 to 12, inclusive, and inserting in place thereof the  
793 following words:- use and addiction services, educational campaigns to mitigate the potential  
794 addictive nature of gambling, which shall include targeted outreach to communities or groups at  
795 higher risk of gambling addiction including, but not be limited to, Asian American communities.

796 SECTION 7. The General Laws are hereby amended by inserting after chapter 23M the  
797 following chapter:-

798 CHAPTER 23N.

799 AUTHORIZATION AND REGULATION OF SPORTS WAGERING

800 Section 1. This chapter shall be known and may be cited as the “Massachusetts Sports  
801 Wagering Act”.

802 Section 2. Notwithstanding any provision of law to the contrary, the operation of sports  
803 wagering and ancillary activities are lawful when conducted in accordance with the provisions of  
804 this chapter and the rules and regulations of the commission.

805 Section 3. As used in this chapter the following words shall, unless the context clearly  
806 requires otherwise, have the following meanings:-

807 “Adjusted gross sports wagering receipts”, an operator’s total gross receipts from sports  
808 wagering, excluding sports wagers made with promotional gaming credits, less the total of all  
809 winnings paid to wagerers in such games, which shall include the cash equivalent of any  
810 merchandise or thing of value awarded as a prize, and all excise taxes paid pursuant to federal  
811 law.

812 “Category 1 license”, a license issued by the commission that permits the operation of  
813 sports wagering through a mobile application and other digital platforms approved by the  
814 commission and in person at a gaming establishment as defined in section 2 of chapter 23K.

815 “Category 2 license”, a license issued by the commission that permits the operation of  
816 sports wagering in person at a race track as defined in section 1 of chapter 128A or at a facility  
817 that was licensed to conduct a racing meeting as defined in said section 1 of said chapter 128A  
818 during calendar year 2020 and conducts pari-mutuel wagering in accordance with applicable  
819 laws.

820 “Category 3 license”, a license issued by the commission that permits the operation of  
821 sports wagering through a mobile application and other digital platforms approved by the  
822 commission.

823 “Collegiate sport or athletic event”, a sport or athletic event offered or sponsored by, or  
824 played in connection with, a public or private institution that offers educational services beyond  
825 the secondary level and is a member or is classified within the National Collegiate Athletic  
826 Association Division 1.

827 “Commission”, the Massachusetts gaming commission established in section 3 of chapter  
828 23K.

829 “Governmental authority”, any governmental unit of a national, state or local body  
830 exercising governmental functions, other than the United States government.

831 “License”, any license, applied for or issued by the commission under this chapter,  
832 including, but not limited to: (i) an operator license; or (ii) an occupational license.

833 “National criminal history background check system”, the criminal history record system  
834 maintained by the Federal Bureau of Investigation, based on fingerprint identification or any  
835 other method of positive identification.

836 “Occupational license”, a license required by an employee of an operator when the  
837 employee performs duties directly related to the operation of sports wagering in the  
838 commonwealth in a supervisory role.

839 “Operator” or “sports wagering operator”, any entity permitted under this chapter to offer  
840 sports wagering to persons in the commonwealth through a category 1 license, category 2 license  
841 or category 3 license.

842 “Operator license”, a category 1 license, category 2 license or category 3 license to  
843 operate sports wagering.

844 “Official league data”, statistics, results, outcomes and other data relating to a sporting  
845 event that is obtained pursuant to an agreement with the relevant sports governing body, or with  
846 an entity expressly authorized by the relevant sports governing body to provide such data to  
847 sports wagering operators, which authorizes the use of such data for determining the outcome of  
848 tier 2 sports wagers on such sporting event.

849 “Professional sport or athletic event”, an event at which 2 or more persons participate in a  
850 sports event and receive compensation in excess of actual expenses for their participation in such  
851 event.

852 “Promotional gaming credit”, a sports wagering credit or other item issued by an operator  
853 to a patron to enable the placement of a sports wager.

854 “Qualified gaming entity”, an entity that: (i) holds a gaming license as defined in section  
855 2 of chapter 23K; (ii) holds a license to conduct a racing meeting as defined in section 1 of  
856 chapter 128A or held a license to conduct a racing meeting as defined in section 1 of chapter  
857 128A during calendar year 2020 and conducts pari-mutuel wagering in accordance with  
858 applicable laws; (iii) has offered fantasy sports contests in the commonwealth pursuant to 940  
859 C.M.R. 34.00 for at least 1 year at the time of enactment of this act and has been permitted to  
860 offer sports wagering in at least 2 other jurisdictions in the United States by the relevant

861 regulatory body in those jurisdictions; or (iv) is located in the United States that offers sports  
862 wagering through a mobile application and other digital platforms and has been permitted to  
863 offer sports wagering in at least 2 other jurisdictions in the United States by the relevant  
864 regulatory body in those jurisdictions for at least 1 year.

865 “Sports event” or “sporting event”, any professional sport or athletic event, collegiate  
866 sport or athletic event, motor race event, electronic sports event, competitive video game event  
867 or any other event authorized by the commission under this chapter.

868 “Sports governing body”, an organization that is headquartered in the United States and  
869 prescribes final rules and enforces codes of conduct with respect to a sporting event and  
870 participants therein.

871 “Sports wagering”, the business of accepting wagers on sporting events or portions of  
872 sporting events, other events, the individual performance statistics of athletes in a sporting event  
873 or other events or a combination of any of the same by any system or method of wagering  
874 approved by the commission including, but not limited to, mobile applications and other digital  
875 platforms; provided, that sports wagering shall not include the acceptance of any wager with an  
876 outcome dependent on the performance of an individual athlete in any collegiate sport or athletic  
877 event, including but not limited, to in-game or in-play wagers; provided, further that sports  
878 wagering shall not include any acceptance of wagers on a high school or youth sporting event;  
879 provided further, that sports wagering shall not include fantasy contests as defined in section 135  
880 of chapter 219 of the acts of 2016. Sports wagering shall include, but is not limited to, single-  
881 game bets, teaser bets, parlays, over-under, moneyline, pools, exchange wagering, in-game  
882 wagering, in-play bets, proposition bets and straight bets.



883 “Sports wagering account”, a financial record established by an operator for an individual  
884 patron in which the patron may deposit by any method approved by the commission and  
885 withdraw funds for sports wagering and other authorized purchases, and to which the operator  
886 may credit winnings or other amounts due to or authorized by that patron. Such account may be  
887 established and funded by the patron electronically through an approved mobile application or  
888 digital platform.

889 “Tier 1 sports wager”, a sports wager that is determined solely by the final score or  
890 outcome of a sporting event and is placed before the sporting event has begun.

891 “Tier 2 sports wager”, a sports wager that is not a tier 1 sports wager.

892 “Wager”, a sum of money or thing of value risked on an uncertain occurrence.

893 Section 4. (a) The commission shall have the authority to regulate the conduct of sports  
894 wagering under this chapter.

895 (b) The commission shall examine the rules and regulations implemented in other states  
896 where sports wagering is authorized and shall, as far as practicable, adopt a similar regulatory  
897 framework through promulgation of rules and regulations.

898 (c) The commission shall have the authority to promulgate rules and regulations  
899 necessary for the implementation, administration and enforcement of this chapter. The  
900 commission may promulgate emergency rules and regulations in accordance with applicable  
901 procedures for the promulgation of emergency rules and regulations.

902 (d) The commission may promulgate rules and regulations including, but not limited to,  
903 those governing the acceptance of wagers on a sports event, other event or a series of sports

904 events; types of wagering receipts which may be used; methods of issuing receipts; methods of  
905 accounting to be used by operators; types of records to be kept; types of systems for wagering;  
906 protections for patrons placing wagers; and promotion of social responsibility and responsible  
907 gambling; provided, that such regulations shall include a requirement that all mobile applications  
908 and digital platforms authorized for sports wagering include prominently upon each entry into  
909 the application or platform, the following statement: “If you or someone you know has a  
910 gambling problem and wants help, call the Massachusetts Council on Compulsive Gambling  
911 hotline at 1-800-426-1234 or the Massachusetts Department of Public Health helpline at 1-800-  
912 327-5050.”

913 (e) The commission shall determine the eligibility of a person to hold or continue to hold  
914 a license, shall issue all licenses and shall maintain a record of all licenses issued under this  
915 chapter. The commission may accept applications, evaluate qualifications of applicants,  
916 undertake initial review of licenses and issue temporary licenses upon the effective date of this  
917 chapter.

918 (f) The commission shall levy and collect all fees, surcharges, civil penalties and taxes on  
919 adjusted gross sports wagering receipts imposed by this chapter, except as otherwise provided  
920 under this chapter.

921 (g) The commission shall have the authority to enforce this chapter and any rule or  
922 regulation of the commission and may request that the attorney general bring an action to enforce  
923 this chapter or any rule or regulation of the commission by civil action or petition for injunctive  
924 relief.

925 (h) The commission may hold hearings, administer oaths and issue subpoenas or  
926 subpoenas duces tecum in order to enforce this chapter and the rules and regulations of the  
927 commission.

928 (i) The commission may exercise any other powers necessary to effectuate this chapter  
929 and the rules and regulations of the commission.

930 Section 5. (a) No person shall engage in any activity in connection with sports wagering  
931 in the commonwealth unless all necessary licenses or temporary licenses have been obtained in  
932 accordance with this chapter and rules and regulations of the commission; provided, that the  
933 power and authority granted to the commission shall be construed as broadly as necessary for the  
934 implementation, administration and enforcement of this chapter.

935 (b) The commission shall not grant an operator license, other than a temporary license  
936 pursuant to subsection (c) of section 6, until it determines that each person who has control of the  
937 applicant meets all qualifications for licensure. The following persons are considered to have  
938 control of an applicant:

939 (1) Each person who owns 10 per cent or more of a corporate applicant and who has the  
940 ability to control the activities of the corporate applicant; provided, however, that a bank or other  
941 licensed lending institution which holds a mortgage or other lien acquired in the ordinary course  
942 of business shall not be considered to have control of an applicant;

943 (2) Each person who holds a beneficial or proprietary interest of 10 per cent or more of a  
944 non-corporate applicant's business operation and who has the ability to control the activities of  
945 the non-corporate applicant; and

946 (3) At the commission's discretion, any executive, employee or agent having the power  
947 to exercise significant influence over decisions concerning the applicant's sports wagering  
948 operations in the commonwealth.

949 (c) Each controlling person pursuant to subsection (b) shall submit to the commission an  
950 application in a form determined by the commission, and each such controlling person who is a  
951 natural person shall submit to the commission: (i) fingerprints for a national criminal records  
952 check by the department of the state police and the Federal Bureau of Investigation; and (ii) a  
953 signed authorization for the release of information by the department of the state police and the  
954 Federal Bureau of Investigation; provided, however, that a controlling person who is a natural  
955 person that has submitted to a national criminal records check in any jurisdiction within the  
956 previous year shall not be required to submit to another national criminal records check if such  
957 person submits to the commission the results of such previous national criminal records check.  
958 Any applicant convicted of any disqualifying offense shall not be licensed.

959 (d) Each person licensed under this chapter shall give the commission written notice  
960 within 30 days of any change to any material information provided in the application for a  
961 license or renewal.

962 (e) No commission employee shall be an applicant for any license issued under this  
963 chapter.

964 Section 6. (a) A licensed qualified gaming entity may operate sports wagering upon the  
965 approval of the commission.

966 (b)(1) The commission shall issue a category 1 license to any holder of a gaming license,  
967 as defined in section 2 of chapter 23K, that meets the requirements of this chapter and the rules  
968 and regulations of the commission.

969 (2) The commission shall issue a category 2 license to any holder of a license to conduct  
970 a racing meeting, as defined in section 1 of chapter 128A or to any person who held a license to  
971 conduct a racing meeting, as so defined, during the calendar year 2020 and conducts pari-mutuel  
972 wagering in accordance with applicable laws, that meets the requirements of this chapter and the  
973 rules and regulations of the commission.

974 (3) The commission shall issue a category 3 license to any entity that has offered fantasy  
975 sports contests in the commonwealth pursuant to 940 C.M.R. 34.00 for at least 1 year at the time  
976 of enactment of this act, has been permitted to offer sports wagering in at least 2 other  
977 jurisdictions in the United States by the relevant regulatory body in those jurisdictions and meets  
978 the requirements of this chapter and the rule and regulations of the commission.

979 (4) The commission may issue 2 additional category 3 licenses to any entity located in  
980 the United States that has been permitted to offer sports wagering in at least 2 other jurisdictions  
981 in the United States by the relevant regulatory body in those jurisdictions for at least 1 year and  
982 meets the requirements of this chapter and the rules and regulations of the commission. Prior to  
983 the issuance of such category 3 license, the entity shall undergo a suitability review by the  
984 commission subject to the requirements of section 12 of chapter 23K.

985 (c)(1) A qualified gaming entity may submit to the commission a request for a temporary  
986 license for the immediate commencement of sports wagering operations. Such request shall  
987 include an initial license fee of \$50,000 payable to the commission.

988 (2) Upon receiving a request for a temporary license, the executive director of the  
989 commission shall review the request. If the executive director determines that the entity  
990 requesting the temporary license is a qualified gaming entity and has paid the sports wagering  
991 initial license fee, the commission shall authorize the qualified gaming entity to conduct sports  
992 wagering for a period of 2 years under a temporary license or until a final determination on its  
993 operator license application is made.

994 (3) All sports wagering conducted under authority of a temporary license shall comply  
995 with the house rules adopted under section 9.

996 (d) Upon application by a qualified gaming entity and payment of a \$250,000 application  
997 fee, the commission shall grant an operator license to a qualified gaming entity that provides for  
998 the right to conduct sports wagering; provided, that the qualified gaming entity meets the  
999 requirements for licensure under this chapter and the rules and regulations of the commission.  
1000 Such license shall be issued for a 5-year period, and may be renewed for 5-year periods upon  
1001 payment of a \$100,000 renewal fee; provided, that an operator continues to meet all requirements  
1002 under this chapter and the rules and regulations of the commission.

1003 (e) An operator shall submit to the commission such documentation or information as the  
1004 commission may require demonstrating that the operator continues to meet the requirements of  
1005 this chapter and the rules and regulations of the commission. An operator shall submit required  
1006 documentation or information no later than 5 years after issuance of its operator license and  
1007 every 5 years thereafter, or within lesser periods based on circumstances specified by the  
1008 commission.

1009           Section 7. (a) All persons employed by an operator to perform duties directly related to  
1010 the operation of sports wagering in Massachusetts in a supervisory role shall maintain a valid  
1011 occupational license issued by the commission. The commission shall issue such occupational  
1012 license to a person who meets the requirements of this section.

1013                   (b) An occupational license authorizes the licensee to be employed in the capacity  
1014 designated by the commission while the license is active. The commission may establish, by rule  
1015 or regulation, job classifications with different requirements based on the extent to which a  
1016 particular job impacts, or has the potential to impact, the lawful operation of sports wagering.

1017                   (c) An applicant for an occupational license shall submit any required application forms  
1018 established by the commission and shall pay a nonrefundable application fee of \$100. An  
1019 employer may pay an application fee on behalf of an applicant.

1020                   (d) Each occupational license holder shall annually pay to the commission a license fee of  
1021 \$100 by March 1 and submit a renewal application on the form required by the commission. An  
1022 employer may pay an application fee on behalf of the licensed employee.

1023           Section 8. (a) The commission may deny a license to any applicant, reprimand any  
1024 licensee or suspend or revoke a license, if the applicant or licensee:

1025                   (1) has knowingly made a false statement of a material fact to the commission;

1026                   (2) has had a license revoked by any governmental authority responsible for regulation of  
1027 gaming activities;

1028                   (3) has been convicted of a crime of moral turpitude, a gambling-related offense or a theft  
1029 or fraud offense;

1030 (4) has not demonstrated to the satisfaction of the commission financial responsibility  
1031 sufficient to adequately meet the requirements of the proposed enterprise; or

1032 (5) is not the true owner of the business or is not the sole owner and has not disclosed the  
1033 existence or identity of other persons who have an ownership interest in the business.

1034 (b) The commission may deny, suspend or revoke an operator license or reprimand any  
1035 licensee if the applicant or licensee has not met the requirements of this chapter.

1036 Section 9. (a) Each operator shall adopt comprehensive house rules for game play  
1037 governing sports wagering transactions with its patrons. The house rules shall specify the  
1038 amounts to be paid on winning wagers and the effect of sports event schedule changes. The  
1039 commission shall approve house rules prior to implementation.

1040 (b) The house rules, together with any other information the commission deems  
1041 appropriate, shall be accessible to any patrons of the sports wagering system. The operator shall  
1042 make copies readily available to patrons.

1043 Section 10. (a) Sports wagering operators shall employ commercially reasonable methods  
1044 to:

1045 (1) prohibit the operator, directors, officers, owners and employees of the operator, and  
1046 any relative living in the same household as such persons, from placing bets with the operator;

1047 (2) prohibit athletes, coaches, referees, team owners, employees of a sports governing  
1048 body or its member teams and player and referee union personnel from wagering on any sporting  
1049 event of their sport's governing body; provided, that in determining which persons are excluded



1050 from placing wagers under this subsection, operators shall use lists of such persons that the  
1051 sports governing body may provide to the commission;

1052 (3) prohibit any individual with access to non-public confidential information held by the  
1053 operator from placing wagers with the operator;

1054 (4) prohibit persons from placing wagers as agents or proxies for others; and

1055 (5) maintain the security of wagering data, customer data and other confidential  
1056 information from unauthorized access and dissemination; provided, however, that nothing in this  
1057 chapter shall preclude the use of internet or cloud-based hosting of such data and information or  
1058 disclosure as required by court order, other law or this chapter.

1059 (b) A sports governing body may submit to the commission in writing, by providing  
1060 notice in such form and manner as the commission may require, a request to restrict, limit or  
1061 exclude a certain type, form or category of sports wagering with respect to sporting events of  
1062 such body, if the sports governing body believes that such type, form or category of sports  
1063 wagering with respect to sporting events of such body is contrary to public policy, unfair to  
1064 consumers, may undermine the perceived integrity of such body or sporting events of such body  
1065 or affects the integrity of such body or sporting events of such body. The commission shall  
1066 request comment from sports wagering operators on all such requests. After giving due  
1067 consideration to all comments received, the commission shall, upon a demonstration of good  
1068 cause from the requestor, grant the request. The commission shall respond to a request  
1069 concerning a particular event before the start of the event, or if it is not feasible to respond before  
1070 the start of the event, no later than 7 days after the request is made; provided, that if the  
1071 commission determines that the requestor is more likely than not to prevail in successfully

1072 demonstrating good cause for its request, the commission may provisionally grant the request of  
1073 the sports governing body until the commission makes a final determination as to whether the  
1074 requestor has demonstrated good cause. Absent such a provisional grant by the commission,  
1075 sports wagering operators may continue to offer sports wagering on sporting events that are the  
1076 subject of such a request during the pendency of the consideration of the applicable request.

1077 (c) The commission shall designate a state law enforcement entity to have primary  
1078 responsibility for conducting, or assisting the commission in conducting, investigations into  
1079 abnormal betting activity, match fixing and other conduct that corrupts a betting outcome of a  
1080 sporting event or events for purposes of financial gain.

1081 (d) The commission and sports wagering operators shall use commercially reasonable  
1082 efforts to cooperate with investigations conducted by sports governing bodies or law  
1083 enforcement agencies, including but not limited to, using commercially reasonable efforts to  
1084 provide or facilitate the provision of anonymized account-level betting information and audio or  
1085 video files relating to persons placing wagers. All disclosures under this section are subject to the  
1086 obligation of a sports wagering operator to comply with all federal, state and local laws and  
1087 regulations, including but not limited to, laws and regulations relating to privacy and personally  
1088 identifiable information.

1089 (e) Sports wagering operators shall immediately report to the commission any  
1090 information relating to:

1091 (1) criminal or disciplinary proceedings commenced against the sports wagering operator  
1092 in connection with its operations;

1093 (2) abnormal betting activity or patterns that may indicate a concern with the integrity of  
1094 a sporting event or events;

1095 (3) any potential breach of the internal rules and codes of conduct pertaining to sports  
1096 wagering of a relevant sports governing body;

1097 (4) any other conduct that corrupts a betting outcome of a sporting event or events for  
1098 purposes of financial gain, including match fixing; and

1099 (5) suspicious or illegal wagering activities, including use of funds derived from illegal  
1100 activity, wagers to conceal or launder funds derived from illegal activity, using agents to place  
1101 wagers and using false identification.

1102 Sports wagering operators shall immediately report information relating to conduct  
1103 described in paragraphs (2), (3) and (4) of this subsection to the relevant sports governing body.

1104 (f) The commission and sports wagering operators shall maintain the confidentiality of  
1105 information provided by a sports governing body for purposes of investigating or preventing the  
1106 conduct described in paragraphs (2), (3) and (4) of subsection (e), unless disclosure is required  
1107 by this chapter, the commission, other law or court order or unless the sports governing body  
1108 consents to disclosure.

1109 (g) With respect to any information provided by a sports wagering operator to a sports  
1110 governing body relating to conduct described in paragraphs (2), (3) and (4) of subsection (e), a  
1111 sports governing body:

1112 (1) shall only use such information for integrity purposes and shall not use the  
1113 information for any commercial or other purpose; and

1114 (2) shall maintain the confidentiality of such information, unless disclosure is required by  
1115 this chapter, the commission, other law or court order or unless the sports wagering operator  
1116 consents to disclosure; provided, that the sports governing body may make disclosures necessary  
1117 to conduct and resolve integrity-related investigations and may publicly disclose such  
1118 information if required by its integrity policies or if deemed by the sports governing body in its  
1119 reasonable judgment to be necessary to maintain the actual or perceived integrity of its sporting  
1120 events, and subject in all cases to the sports governing body's compliance with federal, state and  
1121 local laws and regulations, including but not limited to, laws and regulations relating to privacy  
1122 and personally identifiable information. Prior to any such public disclosure that would identify  
1123 the sports wagering operator by name, the sports governing body shall provide such sports  
1124 wagering operator with notice of such disclosure and an opportunity to object to such disclosure.

1125 (h) Sports wagering operators shall maintain records of all wagers placed by its patrons,  
1126 including personally identifiable information of the patron, amount and type of the bet, the time  
1127 the bet was placed, the location of the bet, including the IP address if applicable, the outcome of  
1128 the bet and records of abnormal betting activity for 3 years after a sporting event occurs and  
1129 video camera recordings in the case of in-person wagers for at least 1 year after a sporting event  
1130 occurs, and shall make such data available for inspection upon request of the commission or as  
1131 required by court order.

1132 (i) A sports wagering operator shall use commercially reasonable efforts to maintain in  
1133 real time and at the account level, anonymized information for each patron, including the amount  
1134 and type of bet, the time the bet was placed, the location of the bet, including the IP address if  
1135 applicable, the outcome of the bet and records of abnormal betting activity. The commission may  
1136 request such information in the form and manner as it requires. Nothing in this section shall

1137 require a sports wagering operator to provide any information prohibited by federal, state or local  
1138 laws or regulations, including but not limited to, laws and regulations relating to privacy and  
1139 personally identifiable information.

1140 (j) If a sports governing body has notified the commission and demonstrated a need for  
1141 access to the information described in subsection (i) for wagers placed on sporting events of such  
1142 sports governing body for integrity monitoring purposes, and demonstrated the capability to use  
1143 such data for the purpose of effectively monitoring the integrity of sporting events of such sports  
1144 governing body, a sports wagering operator shall share, in a commercially reasonable frequency,  
1145 form and manner, with the sports governing body or its designee the same information the sports  
1146 wagering operator is required to maintain under subsection (i) with respect to sports wagers on  
1147 sporting events of such sports governing body. A sports governing body and its designee shall  
1148 only use information received under this section for integrity-monitoring purposes and shall not  
1149 use information received under this section for any commercial or other purpose. Nothing in this  
1150 section shall require a sports wagering operator to provide any information that is prohibited by  
1151 federal, state or local laws or regulations, including but not limited to, laws and regulations  
1152 relating to privacy and personally identifiable information.

1153 (k) A sports wagering operator shall conduct a background check on each newly hired  
1154 employee, and a single background check on any employee hired prior to the effective date of  
1155 this act. Background checks shall search for criminal history, charges or convictions involving  
1156 corruption or manipulation of sporting events and association with organized crime.

1157 Section 11. (a) All operators licensed under this chapter to conduct sports wagering shall:

1158 (1) employ a monitoring system utilizing software to identify irregularities in volume or  
1159 changes in odds that could signal suspicious activities and promptly report such information to  
1160 the commission for further investigation. System requirements and specifications shall be  
1161 developed according to industry standards and implemented by the commission as part of the  
1162 minimum internal control standards;

1163 (2) promptly report to the commission any facts or circumstances related to the operation  
1164 of a sports wagering licensee which constitute a violation of state or federal law and promptly  
1165 report to the appropriate state or federal authorities any suspicious betting over a threshold set by  
1166 the operator that has been approved by the commission;

1167 (3) conduct all sports wagering activities and functions in a manner that does not pose a  
1168 threat to the public health, safety or welfare of the residents of the commonwealth;

1169 (4) keep current in all payments and obligations to the commission;

1170 (5) prevent any person from tampering with or interfering with the operation of any  
1171 sports wagering;

1172 (6) ensure that mobile sports wagering occurs only using a commission-approved mobile  
1173 application or other digital platform to accept wagers initiated within the commonwealth;

1174 (7) maintain sufficient cash and other supplies to conduct sports wagering at all times;  
1175 and

1176 (8) maintain daily records showing the gross sports wagering receipts and adjusted gross  
1177 sports wagering receipts of the licensee from sports wagering and shall timely file with the  
1178 commission any additional reports required by rule, regulation or this chapter.

1179 (b) Sports wagering operators may use any data source for determining:  
1180 (1) the results of any and all tier 1 sports wagers on any and all sporting events; and  
1181 (2) the results of any and all tier 2 sports wagers on sporting events of an organization  
1182 that is not headquartered in the United States.

1183 (c) A sports governing body may notify the commission that it desires sports wagering  
1184 operators to use official league data to settle tier 2 sports wagers on sporting events of such  
1185 sports governing body. Such notification shall be made in the form and manner as the  
1186 commission may require. Within 5 days of receipt of such notification, the commission shall  
1187 notify each sports wagering operator of the requirement to use official league data to settle tier 2  
1188 sports wagers. If a sports governing body does not notify the commission of its desire to supply  
1189 official league data, a sports wagering operator may use any data source for determining the  
1190 results of any and all tier 2 sports wagers on sporting events of such sports governing body.

1191 (d) Within 60 days of the commission notifying a sport wagering operator of the  
1192 requirement to use official league data to settle tier 2 sports wagers pursuant to subsection (c), or  
1193 such longer period as may be agreed between the sports governing body and the applicable  
1194 sports wagering operator, a sports wagering operator shall use only official league data to  
1195 determine the results of tier 2 sports wagers on sporting events of that sports governing body,  
1196 unless:

1197 (1) the sports governing body or its designee cannot provide a feed of official league data  
1198 to determine the results of a particular type of tier 2 sports wager, in which case a sports  
1199 wagering operator may use any data source for determining the results of the applicable tier 2

1200 sports wager until such time a data feed becomes available from the sports governing body on  
1201 commercially reasonable terms and conditions; or

1202 (2) a sports wagering operator can demonstrate to the commission that the sports  
1203 governing body or its designee will not provide a feed of official league data to the sports  
1204 wagering operator on commercially reasonable terms and conditions.

1205 (e) In evaluating whether official league data is offered on commercially reasonable  
1206 terms and conditions for purposes of paragraphs (1) and (2) of subsection (d), the commission  
1207 may consider factors, including but not limited to:

1208 (1) the availability of official league data to a sports wagering operator from more than 1  
1209 authorized source;

1210 (2) market information, including but not limited to, price and other terms and conditions  
1211 regarding the purchase by sports wagering operators of comparable data for the purpose of  
1212 settling sports wagers in the commonwealth and other jurisdictions;

1213 (3) the nature and quantity of data, including the quality and complexity of the process  
1214 used for collecting such data; and

1215 (4) the extent to which a sports governing body or its designee has made data used to  
1216 settle tier 2 wagers available to sports wagering operators and any terms and conditions relating  
1217 to the use of that data.

