SENATE . . . . . . . . . . . . . . . . . . . . . . . No. 2874

Senate, July 29, 2020 – Text of the Senate amendment to the House Bill enabling partnerships for growth (House, No. 4887) (being the text of Senate, No. 2842, printed as amended)

The Commonwealth of Massachusetts

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

SECTION 1. To provide for a program of economic development and job creation, the sums set forth in sections 2 and 2A, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds; provided, however, that the amounts specified in an item or for a particular project may be adjusted in order to facilitate projects authorized in this act. These sums shall be in addition to any amounts previously authorized and made available for these purposes.

SECTION 2.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

7002-8000 For the program administered by the Massachusetts Development Finance Agency for site assembly, site assessment, predevelopment permitting and other predevelopment and marketing activities that enhance a site’s readiness for commercial, industrial or mixed-use development; provided, that a portion of the funds shall be used to facilitate the expansion or replication of successful industrial parks............................................................$15,000,000
7002-8001 For the Massachusetts Growth Capital Corporation established in section 2 of chapter 40W of the General Laws for a program to provide matching grants to community development financial institutions certified by the United States Treasury or community development corporations certified under chapter 40H of the General Laws to enable the community development financial institution or community development corporation to leverage federal or private investments for the purpose of making loans and grants to small businesses, including, but not limited to, businesses owned by women, veterans, minorities and immigrants; provided further, that the program shall prioritize socially or economically disadvantaged businesses, which may include, but shall not be limited to, minority-owned and immigrant-owned small businesses, that have historically faced obstacles accessing capital and have been disproportionately impacted by the 2019 novel coronavirus pandemic........................$35,000,000

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

7002-8003 For the Massachusetts Technology Park Corporation established by section 3 of chapter 40J for matching grants that support collaboration among manufacturers located in the commonwealth and institutions of higher education, non-profits and other public or quasi-public entities; provided, that eligible grantees shall include, but not be limited to, participants in the Manufacturing USA institutes established under the National Network for Manufacturing Innovation; and provided further, that grants shall be awarded and administered consistent with the strategic goals and priorities of the advanced manufacturing collaborative established by section 10B of chapter 23A………………………………………….$10,000,000
7002-8004  For projects receiving assistance from the Technology Research and Development and Innovation Fund established by section 4G of chapter 40J of the General Laws…………………………………………………………………………………$50,000,000

7002-8027  For a competitive program of grants or other financial assistance to support economic development, job creation and housing and climate resilience initiatives, including nature-based solutions projects that incorporate these elements for the public purpose of promoting economic opportunity and prosperity in small towns or rural areas of the commonwealth; provided, that such financial assistance may be offered to a municipality or other public entity, a community development corporation, non-profit entity or for-profit entity; provided further, that such financial assistance shall support a project located in a municipality with a population of not more than 7,000 year-round residents or a population density of not more than 500 persons per square mile; provided further, that financial assistance offered pursuant to this line item may be administered by the executive office through a contract with the Massachusetts Development Finance Agency established by section 2 of chapter 23G; and provided further, that the administering agency may establish additional program requirements through regulations or policy guidelines…$20,000,000

7002-8028  For the Massachusetts Growth Capital Corporation established in section 2 of chapter 40W of the General Laws to provide grants to low-income and moderate-income entrepreneurs to acquire, expand, improve or lease a facility, to purchase or lease equipment or to meet other capital needs of a business with not more than 20 employees and annual revenues not exceeding $2,500,000; including alternative energy generation projects; provided further, that grants may be used for capital projects or equipment purchases necessary to uphold public health and social distancing protocols for customers and staff related to the 2019 novel coronavirus
pandemic; provided, that preference shall be given to businesses located in low-income or
moderate-income areas or socially and economically disadvantaged businesses, which shall
include, but shall not limited to, minority-owned, women-owned, immigrant-owned and veteran-
owned businesses; and provided further, that prioritization in awarding grants shall be given to
businesses that have been disproportionately impacted by the 2019 novel coronavirus
pandemic...................................................................................................................$20,000,000

7002-8029 For a competitive grant program administered by the office of travel and
tourism to provide tourism and cultural marketing funds to businesses and regional tourism
councils for the purpose of promoting and advertising in-state tourism in order to create jobs,
support tourism-related businesses in the commonwealth and stimulate the state and local
economies of the commonwealth; provided, that not less than $4,000,000 shall be allocated to
regional tourism councils in order to provide regional advertising, public relations and other
marketing initiatives that will promote in-state tourism and encourage the upholding of necessary
public health and social distancing protocols relative to the 2019 novel coronavirus
pandemic...................................................................................................................$10,000,000

7002-8031 For a program to provide assistance to projects that will improve,
rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
public purposes of eliminating blight, increasing housing production, supporting economic
development projects, increasing the number of commercial buildings accessible to persons with
disabilities and conserving natural resources through the targeted rehabilitation and reuse of
vacant and underutilized property; provided, that such assistance shall take the form of a grant or
a loan provided to a municipality or other public entity, a community development corporation,
non-profit entity or for-profit entity; provided further, that eligible uses of funding shall include,
but not be limited to, improvements and additions to or alterations of structures and other
facilities necessary to comply with requirements of building codes, fire or other life safety codes
and regulations pertaining to accessibility for persons with disabilities, where such code or
regulatory compliance is required in connection with a new commercial residential or civic use
of such structure or facility, and the targeted removal of existing underutilized structures or
facilities to create or activate publicly-accessible recreational or civic spaces; provided further,
that funding shall be awarded on a competitive basis in accordance with guidelines developed by
the agency; provided further, that financial assistance offered pursuant to this line item may be
administered by the executive office through a contract with the Massachusetts Development
Finance Agency established by section 2 of chapter 23G; provided further, that the executive
office or the Massachusetts Development Finance Agency may establish additional program
requirements through regulations or policy guidelines; provided further, that financial assistance
offered pursuant to this item shall be awarded, to the extent feasible, in a manner that reflects
geographic and demographic diversity within the commonwealth; and provided further, that
program funds may be used for the reasonable costs of administering the program not to exceed
5 per cent of the total assistance made during the fiscal year …………………..$40,000,000

7002-8032 For grants and technical assistance to be made to municipalities and regional
applicants to support planning and locally-driven initiatives related to community development,
housing production, workforce training and economic opportunity, childcare and early education
initiatives and climate resilience initiatives, including nature-based solutions projects, that
incorporate these elements within individual communities, regions or a defined subset of
communities therein ………………….. $10,000,000
For an employment social enterprise capital grant program to be administered by the executive office of housing and economic development, in consultation with the executive office of labor and workforce development, for the development of eligible facilities for non-profit employment social enterprises that sell goods and services and enhance economic development; provided, that eligible applicants shall be non-profit organizations operating employment social enterprises targeting individuals facing significant barriers to employment; provided further, that grants to non-profits shall support costs associated with the acquisition of real property, the design, construction, repair, rehabilitation or renovation of an eligible facility and soft costs directly related to the development of an eligible facility; provided further, that eligible employment social enterprises shall offer paid employment opportunities to low-income individuals, with priority to socially and economically disadvantaged populations who experience complex needs and barriers to employment that require intensive interventions; provided further, that eligible organizations shall provide the following services for targeted individuals as an integrated part of their paid employment in a social enterprise: (i) outreach to targeted populations; (ii) on-the-job training and skill development, including worksite supervision and performance coaching; (iii) comprehensive supportive services for at least 1 year, including, but not limited to, case management, aimed at helping to overcome barriers to employment; (iv) assistance to obtain external employment; and (v) job retention services; provided further, that prioritization for grant awards shall be given to organizations: (a) targeting low-income communities specifically aimed at reducing social and economic inequities, including, but not limited to, inequities affecting individuals who have faced racial or ethnic prejudice; (b) serving high-risk populations that can demonstrate a significant social return on investment; and (c) providing goods and services that can demonstrate a positive community or
environmental impact; and provided further, that not less than $2,700,000 shall be expended to
UTEC, Inc. for costs associated with the acquisition, design, construction and renovation of
buildings to provide programming, training, instruction, manufacturing, distribution, retail or
storage for the purpose of providing a pathway to social and economic success for high-risk
young adults.................................................................$27,700,000

7002-8034 For a program to provide financial and capital assistance to restaurants
impacted by the 2019 novel coronavirus; provided, that said program shall be administered by
the executive office of housing and economic development; provided further, that grants may be
used for, but shall not be limited to, capital projects or equipment purchases necessary to uphold
necessary public health and social distancing protocols for customers and staff related to the
2019 novel coronavirus pandemic; provided further, that grants may be used for, but shall not be
limited to, employee payroll and benefit costs, mortgage interest, rent, utilities and interest on
other debt obligations; and provided further, that the executive office shall prioritize
independently owned and operated restaurants, seasonal restaurants and geographic equity when
establishing the program criteria ...............$20,000,000

7002-8036 For local economic development projects; provided further, that not less
than $5,000,000 shall be expended to the New England Aquarium Corporation for costs
associated with the preparation of plans, studies and specifications, repairs, construction,
renovations, maintenance, asset management and demolition and other capital improvements
including those necessary for the operation of facilities operated by the New England Aquarium
Corporation on Central wharf in the city of Boston; provided further, that not less than $500,000
shall be expended to the Boch Center for capital improvements needed to safely reopen the
Wang and Shubert theatres located in the city of Boston; provided further, that not less than
$5,000,000 shall be expended to the Commonwealth Zoological Corporation established under section 2 of chapter 92B of the General Laws for costs associated with the preparation of plans, studies and specifications, repairs, construction, renovations, maintenance, asset management and demolition and other capital improvements, including those necessary for the operation of facilities operated by Zoo New England; provided further, that not less than $2,500,000 shall be used for construction and be required to have a one-to-one match; provided further, that Zoo New England shall provide a matching amount equal to $1 for every $1 disbursed from this item; provided further, that not less than $500,000 shall be expended for the department of veterans' services to develop and operate a 3-year pilot program to assist veterans and members of the Massachusetts National Guard in transitioning their military skill sets into civilian skill sets; provided further, that the program shall focus on priorities including, but not limited to: (i) assisting veterans and members of the Massachusetts National Guard in navigating applicable professional licensure requirements; (ii) providing analysis of veterans' and members' of the Massachusetts National Guard current skill sets; and (iii) matching military skill sets with civilian workforce skill sets, particularly in those areas of the civilian workforce with a need for additional skilled workers; provided further, that the department shall submit annual reports to the clerks of the senate and the house of representatives, the joint committee on veterans and federal affairs, the joint committee on labor and workforce development and the house and senate committees on ways and means detailing the results of the pilot program, including, but not limited to: (A) the number of veterans placed in civilian jobs; (B) the number of women veterans participating in the program; (C) the types of jobs veterans were placed in; (D) the number of veterans who required assistance with navigating professional licensure requirements; (E) the efficacy of the pilot program in assisting veterans in finding civilian employment; and (F)
an analysis of remaining barriers facing veterans transitioning to civilian jobs; provided further, that at the conclusion of the 3-year pilot program, the annual report shall also include any draft legislation or recommendations for funding to continue or improve the program; provided further, that not less than $300,000 shall be expended for the removal of a blighted structure on Main street, in the town of Ware; provided further, that not less than $250,000 shall be expended for Springfield Neighborhood Housing Services, Inc. in the city of Springfield for capitalization of the revolving loan funds program; provided further that not less than $250,000 shall be expended for Revitalize CDC in the city of Springfield for the GreenNFit Neighborhood Rebuild program; provided further, that not less than $200,000 shall be expended for improvements to telecommunications and electric infrastructure in order to facilitate the extension of internet service infrastructure to properties on Pamet Point road, Old County road and Bound Brook Island road in the towns of Wellfleet and Truro; provided further, that not less than $500,000 shall be expended in equal amounts to the towns of Avon, Braintree, Canton, East Bridgewater, Easton, Milton, Randolph, Sharon, Stoughton and West Bridgewater for local economic development projects; provided further, that not less than $400,000 shall be equally expended for business development, infrastructure and streetscape improvements to the towns of Abington, Holbrook, Rockland and the city known as the town of Braintree; provided further, that not less than $500,000 shall be expended for costs associated with establishing a health and life science center at Greenfield Community College, including, but not limited to, design and engineering studies, that will support the expansion of the health science workforce; provided further, that not less than $100,000 shall be expended for business development, infrastructure and streetscape improvements in Wollaston center in the city of Quincy; provided further, that not less than $500,000 shall be expended for a downtown trolley implementation pilot program between the
city of Peabody and the city of Salem; provided further, that $55,000 shall be expended to
Lazarus House, Inc., for the construction, reconstruction and renovation of the Holly Street
Shelter to support self-sufficiency and housing stability; provided further, that not less than
$1,000,000 shall be expended for the University of Massachusetts at Amherst to establish new
testing and piloting facilities and upgrade existing facilities and equipment for the advancement
of water technology and testing; provided further, that $100,000 shall be expended to Lazarus
House, Inc. for renovations to their soup kitchen to improve their respite and supportive services
for the purpose of providing a pathway to social and economic success to low-income or
homeless residents of the Greater Merrimack Valley; provided further, that not less than
$100,000 shall be expended for urban and community forestry greening in the city of Malden;
provided further, that not less than $300,000 shall be expended for the department of housing
and community development to create a Cape Cod and Islands Covid-19 Workforce Housing
Relief Fund to be managed and administered by the Housing Assistance Corporation to provide
funds for any combination of property acquisition, soft costs or gap construction funding in order
to develop housing for low-to-moderate income year-round residents of Cape Cod, Martha's
Vineyard and Nantucket; provided further, that said fund shall have funds available for
expenditure for fiscal years 2021 to 2026, inclusive, based on a plan to be submitted by the
Housing Assistance Corporation in consultation with the Falmouth Housing Trust, Inc., the
Lower Cape Community Development Corporation, the Cape Cod commission, the Martha's
Vineyard commission, the town of Nantucket, the Island Housing Trust Corporation and
Housing Nantucket; provided further, that not less than $250,000 shall be provided to the
Community Development Corporation of Southern Berkshire, Inc. for the remediation of 100
Bridge street in the town of Great Barrington; provided further, that not less than $200,000 shall
be expended for the Berkshire Family Young Men’s Christian Association, Inc. in the city of Pittsfield for facility renovations; provided further, that not less than $50,000 shall be provided to the Senior Center Consortium representing the towns of Ashfield, Buckland and Shelburne and the western Franklin county region for the project management and design of the renovation and expansion of the senior center in the village of Shelburne Falls; provided further, that not less than $100,000 shall be expended for the planning, design and construction of municipal buildings in the town of Wilmington; provided further, that not less than $100,000 shall be expended for economic development improvements on the state highway route 113 corridor located in the towns of Groveland and West Newbury; provided further, that not less than $350,000 shall be expended for the town of Falmouth to administer a grant program to support small businesses in reopening and resuming their operations by assisting in paying costs associated with rent, utilities, staffing, insurance and the cost of required personal protection equipment; provided, that not less than $250,000 shall be expended for Project Mission, a non-profit organization dedicated to build and advance financial empowerment and self reliance among Latino and immigrant families; provided further, that not less than $275,000 shall be expended to the Newton Housing Authority in the city of Newton for the purpose of replacing in-unit natural gas appliances, including stoves, ranges, dryers and water heaters, with electric appliances; provided further, that not less than $250,000 shall be expended for a feasibility study to identify an optimal location and operational model for a parking structure within the transit-oriented development district in the downtown section of the city of Attleboro; provided further, that not less than $250,000 shall be expended for the demolition, cleanup and development of the former Attleboro Dye Works site located on Maple avenue adjacent to the Ten Mile river in the town of Seekonk; provided further, that not less than $200,000 shall be expended to the
Brookline Housing Authority in the town of Brookline for the purpose of modernizing kitchens including replacement of in-unit natural gas appliances, including stoves, ranges, water heaters and dryers, with electric appliances; provided further, that not less than $75,000 shall be expended to the Wellesley Housing Authority in the town of Wellesley for the purpose of replacing in-unit natural gas appliances, including stoves, ranges, water heaters and dryers, with electric appliances; provided, that not less than $5,000,000 shall be transferred to the aquaculture innovation fund within the department of agricultural resources established in section 125 of chapter 128 of the General Laws; provided further, that not less than $200,000 shall be expended for tourism development, including, but not limited to, signage and pedestrian accommodations, in the towns of Essex, Manchester-by-the-Sea and Rockport and the city of Gloucester; provided further, that not less than $500,000 shall be expended to Salisbury Beach Partnership, Inc., a 501(c)(3) nonprofit organization, for the purchase and restoration of the historic carousel at Salisbury beach in the town of Salisbury; provided further, that not less than $165,000 shall be expended for the planning, purchase and installation of electric vehicle charging stations in the town of Bedford; provided further, that not less than $165,000 be expended for the planning, purchase and installation of electric vehicle charging stations in the city of Waltham; provided, that not less than $165,000 shall be expended for the planning, purchase and installation of electric vehicle charging stations in the town of Carlisle; provided further, that not less than $500,000 shall be expended for the Massachusetts Biomedical Initiatives, Inc. to support academic-based research and development, to raise scientific awareness and to support initiatives to increase diversity in the fields of life sciences and biotechnology; provided further, that not less than $75,000 shall be expended for the Pilgrim Hall museum in the town of Plymouth to support necessary capital improvements; provided further, that not less than $500,000 shall be
expended to the city of Boston for activation, beautification and enhancements of public spaces in commercial districts and for the expansion of the ReStore program to include indoor improvements and capital needs for small businesses associated with reopening during the 2019 novel coronavirus; provided further, that not less than $75,000 shall be expended for the Plymouth Antiquarian Society to support necessary capital improvements; provided further, that not less than $300,000 shall be expended to the town of Maynard for traffic control measures at the Assabet River rail trail crossing; provided further, that not less than $325,000 shall be expended to the Neponset River Regional Chamber for businesses in the town of Norwood that were impacted by the June 28, 2020 rainstorm; provided further, that not less than $1,000,000 shall be expended to the city of Newton for the construction of the Newton Center for Active Living; provided further, that not less than $125,000 shall be expended for the Bussey Brook Boardwalk as part of the Roslindale Gateway Path project located in the Roslindale section of the city of Boston; provided further, that not less than $50,000 shall be expended for the Roslindale Village Main Street, Inc. Wayfinding and Placemaking Initiatives located in the Roslindale section of the city of Boston; provided further, that not less than $500,000 shall be expended to the department of housing and community development to distribute as grants to any provider of temporary housing assistance, including, but not limited to, family shelters, shelters for adults, hotels or motels used for emergency shelter, emergency apartments, domestic violence shelters, runaway and homeless youth shelters or safe houses for refugees, for the purpose of providing and installing dispensers for disposable menstrual products, including, but not limited to, sanitary napkins, tampons and panty liners at no cost to menstruating individuals; provided further, that the products shall be available in a convenient manner that does not stigmatize any persons seeking such products; provided further, that not less than $100,000 shall
be expended for an economic development grant for the downtown area in the town of North Reading; provided further, that not less than $125,000 shall be expended for costs associated with the vocation technical training program at the Blackstone Valley Education Hub; provided, that not less than $100,000 shall be expended for costs associated with the renovation of the Milford Area Chamber of Commerce office and the purchase of equipment, computers and software; provided further, that not less than $500,000 shall be expended equally to the city of Worcester and the towns of Auburn, Grafton, Leicester, Millbury, Northbridge, Shrewsbury and Upton for economic development purpose; provided further, that not less than $100,000 shall be expended to the town of Hudson for improvements to the Hudson Housing Authority community room; provided further, that not less than $250,000 shall be expended to design a waterfront park in the city of Chelsea; provided further, that not less than $100,000 shall be expended for costs associated with the renovation of the Italian American World War II Veterans of the United States, Post No. 40, building in the town of Milford; provided further, that not less than $78,000 shall be expended for Choices4Teens Mentoring Group Inc. in the city of Brockton to acquire, upgrade and maintain technology and equipment; provided further, that not less than $75,000 shall be expended for costs associated with the repair of the Sacarrappa bridge in the town of Oxford; provided further, that not less than $180,000 shall be expended to the Center for Women and Enterprise for the design, planning and construction of a new innovation center in the city of Brockton; provided further, that not less than $150,000 shall be expended for the construction and expansion of a deck and hospitality area at the clubhouse at the D.W. Field golf course in the city of Brockton; provided further, that not less than $100,000 shall be expended to the town of Shirley for improvements to the War Memorial Building that comply with the federal Americans with Disabilities Act; provided further, that not less than $100,000 shall be expended for an
economic development master plan for the town of Sterling; provided further, that not less than
$100,000 shall be expended for the replacement and repair of roads within D.W. Field park in
the city of Brockton; provided further, that not less than $100,000 shall be expended for life
sciences planning and zoning in the city of Brockton; provided further, that not less than $50,000
shall be expended for the celebration of the Schooner Ernestina-Morrissey return to the city of
New Bedford in collaboration with the Massachusetts Maritime Academy, Schooner Ernestina-
Morrissey Advisory Board, Schooner Ernestina-Morrissey Association, Inc., Cape Verdean
Association in New Bedford, Inc. and the city of New Bedford; provided further, that not less
than $100,000 shall be expended for the Zeiterion Theatre in the city of New Bedford to safely
and sustainably reopen to the public, including, but not limited to, for outdoor cultural events and
concerts in downtown New Bedford; provided further, that not less than $350,000 shall be
expended for infrastructure improvements, upgrades for compliance with the federal Americans
with Disabilities Act, safety code compliance and the rehabilitation and renovation of the
historical building serving as the Cape Verdean Veterans Memorial Hall in the city of New
Bedford; provided further that not less than $75,000 shall be expended for a land geo-technical
feasibility study for economic development in the town of Westminster; provided further, that
not less than $200,000 shall be expended for the planning, design, development and construction
of a recreational area at 40 to 48 Geneva avenue, inclusive, in the Grove Hall section of the city
of Boston; provided further, that the unexpended balance in item 7066-8110 of chapter 113 of
the acts of 2018 shall be made available for the purposes of renovating the University of
Massachusetts at Dartmouth Star Store college of visual and performing arts campus in the city
of New Bedford into a twenty-first century arts and design hub connecting downtown arts,
commerce and entertainment to working waterfront venues and activities, including expanded
mixed use at the New Bedford state pier; provided further, that funds shall be made available for immediate site readiness needs for mixed-use development at the New Bedford State Pier in the city of New Bedford in accordance with section 58 of chapter 228 of the acts of 2018; provided further, that such funds shall be in addition to the unexpended balance in item 6720-1350, as authorized in chapter 286 of the acts of 2014, to carry out the mixed-use development of the pier which may include, but shall not be limited to, water-dependent cargo, commercial fishing, marine transportation, marine educational facilities, fresh produce and seafood markets and other uses related to tourism and public recreation connecting the working waterfront to the arts and culture center in the downtown area of the city of New Bedford; provided further, that not less than $100,000 shall be expended for costs associated with economic development projects in the town of Millville; provided further, that not less than $250,000 shall be expended for capital improvements and technology upgrades for training, academic credit certificates and associate degree programs in high-demand fields for Springfield Technical Community College in the city of Springfield; provided further, that $100,000 shall be expended for downtown storefront revitalization for the city of Leominster; provided further, that not less than $500,000 be expended for a competitive grant program to be administered by the department of early education and care for licensed early education and care providers in the city of Attleboro and the towns of Franklin, Millis, Natick, Needham, Norfolk, North Attleborough, Plainville, Sherborn, Wayland, Wellesley and Wrentham for the purpose of defraying fixed operating costs and costs associated with modifications to early education and care services necessitated by the COVID-19 public health emergency to be awarded based on demonstrated financial need and current reopening status or future plans to reopen during the pandemic; provided further, that not less than $50,000 shall be expended for improvements to the biology laboratory in Wilson hall at
Westfield State University in the city of Westfield; provided further, that not less than $125,000 shall be expended to Valley Opportunity Council, Inc., in the city of Chicopee for capital improvements to facilities and technology used for the workforce development programs that it administers; provided further, that not less than $100,000 shall be expended for developing automated city services in the city of Melrose; provided, that not less than $500,000 shall be expended for a zero interest small business revolving loan fund to be administered by the South Eastern Economic Development Corporation in the city of Taunton for small business owners for general business purposes that have been impacted by COVID-19 in the towns of Berkley, Carver, Dighton, Marion, Middleborough, Raynham and Wareham, the city of Taunton and the city known as the town of Bridgewater; provided further, that not more than 12 per cent of the amount appropriated in this item shall be retained by the South Eastern Economic Development Corporation for technical loan services and for the administration of the program; provided further, that not less than $125,000 shall be expended to the Springfield Cultural Partnership Incorporated in the city of Springfield for capital improvements to make upgrades to cultural and arts programs to encourage tourism; provided further, that not less than $300,000 shall be expended to the city of Malden for economic development and environmental remediation projects along the Malden river and Roosevelt park; provided further, that not less than $100,000 shall be expended for improvements to the snack shack located at the South Common recreation fields in the town of Berlin; provided further, that $200,000 shall be expended to the city of Lowell for economic development programming; provided further, that not less than $100,000 shall be expended to fund capital improvements and construction related costs for the development of a new facility operated by Harvard Street Neighborhood Health Center Inc., a federally qualified health center, on Blue Hill avenue in the city of Boston; provided further, that
not less than $100,000 shall be expended for expanded wireless internet service in the city of
Gardner; provided further, that $100,000 shall be expended to the town of Westford for
economic development programming; provided further, that not less than $200,000 shall be
expended to fund capital improvements to the "Z" building at the Dimock Center in the city of
Boston to provide additional clinical stabilization services; provided further, that $50,000 shall
be expended to the town of Tyngsborough for economic development programming; provided
further, that $50,000 shall be expended to the town of Groton for economic development
programming; provided further, that $50,000 shall be expended to the town of Pepperell for
economic development programming; provided further, that $50,000 shall be expended to the
town of Pepperell for economic development programming; provided further, that not less than
$200,000 shall be expended for the Massachusetts Veterans and Warriors to Agriculture Program
Fund; provided further, that not less than $250,000 shall be expended to construct a roadway
connector from Santilli highway to Rivergreen Business Park in the city of Everett; provided
further, that $50,000 shall be expended to the town of Dunstable for economic development
programming; provided further, that not less than $450,000 shall be expended to the towns of
Granville, Montgomery, Tolland and Russell for the expansion of broadband internet access;
provided further, that not less than $10,000,000 shall be expended for a grant program
administered by the department of elementary and secondary education for community after
school and out-of-school time programs to support community partnerships, workforce training
and health and safety expenses related to the 2019 novel coronavirus in preparation for the 2020-
2021 school year; provided, that not less than $500,000 shall be expended for a competitive grant
program administered by the executive office of housing and economic development for startup
companies; provide further, that a “startup company” shall be defined as a newly emerged
business venture that aims to develop a viable business model to meet a marketplace need;

