

# SENATE . . . . . No. 2750

---

## The Commonwealth of Massachusetts

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

SENATE, June 8, 2020.

The committee on Children, Families and Persons with Disabilities to whom was referred the petition (accompanied by bill, Senate, No. 44) of James B. Eldridge, Denise Provost, Bruce E. Tarr and Mary S. Keefe for legislation to promote financial stability and asset development, reports the accompanying bill (Senate, No. 2750).

For the committee,  
Sonia Chang-Diaz

# SENATE . . . . . No. 2750

---

## The Commonwealth of Massachusetts

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

An Act promoting access, agency, connectivity, efficiency, & safety to fight the spread of COVID19.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to access, agency, connectivity, and equitable care in order to maintain the health, education, and overall welfare of the Commonwealth's most vulnerable residents, , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

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

1           SECTION 1. Section 3 of chapter 117A of the General Laws, as appearing in the 2018  
2   Official Edition, is hereby amended by striking out, in line 4, the following words:- or who  
3   would be eligible under chapter one hundred and eighteen but for income or assets.

4           SECTION 2. Said section 3 of said chapter 117A, as so appearing, is hereby further  
5   amended by inserting after the second sentence the following sentence:- Notwithstanding any  
6   general or special law to the contrary, eligibility for this program shall not be subject to income  
7   or asset limits.

8           SECTION 3. Subsection (b) of section 110 of chapter 5 of the acts of 1995 as most  
9   recently amended by section 62 of chapter 41 of the acts of 2019 is hereby amended by striking

out the second paragraph of said subsection (b) and inserting in place thereof the following paragraph:-

(b) A family shall be eligible for assistance without regard to the amount of its resources; provided, however that any income generated by said resources may be treated as countable income.

SECTION 4. Section 18 of said chapter 118, as so appearing, is hereby amended by inserting after the second sentence the following sentence:- Funds from state or private work study programs and state grants for education or training shall not be counted as income or resources when calculating a recipient's eligibility for the program or determining benefits levels.

SECTION 5. Notwithstanding any general or special law or rule or regulation to the contrary, the Commissioner of the department of transitional assistance shall take immediate action to ensure that all eligible Lifeline households are enrolled in the Lifeline program during the COVID-19 state of emergency. This action shall include, but is not limited to sending by mail, text, or electronic delivery the application for and any other the information needed to apply to the Lifeline program to all DTA program participants.

SECTION 6. Section 12 of Chapter 159 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (d) the following:-

Section 12. (e) The administration of the federal Lifeline program established by 47CFR § 54.401. The department shall have the authority to engage in negotiations with carriers of the Lifeline program for the purpose of providing increased service and other benefits to Lifeline customers.

SECTION 7. Notwithstanding any general or special law or rule or regulation to the contrary, the department of telecommunications and cable shall immediately undertake negotiations with the current carriers within the Commonwealth of the Lifeline program, established in 47CFR § 54.401, for the purpose of implementing an additional state subsidy. In order to receive the additional state subsidy, Lifeline carriers shall implement the following; provide unlimited minutes and data during the state of emergency and for 30 days thereafter to all existing customers and eligible Lifeline applicants, and waive any existing regulations that limit to one the number of free devices a household can receive in their duration as a Lifeline customer.

The Commissioner of the Department of Telecommunications and Cable shall submit within one week of the effective date of this act a report to the Legislature and the Joint Committees on Ways & Means and Children, Families and Persons with Disabilities. Said report shall include, but not be limited to, the carriers that have participated in the negotiations, the additional subsidy level necessary to provide Lifeline participants with unlimited minutes and data for the state of emergency plus 30 days, the parameters needed to establish a stand-alone state Lifeline program, including state-specific eligibility standards, a detailed plan for disseminating Lifeline phone devices to eligible households, and the earliest timeline in which customers could start receiving such benefit.

SECTION 8. As soon as is practical, but in any event no later than May 31, 2020, the department of housing and community development shall establish in consultation with program administrators a uniform, comprehensive, and encrypted where necessary, system for permitting all program applications and necessary documents to be available, completed, and submitted online, by phone, or by such other method that does not require in-person or mail delivery; and

shall accept electronic documents and files for review purposes as well as storage requirement. During the state of emergency declared on March 10, 2020, the department shall create and publish goals for the number of shelter beds per capita in facilities that have the capacity to operationalize social distancing, isolation, and quarantine, and shall publish targets for the requisite number of such shelter beds for each county of the Commonwealth.

SECTION 9. Chapter 23B of the General Laws of 2018 Official Edition is hereby amended by inserting the following section:-

Section 31. Upon the declaration of a state of emergency the Department of Housing and Community Development, hereinto known as the department, shall cease from terminating all existing and eligible emergency assistance shelter program benefits. Furthermore, the department shall use its authority to allow applicants to self-certify documentation verifying their eligibility for shelter pursuant to 760 CMR 67.02 and 760 CMR 67.06. The department shall waive the existing twelve month ban on re-entering emergency assistance for those who meet all other eligibility requirements for shelter pursuant to 760 CMR 67.02 and 760 CMR 67.06. The department shall implement the program changes during the state of emergency and for at least 90 days thereafter.

SECTION 10. Chapter 18 of the General Laws of 2018 Official Edition is hereby amended by inserting the following section:-

Section 40. The department shall not take any negative case actions, including but not limited to reducing the benefit amount, closing a case, or reducing work expense deductions for participants in any departmental program, excepting any negative case action mandated pursuant

76 to federal guidelines, based on failure to meet work program requirements, pursuant to Section  
77 13 of Chapter 118.

78 SECTION 11. Upon activation of this section either by executive order during a declared  
79 state of emergency or by a vote of the legislature during a declared state of emergency, all  
80 individuals and families who receive for Transitional Aid for Families with Dependent Children  
81 or Emergency Aid for the Elderly, the Disabled, and Children under Chapter 117A and Chapter  
82 118 shall qualify for a one-time additional payment equivalent to the maximum monthly benefit  
83 level for their household size in effect prior to said emergency declaration. Nothing in this  
84 section shall be construed to limit the legislature from allocating additional emergency assistance  
85 to individuals or families referenced herein.

86 SECTION 12. Section 40 of Chapter 18, as so appearing, is hereby activated for the  
87 COVID-19 state of emergency declared on March 10, 2020.