1218 (f) Notwithstanding anything to the contrary set forth herein, including but not limited to,  
1219 subsection (d), during the pendency of the determination of the commission as to whether a  
1220 sports governing body or its designee may provide official league data on commercially



1221 reasonable terms, a sports wagering operator may use any data source to determine the results of  
1222 tier 2 sports wagers. The determination shall be made within 120 days of the sports wagering  
1223 operator notifying the commission that it requests to demonstrate that the sports governing body  
1224 or its designee will not provide a feed of official league data to the sports wagering operator on  
1225 commercially reasonable terms.

1226 (g) A sports governing body may enter into commercial agreements with a sports  
1227 wagering operator or other entity in which such sports governing body may share in the amount  
1228 bet or revenues derived from sports wagering on sporting events of such sports governing body.  
1229 A sports governing body shall not be required to obtain a license or any other approval from the  
1230 commission to lawfully accept such amounts or revenues.

1231 Section 12. (a) Holders of category 1 and category 2 licenses may accept wagers on  
1232 sports events and other events authorized under this chapter in person at authorized facilities.

1233 (b) Holders of category 1 and category 3 licenses may accept wagers on sports events and  
1234 other events authorized under this chapter from individuals physically located within the  
1235 commonwealth using mobile applications or digital platforms approved by the commission,  
1236 through the patron's sports wagering account. The branding for each mobile application or  
1237 digital platform shall be determined by the operator. All bets authorized under this section must  
1238 be initiated, received and otherwise made within the commonwealth. Consistent with the intent  
1239 of the federal Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. section 5361 to  
1240 5367, inclusive, the intermediate routing of electronic data related to a lawful intrastate wager  
1241 authorized under this chapter shall not determine the location or locations in which the wager is  
1242 initiated, received or otherwise made.

1243 (c) An operator may accept wagers placed by other operators, and may place wagers with  
1244 other operators; provided, that any operator that places a wager with another operator shall  
1245 inform the operator accepting the wager that the wager is being placed by an operator and shall  
1246 disclose its identity.

1247 (d) A person placing a wager shall be at least 21 years of age.

1248 (e)(1) The commission or operator may ban any person from participating in the play or  
1249 operation of any sports wagering consistent with rules and regulations promulgated by the  
1250 commission. A list of all excluded patrons shall be kept by the commission and provided to each  
1251 licensee, and no patron on the exclusion list shall be permitted to conduct sports wagering under  
1252 this chapter.

1253 (2) The commission shall establish a list of self-excluded persons from sports wagering.  
1254 A person may request such person's name to be placed on the list of self-excluded persons by  
1255 filing a statement with the commission acknowledging that the person is a problem gambler and  
1256 by agreeing that, during any period of voluntary exclusion, the person shall not collect any  
1257 winnings or recover any losses resulting from any sports wagering. The commission shall adopt  
1258 further regulations for the self-excluded persons list including procedures for placement, removal  
1259 and transmittal of such list to sports wagering operators. The commission may revoke, limit,  
1260 condition, suspend or fine a sports wagering operator if the operator knowingly or recklessly  
1261 fails to exclude or eject from its premises any person placed on the list of self-excluded persons.

1262 (f) No licensed employee may place a sports wager through any mobile application or  
1263 digital platform owned or operated by their employer.

1264 (g) No licensed employee may place a sports wager at any facility owned or operated by  
1265 their employer.

1266 (h) Sections 24, 24A and 27 of chapter 10 of the General Laws shall not apply to an  
1267 operator conducting sports wagering in accordance with this chapter.

1268 Section 13. (a)(1) For the privilege of holding a license to operate sports wagering under  
1269 this chapter, the commonwealth shall impose and collect an excise equal to 15 per cent of the  
1270 operator's adjusted gross sports wagering receipts from the operation of sports wagering,  
1271 hereinafter "privilege tax". The accrual method of accounting shall be used for purposes of  
1272 calculating the amount of the tax owed by the licensee.

1273 (2) Annually not later than October 15, each sports wagering operator shall submit to the  
1274 commission the number of sports events or other events that took place at sports stadiums or  
1275 other sports facilities physically located in the commonwealth and the adjusted gross sports  
1276 wagering receipts collected from each such event. The commission shall impose and collect an  
1277 excise equal to 1 per cent of the operator's adjusted gross sports wagering receipts from such  
1278 events. Annually, no later than December 31, the commission shall proportionately distribute the  
1279 amounts received to each sports facility based on the amount collected at each such facility  
1280 during the previous calendar year. A sports facility shall use such funds only for the purpose of  
1281 sports wagering security and integrity and shall report annually to the commission the amounts  
1282 spent and purposes of such spending in a form prescribed by the commission.

1283 (b)(1) The tax levied and collected pursuant to paragraph (1) of subsection (a) shall be  
1284 due and payable to the commission in monthly installments on or before the 15th calendar day  
1285 following the calendar month in which the adjusted gross sports wagering receipts were received.

1286 (2) The operator shall complete and submit the return for the preceding month by  
1287 electronic communication to the commission, on or before the 15th of each month, in the form  
1288 prescribed by the commission that provides:

1289 (i) the total gross sports wagering receipts and adjusted gross sports wagering receipts  
1290 from operation of sports wagering during that month;

1291 (ii) the tax amount for which the sports wagering licensee is liable; and

1292 (iii) any additional information necessary in the computation and collection of the tax on  
1293 adjusted gross sports wagering receipts required by the commission.

1294 (3) The tax amount shown to be due shall be remitted by electronic funds transfer  
1295 simultaneously with the filing of the return.

1296 (4) When adjusted gross receipts for a month is a negative number because the winnings  
1297 paid to patrons wagering on the operator's sports wagering exceed the operator's total gross  
1298 receipts from sports wagering by patrons, the commission shall allow the operator to carry over  
1299 the negative amount to returns filed for subsequent months. The negative amount of adjusted  
1300 gross receipts shall not be carried back to an earlier month and taxes previously received by the  
1301 commission will not be refunded, except if the operator surrenders its license and the operator's  
1302 last return reported negative adjusted gross receipts.

1303 (c) The tax on adjusted gross sports wagering receipts imposed by this section shall be in  
1304 lieu of all other state and local taxes and fees imposed on the operation of, or the proceeds from  
1305 operation of sports wagering.

1306 Section 14. There shall be established and set up on the books of the commonwealth a  
1307 Sports Wagering Fund which shall receive revenues collected pursuant to sections 6 and 13. The  
1308 commission shall be the trustee of the fund and shall transfer monies in the fund as follows:

1309 (1) 40 per cent to the Workforce Investment Trust Fund established in section 2IIIII  
1310 of chapter 29;

1311 (2) 30 per cent to the Distressed Restaurant Trust Fund;

1312 (3) 10 per cent to the Youth Development and Achievement Fund established in  
1313 section 15;

1314 (4) 10 per cent to the Gaming Local Aid Fund established in section 63 of section  
1315 23K;

1316 (5) 9 per cent to the Public Health Trust Fund established in section 58 of section  
1317 23K; and

1318 (6) 1 per cent to the Players' Benevolence Fund established in section 2JJJJJ of  
1319 chapter 29.

1320 Section 15. There shall be established and set up on the books of the commonwealth a  
1321 fund to be known as the Youth Development and Achievement Fund. The fund shall be credited  
1322 any monies transferred under section 14 and all monies credited to or transferred to the fund  
1323 from any other fund or source. Expenditures from the fund shall be subject to appropriation and  
1324 shall be expended equally for the following purposes:

1325 (1) For the purposes of providing financial assistance to students from the commonwealth  
1326 enrolled in and pursuing a program of higher education in any approved public or independent

1327 college, university, school of nursing or any other approved institution furnishing a program of  
1328 higher education; and

1329 (2) For the purposes after school and out of school activities including, but not limited to,  
1330 youth athletics and other activities that improve student health, literacy programs, academic  
1331 tutoring, art, theater and music programs and community service programs.

1332 Section 16. The commission may impose on any person who violates this chapter a civil  
1333 penalty not to exceed \$2,000 for each violation or \$5,000 for violations arising from the same  
1334 series of events. Such penalty shall be imposed on all individuals and is not limited to individuals  
1335 licensed under this chapter.

1336 Section 17. (a) Any person, other than an operator under this chapter, who engages in  
1337 accepting, facilitating or operating a sports wagering operation is guilty of a misdemeanor and,  
1338 upon conviction thereof, shall be fined not more than \$10,000 or confined in jail for not more  
1339 than 90 days, or both fined and confined.

1340 (b) Any person convicted of a second violation of subsection (a) is guilty of a  
1341 misdemeanor and, upon conviction thereof, shall be fined not more than \$50,000, or confined in  
1342 jail for not more than 6 months, or both fined and confined.

1343 (c) Any person convicted of a third or subsequent violation of subsection (a) is guilty of a  
1344 felony, and upon conviction thereof, shall be fined not less than \$25,000 nor more than \$100,000  
1345 or imprisoned in a state correctional facility for not less than 1 year nor more than 5 years, or  
1346 both fined and confined.

1347 SECTION 8. Chapter 23N is hereby amended by striking section 14 and inserting in  
1348 place thereof the following section:-

1349 Section 14. Tax payments collected under section 13 shall be transferred as follows:

1350 (1) 40 per cent to the Workforce Investment Trust Fund established in section 2IIIII;

1351 (2) 25 per cent to the Youth Development and Achievement Fund established in  
1352 section 15;

1353 (3) 25 per cent to the Gaming Local Aid Fund established in section 63 of chapter  
1354 23K;

1355 (4) 9 per cent to the Public Health Trust Fund established in section 58 of chapter  
1356 23K;

1357 (5) 1 per cent to the Players' Benevolence Fund established in section 2JJJJJ.

1358 SECTION 9. Subsection (b) of section 6A of chapter 25C of the General Laws, as so  
1359 appearing, is hereby amended by striking out, in line 18, the word "(f)" and inserting in place  
1360 thereof the following word:- (h).

1361 SECTION 10. Said section 6A of said chapter 25C is hereby further amended by adding  
1362 the following 2 subsections:-

1363 (g) Subsection (b) shall not be construed to affect or modify any obligations or authority  
1364 in chapter 159C.

1365 (h) Subsection (b) shall not be construed to affect the authority of the department to  
1366 administer federal programs supported by the federal Universal Service Fund, including the  
1367 Lifeline program, the E-rate program or the Connect America Fund.

1368 SECTION 11. Chapter 29 of the General Laws is hereby amended by inserting after  
1369 section 2HHHHH, added by section 4 of chapter 142 of the acts of 2019, the following 2  
1370 sections:-

1371 Section 2IIIII. (a) There is hereby established and set up on the books of the  
1372 commonwealth a separate fund to be known as the Workforce Investment Trust Fund, in this  
1373 section called the fund. There shall be credited to the fund any sports wagering revenue  
1374 transferred by section 14 of chapter 23N. Monies transferred to the fund shall be continuously  
1375 expended, without regard for fiscal year, exclusively for carrying out the purposes of this section.  
1376 Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

1377 (b) The fund shall be administered by the secretary of housing and economic  
1378 development. Money in the fund shall be competitively granted to develop and strengthen  
1379 workforce opportunities for low-income communities and vulnerable youth and young adults in  
1380 the commonwealth, including providing opportunities and strategies to promote stable  
1381 employment and wage growth.

1382 (c) Eligible grant recipients shall provide opportunities which: (i) target at risk youth,  
1383 including resources to empower youth to succeed in the workforce; (ii) provide job skills  
1384 trainings, including programs offering trainings in multiple languages and areas for development,  
1385 including education and hands on skills; and (iii) promote adult literacy, including strategies to  
1386 master reading and writing and providing digital formats to increase accessibility. The secretary



1387 of housing and economic development shall establish criteria to evaluate applications for the  
1388 grant program; provided, the criteria shall include, but shall not be limited to, at risk populations;  
1389 provided, further, preference shall be given to eligible grant recipients providing opportunities  
1390 for individuals who meet at least 2 of the following: (i) is under 30 years of age; (ii) is a victim  
1391 of violence; (iii) is over 18 years of age and does not have a high school diploma; (iv) has been  
1392 convicted of a felony; (v) has been unemployed or has had a family income below 250 per cent  
1393 of the federal poverty level for not less than 6 months; or (vi) lives in a census tract where over  
1394 20 per cent of the populations fall below the federal poverty line.

1395 (d) Annually, not later than October 1, the board shall provide a report of the grants given  
1396 and a breakdown of expenditures made by the fund. The report shall be posted on the website of  
1397 the executive office of housing and economic development.

1398 Section 2JJJJ. (a) There shall be a Players' Benevolence Fund to be administered by the  
1399 Massachusetts gaming commission established in section 3 of chapter 23K. The fund shall be  
1400 credited with: (i) funds collected under section 14 of chapter 23N; (ii) revenue from  
1401 appropriations or other money authorized by the general court and specifically designated to be  
1402 credited to the fund; (iii) interest earned on money in the fund; and (iv) funds from private  
1403 sources including, but not limited to, gifts, grants and donations received by the commonwealth  
1404 that are specifically designated to be credited to the fund. All amounts credited to the fund shall  
1405 be used without further appropriation for the purpose of making distributions to charitable  
1406 organizations as recommended pursuant to subsection (c). Any unexpended balance in the fund  
1407 at the close of a fiscal year shall not revert to the General Fund and shall be available for  
1408 expenditure in subsequent fiscal years.

1409 (b) There shall be a Players' Benevolence Fund advisory committee. The advisory  
1410 committee shall consist of 9 members: 1 of whom shall be appointed by the governor and who  
1411 shall serve as chair; 1 of whom shall be the state treasurer, or a designee; 1 of whom shall be  
1412 appointed by the senate president; 1 of whom shall be appointed by the speaker of the house of  
1413 representatives; 1 of whom shall be a designee of the National Football League Players'  
1414 Association, 1 of whom shall be a designee of the Major League Baseball Players' Association; 1  
1415 of whom shall be a designee of the National Basketball Players' Association; 1 of whom shall be  
1416 a designee of the National Hockey League Players' Association; and 1 of whom shall be a  
1417 designee of the Major League Soccer Players' Association.

1418 (c) The advisory committee shall convene at least annually and make recommendations  
1419 to the commission for distributions from the Players' Benevolence Fund in a method to be  
1420 determined by said committee. The committee shall recommend to the commission a distribution  
1421 schedule for funds deposited in the Players' Benevolence Fund to organizations that benefit  
1422 current and former professional sports players or their charitable foundations. In developing its  
1423 recommendations, the advisory committee shall consider charitable organizations, including but  
1424 not limited to, organizations involved in medical research related to athletic participation,  
1425 delivery of literacy and other academic assistance to disadvantaged and underserved youth  
1426 populations, financial literacy and education.

1427 (d) Annually, not later than July 1, the commission shall report to the clerks of the house  
1428 of representatives and senate on the fund's activities. The report shall include, but not be limited  
1429 to: (i) the source and amounts of funds received; and (ii) the amounts and purpose of  
1430 expenditures from the fund, including the name of each organization to which funds were  
1431 distributed.

1432 SECTION 12. Subsection (a) of section 4 of chapter 30B of the General Laws, as so  
1433 appearing, is hereby amended by adding the following words:- or section 6.

1434 SECTION 13. Said section 4 of said chapter 30B, as so appearing, is hereby further  
1435 amended by striking out subsection (b) and inserting in place thereof the following subsection:-

1436 (b) Quotations shall not be modified or disclosed until the award of the contract after  
1437 submission; however, the procurement officer shall waive minor informalities or allow the  
1438 person submitting quotations to correct the minor informality. The procurement officer shall  
1439 award the contract to the responsible and responsive person offering the needed quality of supply  
1440 or service at the lowest quotation. A contract requiring payment to the governmental body of a  
1441 net monetary amount shall be awarded to the responsible and responsive person offering the  
1442 needed quality of supply or service at the highest quotation.

1443 SECTION 14. Section 6 of said chapter 30B, as so appearing, is hereby amended by  
1444 striking out, in line 2, the words “\$50,000 utilizing” and inserting in place thereof the following  
1445 words:- \$50,000, except as permitted pursuant to subsection (a) of section 4, utilizing.

1446 SECTION 14A. Section 23 of chapter 32 of the General Laws, as appearing in the 2018  
1447 Official Edition, is hereby amended by adding the following subdivision:-

1448 (8)(a) It shall be the policy of the PRIM board to use minority investment managers to  
1449 manage PRIT Fund assets, encompassing all asset classes, and to increase the racial, ethnic, and  
1450 gender diversity of PRIT Fund investments to the greatest extent feasible, consistent with sound  
1451 investment policy. The PRIM board and the executive director shall take affirmative steps to  
1452 remove any barriers to the full participation of minority investment managers in investment  
1453 opportunities. Such affirmative steps shall include, but not be limited to, consideration of

1454 whether current investment policy discourages the use of minority investment managers through  
1455 quantitative or qualitative restrictions, including, but not limited to, number of years track record  
1456 and minimum assets under management.

1457 (b) It shall be the goal of the PRIM board that not less than 20 per cent of investment  
1458 managers be minorities, females and persons with disabilities. It shall further be the goal of the  
1459 PRIM board to utilize businesses owned by minorities, females and persons with disabilities for  
1460 not less than 20 per cent of total contracts awarded pursuant to section 23B.

1461 (c) Annually, not later than January 15 of each year, the PRIM board shall file with the  
1462 house and senate committee on ways and means and with the joint committee on public service a  
1463 report detailing its progress toward implementing the policies and goals outlined above. Such  
1464 report shall include documentation related to all minority investment managers considered for  
1465 investment, including documentation, where applicable, of the reasons for declining any such  
1466 investment.

1467 SECTION 15. Section 4A of chapter 40 of the General Laws, as so appearing, is hereby  
1468 amended by adding the following paragraph:-

1469 By a majority vote of their legislative bodies, and with the approval of the mayor, board  
1470 of selectmen or other chief executive officer, any contiguous cities and towns may enter into an  
1471 agreement to allocate public infrastructure costs, municipal service costs and local tax revenue  
1472 associated with the development of an identified parcel or parcels or development within the  
1473 contiguous communities generally; provided, that the agreement shall be approved by the  
1474 department of revenue.

1475 SECTION 16. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby  
1476 amended by inserting after the introductory paragraph the following 8 definitions:-

1477 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking  
1478 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable  
1479 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly  
1480 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient  
1481 to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area  
1482 than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii)  
1483 is subject to such additional restrictions as may be imposed by a municipality, including but not  
1484 limited to additional size restrictions, owner-occupancy requirements and restrictions or  
1485 prohibitions on short-term rental of accessory dwelling units.

1486 “As of right”, development that may proceed under a zoning ordinance or by-law without  
1487 the need for a special permit, variance, zoning amendment, waiver or other discretionary zoning  
1488 approval.

1489 “Eligible locations”, areas that by virtue of their infrastructure, transportation access,  
1490 existing underutilized facilities or location make highly suitable locations for residential or  
1491 mixed use smart growth zoning districts or starter home zoning districts, including without  
1492 limitation: (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry  
1493 terminals; or (ii) areas of concentrated development, including town and city centers, other  
1494 existing commercial districts in cities and towns and existing rural village districts.

1495 “Lot”, an area of land with definite boundaries that is used or available for use as  
1496 the site of a building or buildings.

1497 “Mixed-use development”, development containing a mix of residential uses and non-  
1498 residential uses, including, without limitation, commercial, institutional, industrial or other uses;

1499 “Multi-family housing”, a building with 3 or more residential dwelling units or 2 or more  
1500 buildings on the same lot with more than 1 residential dwelling unit in each building.

1501 “Natural resource protection zoning”, zoning ordinances or by-laws enacted principally  
1502 to protect natural resources by promoting compact patterns of development and concentrating  
1503 development within a portion of a parcel of land so that a significant majority of the land remains  
1504 permanently undeveloped and available for agriculture, forestry, recreation, watershed  
1505 management, carbon sequestration, wildlife habitat or other natural resource values.

1506 “Open space residential development”, a residential development in which the buildings  
1507 and accessory uses are clustered together into 1 or more groups separated from adjacent property  
1508 and other groups within the development by intervening open land. An open space residential  
1509 development shall be permitted only on a plot of land of such minimum size as a zoning  
1510 ordinance or by-law may specify which is divided into building lots with dimensional control,  
1511 density and use restrictions for such building lots varying from those otherwise permitted by the  
1512 ordinance or by-law and open land. The open land may be situated to promote and protect  
1513 maximum solar access within the development. The open land shall either be conveyed to the  
1514 city or town and accepted by said city or town for park or open space use, or be made subject to a  
1515 recorded use restriction enforceable by said city or town or a non-profit organization the  
1516 principal purpose of which is the conservation of open space, providing that such land shall be  
1517 kept in an open or natural state and not be built for residential use or developed for accessory  
1518 uses such as parking or roadway.

1519 SECTION 17. Said section 1A of said chapter 40A, as so appearing, is hereby further  
1520 amended by striking out the definition of “Transfer of development rights” and inserting in place  
1521 thereof the following definition:-

1522 “Transfer of development rights”, the regulatory procedure whereby the owner of a  
1523 parcel may convey development rights, extinguishing those rights on the first parcel, and where  
1524 the owner of another parcel may obtain and exercise those rights in addition to the development  
1525 rights already existing on that second parcel.

1526 SECTION 18. Section 5 of said chapter 40A, as so appearing, is hereby amended by  
1527 striking out the fifth paragraph and inserting in place thereof the following paragraph:-

1528 Except as provided herein, no zoning ordinance or by-law or amendment thereto shall be  
1529 adopted or changed except by a two-thirds vote of all the members of the town council, or of the  
1530 city council where there is a commission form of government or a single branch, or of each  
1531 branch where there are 2 branches, or by a two-thirds vote of a town meeting; provided,  
1532 however, that the following shall be adopted by a vote of a simple majority of all members of the  
1533 town council or of the city council where there is a commission form of government or a single  
1534 branch or of each branch where there are 2 branches or by a vote of a simple majority of town  
1535 meeting:

1536 (1) an amendment to a zoning ordinance or by-law to allow any of the following as of  
1537 right: (a) multifamily housing or mixed-use development in an eligible location; (b) accessory  
1538 dwelling units, whether within the principal dwelling or a detached structure on the same lot; or  
1539 (c) open-space residential development;

1540 (2) an amendment to a zoning ordinance or by-law to allow by special permit: (a) multi-  
1541 family housing or mixed-use development in an eligible location; (b) an increase in the  
1542 permissible density of population or intensity of a particular use in a proposed multi-family or  
1543 mixed use development pursuant to section 9; (c) accessory dwelling units in a detached  
1544 structure on the same lot; or (d) a diminution in the amount of parking required for residential or  
1545 mixed-use development pursuant to section 9;

1546 (3) zoning ordinances or by-laws or amendments thereto that: (a) provide for TDR zoning  
1547 or natural resource protection zoning in instances where the adoption of such zoning promotes  
1548 concentration of development in areas that the municipality deems most appropriate for such  
1549 development, but will not result in a diminution in the maximum number of housing units that  
1550 could be developed within the municipality; or (b) modify regulations concerning the bulk and  
1551 height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage  
1552 requirements to allow for additional housing units beyond what would otherwise be permitted  
1553 under the existing zoning ordinance or by-law; and

1554 (4) the adoption of a smart growth zoning district or starter home zoning district in  
1555 accordance with section 3 of chapter 40R. Any amendment that requires a simple majority vote  
1556 shall not be combined with an amendment that requires a two-thirds majority vote. If, in a city or  
1557 town with a council of fewer than 25 members, there is filed with the clerk prior to final action  
1558 by the council a written protest against a zoning change under this section, stating the reasons  
1559 duly signed by owners of 50 per cent or more of the area of the land proposed to be included in  
1560 such change or of the area of the land immediately adjacent extending 300 feet therefrom, no  
1561 change of any such ordinance shall be adopted except by a two-thirds vote of all members.



1562 SECTION 19. Section 9 of said chapter 40A, as so appearing, is hereby amended by  
1563 inserting after the word “interests,” in line 34, the following words:- ; provided, however, that  
1564 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of  
1565 development rights to be permitted as of right, without the need for a special permit or other  
1566 discretionary zoning approval.

1567 SECTION 20. Said section 9 of said chapter 40A, as so appearing, is hereby further  
1568 amended by striking out, in lines 39 and 43, the word “cluster” each time it appears and inserting  
1569 in place thereof in each instance the following words:- open space residential.

1570 SECTION 21. Said section 9 of said chapter 40A, as so appearing, is hereby further  
1571 amended by inserting, after the word “control,” in line 47, the following words:- ; provided,  
1572 however, that nothing herein shall prohibit a zoning ordinance or by-law from allowing open  
1573 space residential developments to be permitted as of right, without the need for a special permit  
1574 or other discretionary zoning approval.

1575 SECTION 22. Said section 9 of said chapter 40A, as so appearing, is hereby further  
1576 amended by striking out the seventh paragraph and inserting in place thereof the following  
1577 paragraph:-

1578 Zoning ordinances or by-laws may also provide that special permits may be granted for  
1579 reduced parking space to residential unit ratio requirements after a finding by the special permit  
1580 granting authority that the public good would be served and that the area in which the  
1581 development is located would not suffer a substantial adverse effect from such diminution in  
1582 parking.

1583 SECTION 23. Said section 9 of said chapter 40A, as so appearing, is hereby further  
1584 amended by inserting after the twelfth paragraph the following paragraph:-

1585 A special permit issued by a special permit granting authority shall require a simple  
1586 majority vote for any of the following: (a) multifamily housing that is located within 1/2 mile of  
1587 a commuter rail station, subway station, ferry terminal or bus station; provided, that not less than  
1588 10 per cent of the housing shall be affordable to and occupied by households whose annual  
1589 income is less than 80 per cent of the area wide median income as determined by the United  
1590 States Department of Housing and Urban Development and affordability is assured for a period  
1591 of not less than 30 years through the use of an affordable housing restriction as defined in section  
1592 31 of chapter 184; (b) mixed-use development in centers of commercial activity within a  
1593 municipality, including town and city centers, other commercial districts in cities and towns and  
1594 rural village districts; provided, that not less than 10 per cent of the housing shall be affordable to  
1595 and occupied by households whose annual income is less than 80 per cent of the area wide  
1596 median income as determined by the United States Department of Housing and Urban  
1597 Development and affordability is assured for a period of not less than 30 years through the use of  
1598 an affordable housing restriction as defined in section 31 of chapter 184; or (c) a reduced parking  
1599 space to residential unit ratio requirement, pursuant to this section; provided, that a reduction in  
1600 the parking requirement will result in the production of additional housing units.

1601 SECTION 24. Section 2 of chapter 40G, as so appearing, is hereby amended by striking  
1602 out, in lines 23 through 25, inclusive, the words “1 person appointed by the governor who is a  
1603 cabinet secretary or officer of the commonwealth having experience appropriate to the functions  
1604 of MTDC” and inserting in place thereof the following words:- the executive director of the  
1605 Massachusetts Technology Park Corporation established by chapter 40J.

1606 SECTION 25. Section 6B of chapter 40J, as so appearing, is hereby amended by inserting  
1607 after the word “development”, in line 33, the following words:- , or a designee.

1608 SECTION 26. Section 2 of chapter 40R of the General Laws, as amended by section 12  
1609 of chapter 5 of the acts of 2019, is hereby amended by inserting after the word “is”, in line 4, the  
1610 following words:- equal to or.

1611 SECTION 27. Said section 2 of said chapter 40R, as so amended, is hereby further  
1612 amended by striking out the definition of “Approving authority”.