provided further, that the executive office shall promulgate parameters of eligibility and

guidelines for application to the grant program and that the program shall be open for

applications not later than December 1, 2020 and the funding shall be awarded to selected

applicants not later than July 1, 2021; provided further, that the executive office shall submit a

report to the clerks of the house and senate detailing the progress of the pilot program as well as

the economic results of the grants on the recipient startup companies not later than December 1,

2021; provided further, that not less than $100,000 shall be expended for information technology

and broadband infrastructure improvements and upgrades along state highway route 79 and to

municipal buildings and structures in the town of Lakeville; provided further, that not less than

$200,000 shall be expended for high-speed broadband infrastructure improvements and upgrades

to support businesses and economic development along Swansea Mall drive in the town of

Swansea; provided further, that not less than $1,000,000 shall be expended for economic

development and housing infrastructure improvements in the Flint neighborhood area adjacent to

and along Pleasant street in the city of Fall River; provided further, that not less than $500,000

shall be expended for economic development improvements in the Slade’s Ferry Commercial

district in the town of Somerset; provided further, that not less than $2,000,000 shall be

expended for grants supporting small businesses and workforce development programs in the

MetroWest region, including the cities of Framingham and Franklin and the towns of Ashland,

Holliston, Hopkinton, Medway and Natick; provided further, that not less than $500,000 shall be

expended for renovations and improvements of the Agganis Sports Complex in the city of Lynn;

and provided further, that not less than $1,000,000 shall be expended for costs associated with,

but not limited to, design and engineering studies, acquiring and improving real property and
other costs for an advanced manufacturing research, development and small batch production
laboratory known as the Eruptor Lab in the town of Amherst ..............................$50,330,000

7002-8037 For capital grants or other financial assistance for urban farms; provided, that
“urban farms” shall mean any real estate or a portion thereof in agricultural, horticultural or
agricultural and horticultural use that is not more than 2 acres in area; provided further, that each
grant recipient’s gross sales of agricultural, horticultural or agricultural and horticultural products
resulting from such uses together shall total not less than $500 in the previous year; and provided
further, that grant recipients shall be located in a city or town that: (i) has a population of not less
than 50,000 inhabitants; or (ii) meets the definition of a gateway municipality under section 3A
of chapter 23A of the General Laws.............................................................$2,000,000

SECTION 2A.

TREASURER AND RECEIVER GENERAL

Massachusetts Cultural Council

0640-0305 For a non-profit infrastructure and equipment grant program administered
by the Massachusetts cultural council; provided, that grants shall be awarded on a competitive
basis to non-profit arts, cultural and tourism institutions and organizations that temporarily
suspended in-person public attendance due to the 2019 novel coronavirus pandemic; provided
further, that grants shall be awarded to assist institutions with infrastructure costs necessary to
safely and sustainably reopen to the public while upholding necessary public health and social
distancing protocols relative to the 2019 novel coronavirus pandemic; provided further, that the
following criteria shall be used in prioritizing grant awards: (i) capital improvements and
equipment purchases deemed critical to safeguard institution staff, volunteers and exhibitions;
(ii) capital improvement and equipment purchases deemed critical to safely allow public attendance; (iii) relative financial need of the applying institution; (iv) geographic diversity of grant recipients; (v) diversity of type of organizations or institutions receiving funding; and (vi) the likelihood that one-time infrastructure and equipment assistance will enable the institution to reopen safely and sustainably; and provided further, that the Massachusetts cultural council shall report to the chairs of the house and senate committees on ways and means and the chairs of the joint committee on tourism, arts and cultural development on the process and criteria for grant selection not less than 30 days before awarding grants.........................$20,000,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-0059 For state financial assistance in the form of grants or loans to accelerate and support the creation of low-income and moderate-income housing in close proximity to transit nodes; provided, that the program shall be administered to: (i) maximize the amount of affordable residential and mixed-use space in close proximity to transit nodes, resulting in higher density, compact development and pedestrian-friendly, inclusive and connected neighborhoods; (ii) increase mass transit ridership; (iii) decrease traffic congestion and reduce greenhouse gas emissions; and (iv) increase economic opportunity for disadvantaged populations by making it easier for residents of affordable housing to access public transportation, including transportation supporting commutes to employment centers; provided further, that entities eligible to receive financial assistance shall include governmental bodies, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations and for-profit entities; provided
further, that financial assistance provided pursuant to this section shall be made on a competitive basis, with preference for projects in communities disproportionately impacted by the 2019 novel coronavirus health and economic crisis; provided further, that funds may be used to assist units occupied by and affordable to persons with incomes not more than 110 per cent of the area median income as defined by the United States Department of Housing and Urban Development with priority given to projects that provide higher and deeper levels of affordability; provided further, that not less than 25 per cent of the occupants of housing in projects assisted by this item shall be persons whose income is not more than 60 per cent of the area median income as defined by the United States Department of Housing and Urban Development; provided further, that financial assistance offered pursuant to this item may be administered by the department of housing and community development through a contract with the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of 1985, which in turn may directly offer financial assistance for the purposes set forth herein or may enter into subcontracts with non-profit organizations established pursuant to chapter 180 of the General Laws for the purposes herein; provided further, that the department may provide financial support to non-profit and for-profit developers that enter into binding agreements to set aside residential units in market-rate, transit-oriented housing, over and above any units required to be set aside under local zoning or approvals, for rent or sale to income-qualified households at affordable rents or sale prices, as applicable; and provided further, that the department may establish additional program requirements through regulations or policy guidelines.$25,000,000

7004-0064 For financial assistance to accelerate and support the creation and preservation of sustainable and climate resilient affordable multifamily housing; provided, that such financial assistance shall be made to: (i) incorporate efficient, sustainable and climate-
resilient design practices in affordable residential development to support positive climate mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels; (iii) increase resiliency of existing housing developments to mitigate impacts of climate change, including flooding and extreme temperatures; and (iv) enhance emergency preparedness, including sustainable means of power generation to allow for sheltering vulnerable populations in place; provided further, that financial assistance shall be made available on a competitive basis to community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations and for-profit entities; provided further, that funds may be used to assist units occupied by and affordable to persons with incomes not more than 110 per cent of the area median income as defined by the United States Department of Housing and Urban Development with priority given to projects that provide higher and deeper levels of affordability; provided further, that not less than 25 per cent of the occupants of housing in projects assisted by this item shall be persons whose income is not more than 60 per cent of the area median income as defined by the United States Department of Housing and Urban Development; provided further, that financial assistance provided pursuant to this section may be administered by the department of housing and community development through contracts with the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of 1985, the Massachusetts Housing Finance Agency, established in chapter 708 of the acts of 1966, or both, which authorities may directly offer financial assistance for the purposes set forth herein or may enter into subcontracts with non-profit organizations established pursuant to chapter 180 of the General Laws for those purposes; and provided further, that the administering agency may establish additional program requirements through regulations or policy guidelines...$10,000,000
For state financial assistance to cities and towns or agencies, boards, commissions, authorities, departments or instrumentalities thereof or community development corporations or non-profit organizations to assist in the revitalization of neighborhoods and communities with properties in blighted or substandard conditions by subsidizing the purchase price, borrowing costs or costs of demolition or renovation of up to 50 units of residential rental housing or 1 to 4 units of home ownership residential housing that have been cited for building or sanitary code violations or that are subject to cancellation of commercial property insurance due to substandard property conditions or are otherwise blighted or substandard; provided, that contracts entered into by the department of housing and community development for those projects may include, but shall not be limited to, projects providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous material abatement, including asbestos and lead paint, and for compliance with state codes and laws and for adaptations necessary for compliance with the federal Americans with Disabilities Act of 1990; provided further, that preference shall be given to community development corporations and local non-profit organizations, organizations sponsoring projects that secure private funds and projects with the greatest impact on community stabilization in weak markets, including, but not limited to, rural communities and communities that have been disproportionately affected by the 2019 novel coronavirus pandemic, disinvestment, foreclosure and abandonment; provided further, that such rehabilitated housing shall remain affordable for such period as shall be established by the department through guidance taking into account differences in market conditions and the type of restrictions best suited to promoting community stabilization in different markets; and provided further, that an amount not to exceed 2 per cent of the amount expended may pay for
administrative costs directly attributable to the purposes of this program, including costs of
support personnel.................................................................$50,000,000

7004-0066 For a gateway city housing pilot program to support the construction of
shovel-ready, market-rate housing opportunities in gateway municipalities, as defined in section
3A of chapter 23A of the General Laws, by providing funding in an amount not more than 150
per cent of the maximum housing development incentive program tax credit under chapter 40V
of the General Laws; provided, that awards to projects shall be awarded to: (i) communities that
have satisfied the 10 per cent affordable housing stock requirements under chapter 40B of the
General Laws; (ii) non-profit developers; (iii) new construction or market rate apartment rentals
or homeownership; (iv) projects that are ready to commence construction within 6 months of
approval; and (v) projects that are located in a zoning area that permits high density housing such
as a transformative development initiative district, waterfront or a zoning overlay district such as
those permitted under chapter 40R of the General Laws; and provided further, that a developer’s
fee under the program would be deferred by 33 per cent with positive net cash flow from the
development to be split with the commonwealth on an equal basis after payment of any first
mortgage permanent financing .........................................................$5,000,000

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7035-2020 For capital grants to vocational technical schools to expand operating
capacities; provided, that grants shall be administered by the department of elementary and
secondary education on a competitive basis to vocational technical schools; provided further, that
grants may be used for building expansions and renovations, as well as equipment purchases;
provided further, that prioritization for grant awards shall be given to, but not limited to,
vocational technical schools: (i) with significant waiting lists; (ii) offering programs focused on
industries and careers disproportionately impacted by the 2019 novel coronavirus pandemic; and
(iii) serving students from gateway municipalities as defined in section 3A of chapter 23A of the
General Laws or municipalities with high proportions of low-income and non-English or limited-
English speaking populations; provided further, that the department shall award grants in a
manner that promotes geographic equity; and provided further, that the department shall submit
to the chairs of the house and senate committees on ways and means a report detailing the
criteria used to award grants not less than 30 days before awarding said grants.........$15,000,000

Department of Higher Education

7066-2020 For a grant program administered by the department of higher education to
support career-oriented programs and initiatives at the community and municipal colleges to
support training, academic credit certificates and associate degree programs in high-demand
fields, including, but not limited to, healthcare and allied health, information technology and
cybersecurity, or first-responder programs such as fire science, emergency medical technician
and criminal justice; provided, that grant preference shall be given to support and expand
programs and initiatives targeting high-demand fields disproportionately impacted by the 2019
novel coronavirus pandemic; and provided further, that funding may be used for resources to
recruit, retain and graduate students, including, but not limited to, technology tools such as
software, licenses, laptops, curriculum development or student services....................$15,000,000

SECTION 3. Chapter 6 of the General Laws is hereby amended by adding the following
3 sections:-
Section 220. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Affirmative marketing program”, a program of race and gender conscious goals to promote equality in, and to encourage the participation of, minority-owned businesses and woman-owned businesses in contracts for capital facility projects and the disposition of real property.

“Capital facility project”, an undertaking by a state authority for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of a capital facility.

“Design services”, any of the following services provided by any designer, programmer or construction manager in connection with any public building project:

(i) preparation of master plans, studies, surveys, soil tests, cost estimates or programs;

(ii) preparation of drawings, plans, or specifications, including, but not limited to, schematic drawings, preliminary plans and specifications, working plans and specifications or other administration of construction contracts documents;

(iii) supervision or administration of a construction contract; or

(iv) construction management or scheduling.

“Disposition of real property”, any disposition of real property by a state authority; provided, however, that, for the purposes of this section, a disposition shall include, but not be limited to: (i) a lease of real property for the purpose of real estate development; and (ii) the assignment of air rights.
“Minority”, a person with a permanent residence in the United States who is American Indian, Black, African American, Cape Verdean, Western Hemisphere Hispanic, Aleut, Eskimo or Asian.