1613 SECTION 28. Said section 2 of said chapter 40R, as so amended, is hereby further  
1614 amended by inserting after the definition of “Open space” the following definition:-

1615 “Plan approval authority”, a unit of municipal government designated by the city or town  
1616 to review projects and issue approvals under section 11.

1617 SECTION 29. Section 3 of said chapter 40R, as appearing in the 2018 Official Edition, is  
1618 hereby amended by inserting after the word “have”, in line 4, the following word:- safe.

1619 SECTION 30. Said section 3 of said chapter 40R, as so appearing, is hereby further  
1620 amended by inserting after the word “frequent”, in line 5, the following word:- pedestrian.

1621 SECTION 31. Said section 3 of said chapter 40R, as so appearing, is hereby further  
1622 amended by striking out, in line 14, the words “by a city or town”.

1623 SECTION 32. Said section 3 of said chapter 40R, as so appearing, is hereby further  
1624 amended by inserting after the word “use”, in line 19, the following words:-

1625 ; provided, however, that a smart growth zoning district or starter home zoning district  
1626 ordinance or by-law shall be adopted by a simple majority vote of all the members of the town  
1627 council, or of the city council where there is a commission form of government or a single  
1628 branch, or of each branch where there are 2 branches, or by a simple majority vote of a town  
1629 meeting.

1630 SECTION 33. Section 6 of said chapter 40R, as so appearing, is hereby amended by  
1631 striking out, in lines 55 to 56, the words “the comprehensive housing plan, housing production  
1632 plan or housing production summary submitted as part of”.

1633 SECTION 34. Subsection (a) of said section 6 of said chapter 40R, as so appearing, is  
1634 hereby amended by striking out clause (8) and inserting in place thereof the following clause:-

1635 (8) A proposed smart growth zoning district or starter home zoning district shall not  
1636 impose restrictions on age or any other occupancy restrictions on the district as a whole or any  
1637 portion thereof or project therein. Applicants may pursue the development of specific projects  
1638 within a smart growth zoning district that are exclusively for the elderly, the disabled or for  
1639 assisted living; provided, that the department shall adopt regulations limiting the percentage of  
1640 units in the district that qualify the city or town for density bonus payments under section 9 that  
1641 may be subject to such restrictions that limit occupancy exclusively for the elderly, the disabled  
1642 or for assisted living. Not less than 25 per cent of the housing units in a project that limits  
1643 occupancy exclusively for the elderly, the disabled or for assisted living within a smart growth  
1644 zoning district shall be affordable housing, as defined in section 2.

1645 SECTION 35. Said section 6 of said chapter 40R, as so appearing, is hereby further  
1646 amended by striking out, in line 86, the word “approving” and inserting in place thereof the  
1647 following words:- plan approval.

1648 SECTION 36. Said section 6 of said chapter 40R, as so appearing, is hereby further  
1649 amended by striking out subsection (c) and inserting in place thereof the following subsection:-

1650 (c) The zoning for a proposed smart growth zoning district or starter home zoning district  
1651 may provide for mixed use development subject to any limitations that may be imposed by  
1652 regulations of the department. In a starter home zoning district, mixed use development shall  
1653 only be permitted if the proposed density achieves a minimum of 4 units per acre.

1654 SECTION 37. Said section 6 of said chapter 40R, as so appearing, is hereby further  
1655 amended by striking out subsection (g) and inserting in place thereof the following subsection:-

1656 (g) Any amendment or repeal of a zoning ordinance or by-law affecting an approved  
1657 smart growth zoning district or starter home zoning district shall not be effective without the  
1658 written approval by the department. No such amendment or repeal shall be effective until the  
1659 city or town has made the payment required under subsection (b) of section 14. Each  
1660 amendment or repeal shall be submitted to the department with an evaluation of the effect on the  
1661 number of projected units that will remain developable, if any, in relation to the number of units  
1662 that have been built and the number of units that determined any corresponding zoning incentive  
1663 payment paid to the city or town. Amendments shall be approved only to the extent that the  
1664 district remains in compliance with this chapter. If the department does not respond to a  
1665 complete request for approval of an amendment or repeal within 60 days of receipt, the request  
1666 shall be deemed approved.

1667 SECTION 38. Section 7 of said chapter 40R, as so appearing, is hereby amended by  
1668 striking out, in line 14, the word “approving” and inserting in place thereof the following words:-  
1669 plan approval.

1670 SECTION 39. Said section 7 of said chapter 40R, as so appearing, is hereby further  
1671 amended by striking out, in lines 17 through 20, inclusive, the words “the city or town’s  
1672 comprehensive housing plan, housing production plan, or the housing production summary  
1673 submitted with the city or town’s initial application for approval by the department, as  
1674 applicable,”.

1675 SECTION 40. Section 9 of said chapter 40R, as amended by section 13 of chapter 5 of  
1676 the acts of 2019, is hereby further amended by striking out, in lines 18 through 21, inclusive, the  
1677 words “, and consistent with either the city or town’s comprehensive housing plan or housing  
1678 production plan, if any, or the housing production summary submitted in accordance with section  
1679 8”.

1680 SECTION 41. Section 10 of said chapter 40R, as appearing in the 2018 Official Edition,  
1681 is hereby amended by striking out, in line 3, the words “approving” and inserting in place thereof  
1682 the following words:- plan approval.

1683 SECTION 42. Said section 10 of said chapter 40R, as so appearing, is hereby further  
1684 amended by striking out, in lines 6 through 8, inclusive, the words “and is consistent with the  
1685 city or town’s comprehensive housing plan or housing production plan, if any, and any  
1686 applicable master plan or plans for the city or town”.

1687 SECTION 43. Said chapter 40R, as so appearing, is hereby amended by striking out  
1688 section 11 and inserting in place thereof the following section:-

1689           Section 11. (a) A city or town may incorporate provisions within the smart growth zoning  
1690 district or starter home zoning district ordinance or by-law that prescribe contents of an  
1691 application for approval of a project. The ordinance or by-law may require the applicant to pay  
1692 for reasonable consulting fees to provide peer review of the applications for the benefit of the  
1693 plan approval authority. Such fees shall be held by the municipality in a separate account and  
1694 used only for expenses associated with the review of the development application by outside  
1695 consultants and any surplus remaining after the completion of such review, including any interest  
1696 accrued, shall be returned to the applicant forthwith. The smart growth zoning district or starter  
1697 home zoning district ordinance or by-law may provide for the referral of the plan to municipal  
1698 officers, agencies or boards other than the plan approval authority for comment. Any such  
1699 board, agency or officer shall provide any comments within 60 days of its receipt of a copy of  
1700 the plan and application for approval.

1701           (b) An application to a plan approval authority for approval under a smart growth zoning  
1702 district or starter home zoning district ordinance or by-law shall be governed by the applicable  
1703 zoning provisions in effect at the time of the submission, while the plan is being processed,  
1704 during the pendency of any appeal and for 3 years after approval. If an application is denied, the  
1705 zoning provisions in effect at the time of the application shall continue in effect with respect to  
1706 any further application filed within 2 years after the date of the denial except as the applicant  
1707 may otherwise choose.

1708           (c) An application for approval under this section shall be filed by the applicant with the  
1709 city or town clerk and a copy of the application including the date of filing certified by the town  
1710 clerk shall be filed forthwith with the plan approval authority. The plan approval authority shall  
1711 hold a public hearing for which notice has been given as provided in section 11 of chapter 40A.

1712 The decision of the plan approval authority shall be made, and a written notice of the decision  
1713 filed with the city or town clerk, within 120 days of the receipt of the application by the city or  
1714 town clerk. The required time limits for such action may be extended by written agreement  
1715 between the applicant and the plan approval authority, with a copy of such agreement being filed  
1716 in the office of the city or town clerk. Failure of the plan approval authority to take action within  
1717 said 120 days or extended time, if applicable, shall be deemed to be an approval of the plan. The  
1718 applicant who seeks approval of a plan by reason of the failure of the plan approval authority to  
1719 act within such time prescribed, shall notify the city or town clerk, in writing within 14 days  
1720 from the expiration of said 120 days or extended time, if applicable, of such approval and that  
1721 notice has been sent by the applicant to parties in interest. The applicant shall send such notice  
1722 to parties in interest by mail and each such notice shall specify that appeals, if any, shall be made  
1723 pursuant to this section and shall be filed within 20 days after the date the city or town clerk  
1724 received such written notice from the applicant that the plan approval authority failed to act  
1725 within the time prescribed.

1726 (d) The plan approval authority shall issue to the applicant a copy of its decision  
1727 containing the name and address of the owner, identifying the land affected, and the plans that  
1728 were the subject of the decision, and certifying that a copy of the decision has been filed with the  
1729 city or town clerk and that all plans referred to in the decision are on file with the plan approval  
1730 authority. If 20 days have elapsed after the decision has been filed in the office of the city or  
1731 town clerk without an appeal having been filed or if such appeal, having been filed, is dismissed  
1732 or denied, the city or town clerk shall so certify on a copy of the decision. If the plan is approved  
1733 by reason of the failure of the plan approval authority to timely act, the clerk shall make such  
1734 certification on a copy of the application. A copy of the decision or application bearing such



1735 certification shall be recorded in the registry of deeds for the county and district in which the  
1736 land is located and indexed in the grantor index under the name of the owner of record or  
1737 recorded and noted on the owner's certificate of title. The fee for recording or registering shall be  
1738 paid by the owner or applicant.

1739 (e) The project shall be approved by the plan approval authority subject only to those  
1740 conditions that are necessary: (1) to ensure substantial compliance of the proposed project with  
1741 the requirements of the smart growth zoning district or starter home zoning district ordinance or  
1742 by-law; or (2) to mitigate any extraordinary adverse impacts of the project on nearby properties.  
1743 An application may be denied only on the grounds that: (i) the project does not meet the  
1744 conditions and requirements set forth in the smart growth zoning district or starter home zoning  
1745 district ordinance or by-law; (ii) the applicant failed to submit information and fees required by  
1746 the ordinance or by-law and necessary for an adequate and timely review of the design of the  
1747 project or potential project impacts; or (iii) it is not possible to adequately mitigate extraordinary  
1748 adverse project impacts on nearby properties by means of suitable conditions.

1749 (f) Any court authorized to hear appeals under section 17 of chapter 40A shall be  
1750 authorized to hear an appeal from a decision under this section by a party who is aggrieved by  
1751 such decision. Such appeal may be brought within 20 days after the decision has been filed in  
1752 the office of the city or town clerk. Notice of the appeal, with a copy of the complaint shall be  
1753 given to such city or town clerk so as to be received within such 20 days. Review shall be based  
1754 on the record of information and plans presented to the plan approval authority. To avoid delay  
1755 in the proceedings, instead of the usual service of process, the plaintiff shall within 14 days after  
1756 the filing of the complaint, send written notice thereof, with a copy of the complaint, by delivery  
1757 or certified mail to all defendants, including the members of the plan approval authority, and

1758 shall within 21 days after the entry of the complaint file with the clerk of the court an affidavit  
1759 that such notice has been given. If no such affidavit is filed within such time, the complaint shall  
1760 be dismissed.

1761 (g) A complaint by a plaintiff challenging the approval of a project under this section  
1762 shall allege the specific reasons why the project fails to satisfy the requirements of this chapter or  
1763 other applicable law and allege specific facts establishing how the plaintiff is aggrieved by such  
1764 decision. The plan approval authority's decision in such a case shall be affirmed unless the court  
1765 concludes the plan approval authority abused its discretion under subsection (e) in approving the  
1766 project. The applicant and all members of the plan approval authority shall be named as  
1767 defendant parties.

1768 (h) A plaintiff seeking to reverse approval of a project under this section shall post a bond  
1769 in an amount to be set by the court that is sufficient to cover twice the estimated: (i) annual  
1770 carrying costs of the property owner, or a person or entity carrying such costs on behalf of the  
1771 owner for the property, as may be established by affidavit; plus (ii) an amount sufficient to cover  
1772 the defendant's attorneys fees, all of which shall be computed over the estimated period of time  
1773 during which the appeal is expected to delay the start of construction. The bond shall be forfeited  
1774 to the property owner in an amount sufficient to cover the property owner's carrying costs and  
1775 legal fees less any net income received by the plaintiff from the property during the pendency of  
1776 the court case in the event a plaintiff does not substantially prevail on its appeal.

1777 (i) An applicant for plan approval who appeals from a project denial or conditional  
1778 approval shall identify in its complaint the specific reasons why the plan approval authority's

1779 decision fails to satisfy requirements of this chapter or other applicable law. The plan approval  
1780 authority shall have the burden of justifying its decision by substantial evidence in the record.

1781 (j) The land court department, the superior court department and the housing court  
1782 department shall have jurisdiction over an appeal under this section and shall give priority to  
1783 such an appeal.

1784 (k) The first paragraph of section 16 of chapter 40A shall not apply to applications for  
1785 projects within a smart growth zoning district or starter home zoning district.

1786 (l) A project approval shall remain valid and shall run with the land indefinitely provided  
1787 that construction has commenced within 2 years after the decision is issued, which time shall be  
1788 extended by the time required to adjudicate any appeal from such approval and which time shall  
1789 also be extended if the project proponent is actively pursuing other required permits for the  
1790 project or there is other good cause for the failure to commence construction, or as may be  
1791 provided in an approval for a multi-phase project.

1792 SECTION 44. Chapter 40R is hereby amended by striking out section 14, as amended by  
1793 section 14 of chapter 5 of the acts of 2019, and inserting in place thereof the following section:-

1794 Section 14. (a) If, within 3 years, no construction of an approved project has been started  
1795 within the smart growth zoning district or starter home zoning district, the department shall  
1796 require the cities and towns to repay to the department all monies paid to the city or town under  
1797 this chapter for said smart growth zoning district or starter home zoning district. Said 3 years  
1798 shall commence on the date of the payment of the zoning incentive payment for said smart  
1799 growth zoning district or starter home zoning district and may be extended by the department for

1800 good cause in accordance with the department’s regulations. All monies repaid to the department  
1801 under this section shall be credited to the funding source from which the payment originated.

1802 (b) Within 60 days of receiving written approval by the department of an amendment of a  
1803 zoning ordinance or by-law affecting an approved smart growth zoning district or starter home  
1804 zoning district in accordance with subsection (g) of section 6, the city or town shall repay to the  
1805 department any portion of the zoning incentive payment received in excess of the zoning  
1806 incentive payment that would have been payable based on the sum of (i) the number of units that  
1807 have been built and (ii) the number of units, if any, that will remain developable under the smart  
1808 growth zoning or starter home zoning. The department may include under clause (ii) in the  
1809 preceding sentence any units that are developable in 1 or more adopted smart growth zoning  
1810 district or starter home zoning district for which no zoning incentive payment has been paid but  
1811 for which the city or town is nonetheless eligible if the associated units would have the effect of  
1812 replacing some or all of the units that will no longer be developable as a result of the proposed  
1813 amendment or repeal. All monies repaid to the department under this section shall be credited to  
1814 the funding source from which the payment originated.

1815 SECTION 45. Section 1 of chapter 40S of the General Laws, as so appearing, is hereby  
1816 amended by striking out, in line 51, the word “properties” and inserting in place thereof the  
1817 following word:- buildings.

1818 SECTION 46. Said section 1 of said chapter 40S, as so appearing, is hereby further  
1819 amended by inserting, in line 61, after the figure “40R,” the following words:- including without  
1820 limitation smart growth zoning districts and starter home zoning districts as defined in section 1  
1821 of said chapter 40R.

1822 SECTION 47. The General Laws are hereby amended by inserting after chapter 40W the  
1823 following chapter:-

1824 CHAPTER 40X.

1825 TOURISM DESTINATION MARKETING DISTRICTS.

1826 Section 1. As used in this chapter the following words shall, unless the context clearly  
1827 requires otherwise, have the following meanings:-

1828 “Commissioner”, the commissioner of revenue.

1829 “Elector”, a tourism destination marketing district member or the authorized  
1830 representative of a district member.

1831 “Lead jurisdiction”, the city or town in which the tourism destination marketing district  
1832 petition is filed.

1833 “Lodging business”, any hotel or motel, as defined in section 1 of chapter 64G, and  
1834 subject to the excise imposed by chapter 64G.

1835 “Lodging business owner”, the owner of record or the owner's authorized representative,  
1836 of a lodging business.

1837 “Management entity”, an entity designated in a tourism destination marketing district  
1838 plan to receive funds to carry out and implement the purposes of the tourism destination  
1839 marketing district. The tourism destination marketing district plan shall designate a regional  
1840 tourism council as the management entity. The management entity shall be required to furnish a  
1841 surety bond conditioned on the faithful performance of its duties.

1842           “Municipal governing body”, the city council or board of aldermen in a city or the board  
1843 of selectmen or town council in a town.

1844           “Special assessment”, a payment for supplemental services or improvements specified by  
1845 the tourism destination marketing district plan.

1846           “Special assessment formula”, a formula used to calculate the special assessment  
1847 pursuant to section 7.

1848           “Standard government services”, governmental functions, programs, activities, facilities,  
1849 improvements and other services that a municipality is authorized to perform or provide.

1850           “Supplemental services”, the provision of programs, activities or information in addition  
1851 to the standard governmental services provided in the tourism destination marketing district,  
1852 including, marketing, sales activities or events in addition to other tourism and travel promotion  
1853 activities.

1854           “Tourism destination marketing district”, a district formed pursuant to this chapter, which  
1855 is a geographic area with clearly defined boundaries. A tourism destination marketing district  
1856 may include multiple tourism regions served by multiple regional tourism councils; provided,  
1857 however, that there shall only be 1 regional tourism council designated as the management entity  
1858 for each tourism destination marketing district. Only those lodging businesses meeting the  
1859 criteria described in the petition and tourism destination marketing district plan shall be liable for  
1860 the tourism destination marketing district’s special assessment. The geographic regions within a  
1861 tourism destination marketing district need not be contiguous.

1862 “Tourism destination marketing district committee” or “district committee”, a committee  
1863 selected by the management entity's board of directors responsible for overseeing the ongoing  
1864 district plan.

1865 “Tourism destination marketing district member” or “district member”, a lodging  
1866 business owner who participates in a tourism destination marketing district.

1867 “Tourism destination marketing district plan” or “district plan”, the strategic plan for the  
1868 tourism destination marketing district that sets forth the supplemental services and programs,  
1869 budget and special assessment structure, the criteria for inclusion of lodging businesses, and the  
1870 management entity and tourism destination marketing district committee for the tourism  
1871 destination marketing district, and is approved by the local municipal governing body as part of  
1872 the creation of the tourism destination marketing district. The updated tourism destination  
1873 marketing district plan shall take effect upon the approval of a majority of electors, with each  
1874 elector's vote having the same weight. Any amendment to the tourism destination marketing  
1875 district plan under section 9 shall be deemed to be an update of the tourism destination marketing  
1876 district plan.

1877 Section 2. The rights and powers of the management entity of the tourism destination  
1878 marketing district approved by a municipal governing body pursuant to section 3 shall include:  
1879 (i) retaining or recruiting business; (ii) administering and managing the tourism destination  
1880 marketing district; (iii) promoting economic development; (iv) formulating a special assessment  
1881 structure; (v) planning and design services; (vi) design, engineer, construct, maintain or operate  
1882 buildings, facilities, urban streetscapes or infrastructure to further economic development and  
1883 public purposes; (vii) accumulating interest; (viii) incurring costs or indebtedness; (ix) entering

1884 into contracts; (x) suing and being sued; (xi) employing legal and accounting services; (xii)  
1885 undertaking planning, feasibility and market analyses; (xiii) developing, implementing, and  
1886 conducting tourism marketing and promotional activities; and (xiv) other supplemental services  
1887 or programs that would further the purposes of this chapter.

1888           Section 3. (a) The organization of a tourism destination marketing district shall be  
1889 initiated by a petition of the lodging business owners within the proposed tourism destination  
1890 marketing district, which shall be filed in the office of the clerk of the municipality that is to  
1891 serve as the lead jurisdiction. The petition shall contain:-

1892           (i) the signatures of 55 per cent of the tourism destination marketing district members in  
1893 the proposed tourism destination marketing district;

1894           (ii) a description of and site map delineating the boundaries of the proposed tourism  
1895 destination marketing district;

1896           (iii) the initial list of lodging businesses to be included in the proposed tourism  
1897 destination marketing district. Lodging businesses that commence operations after the formation  
1898 of the tourism destination marketing district and meet the criteria by which lodging businesses  
1899 are assessed by the tourism destination marketing district shall be included in the tourism  
1900 destination marketing district pursuant to section 4;

1901           (iv) the proposed tourism destination marketing district plan, which shall set forth the  
1902 supplemental services and programs, update mechanism, criteria by which lodging businesses  
1903 are assessed by the tourism destination marketing district, and budget and special assessment  
1904 structures; and



1905 (v) the identity and address of the management entity and the tourism destination  
1906 marketing district committee.

1907 A copy of said petition shall be filed with the clerk of the lead jurisdiction and the  
1908 commissioner within 30 days of receipt of such petition by the clerk of the lead jurisdiction.

1909 (b) All required procedures related to the formation, operation and renewal of the tourism  
1910 destination marketing district shall only be carried out by the lead jurisdiction. A lead  
1911 jurisdiction is authorized to form a tourism destination marketing district that includes other  
1912 cities or towns; provided, however, that the lead jurisdiction may not vote to form a tourism  
1913 destination marketing district that includes the territorial jurisdiction of another city or town  
1914 within the tourism destination marketing district's boundaries until it has received consent, by  
1915 vote, from such other city or town's local municipal governing body.

1916 Section 4. (a) The municipal governing body of the lead jurisdiction shall hold a public  
1917 hearing within 60 days of the receipt of a petition. Written notification of such hearing shall be  
1918 sent to each tourism destination marketing district member within the boundary of the proposed  
1919 tourism destination marketing district at least 30 days prior to such hearing, by mailing notice to  
1920 the address listed in the business records of the municipalities proposed to be included within the  
1921 boundaries of the tourism destination marketing district or, if no such records exist, by such other  
1922 method as determined by the clerk of the municipality. Notification of the hearing shall also be  
1923 published for 2 consecutive weeks in a newspaper of general circulation in the area, with the first  
1924 date of publication beginning at least 14 days prior to such hearing listed on the municipality's  
1925 website. Such public notice shall contain the proposed boundaries of the tourism destination  
1926 marketing district, the proposed special assessment rate formula, a summary of the supplemental

1927 services provided by the petitioners and where the property owner may obtain a full copy of the  
1928 petition and the management plan.

1929 (b) Prior to the public hearing, the municipal governing body of the lead jurisdiction shall  
1930 direct the clerk of the lead jurisdiction or the clerk's designee to determine that the establishment  
1931 criteria and other petition requirements have been met, as set forth in section 3.

1932 (c) At the public hearing, the municipal governing body of the lead jurisdiction shall  
1933 determine if the petition satisfies the purposes set forth and the establishment criteria of this  
1934 chapter and shall obtain public comment regarding the tourism destination marketing district  
1935 plan and the effect the proposed tourism destination marketing district will have on the lodging  
1936 business owners within the proposed tourism destination marketing district. If it appears that said  
1937 petition is not in conformity with the purposes and establishment criteria, said local municipal  
1938 governing body shall dismiss the petition. At the public hearing, the presiding officer or clerk of  
1939 said local municipal governing body shall read into the record the basis for determining the  
1940 special assessment pursuant to section 7 and the process by which tourism destination marketing  
1941 district members may vote not to renew such tourism destination marketing district.

1942 (d) Not more than 45 days after the close of the public hearing, the municipal governing  
1943 body, in its sole discretion, may approve or disapprove the tourism destination marketing district  
1944 by majority vote. Upon such declaration, the tourism destination marketing district may  
1945 commence operations.

1946 (e) Notice of the declaration of the organization of the tourism destination marketing  
1947 district shall be mailed or delivered to each tourism destination marketing district member within  
1948 the proposed tourism destination marketing district. The notice shall explain: (i) that membership

1949 in the tourism destination marketing district is irrevocable unless as provided in subsection (g) or  
1950 the dissolution under section 10; (ii) a description of the basis for determining the special  
1951 assessment; (iii) the criteria by which lodging businesses are assessed by the tourism destination  
1952 marketing district; (iv) the special assessment rate; and (v) the proposed supplemental services to  
1953 be provided by the tourism destination marketing.

1954           Such notice shall be published for 2 consecutive weeks in a newspaper of general  
1955 circulation in the area, the last publication being not more than 14 days after the vote to declare  
1956 the tourism destination marketing district organized and shall be posted on the municipality's  
1957 website.

1958           (f) Once established, participation in the tourism destination marketing district shall be  
1959 permanent until after the discontinuation of the tourism destination marketing district as provided  
1960 in this section, or until the dissolution of the tourism destination marketing district under section  
1961 10. All participating lodging business owners shall make payments in accordance with the  
1962 special assessment set out in the petition or management plan. Non-participating lodging  
1963 business owners in the tourism destination marketing district shall become tourism destination  
1964 marketing district members and shall be assessed on the date that their business meets the criteria  
1965 by which lodging businesses are assessed by the tourism destination marketing district.

1966           (g) On or before the fifth anniversary of the organization of a newly created tourism  
1967 destination marketing district and the fifth anniversary thereafter of the date of the most recent  
1968 renewal of the tourism destination marketing district under this section, the tourism destination  
1969 marketing district committee shall call a renewal meeting of the tourism destination marketing  
1970 district members to: (i) review the history of the tourism destination marketing district since its

1971 organization or, if applicable, its most recent renewal; (ii) propose an updated tourism  
1972 destination marketing district plan to succeed the then current tourism destination marketing  
1973 district plan; and (iii) consider whether to continue the tourism destination marketing district.  
1974 The meeting shall be held at a location within the tourism destination marketing district. Notice  
1975 of the meeting shall be given to tourism destination marketing district members at least 30 days  
1976 prior to the meeting. The tourism destination marketing district shall continue after each renewal  
1977 meeting if a majority of tourism destination marketing district members who are not more than  
1978 30 days in arrears in any payment due to the tourism destination marketing district and are  
1979 present at the renewal meeting, in person or by proxy, vote to renew the tourism destination  
1980 marketing district.

1981           Such renewal shall last for a term of 5 years commencing on the first day of the next  
1982 fiscal year of the tourism destination marketing district.

1983           (h) If the tourism destination marketing district members elect not to continue the tourism  
1984 destination marketing district, the tourism destination marketing district committee shall  
1985 conclude the business of the tourism destination marketing district prior to the sixth anniversary  
1986 of the tourism destination marketing district's creation, or of the prior renewal vote, as the case  
1987 may be, and proceed to discontinue the tourism destination marketing district. Notice of the  
1988 discontinuation vote shall be given to the municipal governing body of the lead jurisdiction,  
1989 which shall formally declare the tourism destination marketing district dissolved as of such sixth  
1990 anniversary; provided, however, that the tourism destination marketing district shall not be  
1991 dissolved until it has received the accounts receivable due to the tourism destination marketing  
1992 district and until it has satisfied or paid in full all of its outstanding indebtedness, obligations and

1993 liabilities, or until funds are on deposit and available therefor, or until a repayment schedule has  
1994 been formulated and approved by said local municipal governing body.

1995 (i) Except as necessary to conclude the business of the tourism destination marketing  
1996 district, the tourism destination marketing district shall not incur any new or increased financial  
1997 obligations after such sixth anniversary. Upon the dissolution of a tourism destination marketing  
1998 district, the remaining assets shall first be applied to repay obligations of the tourism destination  
1999 marketing district, and then in accordance with the tourism destination marketing district plan, as  
2000 updated.

2001 (j) Nothing in this section shall prevent the filing of a subsequent petition for a similar  
2002 project.

2003 Section 5. (a) Each tourism destination marketing district shall be governed by a  
2004 management entity's tourism destination marketing district committee to oversee its operations  
2005 and ensure the implementation of the tourism destination marketing district plan. The  
2006 management entity and its tourism destination marketing district committee shall be set forth in  
2007 the petition and tourism destination marketing district plan. A majority of the membership of the  
2008 tourism destination marketing district committee shall be lodging business owners paying the  
2009 tourism destination marketing district assessment.

2010 (b) A tourism destination marketing district plan shall, within the limitations described in  
2011 section 9, be updated at least once every 5 years by the tourism destination marketing district  
2012 committee, and a copy thereof shall be mailed or delivered to each tourism destination marketing  
2013 district member and shall file a copy of such update with the municipal governing body and the  
2014 commissioner.

2015           Section 6. All lodging businesses described in the petition and located within the  
2016 proposed tourism destination marketing district shall be considered in the special assessment  
2017 methodology for the supplemental services and programs as outlined in the tourism destination  
2018 marketing district plan.

2019           Section 7. (a) By formal approval of a tourism destination marketing district, the  
2020 municipal governing body of a lead jurisdiction shall adopt the special assessment methodology  
2021 for the financing of supplemental services submitted in the tourism destination marketing district  
2022 plan for the tourism destination marketing district.

2023           (b) The basis of such special assessment may be determined by a formula utilizing any 1  
2024 or a combination of the following:

2025           (i) different rates for varying classifications of lodging businesses;

2026           (ii) different rates for different benefit zones; or

2027           (iii) any other formula which meets the objectives of the tourism destination marketing  
2028 district.

2029           The special assessment shall be equal to a percentage, not to exceed 2 per cent, of the  
2030 total amount of rent taxable under chapter 64G.

2031           (c) The methodology for determining the tourism destination marketing district special  
2032 assessment shall be set forth in the original petition as required by section 3.

2033           (d) In addition to receiving funds from the tourism destination marketing district special  
2034 assessment, the management entity may receive grants, donations or gifts on behalf of the  
2035 tourism destination marketing district.

2036           Section 8. (a) Assessed lodging businesses shall pay the tourism destination marketing  
2037 district special assessment to the commissioner at the time provided for filing the return required  
2038 by section 16 of chapter 62C. All sums received by the commissioner under this chapter shall, at  
2039 least quarterly, be distributed, credited and paid by the state treasurer upon certification of the  
2040 commissioner, to each management entity in proportion to the amount of such sums received  
2041 from the respective tourism destination marketing districts.

2042           (b) The special assessments collected shall be used solely to fund supplemental services  
2043 identified and approved in the tourism destination marketing district plan for the tourism  
2044 destination marketing district.

2045           (c) Following establishment of the tourism destination marketing district, if any return by  
2046 an assessed lodging business is not filed with the commissioner on or before its due date or  
2047 within any extension of time granted by the commissioner, there shall be added to and become a  
2048 part of the special assessment a penalty of 1 per cent of the amount required to be shown as the  
2049 special assessment on such return for each month or fraction thereof during which such failure  
2050 continues, not exceeding, in the aggregate, 25 per cent of said amount.

2051           (d) If any amount of the special assessment is not paid to the commissioner on or before  
2052 the date prescribed for payment of such special assessment, determined with regard to any  
2053 extension of time for payment, there shall be added to the amount shown as the special  
2054 assessment on such return a penalty of 1 per cent of the amount of such special assessment for  
2055 each month or fraction thereof during which such failure continues, not exceeding, in the  
2056 aggregate, 25 per cent of said amount.

2057 (e) An annual audit, certified by a certified public accountant, of the revenues generated,  
2058 the grants, donations and gifts received, and the expenses incurred by the tourism destination  
2059 marketing district shall be made within 120 days of the close of the fiscal year, and shall be  
2060 placed on file with the commissioner. Such accounting shall be a public record.

2061 (f) The commissioner may promulgate rules and regulations for the assessing, reporting,  
2062 collecting, remitting and enforcement of the special assessment under this section.

2063 Section 9. (a) At any time after the establishment of a tourism destination marketing  
2064 district pursuant to this chapter, the tourism destination marketing district plan upon which the  
2065 establishment was based may, upon the recommendation of the management entity's tourism  
2066 destination marketing district committee be amended by the municipal governing body of the  
2067 lead jurisdiction after compliance with the procedures set forth in this section; provided,  
2068 however, that a lead jurisdiction may not approve amendments to the boundaries of a tourism  
2069 destination marketing district that include the territorial jurisdiction of a city or town not yet  
2070 included in the tourism destination marketing district without the consent, by vote, from such  
2071 other city or town's local municipal governing body.

2072 Amendments to the tourism destination marketing district plan shall be subject to the  
2073 approval of the municipal governing body of the lead jurisdiction for the following: (i) providing  
2074 for additional supplemental services that affect more than 25 per cent of the total annual budget;  
2075 (ii) incurring indebtedness; (iii) changing the special assessment methodology, management  
2076 entity or tourism destination marketing district committee; or (iv) change the tourism destination  
2077 marketing district boundaries; provided, however, that said municipal governing body, after a  
2078 public hearing, determines that it is in the public interest to adopt said amendments.



2079 (b) The municipal governing body shall give notice of the public hearing for the  
2080 amendment to the district plan. Such notice shall be published for 2 consecutive weeks in a  
2081 newspaper of general circulation in the area, with the first date of publication beginning at least  
2082 14 days prior to such hearing, and shall specify the time and the place of such hearing and the  
2083 amendments to be considered.

2084 (c) The local municipal governing body may, within 30 days of the public hearing and, in  
2085 its sole discretion, declare the amendments approved or disapproved. If approved, such  
2086 amendments shall be effective upon the date of such approval.

2087 (d) Upon the adoption of any amendment to the tourism destination marketing district  
2088 boundaries that increases the size of the tourism destination marketing district, any assessed  
2089 lodging business owner to be added to the tourism destination marketing district shall be notified  
2090 of the new boundaries of the tourism destination marketing district in accordance with section 4.

2091 Section 10. (a) Any tourism destination marketing district established or extended  
2092 pursuant to this chapter may be disestablished by declaration of the local municipal governing  
2093 body of the lead jurisdiction in either of the following circumstances:

2094 (i) if said local municipal governing body finds there has been misappropriation of funds,  
2095 malfeasance or a violation of law in connection with the management of the tourism destination  
2096 marketing district, it shall hold a hearing on disestablishment. Notice of the hearing shall be  
2097 mailed to all tourism destination marketing district members within the tourism destination  
2098 marketing district and shall be published in a newspaper of general circulation in the area at least  
2099 14 days prior to such hearing; or

2100 (ii) during the operation of the tourism destination marketing district, there shall be a 30-  
2101 day period each year in which the tourism destination marketing district may be dissolved by  
2102 petition to the local municipal governing body and a subsequent decision by the local municipal  
2103 governing body to authorize the dissolution. The 30-day period shall begin each successive year  
2104 on the anniversary of the date the local municipal governing body formally approved the tourism  
2105 destination marketing district. In order to be considered by the local municipal governing body, a  
2106 petition to dissolve a tourism destination marketing district shall contain the signatures of a  
2107 majority of the electors. The local municipal governing body shall hold a public hearing within  
2108 30 days of receipt of a completed petition on the issue of dissolution. Notice of the hearing shall  
2109 be mailed to all tourism destination marketing district members within the tourism destination  
2110 marketing district and shall be published in a newspaper of general circulation in the area at least  
2111 14 days prior to such hearing.

2112 Following the public hearing, the local municipal governing body may declare the  
2113 tourism destination marketing district dissolved; provided, however, that no tourism destination  
2114 marketing district shall be dissolved until it has satisfied or paid in full all of its outstanding  
2115 indebtedness, obligations and liabilities; or until funds are on deposit and available therefor; or  
2116 until a repayment schedule has been formulated and municipally approved therefor. In addition,  
2117 the tourism destination marketing district shall be prohibited from incurring any new or  
2118 increased financial obligations.

2119 (b) Any liabilities, either current or future, incurred as a result of action to accomplish the  
2120 purposes of the tourism destination marketing district plan shall not be an obligation of the  
2121 municipality. Said liabilities shall be paid for entirely from special assessment revenue gained  
2122 from the assessed lodging businesses in the tourism destination marketing district.

2123 (c) Upon the dissolution of a tourism destination marketing district, any remaining  
2124 revenues derived from the sale of assets acquired with special assessments collected shall be  
2125 refunded to the lodging businesses owners in the tourism destination marketing district in which  
2126 special assessments were charged by applying the same methodology used to calculate the  
2127 special assessment in the fiscal year in which the tourism destination marketing district is  
2128 dissolved in amounts proportionate to each lodging business's share of the total special  
2129 assessments collected in the fiscal year in which the tourism destination marketing district is  
2130 dissolved or in accordance with the tourism destination marketing district plan, as updated.

2131 Section 11. The validity of an assessment levied pursuant to this chapter shall not be  
2132 contested in any action or proceeding unless the action or proceeding is commenced within 30  
2133 days after the formal approval of the tourism destination marketing district by the local  
2134 municipal governing body of the lead jurisdiction. Any appeal from a final judgment in an action  
2135 or proceeding shall be perfected within 30 days after entry of judgment.

2136 SECTION 48. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby  
2137 amended by adding the following clause:-

2138 Fifty-ninth. Up to 100 per cent of the assessed value of real estate in agricultural,  
2139 horticultural or agricultural and horticultural use, as those terms are set forth in sections 1 and 2  
2140 of chapter 61A; provided, that the real estate or portion thereof in agricultural, horticultural or  
2141 agricultural and horticultural use is less than 2 acres in area; provided further, that gross sales of  
2142 agricultural, horticultural or agricultural and horticultural products resulting from such uses  
2143 together total not less than \$500 in the previous year. The exemption provided in this clause shall  
2144 apply only to the portion of real estate in agricultural, horticultural or agricultural and

2145 horticultural use. This clause shall take effect in any city or town upon acceptance of this section;  
2146 provided, that such city or town has a population of at least 50,000 inhabitants or meets the  
2147 definition of a gateway municipality under section 3A of chapter 23A. The legislative body of  
2148 any city or town that accepts this clause shall establish and may thereafter modify the percentage  
2149 of the assessed value exempt from taxation.

2150 SECTION 49. Paragraph (5) of subsection (q) of section 6 of chapter 62 of the General  
2151 Laws, as so appearing, is hereby further amended by striking out, in lines 896 through 898,  
2152 inclusive, the words “The total amount of credits that may be authorized by DHCD in a calendar  
2153 year pursuant to this subsection and section 38BB of chapter 63 shall not exceed \$10,000,000  
2154 and” and inserting in place thereof the following words:- DHCD may authorize up to  
2155 \$30,000,000 in credits annually under this subsection and section 38BB of chapter 63. In  
2156 addition, DHCD may authorize (i) any unused credits for the preceding calendar years under this  
2157 subsection or said section 38BB of said chapter 63; and (ii) any credits under this subsection or  
2158 said section 38BB of said chapter 63 returned to DHCD by a certified housing development  
2159 project. The total amount of credits authorized during a year.

2160 SECTION 50. Said paragraph (5) of said subsection (q) of said section 6 of said chapter  
2161 62, as so appearing, is hereby further amended by inserting, in line 900, after the words “chapter  
2162 63;” the following word:- and.

2163 SECTION 51. Said paragraph (5) of said subsection (q) of said section 6 of said chapter  
2164 62, as so appearing, is hereby further amended by striking out, in lines 903 through 905,  
2165 inclusive, the words “Any portion of the \$10,000,000 annual cap not awarded by the DHCD in a  
2166 calendar year shall not be applied to awards in a subsequent year.”

2167 SECTION 52. Said paragraph (5) of said subsection (q) of said section 6 of said chapter  
2168 62, as so appearing, is hereby further amended by striking out, in line 906, the words “The  
2169 DHDC” and inserting in place thereof the following word:- DHCD.

2170 SECTION 53. Paragraph (1) of subsection (v) of said section 6 of said chapter 62, as so  
2171 appearing, is hereby amended by inserting, in line 1158, after the words “NAICS code 31-33”  
2172 the following words:- and other expansion industries new to apprenticeship the secretary of labor  
2173 and workforce development identifies as critical to a regional labor market economy.

2174 SECTION 54. Section 6I of said chapter 62, as so appearing, is hereby amended by  
2175 striking out, in line 70, the figure “\$20,000,000” and inserting in place thereof the following  
2176 figure:- \$40,000,000.

2177 SECTION 55. Said section 6I of said chapter 62, as so appearing, is hereby further  
2178 amended by striking out the figure “\$40,000,000”, inserted by section 54, and inserting in place  
2179 thereof the following figure:- \$20,000,000.

2180 SECTION 55A. Paragraph (i) of subsection (b) of section 6J of said chapter 62, as so  
2181 appearing, is hereby amended by striking out, in line 39, the figure “2022” and inserting in place  
2182 thereof the following figure:- 2027.

2183 SECTION 55B. Said paragraph (i) of said subsection (b) of said section 6J of said chapter  
2184 62, as so appearing, is hereby further amended by striking out, in line 41, the figure “55,000,000”  
2185 and inserting in place thereof the following figure:- 65,000,000.

2186 SECTION 56. Subsection (b) of section 31H of chapter 63 of the General Laws, as so  
2187 appearing, is hereby amended by striking out the figure “\$20,000,000” and inserting in place  
2188 thereof the following figure:- \$40,000,000.

2189 SECTION 57. Said section 31H of said chapter 63, as so appearing, is hereby further  
2190 amended by striking out the figure “\$40,000,000”, inserted by section 56, and inserting in place  
2191 thereof the following figure:- \$20,000,000.

2192 SECTION 57A. Paragraph (i) of subsection (b) of section 38R of chapter 63, as so  
2193 appearing, is hereby amended by striking out, in line 38, the figure “2022” and inserting in place  
2194 thereof the following figure:- 2027.

2195 SECTION 57B. Said paragraph (i) of said subsection (b) of said section 38R of said  
2196 chapter 63 is hereby further amended by striking out, in line 40, the figure “\$55,000,000” and  
2197 inserting in place thereof the following figure: \$65,000,000.

2198 SECTION 58. Subdivision (5) of section 38BB of said chapter 63, as so appearing, is  
2199 hereby amended by striking out, in lines 42 through 44, inclusive, the words “The total amount  
2200 of credits that may be authorized by DHCD in a calendar year under this section and subsection  
2201 (q) of section (6) of chapter 62 shall not exceed \$10,000,000 and” and inserting in place thereof  
2202 the following:- DHCD may authorize up to \$30,000,000 in credits annually under this section  
2203 and subsection (q) of section (6) of chapter 62. In addition, DHCD may authorize: (i) any unused  
2204 credits for the preceding calendar years under this section or said subsection (q) of said section  
2205 (6) of said chapter 62; and (ii) any credits under this section or said subsection (q) of said section  
2206 (6) of said chapter 62 returned to DHCD by a certified housing development project. The total  
2207 amount of credits authorized during a year.

2208 SECTION 59. Said subdivision (5) of said section 38BB of said chapter 63, as so  
2209 appearing, is hereby further amended by inserting, in line 46, after the words “chapter 62;” the  
2210 following word:- and.

2211 SECTION 60. Said subdivision (5) of said section 38BB of said chapter 63, as so  
2212 appearing, is hereby further amended by striking out, in lines 50 through 52, inclusive, the words  
2213 “Any portion of the \$10,000,000 annual cap not awarded by DHCD in a calendar year shall not  
2214 be applied to awards in a subsequent year.”

2215 SECTION 61. Subsection (a) of section 38HH of said chapter 63, as so appearing, is  
2216 hereby amended by adding, in line 18, after the words “NAICS code 31-33” the following  
2217 words:- and other expansion industries new to apprenticeship, the secretary of labor and  
2218 workforce development identifies as critical to a regional labor market economy.

2219 SECTION 62. Chapter 63 of the General Laws is hereby amended by inserting after  
2220 section 38HH the following section:-

2221 Section 38II. (a) The purpose of this section shall be to attract capital investment to  
2222 businesses in rural areas of the commonwealth in order to promote the retention and expansion  
2223 of existing jobs, stimulate the creation of new jobs, and attract new business and industry to rural  
2224 areas of the commonwealth.

2225 (b) For the purposes of this section, the following words shall, unless the context clearly  
2226 requires otherwise, have the following meanings:

2227 “Affiliate”, an entity that directly or indirectly through 1 or more intermediaries, controls,  
2228 is controlled by, or is under common control with another entity. An entity is controlled by

2229 another entity if: (i) the controlling entity holds, directly or indirectly, the majority voting or  
2230 ownership interest in the controlled entity; or (ii) has control over the day-to-day operations of  
2231 the controlled entity by contract or by law.

2232 “Closing date”, the date on which a rural growth fund has collected all of the amounts  
2233 specified by subsection (c).

2234 “Credit-eligible capital contribution”, an investment of cash by a person subject to tax  
2235 under this chapter in a rural growth fund that equals the amount specified on a tax credit  
2236 certificate issued by the MOBD under paragraph (5) of subsection (c) of this section; provided,  
2237 however, that the investment shall purchase an equity interest in the rural growth fund or  
2238 purchase, at par value or premium, a debt instrument that has a maturity date at least 5 years  
2239 from the closing date.

2240 “MOBD”, the Massachusetts office of business development established in section 1 of  
2241 chapter 23A.

2242 “Investment authority”, the amount stated on the notice issued under paragraph (5) of  
2243 subsection (c) certifying the rural growth fund; provided, however, that at least 60 per cent of a  
2244 rural growth fund's investment authority shall be comprised of credit-eligible capital  
2245 contributions.

2246 “Jobs created”, newly created positions of employment that were not previously located  
2247 in the commonwealth at the time of the initial rural growth investment in the rural business  
2248 concern and that require a minimum of 35 hours worked each week, measured each year by  
2249 subtracting the number of employment positions at the time of the initial rural growth investment  
2250 in the rural business concern from the monthly average of employment positions for the



2251 applicable year. The monthly average shall be calculated by adding together the number of  
2252 employment positions existing on the last day of each month of the applicable year and dividing  
2253 by 12. Such number shall not be less than zero.

2254 “Jobs retained”, positions requiring a minimum of 35 hours worked each week that  
2255 existed prior to the initial rural growth investment. Retained jobs shall be counted each year  
2256 based on the monthly average of employment positions for the applicable year. The monthly  
2257 average shall be calculated by adding together the number of employment positions existing on  
2258 the last day of each month of the applicable year and dividing by 12. Such number shall not  
2259 exceed the initial amount of retained jobs reported and shall be reduced each year if employment  
2260 at the rural business concern drops below such number.

2261 “Principal business operations”, the principal operations of a business are located at the  
2262 place or places where at least 80 per cent of its employees work or where employees that are paid  
2263 at least 80 per cent of its payroll work; provided, however, that an out-of-state business that has  
2264 agreed to relocate employees using the proceeds of a rural growth investment to establish its  
2265 principal business operations in a rural area in the commonwealth shall be deemed to have its  
2266 principal business operations in this new location if it satisfies this definition within 180 days  
2267 after receiving the rural growth investment, unless the MOBD agrees to a later date.

2268 “Rural area”, a municipality with population densities of less than 500 residents per  
2269 square mile, according to the latest decennial census of the United States.

2270 “Rural business concern”, a business that, at the time of the initial investment in the  
2271 company by a rural growth fund: (i) has less than 250 employees and not more than \$10,000,000  
2272 in revenue for the preceding taxable year; (ii) has its principal business operations in 1 or more

2273 rural areas in the commonwealth; and (iii) is engaged in industries related to manufacturing,  
2274 plant sciences, services or technology or other industries as MOBD may approve, or, if not  
2275 engaged in such industries, the MOBD makes a determination that the investment will be highly  
2276 beneficial to the economic growth of the commonwealth.

2277 “Rural growth fund”, an entity certified by the MOBD under subsection (c).

2278 “Rural growth investment”, any capital or equity investment in a rural business concern  
2279 or any loan to a rural business concern with a stated maturity at least 1 year after the date of  
2280 issuance.

2281 (c)(1) The MOBD shall accept applications for approval as a rural growth fund; provided,  
2282 however, that the application shall include:

2283 (i) the total investment authority sought by the applicant under the business plan;

2284 (ii) the following documents and other evidence:

2285 (A) a copy of the applicant’s or an affiliate of the applicant’s license as a rural business  
2286 investment company under 7 U.S.C. 2009cc, or as a small business investment company under  
2287 15 U.S.C. 681; and evidence sufficient to prove that at least 1 principal in a rural business  
2288 investment company licensed under 7 U.S.C. 2009cc et seq. or a small business investment  
2289 company licensed under 15 U.S.C. 681 is, and has been for at least 4 years, an officer or  
2290 employee of the applicant or of an affiliate of the applicant on the date the application is  
2291 submitted; and (B) evidence sufficient to prove, to the satisfaction of the MOBD, that as of the  
2292 date the application is submitted, the applicant or affiliates of the applicant have invested at least  
2293 \$50,000,000 in non-public companies located in rural areas;

2294 (iii) an estimate of the number of jobs created and jobs retained in the commonwealth as  
2295 a result of the applicant's rural growth investments;

2296 (iv) a business plan that includes a revenue impact assessment projecting state and local  
2297 tax revenue to be generated by the applicant's proposed rural growth investments prepared by a  
2298 nationally recognized third-party independent economic forecasting firm using a dynamic  
2299 economic forecasting model that analyzes the applicant's business plan over the 10 years  
2300 following the date the application is submitted to the MOBD; provided, however, that the  
2301 dynamic forecasting model shall consider the economic impact of retained jobs as well as created  
2302 jobs in the business plan;

2303 (v) a signed affidavit from each investor stating the amount of credit-eligible capital  
2304 contributions each taxpayer commits to make; and

2305 (vi) a non-refundable application fee of \$5,000.

2306 (2) The MOBD shall make an application determination within 30 days of receipt in the  
2307 order in which the applications are received. The MOBD shall deem applications received on the  
2308 same day to have been received simultaneously. The MOBD shall not approve more than  
2309 \$100,000,000 in investment authority and not more than \$60,000,000 in credit-eligible capital  
2310 contributions under this section. If a request for investment authority exceeds this limitation, the  
2311 MOBD shall reduce the investment authority and the credit-eligible capital contributions for that  
2312 application as necessary to avoid exceeding the limit. If multiple applications received on the  
2313 same day request a combined investment authority that exceeds this limitation, the MOBD shall  
2314 proportionally reduce the investment authority and the credit eligible capital contributions for  
2315 those applications as necessary to avoid exceeding the limit.

2316 (3) The MOBD shall deny an application submitted under this section if any of the  
2317 following are true:

2318 (i) the application is incomplete or the application fee is not paid in full;

2319 (ii) the applicant does not satisfy all the criteria described in clause (ii) of paragraph (1);

2320 (iii) the revenue impact assessment submitted under clause (iv) of paragraph (1) does not  
2321 demonstrate that the applicant's business plan, and associated created and retained jobs, will  
2322 result in a positive economic impact on the commonwealth over a 10-year period that exceeds  
2323 the cumulative amount of tax credits that would be issued to the applicant's investors under  
2324 subsection (d) if the application were approved;

2325 (iv) the credit-eligible capital contributions described in affidavits submitted under clause  
2326 (v) of paragraph (1) do not equal at least 60 per cent of the total amount of investment authority  
2327 sought under the applicant's business plan; or

2328 (v) the MOBD has already approved the maximum amount of investment authority and  
2329 credit eligible capital contributions allowed under paragraph (2).

2330 (4) If the MOBD denies an application, the applicant may provide additional information  
2331 to the MOBD to complete, clarify or cure defects in the application identified by the MOBD  
2332 within 15 days of the notice of denial for reconsideration and determination. If the applicant  
2333 completes, clarifies or cures its application within 15 days after the date of the notice of denial,  
2334 the application shall be considered complete as of the original date of submission. If the  
2335 applicant fails to provide the information to complete, clarify or cure its application within the  
2336 15-day period, the application remains denied and must be resubmitted in full with a new date of

2337 submission. The MOBD shall review and reconsider such applications within 30 days and before  
2338 any pending application submitted after the original submission date of the reconsidered  
2339 application.

2340 (5) The MOBD shall not deny a rural growth fund application or reduce the requested  
2341 investment authority for reasons other than those described in paragraphs (2) and (3). Upon  
2342 approval of an application, the MOBD shall provide a written approval to the applicant as a rural  
2343 growth fund specifying the amount of the applicant's investment authority and a tax credit  
2344 certificate to each investor whose affidavit was included in the application specifying the amount  
2345 of the investor's credit-eligible capital contribution.

2346 (6) After receiving the approval issued under paragraph (5), a rural growth fund shall:

2347 (i) within 60 days:

2348 (A) collect the credit-eligible capital contributions from each taxpayer issued a tax credit  
2349 certificate under paragraph (5), and

2350 (B) collect 1 or more investments of cash that, when added to the contributions collected  
2351 under subclause (A), equal the rural growth fund's investment authority; provided, however, that  
2352 at least 10 per cent of the rural growth fund's investment authority shall be comprised of equity  
2353 investments contributed by affiliates of the rural growth fund, including employees, officers and  
2354 directors of such affiliates; and

2355 (ii) within 65 days, send to the MOBD documentation sufficient to prove that the  
2356 amounts described in clause (i) have been collected.

2357 (7) If the rural growth fund fails to fully comply with paragraph (6), the rural growth  
2358 fund's approval shall lapse and the corresponding investment authority and credit-eligible capital  
2359 contributions under said paragraph (6) shall not count toward the limits on the program size  
2360 prescribed in paragraph (2). The MOBD shall first award lapsed investment authority pro rata to  
2361 each rural growth fund that was awarded less than the requested investment authority under said  
2362 paragraph (2), which a rural growth fund may allocate to its investors at its discretion. Any  
2363 remaining investment authority may be awarded by the MOBD to new applicants.

2364 (d) (1) There is hereby allowed a nonrefundable tax credit for taxpayers that made a  
2365 credit-eligible capital contribution to a rural growth fund and were issued a tax credit certificate  
2366 under paragraph (5) of subsection (c). The credit may be claimed against the tax imposed by this  
2367 chapter. The credit may not be sold, transferred or allocated to any other entity other than an  
2368 affiliate subject to the tax imposed by this chapter.

2369 (2) On the closing date, the taxpayer shall earn a vested credit equal to the amount of the  
2370 taxpayer's credit-eligible capital contribution to the rural growth fund as specified on the tax  
2371 credit certificate. The taxpayer may claim up to 25 per cent of the credit authorized under this  
2372 subsection for each of the taxable years that includes the third, fourth, fifth or sixth anniversary  
2373 of the closing date, exclusive of amounts carried forward pursuant to paragraph (3).

2374 (3) If the amount of the credit for a taxable year exceeds the tax otherwise due for that  
2375 year, the excess shall be carried forward to ensuing taxable years until fully used. A taxpayer  
2376 claiming a credit under this section shall submit a copy of the tax credit certificate with the  
2377 taxpayer's return for each taxable year for which the credit is claimed.