“Minority-owned business”, any real estate, contracting or subcontracting business, or business that supplies the contractors and subcontractors, that is beneficially owned by at least 1 minority person, that meets the following criteria:

(i) the business shall be at least 51 per cent owned by minority persons; provided, however, that in the case of a corporation having more than 1 class of stockholders, the ownership requirement shall be met as to each class of stock;

(ii) the minority owner or minority owners shall demonstrate that they have dominant control over management;

(iii) the business shall not have been established solely for the purpose of taking advantage of a special program that has been developed to assist minority-owned businesses;

(iv) in the case of a joint venture between a minority-owned business meeting the requirements of clauses (i) to (iii), inclusive, and a non-minority-owned business, the joint venture shall be found to be a “minority-owned business” if the minority-owned business has more than one-half control over management of the project bid upon and has the right to receive more than one-half of the profits deriving from that project.

“State authority”, a state authority as defined in section 1 of chapter 29.

“Woman-owned business”, any real estate, contracting or subcontracting business which is beneficially owned by 1 or more women that meets the following criteria:
(i) the business shall be at least 51 per cent owned by women; provided, however, that in
the case of a corporation having more than 1 class of stockholders, the ownership requirement
shall be met as to each class of stock;

(ii) the woman owner or women owners shall demonstrate that they have dominant
control over management;

(iii) the business shall not have been established solely for the purpose of taking
advantage of a special program that has been developed to assist woman-owned businesses;

(iv) in the case of a joint venture between a woman-owned business meeting the
requirements of clauses (i) to (iii), inclusive, and a non-woman-owned business, the joint venture
shall be found to be a “woman-owned business” if the woman-owned business has more than
one-half control over management of the project bid upon and has the right to receive more than
one-half of the profits deriving from that project.

(b) Each state authority shall establish an affirmative marketing program to ensure the
fair participation of minority-owned and woman-owned businesses for capital facility projects
and the disposition of real property. The affirmative marketing program shall establish
participation goals for minority-owned and woman-owned business in the capital facility projects
and the disposition of real property that are equal to or exceed the combined participation goals
for minority-owned and woman-owned businesses as established by the division of capital asset
management and maintenance pursuant to section 6 of chapter 7C. The participation goals for
minority-owned business and woman-owned business shall include, but not be limited to: (i)
construction; (ii) design services; (iii) development; (iv) financing; (v) operation; and (vi)
ownership. The affirmative marketing plan shall be included, at a minimum, in every request for proposal for capital facility projects and the disposition of real property.

(c) All affirmative marketing program requirements shall apply to any lessee of land of a state authority. The construction of an improvement by a lessee, including, but not limited to, a building or other structure, shall be accompanied by an affirmative marketing plan.

Section 221. (a) As used in this section, the term “governmental entity” shall mean the executive branch, the legislature, the judiciary and any agency, office, department, board, commission, bureau, division, instrumentality or other entity of the commonwealth.

(b) No governmental entity shall include or permit the inclusion of a nondisclosure, non-disparagement or other similar clause as a condition of employment or in a settlement agreement between the governmental entity and an employee or a student; provided, however, that such a settlement may include, at the request of the employee or student, a provision that prevents the governmental entity from disclosing the individual’s identity and all facts that could lead to the discovery of the individual’s identity.

Section 222. (a) Notwithstanding any general or special law to the contrary, the executive office of education shall establish a financial literacy task force to focus on how students from kindergarten to high school graduation are learning about financial literacy in schools. The task force shall consist of: the secretary of the executive office of education or a designee, who shall serve as chair; the commissioner of early education and care or a designee; the commissioner of elementary and secondary education or a designee; the commissioner of higher education or a designee; the state treasurer or a designee; 5 persons to be appointed by the governor, 1 of whom shall be a representative from the Massachusetts Teachers Association, appointed in consultation
with their relevant local unions, 1 of whom shall be a representative from the Massachusetts
Bankers Association, 1 of whom shall be a representative from Massachusetts Jumpstart
Coalition, 1 of whom shall be an individual from FitMoney.org and 1 of whom shall be a
representative of the office of economic empowerment or a designee; and 1 person to be
appointed by the state treasurer.

(b) The task force shall: (i) develop and annually update a summary of the advances
made in financial literacy education in the commonwealth; (ii) develop and annually update a
summary on the advances in accessibility to financial literacy education for low-income
individuals and families; (iii) monitor financial literacy education, services and support activities
across the commonwealth, including coordination of the commonwealth’s activities and
programs with respect to financial literacy; (iv) develop and annually update a comprehensive
strategic plan to improve outcomes for individuals with a risk of negative financial situations,
including recommendations to: (A) advance research on financial literacy for elementary and
secondary school students; (B) improve the frequency and quality of financial literacy education
in public schools and charter schools from kindergarten to high school graduation; (C) improve
public awareness and recognition of the importance of financial literacy; (D) improve financial
literacy education with a focus on providing access to low-income and minority communities;
(E) seek to advance the goals and objectives outlined by the treasurer’s Economic Empowerment
Trust Fund and financial literacy task force report for fiscal year 2016; (F) systematically
advance the full spectrum of academic research on financial literacy education; (G) emphasize
the importance of the reduction of student debt and provide pathways to alleviate student debt;
and (H) annually provide an update on the progress made in implementing such comprehensive
strategic plan.
(c) Annually, not later than July 31, the task force shall submit its recommendations to the governor, the clerks of the house of representatives and senate and the joint committee on education.

SECTION 4. Section 22O of chapter 7 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following sentence:-

The commonwealth shall seek to achieve minority business enterprise and women business enterprise contracting goals that reflect the diverse racial, ethnic and gender makeup of the commonwealth’s population within state procurement.

SECTION 5. Section 6 of chapter 7C of the General Laws, as so appearing, is hereby amended by striking out the definition of “State assisted building project” and inserting in place thereof the following definition:-

“State assisted building project”, a construction project undertaken by a political subdivision of the commonwealth or 2 or more subdivisions thereof for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of a capital facility and whose costs are paid for, reimbursed, grant funded or otherwise supported, in whole or in part, by the commonwealth; or any disposition of real property of a state agency; provided, however, that, for the purposes of this section, a disposition shall include, but shall not be limited to: (i) a lease of real property for the purpose of real estate development and (ii) the assignment of air rights.

SECTION 6. Said section 6 of said chapter 7C, as so appearing, is hereby further amended by striking out the word “may”, in line 84, and inserting in place thereof the following word:- shall.
SECTION 7. Said section 6 of said chapter 7C, as so appearing, is hereby further amended by adding the following subsection:-

(l) The affirmative marketing program requirements established under this section shall apply to any lessee of land of a state agency. The construction of an improvement by the lessee, including, but not limited to, a building or other structure, shall be accompanied by an affirmative marketing plan.

SECTION 8. Chapter 12 of the General Laws is hereby amended by adding the following section:-

Section 35. (a) There shall be a student loan ombudsman within the office of the attorney general. The student loan ombudsman shall receive, review and assist in resolving complaints from student loan borrowers including, but not limited to, those concerning attempts to resolve complaints in collaboration with institutions of higher education, student loan servicers, the division of banks and any other participants in student loan lending.

(b) The responsibilities of the ombudsman may include, but shall not be limited to, helping student loan borrowers: (i) explore repayment options; (ii) apply for federal income-driven repayment plans; (iii) avoid or remove a default; (iv) end wage garnishments, tax refund interceptions or benefit offsets; (v) resolve billing disputes with student loan servicers; (vi) obtain student loan details and information; (vii) stop harassing collection calls; and (viii) apply for discharges.

The ombudsman shall prepare, make available or direct those seeking assistance to student loan borrower education presentations and materials regarding student loans. The presentations and materials shall include, but not be limited to, an explanation of: (i) key student
loan terms; (ii) documentation requirements; (iii) monthly payment obligations; (iv) income-based repayment options; (v) student loan forgiveness; and (vi) disclosure requirements. The ombudsman shall make best efforts to inform public employees about the federal Public Service Loan Forgiveness Program and direct them to available information about the program.

(c) Annually, not later than January 1, the ombudsman shall file a report on activities related to student loans and student loan servicers, as defined in section 1 of chapter 93L, with the clerks of the senate and house of representatives, the senate and house committees on ways and means and the joint committee on financial services.

The report shall include, but not be limited to: (i) the number of complaints received by the ombudsman from student loan borrowers and the names of the student loan servicers against whom such complaints are filed; (ii) the types of complaints received by the ombudsman from student loan borrowers; (iii) the types of resolutions reached for complaints received; and (iv) recommendations to improve the effectiveness of the position of student loan ombudsman.

The report shall also include an overview of any information received from the division of banks including, but not limited to: (i) the number of complaints received by the division of banks concerning student loans: (ii) the types of complaints received by the division of banks concerning student loans; (iii) the types of resolutions reached by the division of banks; and (iv) recommendations to improve the regulation, oversight and enforcement efforts of the division of banks with respect to student loan servicers. Information and data in the report shall be in an aggregate and de-identified format.

(d) The ombudsman shall receive information from the division of banks to assist the ombudsman in fulfilling its duties under this section.
SECTION 9. Chapter 15A of the General Laws is hereby amended by inserting after section 19E the following section:–

Section 19F. (a) A public institution of higher education under section 5 shall not withhold a student's academic transcripts solely due to the student's failure to pay a loan payment, fine, fee, tuition or other expense owed to the institution, except that a student's academic credits and grades may be withheld for a course for which the student's tuition and mandatory course fees are not paid in full. For a student paying on a per semester basis, a public institution of higher education may withhold the student’s academic credits or grades for any course taken in a semester for which that student’s tuition and mandatory course fees have not been paid.

(b) Nothing in this section shall prevent a public institution of higher education from withholding a student's diploma or degree due to the student's failure to pay a loan payment, fine, fee, tuition or other expense owed to the institution.

(c) The department of higher education shall promulgate the regulations necessary to implement this section.

SECTION 10. Section 6C of chapter 20 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 3, the figure “17” and inserting in place thereof the following figure:– 18;

SECTION 11. Said section 6C of said chapter 20, as so appearing, is hereby further amended by inserting after the word “designee”, in line 17, the following words:– 1 of whom shall be an expert in healthy soils practices as defined in section 7A of chapter 128, appointed by the secretary of energy and environmental affairs.
SECTION 12. Said section 6C of said chapter 20, as so appearing, is hereby further amended by inserting after the word “foods”, in line 58, the following words:- , particularly those foods produced using healthy soils practices as defined in section 7A of chapter 128.

SECTION 13. Said subsection (d) of said section 6C of said chapter 20, as so appearing, is hereby further amended by inserting after the word “production”, in line 70, the following words:-, particularly through practices that promote healthy soils as defined in section 7A of chapter 128.

SECTION 14. Section 20 of chapter 21 of the General Laws, as so appearing, is hereby amended by adding the following 2 paragraphs:-

(15) To assist in the development of a healthy soils program, as instructed by the director, to: (i) improve soil quality on lands utilized for commercial farming, suburban and urban lawns, yards and gardens, public and private forests, parks and other open or green spaces and non-paved outdoor areas of office complexes, mixed-use facilities, businesses, industries and colleges and other institutions; (ii) increase carbon sequestration or storage on such lands to help reduce harmful atmospheric greenhouse gases and the effects of climate change; and (iii) provide other measurable benefits, determined as applicable under the program to certain types of lands, related to climate change, plant growth, erosion control and water absorption and quality. The commission, in the development of the program or any significant change to the established program, if requested by the director, shall consult with 1 or more of the following organizations, as appropriate for the type of land intended to be covered under the program: (i) the department of agricultural resources; (ii) department of environmental protection; (iii) department of fish and game; (iv) the Nature Conservancy; (v) Massachusetts Forest Alliance Limited; (v) the
Massachusetts Association of Conservation Districts, Inc.; (vi) Massachusetts Farm Bureau Federation, Incorporated; (vii) the National Resources Conservation Services within the United States Department of Agriculture; (viii) Massachusetts chapter of the Northeast Organic Farming Association; (ix) the University of Massachusetts Extension; (x) the University of Massachusetts at Amherst and (xi) any individual or other organization designated by the director.

(16) To encourage and promote the use of healthy soils policies and practices by private and public landowners, including commercial farmers, and any assistance available to program participants, which may consist of grants, technical assistance or education on the benefits and implementation of healthy soils best practices, as the director may instruct, to achieve the purposes of the healthy soils program.

SECTION 15. Section 1 of chapter 23G of the General Laws, as so appearing, is hereby amended by striking out the definition of “Equity investments” and inserting in place thereof the following definition:

“Equity investments”, (i) investments that result in the agency holding an ownership interest in any company; (ii) a membership interest that constitutes voting rights in a company; (iii) an interest in real estate or other assets; (iv) a grant or loan designated pursuant to a competitive process administered by the agency, provided to governmental subdivisions, community development corporations, community action agencies, for-profit entities, private property owners, nonprofit entrepreneur support organizations or business operators for design, construction or improvement of buildings or real estate to spur economic development; (v) a transaction that in substance falls into any of these categories even though it may be structured as some other form of business transaction, including, but not limited to, a lease of real estate for
such duration as the agency deems appropriate in light of the amount of the equity to be invested;
and (vi) an equity security; provided, however, that “equity investments” shall not include any of
the foregoing if the interest is taken as security for a loan.

SECTION 16. Section 45 of said chapter 23G, as so appearing, is hereby amended by
striking out the seventh paragraph.

SECTION 17. Section 46 of said chapter 23G, as so appearing, is hereby amended by
striking out, in line 47, the word “by” and inserting in place thereof the following words:- , or to
address regional opportunities or challenges identified by a gateway municipality, by.

SECTION 18. Section 3 of chapter 23L of the General Laws, as so appearing, is hereby
amended by inserting after the word “to”, in line 6, the following words:- the agency and.

SECTION 19. Section 4 of said chapter 23L, as so appearing, is hereby amended by
inserting after the word “cost”, in line 3, the following words:- , or the debt service of notes or
bonds used to fund such cost.

SECTION 20. Said section 4 of said chapter 23L, as so appearing, is hereby further
amended by inserting after the word “aggregate”, in lines 51 and 52, the following word:-
amount.

SECTION 21. Said section 4 of said chapter 23L, as so appearing, is hereby further
amended by striking out, in line 73, the words “As an alternative to levying” and inserting in
place thereof the following words:- In furtherance of the ability to levy.

SECTION 22. Subsection (c) of said section 4 of said chapter 23L, as so appearing, is
hereby amended by adding the following 2 sentences:- Infrastructure assessments levied under
this chapter shall continue notwithstanding any alienation or conveyance of the property in the
development zone by a property owner to a new property owner. A new property owner in the
development zone shall take title to such property subject to the infrastructure assessments and
related liens.

SECTION 23. Chapter 26 of the General Laws is hereby amended by inserting after
section 3 the following section:-

Section 3A. (a) The division of banks shall maintain a consumer assistance unit. The unit
may provide assistance in response to complaints involving any person or entity that the division
has authority to regulate or in other areas as the commissioner deems appropriate, which may
include, but shall not be limited to, complaints and requests for assistance involving state-
chartered banks and credit unions, check cashers, foreign transmittal companies, sales finance
companies, mortgage lenders, brokers, originators and student loan servicers.

(b) The unit shall share information with the student loan ombudsman to assist the
student loan ombudsman in fulfilling the student loan ombudsman’s duties under section 35 of
chapter 12.

SECTION 24. Chapter 29 of the General Laws is hereby amended by inserting after
section 2HHHHH the following 2 sections:-

Section 2IIIII. There shall be a Student Loan Assistance Trust Fund administered by the
office of the attorney general.

Expenditures may be made from the fund to: (i) fund the work of the student loan
ombudsman established under section 35 of chapter 12; (ii) provide direct counseling and
assistance to student loan borrowers; (iii) receive, review and assist in the resolution of complaints from student loan borrowers; and (iv) pursue legal action on behalf of student loan borrowers including, but not limited to, the investigation of complaints, the costs of personnel and litigation, the engagement of experts and the enforcement of settlements.

Amounts credited to the fund shall not be subject to further appropriation and money remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The fund shall retain all interest earned on sums deposited in the fund.

The fund may receive revenue from: (i) appropriations or other money authorized by the general court designated to the fund; and (ii) funds from public or private sources specifically designated for the purposes of this section, including, but not limited to, gifts, grants, donations, rebates and settlements received by the commonwealth.

The office of the attorney general shall provide an annual report to the house and senate committees on ways and means on the fund’s activity. The report shall include, but not be limited to: (i) the total amount of money in the fund, designated by source; (ii) the amount of money received by the fund, designated by source; (iii) if settlement funds were received, the percentage of the total settlement amount deposited into the fund; (iv) an accounting of all expenditures from the fund; (v) a description of the activities and staff supported by the fund; and (vi) revenue and expenditure projections for the current fiscal year and for the next fiscal year.

Section 2JJJJ. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the Healthy Soils Program Fund. The secretary of energy and environmental affairs shall administer the fund. Notwithstanding any general or
special law to the contrary, there shall be credited to the fund any revenue subject to
appropriations or other money authorized by the general court and specifically designated to be
credited to the fund, including monies appropriated from the Gaming Economic Development
Fund, established under section 2DDDD of chapter 29, and any gifts, grants, private
contributions, investment income earned by the fund’s assets and any designated funds from
other sources. No expenditures from the fund shall cause the fund to be in deficiency at the close
of the fiscal year. Any money in the fund at the end of the fiscal year shall not revert to the
General Fund, shall be available for expenditure in the subsequent year and shall not be subject
to section 5C of chapter 29.

(b) Amounts credited to the fund shall be expended, without further appropriation, for the
purpose to implement, administer and develop healthy soils practices under the healthy soils
program, including, but not limited to, program research and development, education and
training in program practices and policies and to provide grants on a competitive basis to
individuals, public and private entities and charitable organizations to implement healthy soils
practices; provided, however, that no loans shall be made from said fund. Expenditures made
from the fund shall complement and not replace existing local, state, private or federal funding
for related training and educational programs for healthy soils practices

SECTION 25 Section 4A of chapter 40 of the General Laws, as appearing in the 2018
Official Edition, is hereby amended by adding the following paragraph:-

By a majority vote of their legislative bodies and subject to the approval of the mayor,
board of selectmen or other chief executive officer and the department of revenue, any
contiguous cities or towns may enter into an agreement to allocate public infrastructure costs,
municipal service costs and local tax revenue associated with the development of any identified parcel or development within the contiguous communities generally.

SECTION 26. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby amended by striking out the definition of “Permit granting authority” and inserting in place thereof the following 12 definitions:

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

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

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

“Eligible location”, an area that, due to the area’s infrastructure, transportation access, existing underutilized facilities or location, is highly suitable for a residential or mixed-use smart growth zoning district or starter home zoning district including, but not limited to: (i) an area near a transit station, including rapid transit, commuter rail and bus and ferry terminals; and (ii)
an area of concentrated development, including a city or town center, another existing
commercial district in a city or town and an existing rural village district.

“Gross density”, a units-per-acre density measurement that includes land occupied by
public rights-of-way and any recreational, civic, commercial and other nonresidential uses.

“Lot”, an area of land with definite boundaries that is used or available for use as the site
of at least 1 building.

“MBTA community”, a city or town that is: (i) one of the 51 cities and towns as defined
in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of
said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter
161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation
Authority under section 6 of chapter 161A or in accordance with any special law relative to the
area constituting the authority.

“Mixed-use development”, a development containing a mix of residential uses and
nonresidential uses including, but not limited to, commercial, institutional or industrial uses.

“Multi-family housing”, (i) a building with not less than 3 residential dwelling units; or
(ii) multiple buildings on the same lot with not less than 2 residential dwelling units in each
building.