2378 (e)(1) The MOBD shall revoke a tax credit certificate issued under subsection (c) if any  
2379 of the following occurs with respect to a rural growth fund before it exits the program in  
2380 accordance with paragraph (4):

2381 (i) the rural growth fund in which the credit-eligible capital contribution was made does  
2382 not invest 100 per cent of its investment authority in rural growth investments in the  
2383 commonwealth within 2 years of the closing date; provided, however, that, for the purpose of  
2384 satisfying the requirements of this clause, the maximum amount of rural growth investments that  
2385 a rural growth fund may count with respect to a single rural business concern, including amounts  
2386 invested in affiliates of the rural business concern, may not exceed the greater of \$5,000,000 or  
2387 20 per cent of the rural growth fund's investment authority;

2388 (ii) the rural growth fund, after satisfying clause (i), fails to maintain rural growth  
2389 investments equal to 100 per cent of its investment authority until the sixth anniversary of the  
2390 closing date; provided, however, that an investment shall be considered to be "maintained" even  
2391 if the investment is sold or repaid if the rural growth fund reinvests an amount equal to the  
2392 capital returned or recovered by the fund from the original investment, exclusive of any profits  
2393 realized, in other rural growth investments in the commonwealth within 12 months of the receipt  
2394 of such capital; provided further, that amounts received periodically by a rural growth fund shall  
2395 be treated as continually invested in rural growth investments if the amounts are reinvested in 1  
2396 or more rural growth investments by the end of the following calendar year; provided, further,  
2397 that, for purposes of satisfying the requirements of this clause, the maximum amount of rural  
2398 growth investments that a rural growth fund may count with respect to a single rural business  
2399 concern, including amounts invested in affiliates of the rural business concern, may not exceed  
2400 the greater of \$5,000,000 or 20 per cent of the rural growth fund's investment authority;

2401 (iii) the rural growth fund, before exiting the program in accordance with paragraph (4),  
2402 makes a distribution or payment that results in the rural growth fund having less than 100 per  
2403 cent of its investment authority invested in rural growth investments in the commonwealth or  
2404 available for investment in rural growth investments and held in cash and other marketable  
2405 securities; or

2406 (iv) the rural growth fund makes a rural growth investment in a rural business concern  
2407 that directly or indirectly through an affiliate owns, has the right to acquire an ownership interest,  
2408 makes a loan to, or makes an investment in the rural growth fund, an affiliate of the rural growth  
2409 fund or an investor in the rural growth fund; provided, however, that this clause does not apply to  
2410 investments in publicly traded securities by a rural business concern or an owner or affiliate of  
2411 such concern; and provided further, that a rural growth fund shall not be considered an affiliate  
2412 of a rural business concern solely as a result of its rural growth investment.

2413 (2) Before revoking 1 or more tax credit certificates under this subsection, the MOBD  
2414 shall notify the rural growth fund of the reasons for the pending revocation. The rural growth  
2415 fund shall have 90 days from the date the notice was received to correct any violation outlined in  
2416 the notice to the satisfaction of the MOBD and avoid revocation of the tax credit certificate.

2417 (3) If tax credit certificates are revoked under this subsection, the associated investment  
2418 authority and credit-eligible capital contributions shall not count toward the limit on total  
2419 investment authority and credit-eligible capital contributions described in paragraph (2) of  
2420 subsection (c). The MOBD shall first award reverted authority pro rata to each rural growth fund  
2421 that was awarded less than the requested investment authority under paragraph (5) of subsection  
2422 (c). The MOBD may award any remaining investment authority to new applicants.



2423 (4) On or after the sixth anniversary of the closing date, a rural growth fund may apply to  
2424 the MOBD to exit the program and no longer be subject to the provisions of this section. The  
2425 MOBD shall respond to the application within 30 days of receipt. In evaluating the application,  
2426 the fact that no tax credit certificates have been revoked and that the rural growth fund has not  
2427 received a notice of revocation that has not been cured under paragraph (2) shall be sufficient  
2428 evidence to prove that the rural growth fund is eligible to exit. The MOBD shall not  
2429 unreasonably deny an application submitted under this paragraph. If the application is denied, the  
2430 notice shall include the reasons for the denial.

2431 (5) The MOBD shall not revoke a tax credit certificate after the rural growth fund's exit  
2432 from the program.

2433 (6) Once a rural growth fund has been determined to be eligible to exit under paragraph  
2434 (4), if the number of jobs created and jobs retained by the rural business concerns that received  
2435 rural growth investments from the rural growth fund, calculated pursuant to reports filed by the  
2436 rural growth fund pursuant to subsection (g), is less than the number projected in the rural  
2437 growth fund's business plan filed as part of its application for certification under subsection (c),  
2438 then the commonwealth shall receive a percentage of any distribution or payment made to the  
2439 equity holders of the rural growth fund in excess of the rural growth fund's investment authority  
2440 and an amount equal to any projected increase in the equity holders' federal or state tax liability,  
2441 including penalties and interest, related to the equity holders' ownership, management or  
2442 operation of the fund; such percentage shall be equal to the percentage shortfall of the number of  
2443 jobs created and retained relative to the projected jobs created and retained, as such number of  
2444 jobs is certified under subsection (g) of this section; provided, however, that all reports filed by a

2445 rural growth fund under subsection (g) shall be taken into account to arrive at a summation of  
2446 jobs created and retained.

2447 (7) If the rural growth fund's rural growth investments achieved a 20 per cent or greater  
2448 internal rate of return, the commonwealth shall receive 15 per cent of any distribution or  
2449 payment made to the equity holders of the rural growth fund in excess of the rural growth fund's  
2450 investment authority and an amount equal to any projected increase in the equity holders' federal  
2451 or state tax liability, including penalties and interest, related to the equity holders' ownership of  
2452 the fund. Any amounts payable to the state pursuant to paragraph (6) of this subsection shall be  
2453 in addition to amounts due under this paragraph.

2454 (8) All amounts payable to the commonwealth pursuant to paragraph (6) and (7) shall be  
2455 subject to appropriation for purposes of supporting rural school aid.

2456 (f) A rural growth fund, before making a rural growth investment, may request from the  
2457 MOBD a written opinion as to whether the business in which it proposed to invest is a rural  
2458 business concern. The MOBD, not later than the 15 business day after the date of receipt of the  
2459 request, shall notify the rural growth fund of its determination. If the MOBD fails to notify the  
2460 rural growth fund by the 15 business day of its determination, the business in which the rural  
2461 growth fund proposes to invest shall be considered a rural business concern.

2462 (g)(1) Each rural growth fund shall submit a report to the MOBD on or before the fifth  
2463 business day after the second anniversary of the closing date. The report shall provide  
2464 documentation as to the rural growth fund's rural growth investments and include:

2465 (i) a bank statement evidencing each rural growth investment;

2466 (ii) the name, location and industry of each business receiving a rural growth investment,  
2467 including either the determination letter set forth in subsection (f) or evidence that the business  
2468 qualified as a rural business concern at the time the investment was made;

2469 (iii) the number of jobs created or jobs retained as a result of the rural growth fund's rural  
2470 growth investments as of the last day of the preceding 2 calendar years; provided, however, that  
2471 job numbers shall be certified by each rural business concern's independent certified public  
2472 accountant that is licensed to do business in the commonwealth or by the rural growth fund's  
2473 nationally recognized independent certified public accounting firm. MOBD shall publish a list of  
2474 nationally recognized independent certified public accounting firms, which shall include at least  
2475 10 firms, within 12 months of certifying the first rural growth fund and shall periodically update  
2476 such list as MOBD deems appropriate; and

2477 (iv) any other information required by the MOBD.

2478 (2) On or before the last day of February of each year following the year in which the  
2479 report required under paragraph (1) is due, the rural growth fund shall submit an annual report to  
2480 the MOBD, which shall include the following:

2481 (i) the number of jobs created or jobs retained as a result of the rural growth fund's rural  
2482 growth investments as of the last day of the preceding calendar year, which number shall be  
2483 independently certified in accordance with clause (iii) of paragraph (1);

2484 (ii) the average annual salary of the positions described in clause (i); and

2485 (iii) any other information required by the MOBD.

2486 (h) The MOBD shall promulgate regulations necessary to implement the provisions in  
2487 this section.

2488 SECTION 62A. Section 1 of chapter 121B of the General Laws, as appearing in the 2018  
2489 Official Edition, is hereby amended by striking out the definition of “Tenant member” and  
2490 inserting in place thereof the following definition:-

2491 “Tenant member”, a member of the board of a housing authority who is: (i) a tenant who  
2492 has signed a lease for a public housing unit owned and operated by the housing authority; (ii) a  
2493 tenant in a public housing unit owned and operated on behalf of a housing authority; (iii) a  
2494 participant in a rental assistance program administered by a housing authority; or (iv) an adult  
2495 over the age of 18 years old who is authorized to reside in the unit of another pursuant to clause  
2496 (i), (ii) or (iii).

2497 SECTION 62B. Section 5 of said chapter 121B, as so appearing, is hereby amended by  
2498 striking out the third paragraph and inserting in place thereof the following 3 paragraphs:-

2499 In a town, 4 members of a redevelopment authority that is not a housing authority shall  
2500 be elected by the town; provided, however, that of the members originally elected at an annual  
2501 town meeting, the candidate who received the highest number of votes shall serve for 5 years, the  
2502 candidate who received the next highest number of votes shall serve for 4 years, the candidate  
2503 who received the next highest number of votes shall serve for 2 years and the candidate who  
2504 received the next highest number of votes shall serve for 1 year. Notwithstanding the preceding  
2505 sentence, upon the initial organization of a redevelopment authority that is not a housing  
2506 authority, if a town so votes at an annual or special town meeting called for the purpose, 4  
2507 members of the redevelopment authority shall be appointed immediately by the board of

2508 selectmen to serve only until the qualification of their successors; provided, however, that the  
2509 successors shall be elected at the next annual town meeting as provided in this paragraph.

2510 Notwithstanding section 20 of chapter 43B or any other general or special law to the  
2511 contrary, in a town, 1 member of a housing authority shall be a tenant member appointed by the  
2512 board of selectmen and 3 members shall be elected by the town; provided, however, that of the  
2513 members originally elected at an annual town meeting, the candidate who received the highest  
2514 number of votes shall serve for 5 years, the candidate who received the next highest number of  
2515 votes shall serve for 4 years and the candidate who received the next highest number of votes  
2516 shall serve for 2 years. Notwithstanding the preceding sentence, upon the initial organization of a  
2517 housing authority, if a town so votes at an annual or special town meeting called for the purpose,  
2518 3 members of the authority shall be appointed immediately by the board of selectmen to serve  
2519 only until the qualification of their successors; provided, however, that the successors shall be  
2520 elected at the next annual town meeting as provided above.

2521 A tenant, where applicable, shall be appointed by the town from a list of names submitted  
2522 by a duly recognized tenants' organization in the town. A tenants' organization may submit a list  
2523 to the board of selectmen that shall contain not less than 2 and not more than 5 names and the  
2524 board shall make the appointment from among the names so submitted; provided, that if there is  
2525 no such tenants' organization, the housing authority shall immediately post notices throughout  
2526 the common areas of the authority and provide each household with notice of the opportunity to  
2527 be appointed to the housing authority board and, if any person wishes to be considered for such  
2528 appointment, that person shall submit their name within 30 days thereafter to the town clerk;  
2529 provided, further, that the notice shall include contact information for the town clerk and for any  
2530 independent technical training programs available pursuant to section 5B. The board of

2531 selectmen shall appoint a tenant member from the list; provided, however, that where federal law  
2532 requires the town to maintain a member who is a federally-subsidized tenant, a federally-  
2533 subsidized tenant shall be given preference for the appointment. If there are no public housing  
2534 units owned and operated by the local housing authority and if there a no such units owned and  
2535 operated on behalf of the local housing authority, the board of selectmen shall appoint a person  
2536 meeting the eligibility requirements for a tenant member. If a list of names is not submitted  
2537 within 60 days after a vacancy occurs, the board of selectmen shall appoint a tenant member of  
2538 its own choosing to the authority. The town shall provide any written notice to tenants'  
2539 organizations as required by this section not less than 90 days before the expiration of the term of  
2540 a tenant member. If a vacancy occurs in the term of a tenant member for any reason other than  
2541 the expiration of a term, the town shall provide written notice to the tenants' organizations within  
2542 10 business days after the vacancy occurs. The board of selectmen shall make the appointment of  
2543 the successor tenant member within a reasonable time after the expiration of 60 days following  
2544 the provision of notice as provided in this section.

2545 SECTION 62C. Said chapter 121B is hereby further amended by striking out section 5A  
2546 and inserting in place thereof the following section:-

2547 Section 5A. A housing authority may request a waiver of the requirement to appoint a  
2548 tenant member to a housing authority board if the department determines that a housing authority  
2549 provided notice pursuant to section 5 and there is no person who is eligible and willing to serve  
2550 as a tenant member on the board. The waiver shall be for a term of 1 year and may be renewed  
2551 by the department. A housing authority shall submit a written statement to the department that  
2552 explains why a waiver is being requested and documents the steps that it took to educate tenants  
2553 about the right of a tenant to serve on a housing authority board; provided, however, that such

2554 steps shall include the housing authority meeting with all local tenants' organizations. Before  
2555 issuing a waiver, the department shall, in addition to reviewing the written statement, make a  
2556 determination that the housing authority provided notice pursuant to said section 5.

2557         If the department grants a waiver, it shall notify the housing authority and the town that a  
2558 person other than a person who is eligible to be a tenant member may be appointed to the tenant  
2559 member seat on the board for a 1-year period. The housing authority shall notify any tenants'  
2560 organizations of the waiver and post a notice of the waiver throughout common areas of the  
2561 authority.

2562         SECTION 62D. Section 3 of chapter 101 of the General Laws, as so appearing, is hereby  
2563 amended by striking out the words "one year", in line 23, and inserting in place thereof the  
2564 following words:- 3 years.

2565         SECTION 62E. Chapter 130 of the General Laws is hereby amended by adding the  
2566 following section:-

2567         Section 107. There shall be within the department of fish and game an office of  
2568 renewable energy fishery impacts, which shall be under the supervision and control of the  
2569 commissioner. The office of renewable energy fishery impacts shall: (i) conduct and foster  
2570 research concerning the impacts of offshore wind energy infrastructure on marine fisheries  
2571 including effects of such installations and connections on the health and behavior of marine  
2572 mammals; (ii) accept and review commentary from representatives of impacted fishing fleets and  
2573 renewable energy operators or providers; and (iii) educate and inform citizens on matters related  
2574 to offshore wind energy and associated impacts on marine life. The office of renewable energy  
2575 fishery impacts shall advise all other branches of state and local government concerning the

2576 health and behavior of fisheries relative to the operation and management of offshore wind  
2577 installations. The office of renewable energy fishery impacts shall maintain a liaison with federal  
2578 and state agencies and other academic institutions.

2579 SECTION 63. Section 1 of chapter 137 of the General Laws, as appearing in the 2018  
2580 Official Edition, is hereby amended by inserting after the figure “23K”, in line 3, the following  
2581 words:- or sports wagering conducted pursuant to chapter 23N.

2582 SECTION 64. Section 2 of said chapter 137, as so appearing, is hereby amended by  
2583 inserting after the figure “23K”, in line 3, the following words:- or an operator who offers sports  
2584 wagering pursuant to chapter 23N.

2585 SECTION 65. Section 3 of said chapter 137, as so appearing, is hereby amended by  
2586 inserting after the figure “23K”, in line 7, the following words:- or sports wagering conducted  
2587 pursuant to chapter 23N.

2588 SECTION 66. Sections 19B, 19C, 19D, and 19E of chapter 159 of the General Laws are  
2589 hereby repealed.

2590 SECTION 67. Section 37 of chapter 159 of the General Laws, as appearing in the 2018  
2591 Official Edition, is hereby amended by inserting after the word “thereof,” , in line 3, the  
2592 following words:- by electronic medium as defined by the department,.

2593 SECTION 67A. Chapter 159B of the General Laws, as so appearing, is hereby amended  
2594 by inserting after section 15A the following section:-

2595 Section 15B. Notwithstanding any general or special law or regulation to the contrary,  
2596 any agricultural carrier by motor vehicle or common or contract carrier by motor vehicle, or any



2597 individual, partnership or corporation regularly and lawfully conducting a parcel delivery service  
2598 or a general express or trucking business, or a business regularly and lawfully engaged in the  
2599 business of leasing trucks for hire, with or without drivers, may, if authorized by a fleet permit  
2600 issued by the department, transport or deliver the products sold at retail by licensees under  
2601 sections 19B, 19C, or 19F of chapter 138 to the ultimate consumers of such products. There shall  
2602 be an annual fee for such fleet permit of \$3,500. Such fleet permit shall cover any and all  
2603 vehicles owned or hired, and operated, by such permittee. Persons operating a vehicle when  
2604 engaged in such transportation or delivery shall be required to carry such permit or a photostatic  
2605 copy thereof. Parcels transported or delivered under this section shall be clearly labeled with  
2606 words that indicate that the package contains alcohol and that the signature of a person, age 21  
2607 years or older, is required for delivery. Receipts for delivery of such parcels shall contain a check  
2608 box next to the recipient's signature where the recipient shall certify that the recipient is not  
2609 under 21 years of age and a check box where the delivery person shall certify that valid  
2610 identification showing that the recipient is not under 21 years of age was presented by the  
2611 recipient upon delivery.

2612 A delivery company may use an electronic device to receive the signature of a person  
2613 accepting delivery of a parcel under this section and to certify that the person has displayed a  
2614 valid identification as so required. No such delivery shall exceed 108 liters.

2615 SECTION 68. Section 1 of chapter 159C of the General Laws, as so appearing, is hereby  
2616 amended by adding the following 2 definitions:-

2617 "Voice service", (a) any service that is interconnected with the public switched telephone  
2618 network and that furnishes voice communications to an end user using resources from the North

2619 American Numbering Plan or any successor to the North American Numbering Plan adopted by  
2620 the Federal Communication Commission under section 251(e)(1) of the Communications Act of  
2621 1934, codified at 47 U.S.C. section 251(e)(1); and (b) includes:

2622 (i) transmissions from a telephone facsimile machine, computer, or other device to a  
2623 telephone facsimile machine; and

2624 (ii) without limitation, any service that enables real-time, two-way voice  
2625 communications, including any service that requires internet protocol-compatible customer  
2626 premises equipment, commonly known as CPE, and permits outbound calling, whether or not the  
2627 service is one-way or two-way voice over internet protocol.

2628 “Voice service provider”, a person that provides voice service to a subscriber or end user.

2629 SECTION 69. Section 5 of said chapter 159C, as so appearing, is hereby amended by  
2630 striking out, in lines 12 to 14, inclusive, the words “telephone company, subject to the authority  
2631 of the department of telecommunications and energy”, and inserting in place thereof the  
2632 following words:- voice service provider.

2633 SECTION 70. Said section 5 of said chapter 159C, as so appearing, is hereby further  
2634 amended by striking out, in lines 18 and 19, the words “telephone company” and inserting in  
2635 place thereof, in each instance, the following words:- voice service provider.

2636 SECTION 71. Section 6 of said chapter 159C, as so appearing, is hereby amended by  
2637 striking out, in line 2, the words “local exchange company” and inserting in place thereof the  
2638 following words:- voice service provider.

2639 SECTION 72. Said chapter 159C, as so appearing, is hereby further amended by inserting  
2640 after section 7 the following section:-

2641 Section 7A. A person shall not, with the intent to deceive, defraud, harass, cause harm, or  
2642 wrongfully obtain anything of value, including, but not limited to, financial resources or personal  
2643 identifying information, utilize voice service or engage in conduct that results in the display of  
2644 misleading, false or inaccurate caller identification information on the receiving party's  
2645 telephone or device.

2646 SECTION 73. Section 8 of said chapter 159C, as so appearing, is hereby amended by  
2647 striking out, in line 4, the figure "\$5,000" and inserting in place thereof the following figure:-  
2648 \$25,000.

2649 SECTION 74. Said section 8 of said chapter 159C, as so appearing, is hereby further  
2650 amended by striking out, in line 5, the figure "\$1,500" and inserting in place thereof the  
2651 following figure:- \$5,000.

2652 SECTION 75. Section 8 of said chapter 159C, as so appearing, is hereby further amended  
2653 by striking out, in line 15, the figure "\$5,000" and inserting in place thereof the following  
2654 figure:- \$25,000.

2655 SECTION 77. Section 20A of chapter 175 of the General Laws, as so appearing, is  
2656 hereby amended by inserting, in line 4, after the words "(E)" the following words:- , (E1/2).

2657 SECTION 78. Subsection (1) of said section 20A of said chapter 175, as so appearing, is  
2658 hereby amended by inserting after paragraph (E) the following paragraph:-

2659 (E1/2) (i) Credit shall be allowed when the reinsurance is ceded to an assuming insurer  
2660 meeting each of the conditions set forth in this paragraph.

2661 (a) The assuming insurer shall have its head office or be domiciled in, as applicable, and  
2662 be licensed in a reciprocal jurisdiction. A “reciprocal jurisdiction” shall mean jurisdiction that  
2663 meets 1 of the following:

2664 (1) A jurisdiction outside of the United States that is subject to an in-force covered  
2665 agreement with the United States, each within its legal authority, or, in the case of a covered  
2666 agreement between the United States and European Union, is a member state of the European  
2667 Union. For purposes of this paragraph, a “covered agreement” shall mean an agreement entered  
2668 into pursuant to Dodd-Frank Wall Street Reform and Consumer Protection Act, 31 U.S.C.  
2669 sections 313 and 314, that is currently in effect or in a period of provisional application and  
2670 addresses the elimination, under specified conditions, of collateral requirements as a condition  
2671 for entering into any reinsurance agreement with a ceding insurer domiciled in the  
2672 commonwealth or for allowing the ceding insurer to recognize credit for reinsurance.

2673 (2) A jurisdiction of the United States that meets the requirements for accreditation under  
2674 the NAIC financial standard and accreditation program; or

2675 (3) A qualified jurisdiction, as determined by the commissioner pursuant to clause (iii) of  
2676 paragraph (E) of subsection (1), which is not otherwise described in subclause (1) or (2) of this  
2677 subparagraph above and which meets certain additional requirements, consistent with the terms  
2678 and conditions of inforce covered agreements, as specified by the commissioner in regulation.

2679 (b) The assuming insurer shall have and maintain, on an ongoing basis, minimum capital  
2680 and surplus, or its equivalent, calculated according to the methodology of its domiciliary

2681 jurisdiction, in an amount to be set forth in regulation. If the assuming insurer is an association,  
2682 including incorporated and individual unincorporated underwriters, it shall have and maintain, on  
2683 an ongoing basis, minimum capital and surplus equivalents (net of liabilities), calculated  
2684 according to the methodology applicable in its domiciliary jurisdiction, and a central fund  
2685 containing a balance in amounts to be set forth in regulation.

2686 (c) The assuming insurer shall have and maintain, on an ongoing basis, a minimum  
2687 solvency or capital ratio, as applicable, which will be set forth in regulation. If the assuming  
2688 insurer is an association, including incorporated and individual unincorporated underwriters, it  
2689 shall have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the  
2690 reciprocal jurisdiction where the assuming insurer has its head office or is domiciled, as  
2691 applicable, and is also licensed.

2692 (d) The assuming insurer shall agree and provide adequate assurance to the  
2693 commissioner, in a form specified by the commissioner pursuant to regulation, as follows:

2694 (1) The assuming insurer shall provide prompt written notice and explanation to the  
2695 commissioner if it falls below the minimum requirements set forth in subparagraphs (b) or (c), or  
2696 if any regulatory action is taken against it for serious noncompliance with applicable law;

2697 (2) The assuming insurer shall consent in writing to the jurisdiction of the courts of the  
2698 commonwealth and to the appointment of the commissioner as agent for service of process. The  
2699 commissioner may require that consent for service of process be provided to the commissioner  
2700 and included in each reinsurance agreement. Nothing in this provision shall limit, or in any way  
2701 alter, the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution

2702 mechanisms, except to the extent such agreements are unenforceable under applicable insolvency  
2703 or delinquency laws;

2704 (3) The assuming insurer shall consent in writing to pay all final judgments, wherever  
2705 enforcement is sought, obtained by a ceding insurer or its legal successor, that have been  
2706 declared enforceable in the jurisdiction where the judgment was obtained;

2707 (4) Each reinsurance agreement shall include a provision requiring the assuming insurer  
2708 to provide security in an amount equal to 100 per cent of the assuming insurer's liabilities  
2709 attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists  
2710 enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it  
2711 was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer  
2712 or by its legal successor on behalf of its resolution estate; and

2713 (5) The assuming insurer shall confirm that it is not presently participating in any solvent  
2714 scheme of arrangement which involves the commonwealth's ceding insurers and agree to notify  
2715 the ceding insurer and the commissioner and to provide security in an amount equal to 100 per  
2716 cent of the assuming insurer's liabilities to the ceding insurer should the assuming insurer enter  
2717 into such a solvent scheme of arrangement. Such security shall be in a form consistent with the  
2718 provisions of paragraph (E) of subsection (1) and subsection (2) and as specified by the  
2719 commissioner in regulation.

2720 (e) The assuming insurer or its legal successor shall provide, if requested by the  
2721 commissioner, on behalf of itself and any legal predecessors, certain documentation to the  
2722 commissioner as specified by the commissioner in regulation.

2723 (f) The assuming insurer shall maintain a practice of prompt payment of claims under  
2724 reinsurance agreements, pursuant to criteria set forth in regulation.

2725 (g) The assuming insurer's supervisory authority shall confirm to the commissioner on an  
2726 annual basis, as of the preceding December 31 or at the annual date otherwise statutorily reported  
2727 to the reciprocal jurisdiction that the assuming insurer complies with the requirements set forth in  
2728 subparagraphs (b) and (c).

2729 (h) Nothing in this provision precludes an assuming insurer from providing the  
2730 commissioner with information on a voluntary basis.

2731 (ii) The commissioner shall timely create and publish a list of reciprocal jurisdictions.

2732 (a) The commissioner's list of reciprocal jurisdictions shall include any reciprocal  
2733 jurisdiction as defined under subclauses (1) and (2) of subparagraph (a) of clause (i) of this  
2734 paragraph and shall consider any other reciprocal jurisdiction included on the list of reciprocal  
2735 jurisdictions published by NAIC. The commissioner may approve a jurisdiction that does not  
2736 appear on the NAIC list of reciprocal jurisdictions in accordance with criteria to be developed  
2737 under regulations issued by the commissioner.

2738 (b) The commissioner may remove a jurisdiction from the list of reciprocal jurisdictions  
2739 upon a determination that the jurisdiction no longer meets the requirements of a reciprocal  
2740 jurisdiction, in accordance with a process set forth in regulations issued by the commissioner,  
2741 provided that the commissioner shall not remove from the list a reciprocal jurisdiction as defined  
2742 under subclauses (1) and (2) of subparagraph (a) of clause (i) of this paragraph. Upon removal  
2743 of a reciprocal jurisdiction from the list, credit for reinsurance ceded to an assuming insurer

2744 which has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise  
2745 allowed pursuant to this section.

2746 (iii) The commissioner shall timely create and publish a list of assuming insurers that  
2747 have satisfied the conditions set forth in this subsection and to which cessions shall be granted  
2748 credit in accordance with this subsection. The commissioner may add an assuming insurer to  
2749 such list if a NAIC-accredited jurisdiction has added such assuming insurer to a list of such  
2750 assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to  
2751 the commissioner as required under subparagraph (d) of clause (i) of this paragraph and complies  
2752 with any additional requirements that the commissioner may impose by regulation, except to the  
2753 extent that they conflict with an applicable covered agreement.

2754 (iv) If the commissioner determines that an assuming insurer no longer meets 1 or more  
2755 of the requirements under this subsection, the commissioner may revoke or suspend the  
2756 eligibility of the assuming insurer for recognition under this subsection in accordance with  
2757 procedures set forth in regulation.

2758 (a) While an assuming insurer's eligibility is suspended, no reinsurance agreement  
2759 issued, amended or renewed after the effective date of the suspension qualified for credit except  
2760 to the extent that the assuming insurer's obligations under the contract are secured in accordance  
2761 with subsection (2).

2762 (b) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be  
2763 granted after the effective date of the revocation with respect to any reinsurance agreements  
2764 entered into by the assuming insurer, including reinsurance agreements entered into prior to the



2765 date of revocation, except to the extent that the assuming insurer's obligations under the contract  
2766 are secured in a form acceptable to the commissioner and consistent with subsection (2).

2767 (v) If subject to a legal process of rehabilitation, liquidation or conservation, as  
2768 applicable, the ceding insurer or its representative may seek and, if determined appropriate by the  
2769 court in which the proceedings are pending, may obtain an order requiring that the assuming  
2770 insurer post security for all outstanding ceded liabilities.

2771 (vi) Nothing in this subsection shall limit or in any way alter the capacity of parties to a  
2772 reinsurance agreement to agree on requirements for security or other terms in that reinsurance  
2773 agreement, except as prohibited by this section or other applicable law or regulation.

2774 (vii) Credit may be taken under this subsection only for reinsurance agreements entered  
2775 into, amended, or renewed on or after the effective date of the statute adding this subsection, and  
2776 only with respect to losses incurred and reserves reported on or after the later of: (1) the date on  
2777 which the assuming insurer has met all eligibility requirements pursuant to clause (i) of this  
2778 paragraph; or (2) the effective date of the new reinsurance agreement, amendment, or renewal.

2779 (a) This paragraph does not alter or impair a ceding insurer's right to take credit for  
2780 reinsurance, to the extent that credit is not available under this subsection, as long as the  
2781 reinsurance qualifies for credit under any other applicable provision of this section.

2782 (b) Nothing in this subsection shall authorize an assuming insurer to withdraw or reduce  
2783 the security provided under any reinsurance agreement except as permitted by the terms of the  
2784 agreement.

2785 (c) Nothing in this subsection shall limit, or in any way alter, the capacity of parties to  
2786 any reinsurance agreement to renegotiate the agreement.

2787 SECTION 79. Said subsection (1) of said section 20A of said chapter 175, as so  
2788 appearing, is hereby further amended by striking out paragraph (F) and inserting in place thereof  
2789 the following paragraph:-

2790 (F) Credit shall be allowed when the reinsurance is ceded to an assuming insurer not  
2791 meeting the requirements of paragraphs (A), (B), (C), (D), (E), or (E1/2) but only with respect to  
2792 the insurance of risks located in jurisdictions where such reinsurance is required by applicable  
2793 law or regulation of that jurisdiction.

2794 SECTION 80. Said subsection (1) of said section 20A of said chapter 175, as so  
2795 appearing, is hereby further amended by striking out, in line 279, the words “(B) or (C)” and  
2796 inserting in place thereof the following words:- (B), (C) or (E1/2).

2797 SECTION 81. Clause (iv) of paragraph (B) of subsection (5) of said section 20A of said  
2798 chapter 175, as so appearing, is hereby amended by striking out subparagraphs (a) and (b) and  
2799 inserting in place thereof the following 3 subparagraphs:-

2800 (a) meets the conditions set forth in paragraph (E1/2) of subsection (1);

2801 (b) is certified in the commonwealth; or

2802 (c) maintains at least \$250,000,000 in capital and surplus when determined in accordance  
2803 with the NAIC Accounting Practices and Procedures Manual, including all amendments thereto  
2804 adopted by the NAIC, excluding the impact of any permitted or prescribed practices; and is

2805 licensed in at least 26 states; or licensed in at least 10 states and licensed or accredited in a total  
2806 of at least 35 states.

2807 SECTION 82. Said chapter 175, as so appearing, is hereby further amended by striking  
2808 out section 117C and inserting in place thereof the following section:-

2809 Section 117C. (a) The following method of determination of premium rates with respect  
2810 to credit life insurance and credit accident and health insurance is required only for such  
2811 insurance written in connection with obligations, other than loans secured by first liens on real  
2812 property, which are subject to section 12G of chapter 255, section 10 of chapter 255B, section  
2813 14A of chapter 255C, or subsection C of section 26 of chapter 255D, for which an identifiable  
2814 charge is paid by insured persons.

2815 (b) The following are the procedures for determining the maximum premium rates  
2816 permitted to be charged any account:

2817 A. (1) Minimum loss ratio test: Benefits shall be considered reasonable in relation to the  
2818 premium charged if the loss ratio equals or exceeds or is reasonably expected to equal or exceed  
2819 the minimum loss ratio standard specified below. The minimum loss ratio standard is:

2820 (i) for credit life insurance, 50 per cent; and

2821 (ii) for credit accident and health insurance, 55 per cent.

2822 In applying the minimum loss ratio test, the commissioner shall make appropriate  
2823 adjustment to account for differences in loss ratios that may be expected on single premium  
2824 credit life insurance plans resulting from changes in the benefit structure.

2825 The rate review will be made each year for all classes of business.

2826           B. (1) Each insurer writing said life insurance and accident and health insurance shall  
2827 report to the commissioner its claims experience and loss ratio data on said insurance separately  
2828 for the motor vehicle dealers class of business and for all classes of business combined on the  
2829 credit insurance supplement forms as specified by the National Association of Insurance  
2830 Commissioners for inclusion in the annual statement blanks filed pursuant to section 25.

2831           (2) Each insurer writing said life insurance and accident and health insurance shall  
2832 annually report to the commissioner, on a form prescribed by the commissioner, its claims  
2833 experience and loss ratio data on said insurance separately for motor vehicle dealers and other  
2834 than motor vehicle dealers. If the reported experience indicate that claims experience does not  
2835 meet the minimum loss ratio tests, taking into consideration the credibility of said experience as  
2836 measured by the credibility table, corrective action shall be required. If corrective action is  
2837 indicated, the carrier shall include with its submission its proposed plan for such corrective  
2838 action.

2839           C. As used in this section the following terms, unless the context clearly requires  
2840 otherwise, shall have the following meanings:

2841           “Average Number of Life Years”, the average number of group certificates in force  
2842 during the experience period, without regard to multiple coverage, times the number of years in  
2843 the experience period, or some equivalent calculation, which shall be made separately for credit  
2844 life insurance and for credit accident and health insurance.

2845           “Credibility factor”, the extent to which past experience can be expected to recur in the  
2846 future. The credibility factor may be based on either the number of claims incurred or on the

2847 “average number of life years” for the case during the experience period using the credibility  
2848 table.

2849

2850 “Credibility table” means the following table:”

2851

2852 The above integral numbers represent the lower end of the bracket for each “Z” factor.

2853 The upper is 1 less than the lower end for the next higher “Z” factor.

2854 “Earned premiums”, the premiums earned at the premium rates actually charged for  
2855 coverage in force during the experience period.

2856 “Experience”, earned premiums, incurred claims, incurred claim count, number of life  
2857 years insured, and average amount of insurance during the experience period.

2858 “Incurred claims”, total claims paid during the experience period, adjusted for the  
2859 change in the claim reserve.

2860 “Incurred claim count”, the number of claims incurred during the experience period.

2861 This means the total number of claims reported during the experience period, whether paid or in  
2862 the process of payment. If a debtor has been issued more than one certificate for the same plan of  
2863 insurance, only 1 claim is counted. If a debtor receives disability benefits, only the initial claim  
2864 payment for that period of disability is counted.

2865 “Loss Ratio”, the ratio of incurred claims to earned premiums.

2866 SECTION 82A. Chapter 184 of the General Laws is hereby amended adding the  
2867 following section:-

2868 Section 36. (a) For the purposes of this section, the following words shall, unless the  
2869 context clearly requires otherwise, have the following meanings:-

2870 “Affiliate”, an entity owned or controlled by an owner or under common control with the  
2871 owner.

2872 “Auction” or “public auction”, the sale of a housing accommodation under power of sale  
2873 in a mortgage loan by public bidding.

2874 “Borrower”, a mortgagor of a mortgage loan.

2875 “Deed in lieu,” a deed for the collateral property or the housing accommodation that the  
2876 mortgagee accepts from the borrower in exchange for the release of the borrower’s obligation  
2877 under the mortgage loan.

2878 “Designee”, a nonprofit organization, established pursuant to chapter 180, which is  
2879 selected by members of a tenant association.

2880 “Department”, the department of housing and community development.

2881

2882 “Elderly tenant household”, a tenant household in which 1 or more of the residents are  
2883 age 65 or older.

2884 “Foreclosure,” a legal proceeding to terminate a borrower’s interest in property instituted  
2885 by the mortgagee and regulated under chapter 244.

2886           “Housing accommodation,” a building, structure or part thereof, rented or offered for rent  
2887 for living or dwelling purposes, including, without limitation, houses, apartments, condominium  
2888 units, cooperative units and other multi-family residential dwellings; provided, however, that a  
2889 housing accommodation shall not include a group residence, homeless shelter, lodging house,  
2890 orphanage, temporary dwelling structure or transitional housing; and provided, further that a  
2891 housing accommodation shall not include a borrower-occupied housing accommodation if the  
2892 borrower is domiciled in the housing accommodation at the initiation of the short-sale, deed in  
2893 lieu or foreclosure process.

2894           “Member”, a natural person who is a member of a tenant association.

2895           “Minimum tenant participation percentage”, the minimum percentage of tenants who  
2896 must participate as members of the tenant association as defined by the city or town in a  
2897 municipal ordinance; provided, that the minimum tenant participation percentage shall be not  
2898 less than 51 per cent of the tenant-occupied housing units. The percentage shall be calculated  
2899 based on the number of tenant-occupied housing units in a property. If more than 1 person is a  
2900 lessee in a unit, all of the tenants who are lessees for that unit shall participate as members of the  
2901 tenant association if the unit is counted towards the participating percentage of units.

2902           “Mortgage loan,” a loan secured wholly or partially by a mortgage on a housing  
2903 accommodation.

2904           “Mortgagee,” an entity to whom property is mortgaged, the mortgage creditor or lender  
2905 including, but not limited to, mortgage servicers, lenders in a mortgage agreement and any agent,  
2906 servant or employee of the mortgagee or any successor in interest or assignee of the mortgagee's  
2907 rights, interests or obligations under the mortgage agreement.

2908           “Owner”, a person, firm, partnership, corporation, trust, organization, limited liability  
2909 company or other entity, or its successors or assigns that holds title to real property.

2910           “Purchaser”, a party who has entered into a purchase contract with an owner and who  
2911 will, upon performance of the purchase contract, become the new owner of the property.

2912           “Purchase contract”, a binding written agreement whereby an owner agrees to sell  
2913 property including, without limitation, a purchase and sale agreement, contract of sale, purchase  
2914 option or other similar instrument.

2915           “Sale”, an act by which an owner conveys, transfers or disposes of property by deed or  
2916 otherwise, whether through a single transaction or a series of transactions; provided, that a  
2917 disposition of housing by an owner to an affiliate of such owner shall not constitute a sale.

2918           “Short-sale,” sale approved by the mortgagee to a bona fide purchaser at a price that is  
2919 less than borrower’s existing debt on the housing accommodation.

2920           “Successor”, the entity through which the tenant association will take title to the property,  
2921 which may be a corporation, with the sole stockholder being the tenant association; a housing  
2922 cooperative organized under chapter 157B, a limited liability company in which the tenant  
2923 association is the member; a limited partnership in which the tenant association is a general  
2924 partner or when permitted by the municipality’s ordinance, a joint venture between any of such  
2925 entities and another party with: (i) the requisite experience in acquiring, developing and owning  
2926 residential property and (ii) the financial capacity to guaranty financing of the purchase  
2927 transaction.



2928           “Tenant”, a natural person who has: (i) entered into an express written lease or rental  
2929 agreement with the owner for exclusive possession of the premises for at least 6 months or (ii)  
2930 paid rent to the owner and the owner has accepted said rent for at least 6 months.

2931           “Tenant association”, an organization with a membership limited to present tenants of a  
2932 property that is: (i) registered with the municipality that has adopted an ordinance consistent with  
2933 this section or (ii) a non-profit organization incorporated under chapter 180.

2934           “Third-party offer”, an offer to purchase the mortgaged property for valuable  
2935 consideration by an arm’s length purchaser; provided, that a third-party offer shall not include an  
2936 offer by the borrower or tenants.

2937           “Third-party purchaser”, a purchaser who is not a tenant association, a designee or an  
2938 affiliate.

2939           (b) A city or town may adopt this section in the manner provided in section 4 of chapter  
2940 4. The acceptance of this local option by a municipality shall take effect no later than 180 days  
2941 after such acceptance. A city or town may at any time revoke the acceptance of this section in the  
2942 manner provided in said section 4 of said chapter 4. The revocation shall not affect agreements  
2943 relative to a tenants’ right to purchase that have already been asserted prior to the revocation. In  
2944 addition, the ordinance or bylaw accepting this section may contain provisions that establish:

2945           (i) tenancy protections for non-elderly tenant households that do not participate in the  
2946 tenant association; and

2947 (ii) exclusion of applicability to properties with fewer than a designated number of units;  
2948 different exclusion numbers may be adopted for owner-occupied properties and properties with  
2949 no owner occupancy; and

2950 (iii) criteria for qualified designee; and

2951 (iv) the tenant association's ability to exercise rights hereunder through a joint venture or  
2952 partnership with another entity with requisite experience in developing, owning or operating  
2953 residential real estate or an entity that has the financial capacity to guaranty the financing of the  
2954 purchase transaction; and

2955 (v) exclusion of classes of properties not enumerated in subsection (k).

2956 (c) In any city or town that votes to adopt the provisions of this section, an owner of a  
2957 residential building shall:

2958 (i) notify the municipality and each tenant household, in writing by hand delivery and  
2959 United States' mail, of the owner's intention to sell the property, with copy of the municipality's  
2960 prepared summary of the ordinance adopted hereunder; and

2961 (2) provide a tenant association with the minimum tenant participation percentage, an  
2962 opportunity to make an offer to purchase the property prior to entering into an agreement to sell  
2963 such property pursuant to the time periods contained in this section, but no owner shall be under  
2964 any obligation to enter into an agreement to sell such property to the tenants.

2965 (d) a tenant association with the minimum tenant participation percentage may select a  
2966 successor entity or a designee to act on its behalf as purchaser of the property and shall give the  
2967 owner and the municipality notice of its selection.

2968 (e) A tenant association with the minimum tenant participation percentage, or its  
2969 successor or designee, may, within 15 days after receipt of the owner's intention to sell, submit  
2970 an offer to the owner to purchase the property. Failure to submit a timely offer shall constitute  
2971 an irrevocable waiver of the tenants' rights under subsection (e) and the owner may enter into a  
2972 contract sell the property to a third party, subject to subsections (f) to (i), inclusive. If the owner  
2973 and the tenant association, or its successor, or its designee, have not entered into an agreement  
2974 within 15 days after receipt of the notice of the owner's intent to sell, the owner may enter into  
2975 an agreement to sell the property to a third party, subject to subsections (f) to (i), inclusive.

2976 (f) Upon execution of any purchase contract with a third party, the owner shall, within 7  
2977 days, submit a copy of the contract along with a proposed purchase contract for execution by  
2978 tenant association or its successor, or designee. If the tenant association, or its successor or, its  
2979 designee, elect to purchase the property, the tenant association, or its successor, or its designee,  
2980 shall within 30 days after the receipt of the third party purchase contract and the proposed  
2981 purchase contract, execute the proposed purchase contract or such other agreement as is  
2982 acceptable to both parties. The time periods set forth in this subsection may be extended by  
2983 agreement between the owner and the tenant association, its successor or its designee. Except as  
2984 otherwise specified in subsection (h), the terms and conditions of the proposed purchase contract  
2985 offered to the tenant association, successor, or its designee, shall be the same as those of the  
2986 executed third party purchase contract.

2987 (g) After receipt of the third party purchase contract provided for in subsection (f), the  
2988 tenant association or its successor or designee may, within the 15 day time period prescribed in  
2989 said subsection (f), make a counteroffer by executing and submitting to the owner an amended  
2990 proposed purchase contract. Failure by the tenant association, successor or its designee, to

2991 execute the purchase contract or submit a counteroffer within the 15 day period referenced in  
2992 subsection (f) shall constitute a waiver of the tenants' right to purchase under these subsections.  
2993 If the tenant association, successor or its designee, submits a counteroffer, the owner shall have  
2994 15 days from the date it receives the amended proposed purchase contract to execute the  
2995 amended proposed purchase contract or reject, in writing, the counteroffer. However, if the  
2996 owner rejects a counteroffer, it may not subsequently enter into any purchase contract with a  
2997 third party on terms that are the same as, or materially more favorable to the proposed third party  
2998 purchaser, than the economic terms and conditions in the counteroffer proposed by the tenant  
2999 association, successor, or its designee, unless the owner first provides a copy of such new third  
3000 party purchase contract, along with a new proposed purchase contract for execution by the tenant  
3001 association, successor, or its designee, which shall contain the same terms and conditions as the  
3002 newly executed third party purchase contract, except as otherwise specified by subsection (h),  
3003 and the tenant association, successor, or its designee, shall have 30 days from the date they  
3004 receive the third party purchase contract and the proposed purchase contract to execute the  
3005 proposed purchase contract or such other agreement as is acceptable to the owner and the tenant  
3006 association, successor, or its designee.

3007 (h) Any purchase contract offered to, or proposed by, the tenant association, its successor  
3008 or its designee shall provide at least the following terms:

3009 (i) the earnest money deposit shall not exceed the lesser of:

3010 (1) the deposit in the third party purchase contract;

3011 (2) 5 per cent of the sale price; or

3012 (3) \$250,000; provided, however, that the owner and the tenant association, or its  
3013 successor, or its designee, may agree to modify the terms of the earnest money deposit; provided,  
3014 further, that the earnest money deposit shall be held under commercially-reasonable terms by an  
3015 escrow agent selected jointly by the owner and the tenant association, its successor or its  
3016 designee;

3017 (ii) the earnest money deposit shall be refundable for not less than 90 days from the date  
3018 of execution of the purchase contract or such greater period as provided for in the third party  
3019 purchase contract; provided, however, that if the owner unreasonably delays the buyer's ability to  
3020 conduct due diligence during the 90 day period, the earnest money deposit shall continue to be  
3021 refundable for a period greater than 90 days. After the expiration of the specified time period, the  
3022 earnest money deposit shall be forfeited and the right to purchase of the tenant association, its  
3023 successor or designee shall be irrevocably waived.

3024 (i) The tenant association or its successor, or designee, shall have 160 days from  
3025 execution of the purchase and sale agreement to perform all due diligence, secure financing for  
3026 and close on the purchase of the building. Failure to exercise the purchase option within 160  
3027 days shall constitute a waiver of the purchase option by the tenant association, its successor or, or  
3028 its designee.

3029 (j) Any notice required by this section shall be deemed to have been provided when  
3030 delivered in person or mailed by certified or registered mail, return receipt requested, to the party  
3031 to whom notice is required. Notice shall be deemed to have been provided when either: (i) the  
3032 notice is delivered in hand to the tenant or an adult member of the tenant's household; or (ii) the

3033 notice is sent by first class mail and a copy is left in or under the door of the tenant's dwelling  
3034 unit. A notice to the affected municipality shall be sent to the chief executive officer.

3035 (k) This section shall not apply to the following:

3036 (i) property that is the subject of a government taking by eminent domain or a negotiated  
3037 purchase in lieu of eminent domain;

3038 (ii) a proposed sale to a purchaser pursuant to terms and conditions that preserve  
3039 affordability, as determined by the department;

3040 (iii) any sale of publicly-assisted housing, as defined in section 1 of chapter 40T;

3041 (iv) rental units in any hospital, skilled nursing facility, or health facility;

3042 (v) rental units in a nonprofit facility that has the primary purpose of providing short term  
3043 treatment, assistance or therapy for alcohol, drug or other substance abuse; provided, that such  
3044 housing is incident to the recovery program, and where the client has been informed in writing of  
3045 the temporary or transitional nature of the housing;

3046 (vi) rental units in a nonprofit facility that provides a structured living environment that  
3047 has the primary purpose of helping homeless persons obtain the skills necessary for independent  
3048 living in a permanent housing and where occupancy is restricted to a limited and specific period  
3049 of time of not more than 24 months and where the client has been informed in writing of the  
3050 temporary or transitional nature of the housing at its inception;

3051 (vii) public housing units managed by the local housing authority;

3052 (viii) federal public housing units that are subsidized and regulated under federal laws, to  
3053 the extent such applicable federal laws expressly preempt the provisions of this section;

3054 (ix) any residential property where the owner is a natural person who owns 6 or fewer  
3055 residential rental units in the municipality and who resides in the commonwealth;

3056 (x) any unit that is held in trust on behalf of a disabled individual who permanently  
3057 occupies the unit, or a unit that is permanently occupied by a disabled parent, sibling, child or  
3058 grandparent of the owner of that unit; or

3059 (xi) any rental unit that is owned or managed by a college or university for the express  
3060 purpose of housing students.

3061 (l) The tenant association, successor or its designee shall ensure that their purchase of the  
3062 property will not result in the displacement of any elderly tenant households that choose not to  
3063 participate in the purchase of the property.

3064 (m)(1) An owner shall give notice to each tenant household of a housing accommodation  
3065 of the intention to sell the housing accommodation by way of short-sale to avoid foreclosure.  
3066 Such notice shall be mailed by regular and certified mail, with a simultaneous copy to the  
3067 attorney general, the director of housing and community development and to the municipality  
3068 adopting this section within 2 business days of the owner's submission of a request or  
3069 application to the mortgagee for permission to sell the housing accommodation by way of short-  
3070 sale or to accept a deed in lieu. This notice shall also include a notice of the rights provided by  
3071 this section.

3072 (2) No mortgagee may accept any third party offers or deem the owner's application for  
3073 short-sale submitted for review unless and until the mortgagee receives documentation in a form  
3074 approved by the attorney general demonstrating that the tenants of the housing accommodation  
3075 have been informed of the owner's intent to seek a short-sale or deed in lieu and the tenants have  
3076 expressed their interest in exercising a right of first refusal within 60 days, assigning that right of  
3077 first refusal, or the tenants have waived those rights. If tenants have not affirmatively expressed  
3078 their interest in exercising a right of first refusal or in assigning that right within 60 days, or have  
3079 not affirmatively waived that right within 60 days, the tenants' rights are deemed waived.

3080 (3) Before a housing accommodation may be transferred by short-sale or deed-in-lieu, the  
3081 owner shall notify each tenant household, with a simultaneous copy to the attorney general and  
3082 the director of housing and community development, and the municipality adopting this section,  
3083 by regular and certified mail, of any bona fide offer that the mortgagee intends to accept. Before  
3084 any short-sale or transfer by deed-in-lieu, the owner shall give each tenant household such a  
3085 notice of the offer only if households constituting at least 51 per cent of the households  
3086 occupying the housing accommodation notify the owner, in writing, that they collectively desire  
3087 to receive information relating to the proposed sale. Tenants may indicate this desire within the  
3088 same notice described in paragraph (2). Any notice of the offer required to be given under this  
3089 subsection shall include the price, calculated as a single lump sum amount and of any promissory  
3090 notes offered in lieu of cash payment.

3091 (4) A group of tenants representing at least 51 per cent of the households occupying the  
3092 housing accommodation that are entitled to notice under paragraph (3) shall have the collective  
3093 right to purchase, in the case of a third party offer that the mortgagee intends to accept, provided  
3094 that the group of tenants:



3095 (i) submits to the owner reasonable evidence that the tenants of at least 51 per cent of the  
3096 occupied units in the housing accommodation have approved the purchase of the housing  
3097 accommodation;

3098 (ii) submits to the owner a proposed purchase and sale agreement on substantially  
3099 equivalent terms and conditions within 60 days of receipt of notice of the offer made under  
3100 paragraph (3);

3101 (iii) obtains a binding commitment for any necessary financing or guarantees within an  
3102 additional 90 days after execution of the purchase and sale agreement; and

3103 (iv) closes on such purchase within an additional 90 days after the end of the 90-day  
3104 period described in clause (iii).

3105 No owner shall unreasonably refuse to enter into, or unreasonably delay the execution or  
3106 closing on a purchase and sale with tenants who have made a bona fide offer to meet the price  
3107 and substantially equivalent terms and conditions of an offer for which notice is required to be  
3108 given pursuant to paragraph (3). Failure of the tenants to submit such a purchase and sale  
3109 agreement within the first 60-day period, to obtain a binding commitment for financing within  
3110 the additional 90-day period or to close on the purchase within the second 90-day period, shall  
3111 serve to terminate the rights of such tenants to purchase. The time periods provided in this  
3112 paragraph may be extended by agreement. Nothing herein shall be construed to require an owner  
3113 to provide financing to such tenants. A group or association of tenants that has the right to  
3114 purchase pursuant to this subsection, at its election, may assign its purchase right pursuant to this  
3115 subsection to the city or town in which the housing accommodation is located, or the housing  
3116 authority of the city or town in which the housing accommodation is located, or an agency of the

3117 commonwealth, nonprofit, community development corporation, affordable housing developer,  
3118 or land trust, for the purpose of permanently continuing the use of the housing accommodation as  
3119 affordable rental housing.

3120 (5) The right of first refusal created in this subsection shall inure to the tenants for the  
3121 time periods provided in paragraph (4), beginning on the date of notice to the tenants under  
3122 paragraph (1). The effective period for such right of first refusal shall begin anew for each  
3123 different offer to purchase that the mortgagee intends to accept. The right of first refusal shall not  
3124 apply with respect to any offer received by the owner for which a notice is not required pursuant  
3125 to paragraph (3).

3126 (6) In any instance where the tenants are not the successful purchaser of the housing  
3127 accommodation, the mortgagee shall provide evidence of compliance with this section by filing  
3128 an affidavit of compliance with the attorney general, the director of housing and community  
3129 development and the registry of deeds for the county and district where the property is located  
3130 within 7 days of the sale.

3131 (7) It is illegal for the owner to evict a tenant or tenants in order to avoid application of  
3132 this subsection.

3133 (8) Aggrieved tenants may seek damages under chapter 93A and may file a complaint  
3134 with the attorney general. Tenants may seek damages including compensatory relief in the form  
3135 of a percentage of the sales price, injunctive relief in the form of specific performance to compel  
3136 transfer of the property or both compensatory and injunctive relief. Nothing in this subsection  
3137 shall be construed to limit or constrain the rights tenants currently have under applicable laws,

3138 including but not limited to chapters 186 and 186A. At all times, all parties shall negotiate in  
3139 good faith.

3140 (9) The attorney general shall enforce this section and shall promulgate rules and  
3141 regulations necessary for enforcement. The attorney general may seek injunctive, declaratory,  
3142 and compensatory relief on behalf of tenants and the commonwealth in a court of competent  
3143 jurisdiction. The attorney general shall post a sample intent to sell notice, sample proof of notice  
3144 to tenants, sample notice of offer, and other necessary documents.

3145 (n)(1) When a mortgagee seeks judicial determination of the right to foreclose, then the  
3146 mortgagee shall provide a copy of the complaint by regular and certified mail to the tenants of  
3147 the housing accommodation and to the municipality adopting this section. The mortgagee shall  
3148 also provide tenants and the municipality, by regular and certified mail, with a copy of any order  
3149 of notice issued by the land court, if applicable, within 5 days of issuance.

3150 (2) The mortgagee shall provide each tenant household and the municipality adopting this  
3151 section, by regular and certified mail, a copy of any and all notices of sale published pursuant to  
3152 section 14 of chapter 244. A copy shall be provided simultaneously with the successive  
3153 publication notices.

3154 (3) No later than 5 business days before the auction of a housing accommodation, the  
3155 tenants shall inform the mortgagee, in writing, if a group of tenants representing at least 51 per  
3156 cent of the households occupying the housing accommodation or an entity to which they have  
3157 assigned their right of first refusal intend to exercise their right of first refusal at auction and  
3158 desire to receive information relating to the proposed auction.

3159 (4) A group of tenants representing at least 51 per cent of the households occupying the  
3160 housing accommodation or an entity to which they have assigned their right of first refusal may  
3161 exercise their collective right to purchase the housing accommodation, in the event of a third  
3162 party offer at auction that the mortgagee receives, provided that the group of tenants:

3163 (i) submits to the mortgagee reasonable evidence that the tenants of at least 51 percent of  
3164 the occupied homes in the housing accommodation have approved the purchase of the housing  
3165 accommodation;

3166 (ii) submits to the mortgagee a proposed purchase and sale agreement on substantially  
3167 equivalent terms and conditions to that received by the mortgagee in the third party offer within  
3168 60 days of receipt of notice of the bid made under paragraph (3) of this subsection;

3169 (iii) obtains a binding commitment for any necessary financing or guarantees within an  
3170 additional 90 days after execution of the purchase and sale agreement; and

3171 (iv) closes on such purchase within an additional 90 days after the end of the 90-day  
3172 period under clause (iii).