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

“Open space residential development”, a residential development in which the buildings
and accessory uses are clustered together into at least 1 group and separated from adjacent
property and other groups within the development by intervening open land; provided, however,
that an open space residential development shall be permitted only on a plot of land that is larger
than the minimum size specified in a zoning ordinance or by-law and that is divided into: (i)
building lots with dimensional control, density and use restrictions that vary from those
otherwise permitted by the ordinance or by-law; and (ii) open land that is either conveyed to the
city or town and accepted by the city or town for park or open space use or is made subject to a
recorded use restriction that: (A) is enforceable by the city or town or a nonprofit organization
the principal purpose of which is for the preservation of open space; and (B) requires the open
land to be kept in an open or natural state and not be developed for residential use or any
accessory uses, including parking or roadways.

“Permit granting authority”, the board of appeals or zoning administrator.

SECTION 27. Said section 1A of said chapter 40A, as so appearing, is hereby further
amended by striking out the definitions of “Transfer of development rights” and “Transfer of
development rights zoning” and inserting in place thereof the following 2 definitions -

“Transfer of development rights”, a regulatory procedure whereby an owner of a parcel
conveys development rights, thereby extinguishing those rights on the parcel, to the owner of
another parcel and the owner of the other parcel may obtain and exercise those rights in addition
to the development rights already existing on the other parcel.
“Transfer of development rights zoning”, zoning that authorizes the transfer of
development rights by permitting landowners in specific preservation areas identified as sending
areas to sell their development rights to landowners in specific development districts identified
as receiving areas.

SECTION 28. Said chapter 40A is hereby further amended by inserting after section 3
the following section:-

Section 3A. (a) (1) An MBTA community shall have a zoning ordinance or by-law that
provides for at least 1 district of reasonable size in which multi-family housing is permitted as of
right; provided, however, that such multi-family housing shall be without age restrictions and
shall be suitable for families with children. For the purposes of this section, a district of
reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any
further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental
code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5
miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for
funds from: (i) the Housing Choice Initiative as described by the governor in a message to the
general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in
section 2EEEEE of chapter 29; or (iii) the MassWorks infrastructure program established in
section 63 of chapter 23A.

(c) The department, in consultation with the Massachusetts Bay Transportation Authority
and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if
an MBTA community is in compliance with this section.
SECTION 29. Section 5 of said chapter 40A, as appearing in the 2018 Official Edition, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

Except as provided herein, a zoning ordinance or by-law or amendment thereto shall not be adopted or changed except by a 2/3 vote of all the members of the town council, city council or town meeting; provided, however, that a simple majority vote of all members of the town council, city council or town meeting shall be required for: (i) an amendment to a zoning ordinance or by-law to allow any of the following as of right: (A) multi-family housing or mixed-use development in an eligible location; (B) accessory dwelling units, whether within the principal dwelling or within a detached structure on the same lot; or (C) open space residential development; (ii) an amendment to a zoning ordinance or by-law to allow by special permit: (A) multi-family housing or mixed-use development in an eligible location; (B) an increase in the permissible density of population or intensity of a particular use in a proposed residential or mixed-use development pursuant to section 9; (C) a reduction in the amount of parking required for residential or mixed-use development pursuant to said section 9; or (D) accessory dwelling units; (iii) a zoning ordinance or by-law or amendment thereto that: (A) provides for transfer of development rights zoning or natural resource protection zoning in instances where the adoption of such zoning promotes concentration of development in areas that the municipality deems most appropriate for such development but will not result in a reduction in the maximum number of housing units that could be developed within the municipality; or (B) modifies regulations concerning the bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage requirements to allow for additional housing units beyond what would otherwise be permitted under the existing ordinance or by-law; (iv) a smart growth zoning
district or starter home zoning district in accordance with section 3 of chapter 40R; or (v) an inclusionary zoning ordinance or by-law. A zoning ordinance or by-law or an amendment thereto that requires a simple majority vote under this paragraph shall not be combined with a zoning ordinance or by-law or an amendment thereto that requires a 2/3 vote; provided further, that if, in a city or town with a council of fewer than 25 members, a written protest against a zoning change under this section that requires a simple majority vote stating the reasons and duly signed by owners of not less than 50 per cent of the area of the land proposed to be included in such change and the area of the land immediately adjacent extending 300 feet therefrom is filed with the clerk prior to final action by the council, a change to or adoption of such ordinance or by-law shall require a 2/3 vote of all members; and provided further, that if, in a city or town with a council of fewer than 25 members, a written protest against a zoning change under this section that requires a 2/3 vote stating the reasons and duly signed by owners not less than 20 per cent of the area of the land proposed to be included in such change and the area of the land immediately adjacent extending 300 feet therefrom is filed with the clerk prior to final action by the council, a change to or adoption of any such ordinance or by-law shall require a 3/4 vote of all members.

SECTION 30. Section 9 of said chapter 40A, as so appearing, is hereby amended by striking out, in lines 39 and 43, the word “cluster” and inserting in place thereof, in each instance, the following words:- open space residential.

SECTION 31. Said section 9 of said chapter 40A, as so appearing, is hereby further amended by inserting after the word “control”, in line 47, the following words:- ; provided, however, that nothing herein shall prohibit a zoning ordinance or by-law from allowing an open space residential development to be permitted as of right.
SECTION 32. Said section 9 of said chapter 40A, as so appearing, is hereby further amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:-

Zoning ordinances or by-laws may also provide for special permits authorizing a reduced parking space to residential unit ratio requirement after a finding by the special permit granting authority that the reduction in parking would serve the public good and that the area in which the development is located would not suffer from substantial adverse impacts from the reduction in parking.

SECTION 33. Said section 9 of said chapter 40A, as so appearing, is hereby further amended by inserting after the word “board”, in line 131, the following words: ; provided, however, that a special permit issued by a special permit granting authority shall require a simple majority vote for: (i) multi-family housing that is located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station and of which not less than 10 per cent is affordable to, and to be occupied by, households the annual income of which shall be not more than 80 per cent of the area median income as determined by the United States Department of Housing and Urban Development for a period of not less than 30 years through the use of an affordable housing restriction as defined in section 31 of chapter 184; (ii) mixed-use development in centers of commercial activity within a municipality, including city and town centers, other commercial districts in cities and towns and rural village districts and of which not less than 10 per cent of the housing is affordable to, and to be occupied by, households the annual income of which shall be not more than 80 per cent of the area median income as determined by the United States Department of Housing and Urban Development for a period of not less than 30 years through the use of an affordable housing restriction as defined in said

48 of 132
SECTION 34. Section 17 of said chapter 40A, as so appearing, is hereby amended by inserting after the second paragraph the following paragraph:-

The court, in its discretion, may require a plaintiff in an action under this section appealing a decision to approve a special permit, variance or site plan to post a surety or cash bond in an amount of not more than $50,000 to secure the payment of costs if the court finds that the harm to the defendant or to the public interest resulting from delays caused by the appeal outweighs the financial burden of the surety or cash bond on the plaintiffs. The court shall consider the relative merits of the appeal and the relative financial means of the plaintiff and the defendant.

SECTION 35. Section 2 of chapter 40G of the General Laws, as so appearing, is hereby amended by striking out, in lines 23 to 26, inclusive, the words “1 person appointed by the governor who is a cabinet secretary or officer of the commonwealth having experience appropriate to the functions of MTDC” and inserting in place thereof the following words:- the executive director of the Massachusetts Technology Park Corporation established in section 3 of chapter 40J.

SECTION 36. Chapter 40J of the General Laws is hereby amended by striking out section 4G, as so appearing, and inserting in place thereof the following section:-

Section 4G. (a) In order to undertake projects and programs to promote job creation and retention and economic development, competitiveness and growth in the commonwealth through
the support of technology and innovation ecosystems, there shall be a Technology Research and Development and Innovation Fund administered by the corporation. There shall be credited to the fund proceeds of bonds or notes of the commonwealth issued for this purpose and revenue from appropriations or other monies authorized by the general court and specifically designated for the fund. Any appropriations remaining in the fund at the end of a fiscal year shall not revert to the General Fund. Appropriations from the general court into the fund may be expended by the corporation to establish programs that support technology and innovation ecosystems, consistent with the terms of the appropriation. A portion of the fund proceeds may be used by the corporation to support costs of administering the fund. The corporation shall hold the fund in an account or accounts separate from other funds of the corporation.

(b) The fund shall be administered to foster scientific and technology research and development by providing matching funds for capital expenditures to be made in connection with projects that are: (i) sponsored by the University of Massachusetts, research universities, non-profit entities, independent research institutions or technology companies in the commonwealth for scientific or technology research and development that will increase and strengthen the commonwealth’s economic development, employment opportunities and commercial and industrial sectors; and (ii) funded in part by the federal government or other public or private funds; provided, however, that any grant awarded in accordance with this subsection shall leverage at least $1, in the aggregate, during activities funded by such grant, from sources other than an agency as defined in section 39 of chapter 6 for each dollar granted; provided further, that funds expended specifically for this matching grant program from the higher education bond bill, established by chapter 258 of the acts of 2008, shall not count towards the $1 of financing that is required for the matching grant program; provided further,
that as a condition of such grants being awarded, the corporation shall reach agreement with the
grant recipient on performance measures and indicators that will be used to evaluate the
performance of the grant recipient in carrying out the activities described in the recipient’s
application; provided further, that prior to awarding any grant under this subsection, the
corporation shall determine that the grant will advance the purposes of this subsection; provided
further, that priority shall be given to large-scale, long-term research and development activities
that have the greatest potential to support scientific and technological innovation and stimulate
economic and employment opportunities in the commonwealth through industry partnerships;
and provided further, that not less than 50 per cent of the grant funds under this subsection shall
be reserved for award, over the term of each authorization or appropriation, subject to
qualification, to the University of Massachusetts. The University of Massachusetts may, if it
deems necessary to help ensure efficient and effective research and development efforts, enter
into collaborative agreements with other higher education institutions in the commonwealth to
undertake parts of any research and development project for which grant funding under this
subsection is sought. Funds may be used by the corporation to support costs associated with
managing this program.

(c) The fund shall also be administered to support technology and innovation ecosystems
through grants or loans to eligible participants to pay or reimburse eligible capital costs of
facilities that foster innovation, demonstration, research and product development in emerging
technologies and systems, with preference given to sectors identified by the corporation as
having strategic importance to the commonwealth including, but not limited to, artificial
intelligence, robotics, quantum computing, advanced manufacturing, cyber security, financial
technology, blockchain and marine technologies; provided, however, that technology and
innovation ecosystems shall be developed in regions and communities that are historically 
underserved by technology investment. Eligible participants shall include universities, 
community and municipal colleges and public entities and may include for-profit business 
entities if the corporation finds that the use of funds by the private entity is primarily for a public 
purpose and will result in a significant and measurable public benefit. Eligible costs shall include 
the: (i) costs of acquiring and improving real property; (ii) costs of acquiring and installing 
fixtures, equipment and other personal property; (iii) costs of planning and designing; and (iv) 
any combination the costs described in clauses (i) to (iii), inclusive. Any such improvements, 
property or equipment shall be owned by 1 or more public entities but may be leased or licensed 
for use by private institutions; provided, however, that such assets may be privately owned where 
the corporation makes a finding that such private ownership is necessary to achieve the public 
purpose of the grant or loan. The corporation shall establish guidelines, requirements and 
standards for participation in the program.

(d) Annually, not later than October 1, the corporation shall file a report with the joint 
committee on higher education and the house and senate committees on ways and means 
detailing the grants awarded under this section.

SECTION 37. Section 3 of chapter 40R of the General Laws, as so appearing, is hereby 
amended by inserting after the figure “40A”, in line 10, the following words:- ; provided, 
however, that a smart growth zoning district or starter home district ordinance or by-law shall be 
adopted by a simple majority vote of all members of the town council, city council or town 
meeting.
SECTION 38. Section 1 of chapter 40S of the General Laws, as so appearing, is hereby amended by striking out, in line 51, the word “properties” and inserting in place thereof the following word:— buildings.

SECTION 39. Said section 1 of said chapter 40S, as so appearing, is hereby further amended by inserting after the figure “40R”, in line 61, the following words:— including, but not limited to, a smart growth zoning district or starter home zoning district as defined in section 2 of said chapter 40R.

SECTION 40. Section 1 of chapter 40V of the General Laws, as so appearing, is hereby amended by inserting after the word “units”, in line 18, the following words:— and not less than 10 per cent affordable: (i) rental units for persons whose income is not more than 60 per cent of the area median income; or (ii) owner-occupied units for persons whose income is not more than 80 per cent of the area median income.

SECTION 41. Section 2 of said chapter 40V, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— The application shall include a plan that shall include a description of the activities, public and private, contemplated for such zone as of the date of the adoption of the zone plan, including information as the department may require in written guidelines.

SECTION 42. Section 4 of said chapter 40V, as so appearing, is hereby amended by inserting after the word “units”, in line 8, the following words:— and not less than 10 per cent affordable: (A) rental units for persons whose income is not more than 60 per cent of the area median income; or (B) owner-occupied units for persons whose income is not more than 80 per cent of the area median income.
SECTION 43. Said section 4 of said chapter 40V, as so appearing, is hereby further amended by striking out, in line 15, the words “as certified projects under section 2” and inserting in place thereof the following words:- under section 2 as certified projects under this section.

SECTION 44. Said section 4 of said chapter 40V, as so appearing, is hereby further amended by striking out, in line 25, the words “executed agreement by the municipality which” and inserting in place thereof the following words:- agreement executed by the municipality that is approved by the department and.

SECTION 45. Subsection (e) of said section 4 of said chapter 40V, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The department shall review each pending project proposal and completed certified housing development project not less than once every 2 years. The certification of a project may be revoked by the department if: (i)(A) the municipality that approved the project proposal files a petition that satisfies the authorization requirements for a municipal application or the petition of the director of the department; and (B) the department determines, after an independent investigation, that representations made by the sponsors in its project proposal are materially different from the conduct of the sponsors subsequent to the certification and such difference is found to frustrate the public purposes that the certification was intended to advance; or (ii) the project no longer meets the criteria in this section. Upon revocation, the commonwealth and the municipality may bring a cause of action against the sponsors for the value of any economic benefit received by the sponsors prior to or subsequent to such revocation.
SECTION 46. The third paragraph of said subsection (e) of said section 4 of said chapter 40V, as so appearing, is hereby amended by adding the following sentence: The report shall include, but not be limited to: (i) a list of municipalities with approved HD zones; (ii) a list of housing development projects that have received certification; (iii) information about each housing development project, including the site address, project sponsor, range of rents of the residential units, type of residential units, number of each type of residential unit, number of affordable rental units for persons whose income is not more than 60 per cent of the area median income and the number of affordable owner-occupied units for persons whose income is not more than 80 per cent of the area median income; and (iv) the total amount of qualified project expenditures for which a tax credit was issued or reserved pursuant to section 5 for each housing development project, the year the credit was issued and the completion or estimated completion year of the housing development project.

SECTION 47. Section 5 of said chapter 40V, as so appearing, is hereby amended by inserting after the word “rate”, in lines 4 and 14, the following words: and affordable.

SECTION 48. Section 20 of chapter 44 of the General Laws, as so appearing, is hereby amended by striking out the fifth sentence and inserting in place thereof the following 3 sentences: Any premium received upon the sale of notes, less the cost of preparing, issuing and marketing the notes, and any accrued interest received upon the delivery of the notes, shall be applied to the first payment of interest on the note. Any premium received upon the sale of bonds, less the cost of preparing, issuing and marketing the bonds, and any accrued interest received upon the delivery of bonds shall be: (i) in the case of bonds sold by a city or town that have been excluded under section 21C of chapter 59, or bonds sold by a regional school district for which 1 or more member cities or towns have so excluded their share of the bond, applied by
the treasurer to pay costs of the project being financed by the bonds and to reduce the amount
authorized to be borrowed for the project by like amount; or (ii) in the case of any other bonds,
applied by the treasurer to pay costs of the project being financed by the bonds and to reduce the
amount authorized to be borrowed for the project by like amount; or if not so applied,
appropriated to pay costs of a project for which the city, town or district has authorized a
borrowing or may authorize a borrowing. Notwithstanding this section, any premium and
accrued interest received on account of an issue of bonds, less the cost of preparing, issuing and
marketing the bonds, not more than $50,000 may be applied, with the approval of the chief
executive officer, for the payment of indebtedness.

SECTION 49. Chapter 59 of the General Laws is hereby amended by inserting after
section 5N the following section:-

Section 5O. In any city or town that accepts this section, the board of selectmen of a
town, or in a municipality having a town council form of government, the town council, or in a
city, the mayor, with the approval of the city council, may establish a property tax exemption for
residential real estate in the city or town that is affordable for, and rented and occupied by,
persons whose household income is not more than the area median income. The exemption shall
be for an amount determined by each city or town; provided, however, that the amount shall not
be more than the tax otherwise due on the parcel based on the full and fair assessed value,
multiplied by the square footage of the housing units rented to and occupied by a persons whose
household income is not more than the area median income, divided by the total square footage
of a structure located on the parcel. For rental housing, assessment of such property, if by an
income approach to value, shall assume fair market rent for all units. To be eligible for the
exemption, the housing unit shall be leased to persons whose household income is not more than
area median income at rents for the entire fiscal year for which the exemption is sought. The
owner of the residential real estate shall submit to the city or town documentation including, but
not limited to, a signed lease and any other documentation necessary to confirm the eligibility of
the residential real estate.

A municipality shall have the power to create local rules and procedures for
implementing this section in a way that is consistent with the intent of this section

SECTION 50. Section 2 of chapter 61A of the General Laws, as appearing in the 2018
Official Edition, is hereby amended by inserting after the word “tobacco”, in line 4, the
following words:- hemp as defined in section 116 of chapter 128,

SECTION 51. Paragraph (2) of subsection (a) of section 2 of chapter 62 of the General
Laws, as so appearing, is hereby amended by adding the following subparagraph:-

(R) An amount which, but for this section, would be included in the gross income, in
whole or in part, of an eligible recipient, as described in subsection (a) of section 1102 of the
Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136, because of the forgiveness
described in subsection (b) of section 1106 of said act.

SECTION 52. Section 6 of said chapter 62, as so appearing, is hereby amended by
striking out, in lines 898 and 904, the figure “$10,000,000” and inserting in place thereof, in each
instance, the following figure:- $15,000,000.

SECTION 53. Said section 6 of said chapter 62, as so appearing, is hereby further
amended by striking out, in line 900, the figure “63;” and inserting in place thereof the following
words:- 63; and.
SECTION 54. Said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following subsection:—

(w)(1) As used in this subsection, the following words shall have the following meanings unless the context clearly requires otherwise:

“Commissioner”, the commissioner of revenue

“Cranberry bog”, an area actively cultivated for the harvesting or production of cranberries.

“Qualified renovation”, the renovation, repair, replacement, regrading or restoration of a cranberry bog for the cultivation, harvesting or production of cranberries or any other activity or action associated with the renovation of an abandoned cranberry bog; provided, however, that “qualified renovation” shall not include the construction of facilities or structures for the processing of cranberries.

“Qualified renovation expenditure”, an expenditure or a cost directly incurred in connection with the qualified renovation of a cranberry bog; provided, however, that “qualified renovation expenditure” shall not include costs incurred in acquiring or purchasing property for the construction of structures for the cultivation, harvesting or production of cranberries.

“Secretary”, the secretary of energy and environmental affairs

"Taxpayer", a taxpayer subject to taxation under this chapter.

(2)(i) A taxpayer primarily engaged in cranberry production shall be allowed a credit against the taxes imposed by this chapter equal to 25 per cent of the total qualified renovation expenditures incurred in connection with the qualified renovation of a cranberry bog during the
taxable year; provided, however, the amount of the credit that may be claimed by a taxpayer under this section shall not exceed $100,000.