3173 No mortgagee shall unreasonably refuse to enter into, or unreasonably delay the  
3174 execution or closing on a purchase and sale with tenants who have made a bona fide offer to  
3175 meet the price and substantially equivalent terms and conditions of a bid received at auction.  
3176 Failure of the tenants to submit such a purchase and sale agreement within the first 60-day  
3177 period, to obtain a binding commitment for financing within the additional 90-day period or to  
3178 close on the purchase within the second 90-day period, shall serve to terminate the rights of such  
3179 tenants to purchase. The time periods provided in this paragraph may be extended by agreement.

3180           Nothing herein shall be construed to require a mortgagee to provide financing to such  
3181 tenants. A group or association of tenants that has the right to purchase hereunder, at its election,  
3182 may assign its purchase right hereunder to the city, town, housing authority, or agency of the  
3183 commonwealth, nonprofit, community development corporation, affordable housing developer,  
3184 or land trust for the purpose of permanently continuing the use of the housing accommodation as  
3185 affordable rental housing.

3186           If there are no third party bids at auction for the housing accommodation, the tenants  
3187 shall have a right of first refusal whenever the mortgagee seeks to sell the housing  
3188 accommodation. The tenants shall be notified of any offers the mortgagee intends to accept and  
3189 shall be given an opportunity to meet the price and substantially the terms of a third-party offer  
3190 based on the same time line described in paragraph (4).

3191           (5) The right of first refusal created herein shall inure to the tenants for the time periods  
3192 herein before provided, beginning on the date of notice to the tenants under paragraph (1).

3193           (6) In any instance where the tenants are not the successful purchaser of the housing  
3194 accommodation, the seller of such unit shall provide evidence of compliance with this section by  
3195 filing an affidavit of compliance with the attorney general, the director of housing and  
3196 community development, and the registry of deeds for the county and district where the property  
3197 is located within seven days of the sale.

3198           (7) It is illegal for the owner to evict a tenant or tenants in order to avoid application of  
3199 this law.

3200           (8) Aggrieved tenants may seek damages under chapter 93A and may file a complaint  
3201 with the attorney general. Tenants may seek damages including a percentage of the sales price or

3202 injunctive relief in the form of specific performance to compel transfer of property. Nothing in  
3203 this act shall be construed to limit or constrain in any way the rights tenants currently have under  
3204 applicable laws, including but not limited to chapters 186 and 186A. At all times, all parties must  
3205 negotiate in good faith.

3206 (9) The attorney general shall enforce this section and shall promulgate rules and  
3207 regulations necessary for enforcement. The attorney general may seek injunctive, declaratory,  
3208 and compensatory relief on behalf of tenants and the commonwealth in a court of competent  
3209 jurisdiction. The attorney general shall post a sample intent to sell notice, sample proof of notice  
3210 to tenants, sample notice of offer, and other necessary documents.

3211 SECTION 82B. Subsection (a) of section 168 of chapter 175 of the General Laws, as  
3212 appearing in the 2018 Official Edition, is hereby amended by adding the following definitions:-

3213 “Personal vehicle sharing”, the authorized use of a vehicle by an individual other than the  
3214 vehicle’s owner through a personal vehicle sharing program.

3215 “Personal vehicle sharing program”, a business platform that connects vehicle owners  
3216 with drivers to enable the sharing of vehicles for financial consideration.

3217 SECTION 82C. Said section 168 of said chapter 175, as so appearing, is hereby further  
3218 amended by striking out, in lines 18 to 27, inclusive the words “(b) The commissioner may, upon  
3219 the payment of the fee prescribed by section 14, issue to any suitable person aged 18 or older, a  
3220 license to act as a special insurance broker to negotiate, continue or renew contracts of insurance  
3221 against any of the hazards specified in section 47, except as specified in clause Fifteenth thereof,  
3222 and except accident and health, workers' compensation, compulsory motor vehicle liability, with  
3223 the exception of motor vehicle policies for transportation network vehicles, and life insurance on

3224 property or interests in the commonwealth with an unauthorized company upon the following  
3225 conditions:” and inserting in place thereof the following words:- (b) The commissioner may,  
3226 upon the payment of the fee prescribed by section 14, issue to any suitable person aged 18 or  
3227 older, a license to act as a special insurance broker to negotiate, continue or renew contracts of  
3228 insurance against any of the hazards specified in section 47, except as specified in clause  
3229 Fifteenth thereof, and except accident and health, workers' compensation, compulsory motor  
3230 vehicle liability, with the exception of both motor vehicle policies for transportation network  
3231 vehicles and any contracts that directly or indirectly provide insurance or other forms of  
3232 protection, including without limitation, collision damage waivers, for vehicles and vehicle  
3233 drivers engaged in personal vehicle sharing through a personal vehicle sharing program, and life  
3234 insurance on property or interests in the commonwealth with an unauthorized company upon the  
3235 following conditions:

3236 SECTION 82D. Said section 168 of said chapter 175, as so appearing, is hereby further  
3237 amended by striking out subsection (i) and inserting in place thereof the following 2  
3238 subsections:-

3239 (i) Nothing in this section shall preclude a personal vehicle sharing program from  
3240 procuring a contract of insurance for itself, vehicles, and vehicle drivers engaged in personal  
3241 vehicle sharing, if the personal vehicle sharing program or the policyholder expressly  
3242 acknowledges its understanding, that: (1) the company from which insurance is procured is not  
3243 admitted to transact insurance in the commonwealth; and (2) in the event of the insolvency of the  
3244 company, a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter  
3245 175D.

3246 (j) The commissioner may promulgate regulations as necessary to implement this section.

3247 SECTION 83. Section 2 of chapter 239 of the General Laws, as so appearing, is hereby  
3248 amended by adding the following paragraph:- The defendant named in a summary process  
3249 summons and complaint shall not include any minors, and any such minors' names so included  
3250 shall be expunged from any court record and electronic docket entry.

3251 SECTION 84. Section 1 of chapter 271 of the General Laws, as so appearing, is hereby  
3252 amended by striking out, in line 4, the words "chapter 23K" and inserting in place thereof the  
3253 following words:- chapters 23K and 23N.

3254 SECTION 85. Section 2 of said chapter 271, as so appearing, is hereby amended by  
3255 striking out, in line 4, the words "chapter 23K" and inserting in place thereof the following  
3256 words:- chapters 23K and 23N.

3257 SECTION 86. Section 3 of said chapter 271, as so appearing, is hereby amended by  
3258 striking out, in line 1, the words "chapter 23K" and inserting in place thereof the following  
3259 words:- chapters 23K and 23N.

3260 SECTION 87. Section 5 of said chapter 271, as so appearing, is hereby amended by  
3261 striking out, in line 1, the words "chapter 23K" and inserting in place thereof the following  
3262 words:- chapters 23K and 23N.

3263 SECTION 88. Section 5A of said chapter 271, as so appearing, is further amended by  
3264 inserting after the words "chapter 23K", in line 32, the following words:- or sports wagering  
3265 conducted pursuant to chapters 23N.



3266 SECTION 89. Section 5B of said chapter 271, as so appearing, is hereby amended by  
3267 striking out, in line 58, the words “chapter 23K” and inserting in place thereof the following  
3268 words:- chapters 23K and 23N.

3269 SECTION 90. Section 8 of said chapter 271, as so appearing, is hereby amended by  
3270 striking out, in lines 10 to 11, the words “other game of chance that is not being conducted in a  
3271 gaming establishment licensed under chapter 23K” and inserting in place thereof the following  
3272 words:- other game that is not being conducted pursuant to chapter 23K and any other sports  
3273 wagering that is being conducted pursuant to chapter 23N.

3274 SECTION 91. Section 17 of said chapter 271, as so appearing, is hereby amended by  
3275 inserting after the words “chapter 23K”, in line 27, the following words:- or for the purpose of  
3276 sports wagering conducted in accordance with chapter 23N.

3277 SECTION 92. Said chapter 271, as so appearing, is hereby further amended by striking  
3278 out section 17A and inserting in place thereof the following section:-

3279 Section 17A. Except as permitted under chapter 23N, whoever uses a telephone, internet  
3280 or other communications technology or, being the occupant in control of premises where a  
3281 telephone, internet or other communications technology is located or a subscriber for such  
3282 communications technology, knowingly permits another to use a telephone, internet or other  
3283 communications technology so located or for which such person subscribes, as the case may be,  
3284 for the purpose of accepting wagers or bets, or buying or selling of pools, or for placing all or  
3285 any portion of a wager with another, upon the result of a trial or contest of skill, speed or  
3286 endurance of man, beast, bird or machine, or upon the result of an athletic game or contest, or  
3287 upon the lottery called the numbers game, or for the purpose of reporting the same to a

3288 headquarters or booking office, or who under another name or otherwise falsely or fictitiously  
3289 procures telephone, internet or other communications technology service for oneself or another  
3290 for such purposes, shall be punished by a fine of not more than \$2,000 or by imprisonment for  
3291 not more than 1 year.

3292 SECTION 93. Section 19 of said chapter 271, as so appearing, is hereby amended by  
3293 inserting after the words “chapter 23K”, in line 19, the following words:- and shall not apply to  
3294 advertising of sports wagering conducted pursuant to chapter 23N.

3295 SECTION 94. Section 20 of said chapter 271, as so appearing, is hereby amended by  
3296 inserting at the end thereof the following sentence:- Nothing in this section shall prohibit an  
3297 operator licensed under chapter 23N from posting, advertising or displaying materials relevant to  
3298 its sports wagering operations.

3299 SECTION 95. Section 23 of said chapter 271, as so appearing, is hereby amended by  
3300 inserting after the words “chapter 23K”, in line 31, the following words:- and shall not apply to  
3301 sports wagering conducted pursuant to chapter 23N.

3302 SECTION 96. Section 27 of said chapter 271, as so appearing, is hereby amended by  
3303 inserting after the word “thereto”, in line 15, the following words:- ; provided, however, that  
3304 such provisions shall not apply to sports wagering conducting pursuant to chapter 23N.

3305 SECTION 97. Section 28 of said chapter 271, as so appearing, is hereby amended by  
3306 inserting after the word “prescribed”, in line 12, the following words:- ; provided, however, that  
3307 such provisions shall not apply to sports wagering conducting pursuant to chapter 23N.

3308 SECTION 98. Section 42 of said chapter 271, as so appearing, is hereby amended by  
3309 inserting after the word “both”, in line 4, the following words:- ; provided, however, that such  
3310 provisions shall not apply to sports wagering conducting pursuant to chapter 23N.

3311 SECTION 99. Section 3 of chapter 614 of the acts of 1968 is hereby amended by  
3312 inserting after paragraph (p), added by section 3 of chapter 419 of the acts of 1984, the following  
3313 paragraph:-

3314 (q) “Nonprofit Beneficiary”, Any nonprofit person, as defined in section 1 of chapter 23G  
3315 of the General Laws, to which the agency is authorized to provide financing.

3316 SECTION 100. Section 5 of said chapter 614 is hereby amended by striking out  
3317 paragraph (p), as inserted by section 4 of chapter 769 of the acts of 1979, and inserting in place  
3318 thereof the following 2 paragraphs:-

3319 (q) to make loans from the assets of any existing authority trust to nonprofit beneficiaries  
3320 in support of such trust;

3321 (r) to do all things necessary and convenient to carry out the purposes of this act.

3322 SECTION 101. Section 100 of chapter 142 of the acts of 2011 is hereby repealed.

3323 SECTION 101A. Section 226 of chapter 139 of the acts of 2012 is hereby amended by  
3324 striking out the figure “2021”, inserted by section 15 of chapter 142 of the acts of 2019, and  
3325 inserting in place thereof- 2023.

3326 SECTION 102. Sections 46, 48, 61 and 63 of chapter 287 of the acts of 2014 are hereby  
3327 repealed.

3328 SECTION 103. Section 124A of chapter 287 of the acts of 2014 is hereby repealed.

3329 SECTION 103A. Item 7002-8014 of section 2A of chapter 219 of the acts of 2016 is  
3330 hereby amended by adding the following words:- ; and provided further, that funds in this item  
3331 shall be made available until June 30, 2025.

3332 SECTION 104. The second sentence of section 135 of chapter 219 of the acts of 2016 is  
3333 hereby amended by inserting after the words “includes any fantasy or simulated game or contest”  
3334 the following words:- , including but not limited to, any fantasy or simulated game or contest  
3335 based on college or professional sports events.

3336 SECTION 104A. Item 7008-1116 of section 2 of chapter 154 of the acts of 2018, as  
3337 amended by section 26 of chapter 142 of the acts of 2019, is hereby further amended by striking  
3338 out the words “provided further, that not less than \$150,000 shall be expended for the  
3339 construction of bathroom facilities at Frasca field in Tewksbury and such funds shall be made  
3340 available until June 30, 2020” and inserting in place thereof the following words:- provided  
3341 further, that not less than \$150,000 shall be expended for the construction of bathroom facilities,  
3342 sidewalks, parking lots and other pedestrian upgrades at the Livingston street recreational field  
3343 in Tewksbury and such funds shall be available until June 30, 2021.

3344 SECTION 105. The executive office of housing and economic development shall issue  
3345 guidance to assist local officials in determining the voting thresholds for various zoning  
3346 amendments. Such guidance shall be assembled in consultation with the department of housing  
3347 and community development, the Massachusetts attorney general’s municipal law unit, and  
3348 Massachusetts Housing Partnership.

3349 SECTION 106. The secretary of housing and economic development shall report  
3350 annually to the clerks of the house of representatives and the senate, the chairs of the joint  
3351 committee on housing and the chairs of the senate and house committees on ways and means, on  
3352 the activities and status of the Housing Choice Initiative, as described by the governor in a  
3353 message to the general court dated December 11, 2017, including progress made towards the  
3354 production of 135,000 new units by 2025. The report also shall include a list of all cities and  
3355 towns that qualify as “housing choice” communities, a list and description of grant funds  
3356 disbursed to such cities and towns and a description of how the funds were used to support the  
3357 production of new housing.

3358 SECTION 106A. Notwithstanding the fourth paragraph of section 5 of chapter 121B of  
3359 the General Laws, if a town has 4 elected members of a housing authority board on the effective  
3360 date of this act, any vacant seat or, if there is no vacant seat, the first seat set to expire not less  
3361 than 60 days after the effective date of this act, shall be filled by the appointment of a tenant  
3362 member unless a waiver has been granted by the department pursuant to section 5A of said  
3363 chapter 121B that allows for the appointment of a person who is not eligible to be a tenant  
3364 member.

3365 SECTION 107. Notwithstanding any general or special law to the contrary, to meet the  
3366 expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a  
3367 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified  
3368 by the governor from time to time but not exceeding, in the aggregate, \$317,476,000. All bonds  
3369 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth  
3370 Economic Development Act of 2020”, and shall be issued for a maximum term of years, not  
3371 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of

3372 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall  
3373 be payable not later than June 30, 2055. All interest and payments on account of principal on  
3374 such obligations shall be payable from the General Fund. Bonds and interest thereon issued  
3375 under the authority of this section shall, notwithstanding any other provision of this act, be  
3376 general obligations of the commonwealth.

3377 SECTION 108. Notwithstanding any general or special law to the contrary, to meet the  
3378 expenditures necessary in carrying out section 2A, the state treasurer shall, upon receipt of a  
3379 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified  
3380 by the governor from time to time but not exceeding, in the aggregate, \$146,000,000. All bonds  
3381 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth  
3382 Economic Development Act of 2020”, and shall be issued for a maximum term of years, not  
3383 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of  
3384 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall  
3385 be payable not later than June 30, 2055. All interest and payments on account of principal on  
3386 such obligations shall be payable from the General Fund. Bonds and interest thereon issued  
3387 under the authority of this section shall, notwithstanding any other provision of this act, be  
3388 general obligations of the commonwealth.

3389 SECTION 108A. (a) Notwithstanding chapter 62C of the General Laws or any other  
3390 general or special law to the contrary, in order to address disruptions caused by the outbreak of  
3391 the 2019 novel coronavirus, also known as COVID-19 and the effects of the governor’s March  
3392 10, 2020 declaration of a state of emergency, a vendor who has made any sale subject to the tax  
3393 imposed on the sale of meals by chapters 64H and 64L of the General Laws from August 1, 2020  
3394 to December 31, 2020 may delay the filing of the returns and payment of taxes required pursuant

3395 to section 16 of said chapter 62C; provided, that if a vendor delays the filing of said return and  
3396 payment of said taxes, the vendor shall file the return and make the payment of taxes required for  
3397 the period of August 1, 2020 to October 31, 2020, on or before November 20, 2020 and for the  
3398 period of November 1, 2020 to December 31, 2020, on or before January 20, 2021.

3399 (b) If a vendor delays the filing of returns and payment of taxes pursuant to subsection  
3400 (a), the commissioner of revenue shall waive: (i) any late-file or late-pay penalties imposed  
3401 pursuant to section 33 of said chapter 62C; and (ii) any interest that accrues as a result of any late  
3402 payments pursuant to section 32 of said chapter 62C.

3403 (c) Nothing in this section shall be construed to waive any late-file, late-pay penalties or  
3404 interest for a vendor who fails to file returns or make payment of taxes on or before the date set  
3405 pursuant to subsection (a). Notwithstanding subsection (a), if a vendor fails to file returns and  
3406 make payment of taxes on or before the date set pursuant to subsection (a), the payment shall  
3407 accrue interest from the date the return was required to be filed pursuant to section 16 of said  
3408 chapter 62C.

3409 (d) The commissioner of revenue may promulgate guidance on the implementation of this  
3410 section.

3411 SECTION 108B. Notwithstanding any general or special law to the contrary, the  
3412 executive office of education shall establish a financial literacy task force on financial literacy  
3413 from kindergarten to grade 12 in schools. The task force shall consist of: the secretary of the  
3414 executive office of education or a designee, who shall serve as chair; the commissioner of early  
3415 education and care or a designee; the commissioner of the department of elementary and  
3416 secondary education or a designee; the state treasurer or a designee; and 6 persons to be

3417 appointed by the secretary of education, 2 of whom shall be representatives from the  
3418 Massachusetts Teachers Association, 1 of whom shall be a representative from the  
3419 Massachusetts Bankers Association. Inc., 1 of whom shall be a representative from  
3420 Massachusetts JumpStart Coalition for Personal Financial Literacy, Inc., and 1 of whom shall be  
3421 a representative of the office of economic empowerment or a designee.

3422 (b) The task force shall: (i) review current financial literacy standards in schools in the  
3423 commonwealth; (ii) review the commonwealth's financial literacy activities and programs; (iii)  
3424 develop a comprehensive strategic plan to improve outcomes for individuals with a risk of  
3425 negative financial situations, including recommendations to: (1) promote research on financial  
3426 education in kindergarten through grade 12; (2) improve the frequency and quality of financial  
3427 education in public schools and charter schools; (3) improve public awareness and recognition of  
3428 the importance of financial literacy; (4) improve financial education with a focus on low-income  
3429 and minority communities; (5) advance the goals and objectives outlined by the state treasurer's  
3430 2015 financial literacy task force report; and (6) provide information on student loans and  
3431 strategies for avoiding or reducing student debt; and (iv) monitor the implementation of the  
3432 comprehensive strategic plan and make updates as necessary.

3433 (c) The task force shall submit a report on the status of financial literacy in schools with  
3434 recommendations, if any, to the governor and the clerks of the house of representatives and  
3435 senate not later than December 31, 2021.

3436 SECTION 108C. (a) In this section, unless the context clearly requires otherwise,  
3437 "outdoor table service" shall mean a service that is provided outside the restaurant building  
3438 envelope, whether on a sidewalk, patio, deck, lawn, parking area or other outdoor space, which



3439 may include, but is not limited to, service that is provided under awnings or table umbrellas or  
3440 other cover from the elements; provided, however, that at least 50 per cent of the perimeter of  
3441 any covered dining space must remain open and unobstructed by any form of siding or barriers at  
3442 all times.

3443 (b) Notwithstanding chapter 40A of the General Laws, or any special permit, variance or  
3444 other approval thereunder, or any other general or special law to the contrary, a city or town may  
3445 approve requests for the expansion of outdoor table service, including changing the description  
3446 of a licensed premises, as described in section 108D; provided, however, prior to such approval,  
3447 the chief executive officer of the city or town, as defined in clause Fifth B of section 7 of chapter  
3448 4 of the General Laws, as established by charter or special act, shall establish the process for  
3449 approving such requests; provided further, that said process need not comply with the notice and  
3450 publication provisions set forth in section 11 of said chapter 40A. Said approval may be  
3451 exercised immediately upon filing of notice thereof with the city or town clerk, without  
3452 complying with any otherwise applicable recording or certification requirements.

3453 SECTION 108D. (a) As used in this section, the following words shall, unless the context  
3454 clearly requires otherwise, have the following meanings:

3455 “Commission”, the alcohol beverages control commission, established in section 70 of  
3456 chapter 10 of the General Laws.

3457 “Local licensing authorities”, as defined in section 1 of chapter 138 of the General Laws.

3458 (b) Notwithstanding any general or special law to the contrary, in order to address  
3459 disruptions caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19 and  
3460 the effects of the governor’s March 10, 2020 declaration of a state of emergency, local licensing

3461 authorities in any city or town that vote to authorize the granting of licenses for the sale of  
3462 alcoholic beverages for on-premises consumption may grant approval for a change in the  
3463 description of a licensed premises for the purpose of permitting outdoor alcohol service as the  
3464 local licensing authorities may deem reasonable and proper and issue an amended license to  
3465 existing license holders for said purpose, without further review or approval by the commission.

3466 (c) Upon approval of an amended license, the local licensing authorities shall forward  
3467 notice of the amended license to the commission.

3468 (d) The commission shall, within 10 days of the passage of this act, promulgate  
3469 regulations consistent with this section and issue updated guidance to local licensing authorities.

3470 (e) Nothing in this section shall prevent the commission from exercising its statutory or  
3471 regulatory enforcement authority over any such amended license granted.

3472 Section 108E. (a) As used in this section, the following words shall, unless the context  
3473 clearly requires otherwise, have the following meanings:

3474 “Covered establishment”, a restaurant or other eating or drinking establishment offering  
3475 same-day food or drink for sale in a single commercial transaction through any third-party  
3476 delivery service platform, from 1 or more retail locations within the commonwealth.

3477 “COVID-19 emergency”, the state of emergency declared by the governor on March 10,  
3478 2020 in order to address the outbreak of the 2019 novel coronavirus, also known as COVID-19.

3479 “Customer”, an individual using a third-party delivery service platform to place an online  
3480 order.

3481 “Online order”, an order for food or drinks placed by a customer through a third-party  
3482 delivery service platform provided by a third-party delivery service company for pickup or  
3483 delivery in the commonwealth.

3484 “Purchase price”, the menu price publicly offered on the third-party delivery service  
3485 platform by a covered establishment. The purchase price shall not include any taxes, gratuities or  
3486 other fees that may make up the total cost charged to the customer for an online order.

3487 “Third-party delivery service company”, a corporation, partnership, sole proprietorship or  
3488 other entity qualified to do business in the commonwealth that is engaged in facilitating same-  
3489 day delivery or pickup of food and beverages through a third-party delivery service platform for  
3490 20 or more separately owned and operated covered establishments.

3491 “Third-party delivery service platform”, any online enabled application, software,  
3492 website or system offered or utilized by a third-party delivery service company to facilitate the  
3493 sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food  
3494 and beverages from, covered establishments.

3495 (b) Notwithstanding any general or special law to the contrary, no third-party delivery  
3496 service company, from the effective date of this act and for a period of 45 days after the  
3497 termination of the COVID-19 emergency, shall charge a covered establishment a delivery fee per  
3498 online order for the use of its services and fees other than a delivery fee that totals more than 15  
3499 per cent of the purchase price of the online order.

3500 (c) This section shall preempt, supersede or nullify any inconsistent, contrary or  
3501 conflicting local law, ordinance, rule or regulation relating to third-party delivery service

3502 platforms and third-party delivery service companies fees, including with respect to any  
3503 agreements with covered establishments using third-party delivery service companies.

3504 (d) A violation of this section shall be an unfair and deceptive trade practice in violation  
3505 of chapter 93A of the General Laws.

3506 SECTION 108F. (a) There is hereby established a special legislative commission,  
3507 pursuant to section 2A of chapter 4 of the General Laws, to study journalism in underserved  
3508 communities in the commonwealth. The commission shall: (i) conduct a comprehensive study  
3509 relative to communities underserved by local journalism in the commonwealth; (ii) review all  
3510 aspects of local journalism including, but not limited to, the adequacy of press coverage of cities  
3511 and towns, ratio of residents to media outlets, print and digital business models for media outlets,  
3512 the impact of social media on local news, strategies to improve local news access, public policy  
3513 solutions to improve the sustainability of local press business models and private and nonprofit  
3514 solutions, and identifying career pathways and existing or potential professional development  
3515 opportunities for aspiring journalists in the commonwealth.

3516 (b) The commission shall consist of the following 23 members: the chairs of the joint  
3517 committee on community development and small business, who shall serve as co-chairs; 1  
3518 member of the house of representatives appointed by the speaker; 1 member of the senate  
3519 appointed by the senate president; 1 member who shall be a professor at the Northeastern School  
3520 of Journalism; 1 member who shall be a member of the Boston Association of Black Journalists;  
3521 1 member who shall be a member of the National Association of Hispanic Journalists; 1 member  
3522 who shall be a member of the Asian American Journalists Association of New England; 1 of who  
3523 shall be a representative from the Massachusetts Newspaper Publishers Association; 11 members

3524 to be appointed by the chairs: 2 of whom shall be representatives of public colleges or  
3525 universities of the commonwealth with either a journalism or communications program, 1 of  
3526 whom shall be a representative of a private college or university of the commonwealth with  
3527 either a journalism or communications program, and 8 of whom shall be currently employed or  
3528 freelance journalists, editors or producers from independent community news outlets from across  
3529 the commonwealth; provided, that the appointees shall represent communities underserved by  
3530 professional news organizations, rural communities, immigrants communities, working-class  
3531 communities and communities of color; 3 members to be appointed by the governor who shall be  
3532 representatives of journalism unions or associations; provided, that the appointees shall be  
3533 selected from the following unions and associations: (i) the NewsGuild – Communication  
3534 Workers of America, (ii) the Screen Actors Guild-American Federation of Television and Radio  
3535 Artists, (iii) the National Association of Broadcast Employees and Technicians –  
3536 Communications Workers of America, (iv) the Association of Independents in Radio, (v) the  
3537 Boston Chapter of the National Writers Union, (vi) the New England Newspaper and Press  
3538 Association, or (vii) the New England Chapter of the Society of Professional Journalists. All  
3539 appointments shall be made no later than 30 days following the effective date of this act.

3540 (c) The commission shall hold public information sessions in order to promote the work  
3541 of the commission and to solicit public comment pursuant to the work of the commission.

3542 (d) The commission shall accept written and oral comment from the public beginning at  
3543 the first meeting of the commission.

3544 (e) The commission shall meet no less than 5 times to review, study and analyze existing  
3545 literature, quantitative and qualitative data on the status of journalism in the commonwealth and  
3546 review the oral and written public comments.

3547 (f) No later than August 1, 2021, the commission shall submit its findings, along with  
3548 recommendations for legislation, if any, to the clerks of the house of representatives and the  
3549 senate and the joint committee of community development and small business.

3550 (g) The special commission may make such interim reports as it considers appropriate.

3551 SECTION 108G. There is hereby established a special commission pursuant to section  
3552 2A of chapter 4 of the General Laws to conduct an investigation and study regarding the needs of  
3553 agriculture in the commonwealth in the 21st century, including the viability, efficiency, climate  
3554 change resiliency, education, technical assistance and energy needs of farms and means of  
3555 ensuring farms' ability to adapt to changing economic, climate and energy conditions.