(ii) The credit under this subsection shall be taken against the taxes imposed under this chapter and shall be refundable. The commissioner shall apply the credit against the liability of the taxpayer as determined on its return, as first reduced by any other available credits, and shall then refund to the taxpayer the balance of the credits. If the amount of the credit allowed under this subsection exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an overpayment and shall pay the taxpayer the entire amount of the excess. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer to any of the 5 subsequent taxable years.

(iii) The secretary, in consultation with the commissioner of agricultural resources, shall authorize annually, for the period beginning January 1, 2020 and ending December 31, 2024, tax credits under this subsection together with section 38II of chapter 63 in an amount not to exceed $2,000,000 per taxable year. No credits shall be allowed under this subsection except to the extent authorized in this paragraph.

(3) For a taxpayer to qualify for a credit under this subsection, the taxpayer shall file with the secretary a summary of qualified renovation expenditures in connection with the qualified renovation. The secretary shall approve the summary of qualified renovation expenditures and provide notice to the commissioner. Any qualified renovation expenditures applicable to this credit shall be treated for purposes of this subsection as made on the date that the secretary provides notice of the certification to the commissioner.
(4) Any portion of tax credits not awarded by the secretary in a calendar year shall not be applied to awards in a subsequent calendar year. The secretary shall provide any documentation that the commissioner may deem necessary to confirm compliance with subparagraph (iii) of paragraph (2) and the commissioner shall provide a report confirming compliance to the secretary of administration and finance.

(5) The secretary shall annually, not later than September 1, file a report with the house and senate committees on ways and means, the joint committee on environment, natural resources and agriculture and the joint committee on revenue identifying the total amount of tax credits claimed and the total amount of tax credits refunded pursuant to this subsection in the preceding fiscal year.

(6) The secretary, in consultation with the commissioner of agricultural resources and the commissioner of revenue, shall promulgate regulations or other guidelines necessary for the administration and implementation of this subsection.

SECTION 20A. Section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in lines 898 and 904, the figure “$10,000,000” and inserting in place thereof, in each instance, the following figure:- $15,000,000.

SECTION 20B. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out, in line 900, the figure “63;” and inserting in place thereof the following words:- 63; and.

SECTION 55. Section 38BB of chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in lines 44 and 50, the figure “$10,000,000” and inserting in place thereof, in each instance, the following figure:- $15,000,000.
SECTION 56. Said section 38BB of said chapter 63, as so appearing, is hereby further amended by striking out, in line 46, the figure “62;” and inserting in place thereof the following words:- 62; and.

SECTION 57. Said chapter 63 is hereby further amended by inserting after section 38HH the following section:-

Section 38II. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Commissioner”, the commissioner of revenue

“Cranberry bog”, an area actively cultivated for the harvesting or production of cranberries.

”Qualified renovation", the renovation, repair, replacement, regrading or restoration of a cranberry bog for the cultivation, harvesting or production of cranberries or any other activity or action associated with the renovation of an abandoned cranberry bog; provided, however, that “qualified renovation” shall not include the construction of facilities or structures for the processing of cranberries.

“Qualified renovation expenditure”, an expenditure or a cost directly incurred in connection with the qualified renovation of a cranberry bog; provided, however, that “qualified renovation expenditure” shall not include costs incurred in acquiring or purchasing property for the construction of facilities or structures for the cultivation, harvesting or production of cranberries.

“Secretary”, the secretary of energy and environmental affairs
"Taxpayer", a taxpayer subject to taxation under this chapter.

(b)(1) A taxpayer primarily engaged in cranberry production shall be allowed a credit against the taxes imposed by this chapter equal to 25 per cent of the total qualified renovation expenditures incurred in connection with the qualified renovation of a cranberry bog during the taxable year; provided, however, the amount of the credit that may be claimed by a taxpayer under this section shall not exceed $100,000.

(2) The credit under this section shall be taken against the taxes imposed under this chapter and shall be refundable. The commissioner shall apply the credit against the liability of the taxpayer as determined on its return, as first reduced by any other available credits, and shall then refund to the taxpayer the balance of the credits. If the amount of the credit allowed under this section exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an overpayment and shall pay the taxpayer the entire amount of the excess. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer to any of the 5 subsequent taxable years.

(3) The secretary, in consultation with the commissioner of agricultural resources, shall authorize annually, for the period beginning January 1, 2020 and ending December 31, 2024, tax credits under this subsection together with subsection (w) of section 6 of chapter 62 in an amount not to exceed $2,000,000 per taxable year. No credits shall be allowed under this section except to the extent authorized in this section.

(c) For a taxpayer to qualify for the credit provided for under this section, the taxpayer shall file with the secretary a summary of qualified renovation expenditures in connection with the qualified renovation. The secretary shall approve the summary of qualified renovation
expenditures and provide notice to the commissioner. Any qualified renovation expenditures applicable to this credit shall be treated for purposes of this section as made on the date that the secretary provides notice of the certification to the commissioner.

(d) Any portion of tax credits not awarded by the secretary in a calendar year shall not be applied to awards in a subsequent calendar year. The secretary shall provide any documentation that the commissioner may deem necessary to confirm compliance with paragraph (3) of subsection (b) and the commissioner shall provide a report confirming compliance to the secretary of administration and finance.

(e) The secretary shall annually, not later than September 1, file a report with the house and senate committees on ways and means, the joint committee on environment, natural resources and agriculture and the joint committee on revenue identifying the total amount of tax credits claimed and the total amount of tax credits refunded pursuant to this section in the preceding fiscal year.

(f) The secretary, in consultation with the commissioner of agricultural resources and the commissioner of revenue, shall promulgate regulations or other guidelines necessary for the administration and implementation of this section.

SECTION 58. Section 2 of chapter 90 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the seventh sentence the following sentence:- The registry of motor vehicles shall not provide a motor vehicle registration to a natural person until the registry of motor vehicles has confirmed the validity and status of the person’s driver’s license and certified that the person is in compliance with this chapter and with applicable rules and regulations promulgated by the registry of motor vehicles.
SECTION 59. Section 24A of chapter 93 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(e) A student loan servicer licensed under chapter 93L who is engaged solely in the activities of a student loan servicer shall not be required to: (i) obtain a debt collector license pursuant to subsection (a); or (ii) register as a third party loan servicer pursuant to subsection (b); provided, however, that if a student loan servicer acts, represents, operates or holds itself out as a third party loan servicer or debt collector outside of the scope of said chapter 93L, the student loan servicer shall register as a third party loan servicer or obtain a debt collector license, or both, as appropriate. A licensed student loan servicer who engages in third party loan servicing activities or debt collection activities within the scope of said chapter 93L shall comply with all state and federal laws and regulations governing third party loan servicers and debt collection when acting in such capacity.

SECTION 60. The General Laws are hereby amended by inserting after chapter 93K the following 2 chapters:-

CHAPTER 93L.

STUDENT LOAN SERVICERS.

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

“Commissioner”, the commissioner of banks.

“Person”, a natural person, corporation or other entity.
“Servicing”, (i) receiving or soliciting a scheduled periodic payment from a borrower pursuant to the terms of a student loan and making the principal, interest and other payments to the owner of the loan or other third party with respect to the amounts received from the borrower as may be required pursuant to the terms of the servicing loan document or servicing contract; (ii) maintaining account records for a loan and communicating with the borrower regarding the loan on behalf of the owner of the loan during a period in which no payment is required on the loan; or (iii) interacting with a borrower, including activities to help prevent default on obligations arising from a loan, to facilitate the activities described in clause (i) or clause (ii).

“Student loan”, a loan primarily used to finance post-secondary education or other school-related expenses.

“Student loan borrower”, a resident of the commonwealth who has received or agreed to repay a student loan or a person who shares responsibility with that resident for repaying the student loan.

“Student loan servicer”, a person responsible for servicing a student loan to a student loan borrower.

Section 2. (a) A person shall not directly or indirectly act as a student loan servicer without first obtaining a student loan servicer license pursuant to subsection (e) or an automatic federal student loan servicer license pursuant to subsection (f), as applicable, unless the person is exempt from licensure pursuant to subsection (b); provided, however, that a person with an automatic federal student loan servicer license shall not directly or indirectly act as a student loan servicer, other than pursuant to a contract with the United States Secretary of Education under 20 U.S.C. 1087f, without first obtaining a student loan servicer license under subsection (e).
(b) The following persons shall be exempt from student loan servicer licensing requirements under this section: (i) banks and credit unions, including federal credit unions and out-of-state banks and credit unions; (ii) wholly-owned subsidiaries of banks and credit unions; and (iii) nonprofit or public institutions of higher education.

(c) A person seeking to act as a student loan servicer, other than pursuant to a contract with the United States Secretary of Education under 20 U.S.C. 1087f, shall submit an application for a student loan servicer license in such form as the commissioner shall prescribe. The application may require that an applicant provide: (i) a financial statement prepared by a certified public accountant or a public accountant; (ii) a history of criminal convictions of the applicant; or (iii) any other information the commissioner considers necessary.

(d) An application for a student loan servicer license shall be accompanied by: (i) a nonrefundable license fee; (ii) a nonrefundable investigation fee; and (iii) a surety bond that provides for coverage for the applicant in an amount determined by the commissioner and in a form prescribed by the commissioner. The secretary of administration and finance shall annually determine the amounts of the license and investigation fees required under clauses (i) and (ii) pursuant to section 3B of chapter 7. The amount and form of the surety bond required under clause (iii) shall be determined by the commissioner.

(e) After the filing of an application for an initial student loan servicer license and the payment of the license and investigation fees, the commissioner shall investigate the financial condition, responsibility, financial and business experience, character and general fitness of the applicant.
The commissioner may issue a student loan servicer license if the commissioner finds that: (i) the applicant’s financial condition is sound; (ii) the applicant’s business has been conducted and will be conducted honestly, fairly, equitably, carefully, efficiently and in a manner consistent with this chapter; (iii) (A) if the applicant is an individual, the individual is properly qualified and of good character; (B) if the applicant is a partnership, each partner is properly qualified and of good character; (C) if the applicant is a corporation or association, the president, chair of the executive committee, senior officer responsible for the corporation’s business and chief financial officer or any other person who performs similar functions as determined by the commissioner, each director, each trustee and each shareholder owning at least 10 per cent of each class of the securities of the corporation are properly qualified and of good character; or (D) if the applicant is a limited liability company, each member is properly qualified and of good character; (iv) no person on behalf of the applicant has knowingly made any incorrect statement of a material fact in the application or in any report or statement made pursuant to this chapter; (v) no person acting on behalf of the applicant has knowingly failed to state any material fact necessary to give the commissioner any information required by the commissioner; (vi) the applicant has paid the license and investigation fees and provided the required surety bond under subsection (d); and (vii) the applicant has met all other requirements as determined by the commissioner.

(f) The commissioner shall issue an automatic federal student loan servicer license to a person that acts or intends to act as a student loan servicer pursuant to a contract with the United States Secretary of Education under 20 U.S.C. 1087f. The automatic federal student loan servicer license shall be irrevocable and shall not expire except as otherwise provided in this section.
Upon receipt of the automatic federal student loan servicer license, the student loan servicer shall pay the license and investigation fees and provide the required bond under subsection (d).

A person issued an automatic federal student loan servicer license shall provide written notice to the commissioner not more than 7 business days after receiving notification of the expiration, revocation or termination of a contract awarded by the United States Secretary of Education under 20 U.S.C 1087f. An automatic federal student loan servicer license shall immediately expire if the licensee is no longer acting as a student loan servicer pursuant to a contract with the United States Secretary of Education under said 20 U.S.C. 1087f. Nothing in this subsection shall prevent the commissioner from issuing a cease and desist or injunction against a student loan servicer to cease activities in violation of this chapter to the extent permitted by law.

(g) A student loan servicer license issued pursuant to subsection (e) shall be valid for 1 year as of a date determined by the commissioner unless suspended or revoked and shall not be automatically renewed.

(h) A student loan servicer license issued pursuant to subsection (e) may be renewed upon the filing of a renewal application containing all of the required documents and fees as provided in subsection (c). A renewal application shall be filed not less than 30 days before the expiration of the student loan servicer’s current license. The commissioner may assess a late fee for renewal applications filed less than 30 days before the expiration of a student loan servicer license.
If an application for renewal of a student loan servicer license under said subsection (e) has been filed with the commissioner not later than the date the previous license is to expire, the license sought to be renewed shall continue in full force and effect until the issuance of the renewal license or until the commissioner has notified the licensee in writing of the commissioner’s refusal to renew the license, together with the grounds upon which that refusal is based. The commissioner may refuse to renew a student loan servicer license for any reason that the commissioner may refuse to issue an initial student loan servicer license under said subsection (e).

(i) The commissioner may consider an application for a student loan servicer license under subsection (e) abandoned if the applicant fails to respond to a request for information required under this section within 60 days after such request is made. The commissioner shall notify the applicant, in writing, that the application shall be considered abandoned if the applicant fails to submit that information within the required time period. Abandonment of an application pursuant to this subsection shall not preclude the applicant from submitting a new application for a student loan servicer license under this chapter.

Section 3. Not later than 15 days after a licensed student loan servicer ceases to engage in the business of student loan servicing for any reason including, but not limited to: (i) a business decision to terminate operations in the commonwealth; (ii) license expiration, revocation or termination; (iii) bankruptcy; or (iv) voluntary dissolution, the licensee shall provide written notice of surrender to the commissioner and shall surrender to the commissioner the student loan servicer license or automatic federal student loan servicer license for each location in which the licensee has ceased to engage in such business.
The notice shall include, but not be limited to: (i) the location where the records of the student loan servicer shall be stored; and (ii) the name, address and telephone number of an individual authorized to provide access to the records. The surrender of a student loan servicer license or automatic federal student loan servicer license shall not affect the licensee’s civil or criminal liability arising from acts or omissions occurring before the surrender of the license.

Section 4. The commissioner may participate in a multistate licensing system for the sharing of regulatory information and for the application, by electronic or other means, and licensing of persons engaged in student loan servicing. The commissioner may establish requirements for participation by an applicant in a multistate licensing system that vary from the provisions of this chapter. The commissioner may require a background investigation of each applicant for a student loan servicer license by means of fingerprint and state and national criminal history record checks by the department of criminal justice information services pursuant to section 172 of chapter 6 and the Federal Bureau of Investigation.

If the applicant is a partnership, association, corporation or other form of business organization, the commissioner may require a background investigation for each member, director and principal officer of the applicant and any individual acting as a manager of an office location. The applicant shall pay directly to the multistate licensing system any additional fees related to participation in the multistate licensing system.

Section 5. (a) If a person licensed as a student loan servicer under subsection (e) of section 2 intends to operate at any place in addition to the address on the license or plans to change the location of its place of business, the licensee shall: (i) notify the commissioner, in writing, not less than 30 days before doing so; and (ii) shall pay a fee for each additional location.
at a reasonable cost as determined by the commission. Such notice shall contain the address of any additional or changed location and such other information required by the commissioner. A student loan servicer license shall not be transferable or assignable.

(b) A student loan servicer shall maintain adequate records of each student loan transaction for not less than 2 years following the final payment on the student loan or the assignment of the student loan, whichever occurs first, or except as otherwise required by federal law or a contract with the United States Secretary of Education under 20 U.S.C. 1087f. The commissioner may request these records from a student loan servicer and the servicer shall comply with the request not later than 5 business days after the request is received. The commissioner may, upon request, grant a student loan servicer additional time to make such records available.

Section 6. A student loan servicer shall comply with all applicable federal laws and regulations relating to student loan servicing. A violation of a federal law or regulation shall be a violation of this chapter and the commissioner may investigate any such violation pursuant to section 7.

Section 7. (a) The commissioner shall conduct investigations and examinations for: (i) initial licensing, license renewal, license suspension, license revocation or termination or determining compliance with this chapter; and (ii) investigation of violations or complaints arising under this chapter.

In an investigation or examination conducted pursuant to this section, the commissioner may access, receive and use information from any relevant party’s books, accounts, records, files, documents and other information as needed.
If there is reason to believe that a person other than a licensee has violated this chapter, the commissioner may investigate the person as necessary. The commissioner may examine the person who allegedly violated this chapter and may compel the production of relevant books, accounts, records, files, documents and other information as needed.

The total cost for any investigation or examination shall be paid by the student loan servicer not more than 30 days after the receipt of an invoice for the total cost, shall be in accordance with fees determined annually by the secretary of administration and finance pursuant to section 3B of chapter 7 and shall include expenses for necessary travel outside of the commonwealth to conduct the investigation or examination.

All records of investigations and reports of examinations by the commissioner, including workpapers, information derived from the reports and responses to the reports, and any copies thereof in the possession of a student loan servicer under the supervision of the commissioner, shall be confidential and privileged communications; provided, however, that nothing in this subsection shall interfere with the work of the office of the student loan ombudsman established under section 35 of chapter 12; and provided further, that records shall be made public if it is in the public interest.

For the purposes of this subsection, records of investigation and reports of examinations shall include records of investigation and reports of examinations conducted by a financial regulatory agency of the federal government, another state or a foreign government that are considered confidential by the agency or foreign government and are in the possession of the commissioner. In a proceeding before a court, the court may issue a protective order in appropriate circumstances to protect the confidentiality of the record and order that the record on
file with the court or filed in connection with the court proceeding be sealed and that the public
be excluded from any portion of the proceeding at which the record is disclosed. Copies of the
reports of examination shall be furnished to a licensee for the licensee’s use only and shall not be
exhibited to any other person, organization or agency without prior written approval by the
commissioner. The commissioner may furnish information, reports and statements relating to the
licensees under the commissioner’s supervision to regulatory agencies of the federal government,
other states and foreign countries and to law enforcement agencies as considered appropriate.

(b) In an investigation or examination conducted pursuant to this section, the
commissioner shall have free access to the documents and records of the student loan servicer or
any other person under investigation or examination. Unless the commissioner has reasonable
grounds to believe that the documents or records of the student loan servicer or other person have
been or are at risk of being altered or destroyed for the purposes of concealing a violation of this
chapter, the student loan servicer or owner of the documents and records shall have access to the
documents or records as necessary to conduct ordinary business affairs.

(c) No student loan servicer or person subject to investigation or examination under this
section shall knowingly withhold, amend, remove, mutilate or destroy any books, records,
computer records or other information requested by the commissioner.

(d) The commissioner may suspend a student loan servicer license issued under
subsection (e) of section 2 if the commissioner finds that: (i) the student loan servicer has
violated this chapter; or (ii) a fact or condition exists that would have warranted a denial of the
license if the fact or condition existed at the time of the original application for the license.
The commissioner may revoke or refuse to renew a student loan servicer license issued under subsection (e) of section 2 if the commissioner finds: (i) 2 or more violations or facts or conditions as described in subsection (d) during a license period; (ii) reckless or willful conduct on the part of the licensee; or (iii) it is in the public interest to revoke or refuse to renew the license.

(f) Notwithstanding any general or special law to the contrary, if the commissioner determines that a person has violated this chapter or that a person or entity associated with a student loan servicer has committed fraud or engaged in unfair, deceptive or dishonest activities, the commissioner may take action against that person or entity including, but not limited to: (i) suspension or revocation of that person’s license pursuant to subsection (e); (ii) imposition of an administrative penalty of not more than $50,000 per incident; or (iii) both.

Section 8. A student loan servicer shall not engage in unfair methods of competition or unfair or deceptive acts or practices. A violation of this chapter shall also be a violation of chapter 93A. Nothing in this chapter shall preclude an action being brought under said chapter 93A or any other law.

The commissioner may notify the attorney general or the student loan ombudsman established in section 35 of chapter 12 of a potential violation of this chapter or said chapter 93A.

Section 9. The commissioner shall promulgate rules and regulations necessary to implement this chapter.

CHAPTER 93M.

BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT.
Section 1. As used in this chapter, the following terms shall have the following meanings unless the context clearly requires otherwise:

“Assertion of patent infringement”, (i) the sending or delivering of a demand letter to a target; (ii) the threatening of a target with litigation and asserting, alleging or claiming that the target has engaged in patent infringement; (iii) the sending or delivering of a demand letter to the customers of a target; or (iv) a claim or allegation, other than those made in litigation against a target, that a target has engaged in patent infringement or that a target should obtain a license to a patent in order to avoid litigation, or any similar assertion.

“Demand letter”, a letter, e-mail or other communication asserting, alleging or claiming that the target has engaged in patent infringement or that a target should obtain a license to a patent in order to avoid litigation, or any similar assertion.

“Target”, a person residing in, conducting substantial business in or having its principal place of business in Massachusetts against whom an assertion of patent infringement is made.

Section 2. (a) A person shall not make an assertion of patent infringement in bad faith. In determining whether a person has made an assertion of patent infringement in bad faith, and in addition to any other factor the court finds relevant, a court may consider whether: (i) the demand letter failed to contain the following information: (A) the patent number; (B) the name and address of the patent owner or owners and assignee or assignees, if any; and (C) factual allegations concerning the specific areas in which the target’s products, services or technology infringe the patent or are covered by the claims in the patent; (ii) the target requested information described in clause (i) that was not included in the demand letter and the person failed to provide the information within a reasonable period of time; (iii) the demand letter demanded payment of
a license fee or response within an unreasonably short period of time; (iv) the claim or assertion of patent infringement was meritless and the person knew, or should have known, that the claim or assertion was meritless; (v) the claim or assertion of patent infringement was deceptive; (vi) the person or its subsidiaries or affiliates have previously filed or threatened to file 1 or more lawsuits based on the same or similar claim of patent infringement and (A) those threats or lawsuits lacked the information described in said clause (i); or (B) the person attempted to enforce the claim of patent infringement in litigation and a court found the claim to be meritless; and (vii) the patent has been held invalid or unenforceable in a final judgment or administrative decision.

(b) A court may consider the following factors, and any other factors the court finds relevant, as evidence that a person has not made an assertion of patent infringement in bad faith: (i) the demand letter contained the information described in clause (i) of subsection (a); (ii) the target requested such information described in said clause (i) of said subsection (a) that was not included in the demand letter and the person provided the information within a reasonable period of time; (iii) prior to sending the demand letter, the person conducted an analysis comparing claims in the patent to the target’s products, services or technology that identifies specific areas in which the products, services or technology are covered by the claims in the patent; (iv) the person engaged in a good faith effort to establish that the target has infringed the patent and to negotiate an appropriate remedy; and (v) the person is the inventor or joint inventor of the patent or, in the case of a patent filed by and awarded to an assignee of the inventor or joint inventor, the original assignee.

(c) This chapter shall not apply to: (i) an institution of higher education or a technology transfer organization owned or affiliated with an institution of higher education; (ii) a non-profit
research institute or organization that manages inventions on behalf of an institute of higher
education or a non-profit research institute or organization as a primary function; (iii) a person
who is currently making significant investments in: (A) research and development in connection
with the patented technology, including technical or experimental work to create, test, qualify,
modify or validate technologies or processes for commercialization of goods or services; (B)
development, product marketing, manufacturing or sale of products or processes covered by the
patent; (C) the delivery or provision of goods or commercial services using the patented
technology; or (D) a combination of subclauses (A) to (C), inclusive; and (iv) a person whose
business is the licensing of patents as a wholly-owned subsidiary of a person described in clause
(iii).

Section 3. (a) A target or a person aggrieved by a violation of this chapter may bring an
action in superior court against a person who has made a bad-faith assertion of patent
infringement. The court may award to a plaintiff who prevails in an action brought pursuant to
this subsection 1 or more of the following remedies: (i) equitable relief; (ii) damages; (iii) costs
and fees, including reasonable attorneys’ fees; and (iv) exemplary damages in an amount equal
to $50,000 or 3 times the total of damages, costs and fees, whichever is greater.

(b) A person who by contract, agreement or otherwise, directly or indirectly, arranged for
the bad faith assertion of patent infringement and a person who otherwise caused or is legally
responsible for such bad faith assertion of patent infringement under the principles of the
common law shall be liable to a prevailing plaintiff for all damages, costs and fees. Such liability
shall be joint and several.
(c) A court may award to a defendant who prevails in an action brought pursuant to this section costs and fees, including reasonable attorneys’ fees, if the court finds the action was not well-grounded in fact and warranted by existing law or was interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(d) Nothing in this chapter shall limit any right or remedy otherwise available under law to the commonwealth or to any person.

Section 4. The attorney general shall have the same authority under this chapter to make rules, conduct civil investigations, bring civil actions and enter into assurances of discontinuance as provided under chapter 93A. In an action brought by the attorney general pursuant to this section, the court may award or impose any relief available under this chapter.

CHAPTER 93N.

DEBT COLLECTION FAIRNESS.

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

“Charge-off”, a declaration by a creditor that a delinquent consumer loan, consumer credit account or other consumer debt has been removed from a creditor’s books as an asset and treated as a loss or expense.

“Consumer”, a natural person.

“Consumer form contract”, a contract in writing between a business and a consumer involving goods or services, including, but not limited to, credit or financial services, primarily
for personal, family or household purposes that has been drafted by the business for use with
more than 1 consumer unless the only other consumer is the spouse of the first consumer.

“Consumer debt”, an obligation or alleged obligation of a consumer to pay money arising
out of a transaction in which the money, property, insurance or services that are the subject of the
transaction are primarily for personal, family or household purposes, whether or not the
obligation has been reduced to judgment; provided, however, that “consumer debt” shall not
include a common expense or charge levied under chapter 183A or 183B, an obligation or
alleged obligation to pay common expenses or charges levied pursuant to a covenant or
agreement running with the land or a residential mortgage loan. “Creditor”, a person or entity to
whom a debt is owed, including a judgment creditor or any other person or entity that obtains an
execution on a debt; provided, however, that “creditor” shall not include an organization of unit
owners as defined in section 1 of chapter 183A, a time-share association under chapter 183B or a
homeowner association or entity to whom debt is owed pursuant to a covenant or agreement
running with the land.

“Debt buyer”, a person or entity that is engaged in the business of purchasing delinquent
or charged-off consumer loans or consumer credit accounts or other delinquent consumer debt
for collection purposes, whether it collects the debt itself or hires a third party for collection or an
attorney for litigation in order to collect the debt.

“Debt collector”, a person or entity who uses an instrumentality of interstate commerce or
the mail in any business the principal purpose of which is the collection of a debt or who
regularly collects or attempts to collect, directly or indirectly, a debt owed or due or asserted to
be owed or due another person or entity.
“Earnings”, gross compensation paid or payable for personal services, whether
denominated as wages, salary, commission, bonus, payment for skilled, personal or professional
services or otherwise, whether earned as an employee or as an independent contractor.

“Execution”, an attachment, levy, garnishment or other disablement, freeze or seizure of
property, whether pre-judgment or post-judgment, to satisfy a debt or a creditor’s exercise of a
right of setoff to collect a debt; provided, however, that “execution” shall not include self-help
repossession of collateral.

“Exempt”, not subject to execution, levy, attachment, garnishment, setoff, self-help,
seizure or other form of process, court order, creditor or other action for debt collection or
restitution or other equitable claim unless otherwise specified.

“Garnishment”, a legal or equitable procedure through which the earnings, property or
funds of a person are required by a court of competent jurisdiction to be withheld by another
entity for payment of a debt to a creditor.

“Residential mortgage loan”, any loan primarily for personal, family or household use
that is secured by a mortgage, deed of trust or other equivalent consensual security interest on a
dwelling as defined in 15 U.S.C. 1602(w) or residential real estate upon which is constructed or
intended to be constructed a dwelling as so defined.

“Trustee”, a trustee served pursuant to chapter 246.

Section 2. (a) Notwithstanding section 34 of chapter 235, if earnings of a consumer are
attached to satisfy a judgment for collection of a consumer debt, that consumer’s earnings for a
week that are less than 70 times the greater of the federal minimum hourly wage under 29 U.S.C.
section 206(a)(1) or the state minimum hourly wage under section 1 of chapter 151 in effect at
the time shall be exempt from the attachment and not subject to garnishment. This exemption
shall be adjusted pro rata for a pay period that is more than weekly.

(b) If the consumer’s earnings exceed the amount that is exempt under subsection (a), not
more than 10 per cent of the excess earnings shall be subject to garnishment.

(c) Notwithstanding subsection (a) and (b), a judgment debtor may seek to exempt
additional wages from attachment by making a claim of undue financial hardship by filing a
form with the court. Such form shall be prepared by the court to allow a judgment debtor to
easily identify the basis for the judgment debtor’s request for an additional exemption. Upon the
filing of the financial hardship form, the court shall hold a hearing as soon as practicable to
determine the total amount that shall be exempted from the judgment debtor’s wages.

(d) If more than 1 order of attachment for a consumer debt is served on a trustee with
respect to the same consumer, the order of attachment served earliest shall take priority. If an
order of attachment with greater priority consumes the entirety of the income that is available for
garnishment under the preceding subsections, then the consumer’s earnings shall not be
garnished pursuant to the order of attachment with lower priority.

(e) The protections for earnings under this section shall apply to consumers whose
physical place of employment is in the commonwealth, whether or not the consumer’s employer
may have corporate offices or other places of business located outside the commonwealth.

(f) This section shall not apply in a proceeding to attach earnings or a pension to satisfy a
divorce, separate maintenance or child support order of a court of competent jurisdiction and in
such a proceeding, including an action for trustee process to enforce a support order under
section 36A of chapter 208, federal law limiting the amounts that may be trusteed, assigned or 
attached in order to satisfy an alimony, maintenance or child support order shall apply.

(g) Except as otherwise permitted by law, an amount held by a trustee for a defendant in a 
pension, as defined in section 28 of chapter 246, shall be reserved in the hands of the trustee and 
shall be exempt from attachment to satisfy a judgment for collection of a consumer debt.

(h) An employer shall not take adverse action against an employee or refuse to hire an 
individual because of 1 or more garnishments for consumer debts or because of obligations that 
any garnishments impose against the employer. An employer who violates this section shall be 
liable in a civil action, action for contempt or other appropriate proceeding to the employee or 
individual for the wages and employment benefits lost by the employee or individual from the 
time of the unlawful discipline, suspension, refusal to hire or discharge to the period of 
reinstatement and an additional penalty of not more than $1,000.

(i) Income from child support payments shall be exempt from collection.

Section 3. (a) Notwithstanding section 2 of chapter 260, an action for the collection of a 
consumer debt shall be commenced within 4 years after the cause of action arises. This 
limitations period shall apply to a consumer debt, whether the claim sounds in contract, account 
stated, open account or other cause, and notwithstanding another applicable statute of limitations, 
unless a shorter limitations period is applicable. This time period also applies to a claim for a 
consumer debt based on a contract or instrument under seal.

(b) Nothing in this chapter shall prohibit a creditor, debt buyer or debt collector from 
entering into a repayment agreement that shall be legally binding on the consumer beyond the 
applicable limitations period on the consumer debt in subsection (a) so long as the repayment
agreement is in writing, signed by both parties and based on new consideration and does not
require the consumer to make payments from exempt income.

(c) Notwithstanding section 14 of chapter 260, a payment on a consumer debt after the
limitations period in subsection (a) has run shall not revive or extend the limitations period or bar
the consumer from asserting a defense to the collection of a consumer debt.

(d) No creditor, debt buyer or debt collector shall bring a suit or initiate an arbitration or
other legal proceeding to collect a consumer debt if the applicable limitations period on the
consumer debt in subsection (a) has expired.

(e) A waiver by a consumer of a protection or right under this section is void and shall
not be enforced.

(f) Notwithstanding section 20 of chapter 260 or any other general or special law to the
contrary, an action upon a judgment or decree on a consumer debt, including an execution upon
or trustee process based on the judgment or decree and other activity to collect on the judgment,
shall be commenced within 10 years after the entry of the judgment or decree. A judgment
whose enforcement has been barred by the running of this limitations period shall not be revived
or renewed.

Section 4. (a) For matters arising from a consumer debt, a plaintiff who has obtained a
judgment shall provide written notice to a consumer not less than 30 days prior to a
supplementary proceeding in a civil action for the examination of a consumer pursuant to section
14 of chapter 224 or a payment review hearing in a small claims action pursuant to Uniform
Small Claims Rule 7(i). The notice shall inform the consumer of the opportunity to submit a
financial affidavit in a form prescribed by the court and signed under the penalties of perjury. If
the consumer indicates through the financial affidavit that all income and assets are exempt and
files it as directed by the court, the court shall acknowledge receipt and inform both parties that
the hearing is cancelled. Once a signed financial affidavit form indicating that all income and
assets are exempt is on file in that case, no further supplementary proceedings or payment review
hearings may be scheduled unless the judgment creditor presents evidence of the judgment
debtor’s non-exempt income or assets and the court determines that there is a reasonable basis to
believe that there are non-exempt assets or income warranting the scheduling of a new
supplementary proceeding or payment review hearing.

(b) Notwithstanding sections 18 and 20 of chapter 224 or any other general or special law
or court rule, for matters arising from a consumer debt a capias or other warrant to compel the
attendance of a consumer shall not be issued for failure of the consumer to appear at a
supplementary proceeding in a civil action for the examination of a consumer pursuant to section
14 of chapter 224 or a payment review hearing in a small claims action pursuant to Uniform
Small Claims Rule 7(i); provided, however, that failure to appear shall trigger the scheduling of a
show cause hearing for the court to determine whether a capias or other warrant to compel the
attendance of a consumer should issue. A capias or other warrant shall not issue to compel the
attendance of a consumer without evidence that notice of the show cause hearing was served on
the consumer either by signed return receipt or by a sworn return of service.

(c) Notwithstanding sections 18 and 20 of chapter 224 or any other general or special law
or court rule, a consumer that is compelled to attend pursuant to a capias or other warrant shall
be brought before the court the same day. The consumer shall be given the opportunity to
complete the financial affidavit described in paragraph (a). The capias or other warrant shall be
satisfied by the consumer’s appearance in court or completion of the financial affidavit indicating that all forms of income and assets are exempt.

(d) Notwithstanding sections 18 and 20 of chapter 224 or any other general or special law or court rule, no person shall be imprisoned or jailed for failure to pay a consumer debt or for contempt of or failure to comply with a court order to pay a consumer debt in part or in full.

Section 5. (a) If a plaintiff prevails in an action to collect a consumer debt, interest computed pursuant to section 6C of chapter 231 or section 8 of chapter 235 shall be limited to a fixed rate of interest of 6 per cent per annum. A higher rate of interest on the judgment shall not be permitted, including the rate provided for in the contract.

(b) If the plaintiff prevails in an action to collect a consumer debt, the plaintiff shall be entitled to collect attorney’s fees only if the contract or other document evidencing the indebtedness sets forth an obligation of the consumer to pay attorney’s fees, subject to the following provisions: (i) if the contract or other document evidencing indebtedness provides for attorney’s fees in some specific percentage, the provision and obligation shall be valid and enforceable in an amount not more than 15 per cent of the amount of the debt excluding attorney’s fees and collection costs; (ii) if a contract or other document evidencing indebtedness provides for the payment of reasonable attorney’s fees by the consumer without specifying a specific percentage the provision shall be construed to mean the lesser of: (A) 15 per cent of the amount of the debt, excluding attorney’s fees and collection costs; or (B) the amount of attorney’s fees calculated by a reasonable rate for such cases multiplied by the amount of time reasonably expended to obtain the judgment; and (iii) the documentation setting forth a party’s obligation to pay attorney’s fees shall be provided to the court before a court may enforce those
provisions; provided, however, that the documentation shall not include materials that the
plaintiff has already filed together with the complaint in compliance with applicable court rules.

(c) If the consumer prevails in an action to collect a consumer debt, the consumer shall be
entitled to an award of reasonable attorney’s fees, unless the case is voluntarily dismissed with
prejudice pursuant to Rule 41(a)(1)(i) of the Massachusetts Rules of Civil Procedure or a
stipulation of dismissal explicitly provides otherwise. The amount of the debt that the plaintiff
sought shall not be a factor in determining the reasonableness of the award. In the alternative, at
the consumer’s election, a prevailing consumer in an action to collect a consumer debt shall be
awarded the amount of attorney’s fees that the plaintiff would have been entitled to collect if the
plaintiff had been the prevailing party.

Section 6. (a) A violation of sections 2 to 5, inclusive, shall also be a violation of chapter
93A.

(b) A portion of a contract, including a consumer form contract, that violates sections 2 to
5, inclusive, shall be void.

SECTION 61. Chapter 138 of the General Laws is hereby amended by striking out
section 15F, as appearing in the 2018 Official Edition, and inserting in place thereof the
following section:-

Section 15F. (a) For the purposes of this section, “agricultural event” shall only include
events certified by the department of agricultural resources pursuant to this section.

(b) Notwithstanding any other provision of this chapter, the local licensing authority of a
city or town authorized to grant licenses to sell alcoholic beverages under this chapter may issue
to an applicant a special license to sell: (i) wine produced by or for the applicant at an indoor or outdoor agricultural event if the wine is in sealed containers for off-premises consumption and the applicant is authorized to operate a farmer-winery under section 19B; (ii) malt beverages produced by or for the applicant at an indoor or outdoor agricultural event if the malt beverages are in sealed containers for off-premises consumption and the applicant is authorized to operate a farmer-brewery under section 19C; or (iii) distilled spirits produced by or for the applicant at an indoor or outdoor agricultural event if the spirits are in sealed containers for off-premises consumption, the applicant is authorized to operate a farmer-distillery under section 19E and the city or town is authorized to grant licenses for the sale of all alcoholic beverages.

(c) The sale of alcoholic beverages under this section shall be conducted by the licensee or by an agent, representative or solicitor of the licensee to customers who are not less than 21 years of age. A licensee under this section may provide samples of its alcoholic beverages to prospective customers at an indoor or outdoor agricultural event without charge. A sample shall be served by the licensee or by an agent, representative or solicitor of the licensee to individuals who are not less than 21 years of age and shall be consumed in the presence of the licensee or an agent, representative or solicitor of the licensee; provided, however, that a sample of wine shall not exceed 1 ounce, a sample of a malt beverage shall not exceed 2 ounces and a sample of distilled spirits shall not exceed ¼ ounce; and provided further, that not more than 5 samples shall be served to an individual prospective customer.

(d) An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include: (i) a description of the event; (ii) the date, time and location of the event; (iii) a copy of the operational guidelines or rules for the event; (iv) written proof that the
applicant has been approved as a vendor at the event, including the name and contact information
of the on-site manager; and (v) a plan depicting the premises and the specific location where the
license shall be exercised. Upon review of the plan, the department may certify that the event is
an agricultural event; provided, however, that in making that determination, the department shall
consider: (i) whether the event is operating as a farmers’ market or agricultural fair approved or
inspected by the department; (ii) the frequency and regularity of the event, including dates, times
and locations; (iii) the number of vendors; (iv) the terms of vendor agreements; (v) the presence
of an on-site manager; (vi) the training of the on-site manager; (vii) any operational guidelines or
rules, which shall include vendor eligibility and produce source; (viii) the focus of the event on
local agricultural products grown or produced within the market area; (ix) the types of shows or
exhibits, including those described in clause (f) of section 2 of chapter 128; and (x) the event’s
sponsorship or operation by an agricultural or horticultural society organized under the laws of
the commonwealth or by a local grange organization or association that has a primary purpose of
promoting agriculture and its allied industries. The department may promulgate rules and
regulations necessary for the operation, oversight, approval and inspection of agricultural events
under this section.