3556 The commission shall consist of 1 member who shall be appointed by the senate  
3557 president, who shall serve as co-chair; 1 member who shall be appointed by the minority leader  
3558 of the senate; 1 member who shall be appointed by the speaker of the house of representatives,  
3559 who shall serve as co-chair; 1 member who shall be appointed by the minority leader of the  
3560 house of representatives; the house and senate chairs of the joint committee on environment,  
3561 natural resources and agriculture; the house and senate chairs of the joint committee on  
3562 telecommunications, utilities and energy; the secretary of energy and environmental affairs or a  
3563 designee; the secretary of housing and economic development or a designee; the commissioner  
3564 of agricultural resources or a designee; a representative of the Massachusetts Farm Bureau  
3565 Federation, Incorporated; a representative of the University of Massachusetts center for

3566 agriculture, food and the environment; a representative of the Massachusetts chapter of the  
3567 Northeast Organic Farming Association; a representative of the Cape Cod Cranberry Growers'  
3568 Association; and a representative of the Massachusetts Association of Dairy Farmers, Inc.  
3569 Members shall not receive compensation for their services but may receive reimbursement for  
3570 the reasonable expenses incurred in carrying out their responsibilities as members of the  
3571 commission. The executive office of energy and environmental affairs and executive office of  
3572 housing and economic development may furnish reasonable staff and other support for the work  
3573 of the commission.

3574           The commission shall review: (i) methods of supporting farms including development of  
3575 tax incentives and credits for equipment related to farm-based renewable energy projects; (ii)  
3576 effects of zoning ordinances and bylaws on farm-based renewable energy projects and means of  
3577 reducing administrative and regulatory barriers to such projects; (iii) potential zoning exemptions  
3578 of farm renewable energy systems; (iv) the feasibility of establishing an incentive program to  
3579 facilitate the growth of non-solar renewable-energy distributed-generation projects on farms; (v)  
3580 methods of encouraging the use of renewable energy resources on farms; (vi) development of  
3581 potential grant programs in support of farms to develop farm-based renewable energy  
3582 capabilities including wind harvesting, energy conserving refrigerated food storage pilot projects,  
3583 methane capture and green combustion and solar and photovoltaic energy projects; (vii)  
3584 feasibility of using farms as resiliency centers during power outages or extreme weather events  
3585 by installing technology such as battery storage or microgrids; (viii) the effects of climate change  
3586 and means by which farms may seek to adapt to climate change; (ix) methods of promoting and  
3587 facilitating more prompt interconnection of energy projects owned or operated by agricultural  
3588 producers; (x) the development of a single uniform application for use by owners of farms in the

3589 commonwealth for application to any and all grant and other assistance programs administered  
3590 by the department of agricultural resources and consistent with federal grant and program  
3591 application criteria; (xi) the benefits of designating an administrator or separate office within the  
3592 department of agricultural resources to provide advice, technical assistance and other guidance to  
3593 owners of farms who apply for grants and other programs; (xii) ways to support, expand and  
3594 enhance opportunities for agricultural tourism; (xiii) the timing of grant applications to the  
3595 department of agricultural resources and department responses with a view to facilitating more  
3596 efficient and timely use of grant funds; (xiv) administrative and regulatory barriers to and  
3597 restrictions on farm owners placing renewable energy structures on farmland; (xv) means of  
3598 addressing the need for education and technical assistance to farmers; and (xvi) any other  
3599 matters the commission deems relevant to supporting the viability of farms in the  
3600 commonwealth.

3601           The commission shall file a report of its findings and recommendations, together with  
3602 drafts of legislation necessary to carry those recommendations into effect, by filing the same  
3603 with the clerks of the senate and the house of representatives, the chairs of the senate and house  
3604 committees on ways and means, the senate and house chairs of the joint committee on  
3605 environment, natural resources and agriculture, and the house and senate chairs of the joint  
3606 committee on telecommunications, utilities and energy not later than June 30, 2021.

3607           SECTION 108H. Notwithstanding any general or special law to the contrary, there shall  
3608 be established a special commission to investigate, study and make legislative recommendations  
3609 on the participation of minority business enterprises and women business enterprises in public  
3610 construction projects, including, but not limited to: (i) a review of the efficiency and adequacy of  
3611 current laws and regulations designed to promote diversity; (ii) a review of employment data and



3612 recruitment strategies for public construction projects; and (iii) development of best practices for  
3613 the promotion of diversity and application of such practices to public construction projects. The  
3614 commission shall consist of 19 members, 1 of whom shall be appointed by the governor and who  
3615 shall serve as co-chair; 1 of whom shall be appointed by the attorney general and who shall serve  
3616 as co-chair; 2 of whom shall be members of the senate, 1 of whom shall be appointed by the  
3617 president of the senate and 1 of whom shall be appointed by the minority leader of the senate; 2  
3618 of whom shall be members of the house of representatives, 1 of whom shall be appointed by the  
3619 speaker of the house, and 1 of whom shall be appointed by the minority leader of the house of  
3620 representatives; the commissioner of capital asset management and maintenance or a designee;  
3621 the inspector general or a designee; the chairperson of the Massachusetts Municipal Association,  
3622 Inc. or a designee; the president of the Massachusetts Building Trades Council or a designee; the  
3623 president of the Associated General Contractors of Massachusetts, Inc. or a designee; the  
3624 president of the Building Trades Employers Association of Boston and Eastern Massachusetts,  
3625 Inc. or a designee; the president of Associated Subcontractors of Massachusetts, Inc. or a  
3626 designee; the president of Construction Industries of Massachusetts, Inc. or a designee; the  
3627 president of the Massachusetts AFL-CIO or a designee; 2 representatives of the Massachusetts  
3628 Minority Contractors Association, Inc.; a representative of the Boston chapter of the National  
3629 Association of Women and Construction; and a representative of the Policy Group on  
3630 Tradeswomen's Issues. The commission shall file a report on the results of its study, together  
3631 with its recommendations and any legislation necessary to carry such recommendations into  
3632 effect, with the clerks of the house of representatives and the senate not later than December 31,  
3633 2020.

3634 SECTION 108I. (a) There is hereby established a special commission to examine and  
3635 make recommendations relative to the economic impact of early education and care  
3636 programming in the commonwealth. The commission shall consist of 19 members: 1 of whom  
3637 shall be the commissioner of the department of early education and care, or a designee, and 1 of  
3638 whom shall be the secretary of housing and economic development, or a designee, who shall  
3639 serve as co-chairs; 1 of whom shall be the secretary of education, or a designee; 1 of whom shall  
3640 be a member of the house of representatives appointed by the speaker of the house of  
3641 representatives; 1 of whom shall be a member of the senate appointed by the senate president; 1  
3642 of whom shall be a member of the house of representatives appointed by the minority leader of  
3643 the house of representatives; 1 of whom shall be a member of the senate appointed by the  
3644 minority leader of the senate; 1 of whom shall be the executive director of the Massachusetts  
3645 Association of Early Education and Care, or a designee; 1 of whom shall be the executive  
3646 director of the Massachusetts Association of School Superintendents, Inc., or a designee; 1 of  
3647 whom shall be a representative of the Massachusetts Afterschool Partnership, Inc.; 1 of whom  
3648 shall be the executive director of the Massachusetts Business Roundtable, or a designee; 1 of  
3649 whom shall be the executive director of the Black Economic Council of Massachusetts, Inc., or a  
3650 designee; 1 of whom shall the director of Strategies for Children, Inc. or a designee; 1 of whom  
3651 shall be the president-elect of the Massachusetts Association for the Education of Young  
3652 Children, Inc. or a designee; and 5 of whom shall be appointed by the governor, 1 of whom shall  
3653 be an early educator in a community serving high percentages of low-income children, 1 of  
3654 whom shall be a family child-care provider, 1 of whom shall be a private-pay early education  
3655 and care provider and 2 of whom shall be employers or business leaders with proven records of  
3656 supporting increased access to high quality early education and care programs and services.

3657 (b) In appointing members of the commission, consideration shall be given to race,  
3658 gender, socioeconomic and geographic diversity that is reflective of the early education and care  
3659 workforce and the children and families it serves.

3660 (c) The commission shall consider and report on: (i) the creation of statewide and  
3661 regional hubs in order to foster, support and strengthen early education and care programming  
3662 efforts and needs in partnership with public and private programs and local businesses; (ii) an  
3663 overview and assessment of the current economic landscape of early education and care  
3664 providers in the commonwealth; (iii) recommendations for providing targeted small business and  
3665 economic development support for early education and care providers, including but not limited  
3666 to technical support and loan programs; and (iv) recommendations on ways to strengthen public  
3667 and private efforts and coordination in support of early education and care programming,  
3668 including, but not limited to, establishing tax credits for businesses and employers interested in  
3669 providing childcare benefits to employees.

3670 (d) The chairs of the commission shall hold no fewer than 6 public meetings and ensure  
3671 that the work of the commission incorporates feedback from the early education and care sector,  
3672 and the families and employers the sector serves across the commonwealth. The special  
3673 commission shall submit a report of its findings and recommendations by filing its report with  
3674 the clerks of the house of representatives and the senate, the house and senate committees on  
3675 ways and means, the joint committee on education and the joint committee on economic  
3676 development and emerging technologies, not later than November 1, 2020.

3677 (e) Not later than August 21, 2020, the department of early education and care in  
3678 consultation with the secretary of housing and economic development shall submit a plan to the

3679 house and senate committees on ways and means, the joint committee on education and the joint  
3680 committee on economic development and emerging technologies on how the department will  
3681 provide ongoing support for early education and care programs in the commonwealth in order to  
3682 ensure economic diversity during the commonwealth's recovery efforts in 2020, including  
3683 continued efforts to stabilize those programs serving the commonwealth's most vulnerable  
3684 children and families, including, but not limited to, those serving children and families with  
3685 active cases at the department of children and families. The report shall include an analysis of the  
3686 economic impact any changes to such reimbursement efforts is expected to have on childcare  
3687 providers and the region's local economy, including the recent economic impact on programs  
3688 currently not supported by a state subsidy.

3689           SECTION 108J. There is hereby established along state highway route 62 in the towns of  
3690 Hudson, Berlin, Clinton, Sterling, Princeton, Stow and Maynard, a cultural highway, which shall  
3691 ensure the preservation of the economic, cultural, historical, agricultural and scenic aspects  
3692 unique to the route and its municipalities. The secretary of energy and environmental affairs shall  
3693 establish the exact meets and bounds of the cultural highway and shall develop a program to  
3694 protect the resources within the boundaries of the cultural highway. The program may include,  
3695 but is not limited to, the implementation of conservation restrictions, preservation restrictions,  
3696 agricultural preservation restrictions, watershed preservation restrictions and the establishment of  
3697 historical districts.

3698           SECTION 109. As used in this section, the following words shall, unless the context  
3699 clearly requires otherwise, have the following meanings:

3700 “COVID-19 emergency”, the state of emergency concerning the novel coronavirus  
3701 disease outbreak declared by the governor pursuant to executive order 591 on March 10, 2020.

3702 “Good-faith effort”, an effort by each party upon being present or taking part in the pre-  
3703 eviction mediation conference as required pursuant to subsection (b), to negotiate and agree upon  
3704 a reasonable alternative to eviction.

3705 “Notice of eviction rights and responsibilities form”, a form developed by the executive  
3706 office of housing and economic development pursuant to subsection (e) and approved by the  
3707 chief justice of the housing court.

3708 “Pre-eviction mediation”, a conference with the plaintiff and defendant conducted by a  
3709 housing specialist, as described in section 16 of chapter 185C of the General Laws.

3710 (a) Notwithstanding chapter 186 or chapter 239 of the General Laws, or any other general  
3711 or special law, rule, regulation or order to the contrary, any notice, including a notice to quit,  
3712 requesting or demanding a tenant of a residential dwelling unit to vacate the premises shall, as  
3713 part of said notice, include a notice of eviction rights and responsibilities form. A court having  
3714 jurisdiction over an action for summary process related to said chapter 239, including the Boston  
3715 municipal court department, shall not accept for filing a writ, summons or complaint for entry  
3716 without a copy of the notice of eviction rights and responsibilities form which has been delivered  
3717 to the tenant, with proof of delivery of such notice.

3718 (b) Notwithstanding said chapter 186 or said chapter 239, or any other general or special  
3719 law, rule, regulation or order to the contrary, a court having jurisdiction over an action for  
3720 summary process related to said chapter 239, including the Boston municipal court department,  
3721 shall require pre-eviction mediation prior to an eviction hearing or trial for non-payment of rent

3722 by a tenant of a residential dwelling unit. An eviction hearing or trial for non-payment of rent by  
3723 a tenant of a residential dwelling unit shall not proceed unless the court determines that the  
3724 parties have made a good-faith effort to come to a resolution in a pre-eviction mediation. If the  
3725 court determines the plaintiff did not act in good-faith, the hearing shall be postponed and  
3726 rescheduled for a date 2 weeks from the original trial date, at which time the court shall make a  
3727 new determination as to whether the plaintiff has acted in good-faith. If the court determines the  
3728 defendant did not act in good-faith at the rescheduled hearing, the hearing or trial shall proceed  
3729 as scheduled.

3730 (c) Notwithstanding said chapter 186 or said chapter 239, or any other general or special  
3731 law, rule, regulation or order to the contrary, in an action for nonpayment of rent due to a  
3732 financial impact from the COVID-19 emergency, a tenant, whether at will or under lease, a  
3733 tenant shall have the right to prevent the termination of the tenancy by paying or tendering to the  
3734 landlord or to the landlord's attorney all rent then due, including, interest and costs of such  
3735 action, by the day of the hearing or trial; provided, however, that the tenant shall provide  
3736 documentation and the court shall determine that non-payment of rent was due to a financial  
3737 impact resulting from the COVID-19 emergency.

3738 (d) Notwithstanding subsections (a), (b) and (c) of this section, pre-eviction mediation  
3739 shall not be required in an action against a tenant at sufferance if the landlord has acquired new  
3740 tenants for the residential dwelling for which the action is brought prior to the date of the  
3741 eviction hearing or trial.

3742 (e) The executive office of housing and economic development shall develop a standard  
3743 notice of eviction rights and responsibilities form. The form shall include, but not be limited to,

3744 the following information: (i) a tenant’s right to mediation, including notice that mediation may  
3745 be required; (ii) a tenant’s right to cure, if the eviction is for non-payment of rent; (iii) housing  
3746 consumer education services; (iv) legal services, including contact information; and (v) how to  
3747 transfer a case to housing court, if applicable. The notice of eviction rights and responsibilities  
3748 form shall include, for evictions related to the non-payment of rent, in a fillable format, easy to  
3749 use by the landlord, to provide the following information: (i) the amount owed and the date by  
3750 which the amount shall be furnished to avoid eviction; (ii) attempts taken by the landlord to  
3751 collect payment of rent, including dates and responses from the tenant, if any; (iii) whether the  
3752 tenant provided notice and documentation to the landlord that non-payment of rent was due to a  
3753 financial impact resulting from the COVID-19 emergency; and (iv) any agreements between the  
3754 tenant and landlord for the tenant to repay the landlord for non-payment of rent. The notice shall  
3755 be made available in the 5 most common languages in the commonwealth, in addition to English.

3756 (f) The executive office of housing and economic development shall issue emergency  
3757 regulations and guidance as necessary to implement this section.

3758 SECTION 110. (a) For the purposes of this section, the following words shall, unless the  
3759 context clearly requires otherwise, have the following meanings:

3760 “COVID-19 emergency”, the state of emergency concerning the 2019 novel coronavirus  
3761 disease outbreak declared by the governor pursuant to executive order 591 on March 10, 2020.

3762 “Small business premises unit”, a premises occupied by a tenant for commercial  
3763 purposes; provided, however that “small business premises unit” shall not include a premises  
3764 occupied by a tenant if the tenant or a party that controls, is controlled by or is in common

3765 control with the tenant: (i) operates multi-state; (ii) operates multi-nationally; (iii) is publically  
3766 traded; or (iv) has no fewer than 150 full-time equivalent employees.

3767 (b) There shall be a Distressed Restaurant Trust Fund. The secretary of the executive  
3768 office of housing and economic development shall be trustee of the fund and shall expend money  
3769 in the fund to address the financial impacts of the COVID-19 emergency on distressed  
3770 restaurants in the commonwealth. There shall be credited to the fund: (i) revenue transferred  
3771 pursuant to section 14 of chapter 23N; (ii) any interest earned on money in the fund; and (iii) any  
3772 gifts, grants or private contributions. Money deposited in the fund that is unexpended at the end  
3773 of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the  
3774 subsequent fiscal year.

3775 (c) Money in the fund shall be expended for a competitive one-time grant program to  
3776 assist distressed restaurants in the commonwealth financially impacted by the COVID-19  
3777 emergency; said assistance shall include: (i) rental assistance for restaurants in small business  
3778 premises units; and (ii) mortgage assistance for restaurants located on a property that is owner  
3779 occupied; provided, that the cost of rent or mortgage payment constitutes 10 per cent or more of  
3780 a restaurant's revenue, based on the restaurant's 2019 total revenue and rent or mortgage  
3781 payments; provided, further, the maximum amount each restaurant is eligible for rent or  
3782 mortgage expenses under the fund is 7 per cent of the restaurant's 2019 total revenue. Money  
3783 from the fund shall also be expended to provide other support to restaurants, including: (i)  
3784 insurance costs; (ii) payroll expenses; (iii) past due payment orders for supplies, goods or  
3785 services used by the restaurant; and (iv) procuring personal protective equipment. No recipient  
3786 shall receive more than \$15,000 for assistance under said one time grant program for distressed  
3787 restaurants.



3788 (d) The executive office of housing and economic development shall determine criteria to  
3789 evaluate financial needs of distressed restaurants; provided, that the criteria shall prioritize small  
3790 business owners financially impacted by the COVID-19 emergency; provided further, that the  
3791 criteria shall promote the continued operation of restaurants in diverse locations throughout the  
3792 commonwealth.

3793 (e) Not later than October 1, 2021 and October 1, 2022, the secretary of the executive  
3794 office of housing and economic development shall provide a report of the funds used to support  
3795 distressed restaurants, including a breakdown of expenditures. The report shall also include a  
3796 breakdown of the demographic information, including, but not limited to, race, gender and age,  
3797 using non-identifying information of the recipients of the grant program. The report shall be  
3798 provided the clerks of the house of representatives and the senate, the house and senate  
3799 committees on ways and means, the joint committee on economic development and emerging  
3800 technologies and the joint committee on tourism, arts and cultural development.

3801 SECTION 111. There is hereby established a special legislative commission pursuant to  
3802 section 2A of chapter 4 of the General Laws to examine and make recommendations on  
3803 addressing the recovery of the cultural and creative sector, including the arts, humanities and  
3804 sciences, as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19,  
3805 and the effects of the governor's March 10, 2020 declaration of a state of emergency pursuant to  
3806 executive order 591. The special commission shall review and develop recommendations and  
3807 best practices for the recovery, promotion and continued growth and vitality of the cultural and  
3808 creative sector in the commonwealth. The special legislative commission shall meet no fewer  
3809 than 4 times, in diverse locations throughout the commonwealth.

3810           The commission shall consist of the following 13 members: the house and senate chairs  
3811 of the joint committee on tourism, arts and cultural development, who shall serve as co-chairs;  
3812 the executive director of the Massachusetts cultural council or a designee; the executive director  
3813 of MassCreative, Inc. or a designee; 1 member of the commonwealth association of museums; 1  
3814 member of the educational theatre association; and 7 members to be appointed by the co-chairs:  
3815 2 of whom shall be representatives from 2 different designated cultural districts in the  
3816 commonwealth; and 5 artists from different disciplines and sectors, including the arts, humanities  
3817 and sciences. All appointments shall be made not later than 30 days after the effective date of  
3818 this act. The commission shall convene its first meeting not later than 60 days after the effective  
3819 date of this act.

3820           The commission shall examine ways to increase recovery and promote remote operations  
3821 and programming in the commonwealth, including, challenges maintaining and operating  
3822 programming, including, training staff, developing new creative work regardless of format,  
3823 barriers in reopening physical locations and maintaining a virtual presence, strategies for  
3824 increased marketing and strategies for cross-promotional partnerships with other industries,  
3825 including the hospitality industry.

3826           The chairs of the commission shall work to facilitate information and data requests of the  
3827 commission members, ensure that the work of the commission incorporates feedback from the  
3828 cultural and creative sector statewide and coordinate cooperation throughout the review. The  
3829 commission shall submit a report of its review and its recommendations, together with drafts of  
3830 legislation, if any, necessary to carry out the recommendations of the commission by filing the  
3831 same with the clerks of the house of representatives and the senate, the house and senate

3832 committees on ways and means and the joint committee on tourism, arts and cultural  
3833 development, not later than June 30, 2021.

3834 SECTION 112. The Massachusetts office of business development shall accept  
3835 applications for approval as a rural growth fund as required under subsection (c) of section 38II  
3836 of chapter 63 of the General Laws not more than 90 days after the effective date of this act.

3837 SECTION 112A. Tenants required to be appointed to housing authority boards pursuant  
3838 to the fourth and fifth paragraph of section 5 of chapter 121B of the General Laws, as appearing  
3839 in section 62B, shall be implemented within 90 days after the effective date of this act.

3840 SECTION 112B. On the effective date of this act, a housing authority may request a  
3841 waiver of the requirement to appoint a tenant member to a housing authority board pursuant to  
3842 section 5 of chapter 121B of the General Laws if a person who is eligible to be a tenant member  
3843 is already serving as either an elected member or a member appointed to fill a vacancy by the  
3844 board of selectmen. The waiver shall be valid for 1 year and may be renewed for successive 1-  
3845 year terms until the expiration of the current tenant member's term or until the that member  
3846 vacates the position and, at that time, the board of selectmen shall appoint a tenant member  
3847 pursuant to said section 5 of said chapter 121B.

3848 SECTION 112C. Any votes taken by a local housing authority and any votes taken by a  
3849 town with respect to a local housing authority between August 6, 2014 and the effective date of  
3850 this act are hereby ratified, validated and confirmed, notwithstanding the number of elected  
3851 members on the local housing authority board.

3852 SECTION 112D. (a) Notwithstanding any general or special law to the contrary, not later  
3853 than October 1, 2020, the Massachusetts gaming commission, established in chapter 23K of the

3854 General Laws, shall submit a report on the status of region C, as defined in section 19 of said  
3855 chapter 23K, to the speaker of the house of representatives, the president of the senate, the  
3856 minority leaders of the house of representatives and senate, the chairs of the house and senate  
3857 committees on ways and means, the chairs of the joint committee on economic development and  
3858 emerging technologies and the clerks of the house of representatives and the senate.

3859 (b) The report shall include, but not be limited to: (i) an evaluation of economic  
3860 conditions within region C and surrounding areas with respect to the region's ability to sustain a  
3861 category 1 gaming establishment; (ii) an evaluation of the likelihood of an applicant for a  
3862 category 1 license to be able to offer convincing evidence that it could provide value to region C,  
3863 as required by said section 19 of said chapter 23K; and (iii) the probability of the submission of  
3864 an application for a category 1 license in region C prior to January 1, 2024.

3865 SECTION 112E. Any approvals issued pursuant to section 108C shall automatically  
3866 revert back to their status prior to the approval of the change for expansion of outdoor table  
3867 service on November 30, 2020.

3868 SECTION 112F. Amended licenses issued by local licensing authorities pursuant to  
3869 section 108D shall automatically revert back to their status prior to the approval of the change in  
3870 the description of a licensed premises on November 30, 2020.

3871 SECTION 112G. Section 108A shall take effect on August 1, 2020.

3872 SECTION 113. Section 109 shall take effect on October 17, 2020.

3873 SECTION 114. Section 109 is hereby repealed.

3874 SECTION 115. Section 110 is hereby repealed.

3875 SECTION 116. Section 14 of chapter 23N of the General Laws is hereby repealed.

3876 SECTION 117. Section 12 of chapter 490 of the acts of 1980 is hereby repealed.

3877 SECTION 118. Section 114 shall take effect on June 1, 2021.

3878 SECTION 119. Sections 15 to 23, inclusive, sections 32, 45 and 46, and sections 105 and  
3879 106, shall take effect 90 days after enactment.

3880 SECTION 120. Sections 49 to 52, inclusive, section 54, section 56, sections 58 to 60,  
3881 inclusive, shall apply to tax years beginning on or after January 1, 2021.

3882 SECTION 121. Sections 8, 115, and 116 shall take effect on January 1, 2023.

3883 SECTION 122. Sections 55 and 57 shall take effect on January 1, 2026.

3884 SECTION 123. Section 1. Chapter 6C of the General Laws is hereby amended by adding  
3885 the following section:-

3886 Section 77. (a) As used in this section, the following words shall have the following  
3887 meanings:

3888 “Executive director”, the executive director of the office of travel and tourism.

3889 “Secretary”, the secretary of the Massachusetts Department of Transportation.

3890 (b) Notwithstanding any general or special law to the contrary, the secretary, in  
3891 conjunction with the executive director, shall develop and implement a Women’s Rights History  
3892 Trail program, which shall include designating properties and sites that are historically and  
3893 thematically associated with the struggle for women’s rights and women’s suffrage. Said

3894 program shall promote education and awareness of the struggle for women’s rights in the  
3895 commonwealth.

3896 (c) The secretary and executive director shall produce and disseminate appropriate  
3897 educational materials regarding the trail program, which may include handbooks, maps, exhibits,  
3898 uniform signs, interpretive guides and electronic information.

3899 (d) The executive director shall develop vacation itineraries based on the Women’s  
3900 Rights History Trail program, which shall identify surrounding attractions, restaurants, farms,  
3901 lodging and other exhibits or places of entertainment as may be a part of the historical theme  
3902 linking the properties and sites in the Women’s Rights History Trail program.

3903 (e) The secretary may erect and maintain signs on the state highway system or trails  
3904 designated pursuant to this section; provided that any trail designation shall be of a ceremonial  
3905 nature and the official names of such highways shall not be changed as a result of such  
3906 designations.

3907 (f) In developing and implementing the Women’s Rights History Trail program, the  
3908 secretary shall consider the recommendations of the Women’s Rights History Trail Task Force  
3909 of 2020-2021.

3910 Section 2. There shall be established, pursuant to section 2A of chapter 4 of the General  
3911 Laws, the Women’s Rights History Trail Task Force of 2020-2021 to research, solicit public  
3912 input and make recommendations for sites, properties and attractions to be included in the  
3913 Women’s Rights History Trail program established pursuant to section 1. The task force shall  
3914 consider, in making such recommendations, sites that (i) are historically and thematically  
3915 associated with the struggle for women’s rights and women’s suffrage; (ii) are geographically

3916 diverse; and (iii) commemorate individuals who reflect racial, ethnic, cultural and economic  
3917 diversity.

3918           The task force shall consist of the following 13 members: the house and senate chairs of  
3919 the joint committee on tourism, arts, and cultural development, who shall serve as co-chairs of  
3920 the task force; 1 person to be appointed by the speaker of the house of representatives; 1 person  
3921 to be appointed by the president of the senate; the minority leader of the house of representatives,  
3922 or their designee; the minority leader of the senate, or their designee; the house and senate chairs  
3923 of the Massachusetts Caucus of Women Legislators, or their designees; the secretary of the  
3924 Massachusetts Department of Transportation, or their designee; the executive director of the  
3925 Massachusetts office of travel and tourism, or their designee; the executive director of the  
3926 commission on the status of women, established pursuant to section 66 of chapter 3 of the  
3927 General Laws; 1 person to be appointed by the commission on the status of women, established  
3928 pursuant to said section 66 of said chapter 3; and a representative of the Massachusetts Historical  
3929 Society.

3930           The task force shall submit its findings and recommendations with the clerks of the house  
3931 of representatives and senate not later than July 31, 2021.