In addition to its application, an applicant for a special license under this section shall file
with the local licensing authority proof of certification from the department of agricultural
resources that the event is an agricultural event. A special license shall designate the specific
premises and the dates and times covered; provided, however, that a special license may be
granted for an indoor or outdoor agricultural event that takes place on multiple dates or times
during a single calendar year; provided further, that a special license shall not be granted for an
agricultural event if the event will not take place within 1 calendar year.
(e) A special license under this section shall be conspicuously displayed at the licensed premises. The licensing authority shall submit a copy of a special license to the commission not less than 7 days before the date the agricultural event is first scheduled to begin. The local licensing authority may charge a fee for each special license granted; provided, however, that the fee shall not exceed $50. A special license shall not be transferable to any other person, corporation or organization and shall be clearly marked “nontransferable” on its face.

(f) A special license under this section may be granted by a local licensing authority for a portion of premises that are licensed under section 12; provided, however, that: (i) the holder of the special license shall document the legal basis for use of the premises; (ii) the area in which the special license is to be approved shall be physically delineated from the area remaining under the control of the holder of the license granted under said section 12; (iii) the holder of the special license shall be solely liable for all activities that arise from the special license; and (iv) the holder of the special license shall not pay any consideration, directly or indirectly, to the holder of the license granted under said section 12 for the access to or use of the premises.

The commission may promulgate rules and regulations as it deems appropriate to implement this section.

SECTION 62. Section 87T of chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “hairdressing”, in line 63, the following words: ; provided further, that “hairdressing” shall not include natural hair braiding.

SECTION 62. Said section 87T of said chapter 112 is hereby further amended by inserting after the definition of “Mobile services”, as so appearing, the following definition:
“Natural hair braiding”, twisting, wrapping, weaving, extending, locking or braiding the hair of any person either by hand or with a mechanical device.

SECTION 63. The first paragraph of section 87V of said chapter 112, as so appearing, is hereby amended by adding following sentence:- Natural hair braiding shall be exempt from the rules and regulations issued by the board.

SECTION 64. Section 1 of chapter 121B of the General Laws, as so appearing, is hereby amended by striking out the definition of “Tenant member” and inserting in place thereof the following definition:-

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

SECTION 65. Section 5 of said chapter 121B, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following 3 paragraphs:-

In a town, 4 members of a redevelopment authority that is not a housing authority shall be elected by the town; provided, however, that of the members originally elected at an annual town meeting, the candidate who received the highest number of votes shall serve for 5 years, the candidate who received the next highest number of votes shall serve for 4 years, the candidate who received the next highest number of votes shall serve for 2 years and the candidate who received the next highest number of votes shall serve for 1 year. Notwithstanding the preceding
sentence, upon the initial organization of a redevelopment authority that is not a housing
authority, if a town so votes at an annual or special town meeting called for the purpose of
organizing a redevelopment authority that is not a housing authority, 4 members of the
redevelopment authority shall be appointed immediately by the board of selectmen to serve only
until the qualification of their successors; provided, however, that the successors shall be elected
at the next annual town meeting as provided in this paragraph.

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

A tenant, where applicable, shall be appointed by the town from a list of names submitted
by a duly recognized tenants’ organization in the town. A tenants’ organization may submit a list
to the board of selectmen that shall contain not less than 2 and not more than 5 names and the
board shall make the appointment from among the names so submitted; provided, however, that
if there is no such tenants’ organization, the housing authority shall immediately post notices
throughout the common areas of the authority and provide each household with notice of the
opportunity to be appointed to the housing authority board and, if any person wishes to be
considered for such appointment, that person shall submit their name within 30 days thereafter to
the town clerk; provided further, that the notice shall include contact information for the town
clerk and for any independent technical training programs available pursuant to section 5B. The
board of selectmen shall appoint a tenant member from the list; provided, however, that where
federal law requires the town to maintain a member who is a federally-subsidized tenant, a
federally-subsidized tenant shall be given preference for the appointment. If there are no public
housing units owned and operated by the local housing authority and if there are no such units
owned and operated on behalf of the local housing authority, the board of selectmen shall
appoint a person meeting the eligibility requirements for a tenant member. If a list of names is
not submitted within 60 days after a vacancy occurs, the board of selectmen shall appoint a
tenant member of its own choosing to the authority. The town shall provide any written notice to
tenants’ organizations as required by this section not less than 90 days before the expiration of
the term of a tenant member. If a vacancy occurs in the term of a tenant member for any reason
other than the expiration of a term, the town shall provide written notice to the tenants’
organizations within 10 business days after the vacancy occurs. The board of selectmen shall
make the appointment of the successor tenant member within a reasonable time after the
expiration of 60 days following the provision of notice as provided in this section.

SECTION 66. Said chapter 121B is hereby further amended by striking out section 5A,
as so appearing, and inserting in place thereof the following section:-

Section 5A. A housing authority may request a waiver of the requirement to appoint a
tenant member to a housing authority board if the department determines that a housing authority
provided notice pursuant to section 5 and there is no person who is eligible and willing to serve as a tenant member on the board. The waiver shall be for a term of 1 year and may be renewed by the department. A housing authority shall submit a written statement to the department, explaining why a waiver is being requested and documenting the steps that it took to educate tenants about the right of a tenant to serve on a housing authority board; provided, however, that such steps shall include the housing authority meeting with all local tenants’ organizations. Before issuing a waiver, the department shall, in addition to reviewing the written statement, make a determination that the housing authority provided notice pursuant to said section 5.

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

SECTION 67. Section 7A of chapter 128 of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Garden” the following 3 definitions:—

“Greenhouse gas benefits”, greenhouse gas emissions source reduction or carbon sequestration.

“Healthy soils”, soils that enhance their continuing capacity to function as a biological system, increase soil organic matter, improve soil structure and water and nutrient-holding capacity and result in net long-term greenhouse gas benefits.

“Healthy soils practices”, practices that: (i) improve measurable soil health on lands utilized for commercial farming; suburban and urban lawns, yards and gardens, public and
private forests, parks and other open spaces and non-paved outdoor areas of office complexes, mixed-use facilities, businesses, industries and colleges and other institutions; (ii) provide 1 or more of the following benefits: (A) improve food production; (B) encourage the health, growth and biological diversity of plants and forests; (C) increase water infiltration reducing storm water run-off; (D) provide drought and crop resilience; (E) enhance water quality; and (F) reduce the use of fertilizers and herbicides; and (iii) provide greenhouse gas benefits.

SECTION 68. Said chapter 128 is hereby further amended by adding the following section:-

Section 125. (a) As used in this section, the word “aquaculture” shall mean the breeding, rearing and harvesting of animals and plants in all types of water environments.

(b) There shall be within the department an aquaculture innovation program to provide grants to municipalities to encourage increased opportunities for ocean farmers, including, but not limited to, innovative permitting, re-zoning, resource surveys, mapping, demonstration farms and stakeholder engagement. The department shall consult with the Massachusetts aquaculture advisory group, Southeastern Massachusetts aquaculture center, Northeastern Massachusetts aquaculture center in the department of agricultural resources and Western Massachusetts center for Sustainable Aquaculture at the University of Massachusetts at Amherst on the development and management of the program. The department shall hold at least 1 public hearing per year to receive public testimony to inform the development and deployment of the grants.

(c) A municipality shall be eligible to apply for grants under the program if the municipality has: (i) adopted an aquaculture by-law, ordinance or administrative policy that has been approved by the department and identifies the body, individual or entity responsible for
implementing the aquaculture program in the municipality; provided, however, that the
municipality shall conduct at least 1 public meeting on the proposed by-law, ordinance or
administrative policy; (ii) provided training to the municipal employees responsible for the
program; (iii) developed an aquaculture prioritization plan; and (iv) complied with any other
requirements of the department relative to participation in the program.

(d) The department may adopt rules, regulations and guidelines for the administration of
this section.

(e) To meet the expenditures necessary in carrying out subsection (b), there shall be an
aquaculture innovation fund. The fund shall consist of: (i) any revenues or other financing
sources directed to the fund by appropriation; (ii) bond revenues or other monies authorized by
the general court and specifically designated to be credited to the fund; (iii) any income derived
from the investment of amounts credited to the fund or repayment of loans from the fund; (iv)
funds from public or private sources including, but not limited to, gifts, federal or private grants,
donations, rebates and settlements received by the commonwealth that are specifically
designated to be credited to the fund; and (v) all other amounts credited or transferred into the
fund from any other source. The department of agricultural resources shall seek to maximize
fund revenues through federal monies, matching funds and grants. The fund shall be
administered by the commissioner of agricultural resources, subject to approval by the secretary
of administration and finance. Any unexpended balances in the fund at the end of the fiscal year
shall not revert to the General Fund and shall be available for expenditure in the subsequent
fiscal year. Not later than September 30, the commissioner shall file an annual report detailing
the amount, types and nature of grants made from the fund with a description of the authorized
purpose of each expenditure, an accounting of amounts credited to the fund and any unexpended
balance remaining in the fund with the clerks of the house of representatives and the senate.

SECTION 69. The second paragraph of section 13 of chapter 136 of the General Laws, as
appearing in the 2018 Official Edition, is hereby amended by striking out the first sentence and
inserting in place thereof the following sentence:- Any retail establishment that operates on
January first, November eleventh or the second Monday in October, under the exemption granted
by this section, shall compensate employees working on any of said days at a rate specified
under clause (50) of section 6 or such larger sum as may be determined by contract; provided,
however, that such work shall be voluntary and refusal to work for any retail establishment on
such legal holidays shall not be grounds for discrimination, dismissal, discharge, reduction in
hours or any other penalty.

SECTION 70. Said second paragraph of said section 13 of said chapter 136, as amended
by section 69, is hereby further amended by striking out the first sentence and inserting in place
thereof the following sentence:- Any retail establishment that operates on January first,
November eleventh or the second Monday in October, under the exemption granted by this
section, shall not require any employee to perform such work and an employee's refusal to work
for any retail establishment on such legal holidays shall not be grounds for discrimination,
dismissal, discharge, reduction in hours or any other penalty.

SECTION 71. Chapter 138 of the General Laws is hereby amended by striking out
section 15F, as appearing in the 2018 Official Edition, and inserting in place thereof the
following section:-
Section 15F. (a) For the purposes of this section, “agricultural event” shall only include events certified by the department of agricultural resources pursuant to this section.

(b) Notwithstanding any other provision of this chapter, the local licensing authority of a city or town authorized to grant licenses to sell alcoholic beverages under this chapter may issue to an applicant a special license to sell: (i) wine produced by or for the applicant at an indoor or outdoor agricultural event if the wine is in sealed containers for off-premises consumption and the applicant is authorized to operate a farmer-winery under section 19B; (ii) malt beverages produced by or for the applicant at an indoor or outdoor agricultural event if the malt beverages are in sealed containers for off-premises consumption and the applicant is authorized to operate a farmer-brewery under section 19C; or (iii) distilled spirits produced by or for the applicant at an indoor or outdoor agricultural event if the spirits are in sealed containers for off-premises consumption, the applicant is authorized to operate a farmer-distillery under section 19E and the city or town is authorized to grant licenses for the sale of all alcoholic beverages.

(c) The sale of alcoholic beverages under this section shall be conducted by the licensee or by an agent, representative or solicitor of the licensee to customers who are not less than 21 years of age. A licensee under this section may provide samples of its alcoholic beverages to prospective customers at an indoor or outdoor agricultural event without charge. A sample shall be served by the licensee or by an agent, representative or solicitor of the licensee to individuals who are not less than 21 years of age and shall be consumed in the presence of the licensee or an agent, representative or solicitor of the licensee; provided, however, that a sample of wine shall not exceed 1 ounce, a sample of a malt beverage shall not exceed 2 ounces and a sample of distilled spirits shall not exceed ¼ ounce; and provided further, that not more than 5 samples shall be served to an individual prospective customer.
(d) An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include: (i) a description of the event; (ii) the date, time and location of the event; (iii) a copy of the operational guidelines or rules for the event; (iv) written proof that the applicant has been approved as a vendor at the event, including the name and contact information of the on-site manager; and (v) a plan depicting the premises and the specific location where the license shall be exercised. Upon review of the plan, the department may certify that the event is an agricultural event; provided, however, that in making that determination, the department shall consider: (i) whether the event is operating as a farmers’ market or agricultural fair approved or inspected by the department; (ii) the frequency and regularity of the event, including dates, times and locations; (iii) the number of vendors; (iv) the terms of vendor agreements; (v) the presence of an on-site manager; (vi) the training of the on-site manager; (vii) any operational guidelines or rules, which shall include vendor eligibility and produce source; (viii) the focus of the event on local agricultural products grown or produced within the market area; (ix) the types of shows or exhibits, including those described in clause (f) of section 2 of chapter 128; and (x) the event’s sponsorship or operation by an agricultural or horticultural society organized under the laws of the commonwealth or by a local grange organization or association that has a primary purpose of promoting agriculture and its allied industries. The department may promulgate rules and regulations necessary for the operation, oversight, approval and inspection of agricultural events under this section.

In addition to its application, an applicant for a special license under this section shall file with the local licensing authority proof of certification from the department of agricultural resources that the event is an agricultural event. A special license shall designate the specific
premises and the dates and times covered; provided, however, that a special license may be
granted for an indoor or outdoor agricultural event that takes place on multiple dates or times
during a single calendar year; provided further, that a special license shall not be granted for an
agricultural event if the event will not take place within 1 calendar year.

(e) A special license under this section shall be conspicuously displayed at the licensed
premises. The licensing authority shall submit a copy of a special license to the commission not
less than 7 days before the date the agricultural event is first scheduled to begin. The local
licensing authority may charge a fee for each special license granted; provided, however, that the
fee shall not exceed $50. A special license shall not be transferable to any other person,
corporation or organization and shall be clearly marked “nontransferable” on its face.

(f) A special license under this section may be granted by a local licensing authority for a
portion of premises that are licensed under section 12; provided, however, that: (i) the holder of
the special license shall document the legal basis for use of the premises; (ii) the area in which
the special license is to be approved shall be physically delineated from the area remaining under
the control of the holder of the license granted under said section 12; (iii) the holder of the
special license shall be solely liable for all activities that arise from the special license; and (iv)
the holder of the special license shall not pay any consideration, directly or indirectly, to the
holder of the license granted under said section 12 for the access to or use of the premises.

The commission may promulgate rules and regulations as it deems appropriate to
implement this section.
SECTION 72. Section 21 of said chapter 138, as so appearing, is hereby amended by
striking out, in lines 20 and 21, the words “six per cent of alcohol by weight” and inserting in
place thereof the following words:- 8 1/2 per cent alcohol by volume.

SECTION 73. Said section 21 of said chapter 138, as so appearing, is hereby further
amended by striking out, in line 25, the word “six” and inserting in place thereof the following
figure:- 8 1/2.

SECTION 74. Section 96 of chapter 140 of the General Laws, as so appearing, is hereby
amended by striking out the second paragraph and inserting in place thereof the following
paragraph:-

This section shall not apply to loans that are subject to section 90A or section 28B of
chapter 183 nor to persons licensed under section 58 of this chapter or section 2 of chapter 255B.

SECTION 75. Chapter 143 of the General Laws is hereby amended by inserting after
section 3Z the following 2 sections:-

Section 3AA. There shall be a fund established for a reimbursement program to be
managed by the division of professional licensure that shall provide for the costs associated with
the implementation of testing for the presence of pyrrhotite in the foundation of homes built in
the commonwealth on or after January 1, 1983 within a 50-mile radius of J.J. Mottes Concrete
Company in Stafford Springs, Connecticut. Section 3BB. Notwithstanding any general or
special law to the contrary, an entity seeking a permit within the commonwealth for mining a
quarry or expanding a quarry shall, as a condition of obtaining the permit, first test the proposed
area for the presence of pyrite or pyrrhotite. If neither pyrite nor pyrrhotite is detected, the permit
can then be issued subject to the requirements of the municipality in which it is sought. If the
presence of pyrite or pyrrhotite is detected, the permit may be issued subject to the restriction
that material mined from the quarry shall not be used in the aggregate product used to make
cement for use in residential or commercial foundations. If material in which the presence of
pyrite or pyrrhotite is detected is used in the aggregate product used for the creation of concrete
for use in residential or commercial foundations, a presumption of strict liability shall be applied
to the contractor who used such material and the entity that owns and operates the quarry from
which the material came; provided, however, that all concrete from Becker’s quarry in
Willington, Connecticut, will be prohibited for use in the commonwealth for residential or
commercial purposes.

SECTION 76. Section 24L of chapter 149 of the General Laws, as appearing in the 2018
Official Edition, is hereby amended by striking out, in lines 82 and 83, the words:- , as that term
is defined in section 1 of chapter 93L.

SECTION 77. Section 44A½ of said chapter 149, as so appearing, is hereby amended by
adding the following 2 subsections:-

(d) The commonwealth shall seek to achieve minority business enterprise and women
business enterprise contracting goals and workforce participation goals that reflect the diverse
racial, ethnic, and gender make-up of the commonwealth’s population in the totality of state-
funded design and construction contracts.

(e) The commonwealth shall seek to target members of the community in which a project
is physically located for job creation on state-funded construction contracts and to ensure that the
workforce on that project reflects the demographic diversity of the host community, when
construction projects are located in low-income communities.
SECTION 78. Paragraph (3) of subsection (e) of section 44D½ of said chapter 149, as so appearing, is hereby amended by adding the following clause:-

(iii) Evidence of the bidder, contractor or proposed contractor’s ability to advance the commonwealth’s contracting and workforce inclusion goals under subsections (d) and (e) of section 44A½.

SECTION 79. Section 152A of said chapter 149 is hereby amended by striking out the definition of "Wait staff employee", as so appearing, and inserting in place thereof the following definition:-

"Wait staff employee", a person, including a waiter, waitress, bus person, person in a quick service restaurant who prepares or serves food or beverages as part of a team of counter staff or any other counter employee who: (i) serves beverages or prepared food directly to patrons or who clears patrons' tables; (ii) works in a restaurant, banquet facility or other place where prepared food or beverages are served; and (iii) has no managerial responsibility during a day in which the person serves beverages or prepared food or clears patrons’ tables.

SECTION 80. Paragraph (3) of subsection (d) of section 14 of chapter 151A of the General Laws, as so appearing, is hereby amended by adding the following sentence:- Benefits that would be charged to an employer's account in accordance with this paragraph shall not be so charged but shall be charged to the solvency account in any case where an employee, otherwise eligible for benefits under this chapter and hired as a result of a covered individual taking leave under the provisions of chapter 175M, is subsequently separated from that employment when the covered individual returns from leave.
SECTION 81. Section 1 of chapter 161A of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Operating expense” the following definition:-

“Optional local employment plan”, a plan that a bidder in any procurement action administered by the authority may provide to the authority regarding the bidder’s plan to maximize job retention and growth in the commonwealth, including, but not be limited to, a summary of proposed wages and benefits for local workers, recent, ongoing and planned investment in local facilities within the commonwealth, including contractor facility improvements, upgrades and repairs and recruitment, and hiring plans demonstrating the bidder’s commitment to creating a diverse workforce.

SECTION 82. Clause (f) of section 3 of said chapter 161A, as so appearing, is hereby amended by adding the following sentence:- Notwithstanding any general or special law to the contrary, when evaluating a bidder or other party seeking to enter into an agreement with the authority, the authority may consider any optional local employment plan submitted by that party in order to determine the overall beneficial impact that an agreement with that party would provide to the commonwealth.

SECTION 83. Chapter 175 of the General Laws is hereby amended by inserting after section 4F the following section:-

Section 4G. (a) An insurer that utilizes an applicant’s Massachusetts driving history as a rating or underwriting factor for private passenger motor vehicle insurance in the commonwealth, a licensed insurance producer or third-party representative shall verify the applicant’s Massachusetts driving history through the use of the registry of motor vehicles database or a reliable third-party database prior to processing payment or issuing a policy, unless
the driving history is unavailable at the time of the initial inquiry due to a temporary website outage, service interruption or other circumstances beyond the control of the insurer, producer or third-party representative. When providing a private passenger automobile insurance quote, an insurer, licensed insurance producer or third-party representative shall provide a disclosure regarding the verification of an applicant’s Massachusetts driving history.

SECTION 27A. Paragraph (3) of subsection (d) of section 14 of chapter 151A of the General Laws, as so appearing, is hereby amended by adding the following sentence:- Benefits that would be charged to an employer's account in accordance with this paragraph shall not be so charged but shall be charged to the solvency account in any case where an employee, otherwise eligible for benefits under this chapter and hired as a result of a covered individual taking leave under the provisions of chapter 175M, is subsequently separated from that employment when the covered individual returns from leave.

SECTION 84. The definition of “Covered business entity” in section 1 of chapter 175M of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the word “1099-MISC” and inserting in place thereof the following words:- 1099-NEC or any successor IRS form.

SECTION 85. The definition of “Covered contract worker” in said section 1 of said chapter 175M, inserted by section 17 of chapter 5 of the acts of 2019, is hereby amended by striking out the word “1099-MISC” and inserting in place thereof the following words:- 1099-NEC or any successor IRS form.
SECTION 86. Section 2 of said chapter 175M is hereby amended by striking out subsection (f), as appearing in the 2018 Official Edition, and inserting in place thereof the following subsection:–

(f) The taking of family or medical leave shall not affect an employee's right to accrue vacation time, sick leave, bonuses, advancement, seniority, length-of-service credit or other employment benefits, plans or programs. During the duration of an employee’s family or medical leave, the employer shall provide for, contribute to or otherwise maintain the employee’s employment-related health insurance benefits, if any, at the level and under the conditions coverage would have been provided if the employee had continued working continuously for the duration of such leave.

SECTION 27A. Section 152A of said chapter 149, as so appearing, by striking out the definition of "Wait staff employee" and inserting in place thereof the following definition:–

"Wait staff employee", a person, including a waiter, waitress, bus person, person in a quick service restaurant who prepares or serves food or beverages as part of a team of counter staff or any other counter employee who: (i) serves beverages or prepared food directly to patrons or who clears patrons' tables; (ii) works in a restaurant, banquet facility or other place where prepared food or beverages are served; and (iii) has no managerial responsibility during a day in which the person serves beverages or prepared food or clears patrons’ tables."

SECTION 87. Section 2 of chapter 239 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:–
The defendant named in a summary process summons and complaint shall not include a minor; provided, however, that if a minor is named, the name of the minor shall be expunged from any court record and electronic docket entry.

SECTION 88. Said chapter 239 is hereby amended by adding the following section:-

Section 15. (a) As used in this section, the following terms shall have the following meanings unless the context clearly requires otherwise:-

“Consumer report”, a written, oral or other communication of any information by a consumer reporting agency bearing on a person’s credit worthiness, credit standing or credit capacity that is used or expected to be used or collected, in whole or in part, for the purpose of serving as a factor in establishing the person’s eligibility for rental housing or other purposes authorized under section 51 of chapter 93.

“Consumer reporting agency”, an individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency or other entity that, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages, in whole or in part, in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.

"Court", the trial court of the commonwealth established pursuant to section 1 of chapter 211B and any departments or offices established within the trial court.

"Court record", paper or electronic records or data in any communicable form compiled by, on file with or in the care custody or control of the court that concern a person and relate to the nature or disposition of an eviction action or a lessor action.
“Eviction action”, (i) a summary process action under this chapter to recover possession
of residential premises; (ii) a civil action under section 19 of chapter 139 to obtain an order
requiring a tenant or occupant to vacate residential premises; (iii) a civil action brought pursuant
to sections 11, 12 or 13 of chapter 186 or subsection (a) of section 4 of chapter 186A; or (iv) any
other civil action brought against a tenant or occupant of residential premises to obtain
possession of or exclusive access to the residential premises.

“Lessor action”, any civil action brought against the owner, manager or lessor of
residential premises by the tenant or occupant of such premises relating to or arising out of such
property, rental, tenancy or occupancy for breach of warranty, breach of any material provision
of the rental agreement or violation of any other law.

"No-fault eviction", any eviction action in which the notice to quit, notice of termination
or complaint does not include an allegation of nonpayment of rent or of a violation of any
material term of the tenancy by the tenant or occupant; provided, however, that a “no-fault
eviction” shall include an action brought after termination of a tenancy for economic, business or
other reasons not constituting a violation of the terms of the tenancy.

(b) Any person having a court record of a no-fault eviction on file in a court may petition
the court to seal the court record at any time after the conclusion of the action, including the
exhaustion of all rights of appeal. The petition shall be on a form furnished by the trial court of
the commonwealth, signed under the penalties of perjury and filed in the same court as the action
sought to be sealed. If an action was active in more than 1 court during its pendency, then a
petition may be filed in each such court. Notice need not be given to parties to the original
action. The court may, in its discretion, process such petitions administratively without a hearing.
(c) Upon motion and for good cause shown or as otherwise authorized by this section, court records sealed under this section may, at the discretion of the court and upon a balancing of the interests of the litigants and the public in nondisclosure of the information with the interests of the requesting party, be made available for scholarly, educational, journalistic or governmental purposes only; provided, however, that identifying information of parties shall remain sealed unless the court determines that release of such information is appropriate under this subsection and necessary to fulfill the purpose of the request. Nothing in this subsection shall be deemed to permit the release of personal identifying information for commercial purposes.

(d) Nothing in this section shall prohibit the dissemination of information regarding a money judgment as necessary for the sole purpose of collection.

(e) A consumer reporting agency shall not disclose the existence of or information regarding a court record of a no-fault eviction action sealed under this section or use information contained in a sealed court record as a factor to determine any score or recommendation to be included in a consumer report unless the court record was available for inspection with the court not more than 30 days of the report date. A consumer reporting agency may include in a consumer report information found in publicly-available court records; provided, however, that the consumer report shall include a person’s full name, whether an eviction action was a fault eviction, a no-fault eviction or a lessor action and the outcome of any eviction action if such information is contained in the publicly-available court record. Information contained in a sealed court record shall be removed from the consumer report or from the calculation of any score or recommendation to be included in a consumer report not more than 30 days of the sealing of the court record from which it is derived. Any credit reporting agency that violates this subsection shall be liable in tort, in a court of competent jurisdiction, to the person who is the subject of the
consumer report for damages or for $100 per day of such violation, whichever is greater, and the
costs of the action, including reasonable attorney’s fees. Nothing in this subsection shall be
deemed to waive the rights or remedies of any person under any other law or regulation.

(f) An application used to screen applicants for housing or credit that seeks information
concerning prior eviction actions of the applicant shall include the following statement: “An
applicant for housing or credit with a sealed record on file with the court in a no-fault eviction
action may answer ‘no record’ to an inquiry relative to that sealed court record.”

(g) A party who obtains a judgment in an eviction action or a lessor action shall, not more
than 14 days after satisfaction of the judgment, file with the court in which the judgment was
entered a notice of satisfaction of the judgment. A party that has satisfied a judgment may, upon
noncompliance with this subsection by the other party, seek equitable relief to correct the court
record and shall be entitled to costs and reasonable attorney’s fees. Upon the filing of a notice of
satisfaction of judgment or court judgment deeming the judgment satisfied in an eviction action
or lessor action, a party may petition the court to seal the court record pertaining to that action.
The petition shall be on a form furnished by the trial court of the commonwealth, signed under
the penalties of perjury and filed in the same court as the action sought to be sealed. If an action
was active in more than 1 court during its pendency, a petition may be filed in each such court.
Notice need not be given to parties to the original action. The court shall comply with the
petitioner’s request and seal the court record if the judgment has been satisfied and the action has
concluded with all rights of appeal exhausted. The court may process such petitions
administratively without a hearing.
SECTION 89. Section 28 of chapter 246 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following paragraph:

This section shall not apply in a proceeding to attach earnings or a pension to satisfy a judgment for collection of a consumer debt, as defined in section 1 of chapter 93N, and in such an action said chapter 93N shall apply.

SECTION 90. Section 276 of chapter 165 of the acts of 2014 is hereby amended by striking out the words “and 2020”, inserted by section 237 of chapter 218 of the acts of 2016, and inserting in place thereof the following words: -2020, 2021, 2022 and 2023.

SECTION 91. Subsection (b) of section 58 of chapter 228 of the acts of 2018 is hereby amended by striking out the words “neither the New Bedford State Pier nor the Fall River State Pier shall be used to support facilities for offshore energy exploration or development” and inserting in place thereof the following words: -“that the New Bedford State Pier shall not be used to support facilities for offshore energy exploration or development; provided further, that the Fall River State Pier shall not be used for offshore oil and gas exploration or development; provided further, that the Fall River State Pier may be used to support offshore wind development and operations.

SECTION 92. (a) There shall be a special commission to conduct a comprehensive study relative to the impact of automation, artificial intelligence, global trade, access to new forms of data and the internet of things on the workforce, businesses and economy. The main objective of the commission shall be to ensure sustainable jobs, fair benefits and workplace safety standards for workers in all industries, including, but not limited to, access to adequate and affordable health insurance, financial security in retirement, unemployment insurance and disability
insurance. The commission shall also examine the use and sale of consumer data by businesses to third parties and methods to maintain consumer data privacy as well as consumer rights to access, delete or transfer their data to other service providers and notification to consumers of their rights regarding the use of their data. The commission shall consist of: 2 persons appointed by the president of the senate, 1 of whom shall serve as co-chair; 2 persons appointed by the speaker of the house of representatives, 1 of whom shall serve as co-chair; 1 person appointed by the minority leader of the senate; 1 person appointed by the minority leader of the house of representatives; the secretary of labor and workforce development or a designee; 2 persons appointed by the governor, 1 of whom shall have expertise in the future of work issues and 1 of whom shall have experience in workforce training and education; 2 persons appointed by the attorney general, 1 of whom shall have expertise in fair labor and workers’ rights and 1 of whom shall have expertise in future of work issues; and 6 persons appointed by the co-chairs, 3 of whom shall be members of the labor community with experience in future of work issues and 3 of whom shall be members of the business community with experience in future of work issues.

(b) The commission shall study and evaluate the future of work including, but not limited to: (i) trends and drivers of the transformation of industries and employment and how they will impact workers; (ii) policies and practices that may assist workers, businesses and communities to thrive and maintain a robust economy while responding to the rapid transformation of technology, workplace practices, environmental and security concerns and global interdependence; (iii) the impact of industry transformation on worker access to affordable and adequate healthcare, financial security in retirement and adequate unemployment insurance, disability insurance and other benefits; (iv) best practices on maintaining cohesive and beneficial
partnerships between workers and employers during industry growth and transformation; and (v) any other factors the commission deems relevant.

(c) The commission, in collaboration with the executive office of labor and workforce development, shall: (i) develop and maintain an inventory of the current and future trends and factors that will likely drive the transformation of industries and work over the next 25 years; (ii) research best practices from state, national and international sources and develop case studies and examples for the future of work; (iii) gather data and input from employers and workers from the major industrial sectors in every region of the commonwealth; and (iv) work with organizations that engage in workforce training to identify best practices and any obstacles that may exist to adequate workforce training during future industry transformation.

(d) The task force shall meet not less than 4 times in different geographic regions and shall accept input from the public during not less than 2 public hearings and solicit expert testimony from individuals identified by the commission. The commission shall convene its first meeting not later than September 1, 2020.

(e) Not later than September 1, 2021, the commission shall file a report of its analysis, recommendations and any proposed legislation necessary to effectuate its recommendations to the clerks of the senate and house of representatives, the joint committee on economic development and emerging technologies and the joint committee on labor and workforce development.

The report shall include, but not be limited to, legislative and policy recommendations that: (i) ensure workers in the future secure access to affordable and adequate healthcare, financial security in retirement and adequate unemployment insurance, disability insurance and
other benefits; (ii) provide for portable, transferable, cost-efficient and time-efficient
credentialing; (iii) support life-long learning and talent development for workers of all ages; (iv)
help workers maintain relevant skills or learn new skills for the careers and workplaces of the
future; (v) prepare young people to succeed in the careers and workplaces of the future; (vi)
ensure employers and workforce training entities are up to date on training needs for workers in
current and future industries and careers; and (vii) enable workers, businesses and workforce
training entities to simultaneously learn and incorporate new technologies into workforce
training.

SECTION 93. The executive office of housing and economic development shall issue
guidance to assist local officials in determining the voting thresholds for various zoning
amendments. The guidance shall be developed in consultation with the department of housing
and community development, the office of the attorney general and Massachusetts Housing
Partnership.

SECTION 94. (a) Annually, the secretary of housing and economic development shall
file a report with the clerks of the senate and house of representatives, the joint committee on
housing and the senate and house committees on ways and means on the activities and status of
the Housing Choice Initiative, as described by the governor in a message to the general court
dated December 11, 2017. The report shall include, but not be limited to: (i) a list of the cities
and towns that qualify as housing choice communities; (ii) a list and description of grant funds
dispursed to such cities and towns; and (iii) a description of how the funds were utilized to
support the production of new housing.
(b) The report shall also include an analysis of progress made towards a goal of producing 427,000 new units of housing by 2040, of which not less than 85,400 units shall be affordable to households the earnings of which shall be not more than 80 per cent of the area median income and not less than 8,500 units shall be affordable to households the earnings of which shall be not more than 30 per cent of the area median income. The report shall include a breakdown of: (i) market-rate units created; (ii) units created that are accessible or adaptable for persons with disabilities; (iii) units created for persons over the age of 55; and (iv) deed-restricted affordable housing units available to households earning not more than 80 per cent of the area median income, not more than 60 per cent of the area median income and not more than 30 per cent of the area median income.

(c) The department of housing and community development shall establish a commission to assist the executive office of housing and economic development in meeting the housing production goals in this section. The commission shall consult with regional housing nonprofit organizations, municipalities, municipal planning organizations, regional housing authorities, regional transportation authorities, the Massachusetts Department of Transportation, municipal transportation authorities, regional planning agencies, community development corporations and local private and public institutions of higher education to identify and set housing production regions and targets therein. Not more than 1 year after the effective date of this act, the commission shall file its first report with the clerks of the senate and house of representatives, the joint committee on housing and the senate and house committees on ways and means. The report shall include, but not be limited to, recommendations on: (i) regional housing production needs; (ii) regional housing productions goals; (iii) funding mechanisms for housing production projects; (iv) tax, subsidy or other incentives for municipalities or regions to meet the regional
housing production goals; (v) improving the permitting process for housing production projects;
(vi) optimal residential development zoning codes for housing production; and (vii) setting
housing affordability standards. The commission’s final report shall be filed not later than
December 31, 2039.

SECTION 95. (a) Notwithstanding any general or special law to the contrary, there shall
be a special commission to conduct a study and make recommendations on the barriers faced by
low-income workers to finding and maintaining jobs in the commonwealth. The commission
shall consist of: the house and senate chairs of the joint committee on labor and workforce
development, who shall serve as co-chairs; the secretary of labor and workforce development or
a designee; the secretary of transportation or a designee; the secretary of housing and economic
development or a designee; the commissioner of transitional assistance or a designee; the
secretary of health and human services or a designee; 1 member of the house of representatives
to be appointed by the speaker of the house of representatives; 1 member of the senate to be
appointed by the senate president; 1 member to be appointed by Ascentria Care Alliance, Inc.; 1
member to be appointed by the Job Training Alliance of Massachusetts, Inc.; 1 member to be
appointed by the Retailers Association of Massachusetts, Inc.; 1 member to be appointed by
Associated Industries of Massachusetts, Inc.; 1 member to be appointed by the Massachusetts
Nonprofit Network, Inc.; 1 member to be appointed by EMPath; 1 member to be appointed by
the Massachusetts Business Roundtable; 1 member to be appointed by the Massachusetts
Workforce Association; and 1 member to be appointed by the Commonwealth Corporation.

(b) The commission shall examine and make recommendations on topics including, but
not limited to: (i) barriers in the commonwealth that prevent low-income workers from finding
and retaining jobs with sustainable wages; (ii) strategies to help address barriers to job retention
for low-income workers; (iii) laws and regulations that are currently in place or could be put in
place in the commonwealth to assist low-income workers in maintaining jobs with a sustainable
wage; (iv) laws and regulations in the commonwealth that may hamper low-income workers in
maintaining jobs with a sustainable wage; and (v) holistic and wraparound service approaches
and programs that the commonwealth could explore to prevent a fragmented and inefficient
response to addressing these barriers.

(c) The commission may hold hearings and invite testimony from experts and the public
to gather information. The commission and its working groups are encouraged to involve other
experts, stakeholders and members of the public in its work through listening and working group
sessions or other mechanisms the commission deems appropriate.

(d) Not later than June 1, 2021, the commission shall file its recommendations, including
any drafts of legislation or regulations necessary to carry out its recommendations, with the
clerks of the senate and house of representatives, the joint committee on public health and the
joint committee on health care financing.

SECTION 96. The department of housing and economic development, in collaboration
with the division of banks, shall study the impact of the outbreak of the 2019 novel coronavirus,
also known as COVID-19, and the governor’s March 10, 2020 declaration of a state of
emergency on the owners of residential and commercial property who rely on the rental income
from such property, in whole or in part, to support the payment of mortgage obligations. The
study shall include, but not be limited to: (i) an assessment of the current availability of mortgage
relief for such owners, including forbearance; and (ii) the advisability, and potential impact, of
requiring mortgagees to grant a forbearance for such owners whose rental income was
significantly impacted, directly or indirectly, by COVID-19. Not later than November 1, 2020,
the department of housing and economic development shall file the report with the clerks of the
senate and house of representatives, the senate and house committees on ways and means, the
joint committee on financial services and the joint committee on housing.

SECTION 97. There shall be a special commission governed by section 2A of chapter 4
of the General Laws to conduct an investigation and study regarding the needs of agriculture in
the commonwealth in the 21st century, including the viability, efficiency, climate change
resiliency and education, technical assistance and energy needs of farms and means of ensuring
farms’ ability to adapt to changing economic, climate and energy conditions.

The commission shall consist of: 1 member appointed by the senate president, who shall
serve as co-chair; 1 member appointed by the minority leader of the senate; 1 member appointed
by the speaker of the house of representatives, who shall serve as co-chair; 1 member appointed
by the minority leader of the house of representatives; the house and senate chairs of the joint
committee on environment, natural resources and agriculture; the house and senate chairs of the
joint committee on telecommunications, utilities and energy; the secretary of energy and
environmental affairs or a designee; the secretary of housing and economic development or a
designee; the commissioner of agricultural resources or a designee; a representative of the
Massachusetts Farm Bureau Federation, Incorporated; a representative of the University of
Massachusetts Center for Agriculture, Food and the Environment; a representative of the
Northeast Organic Farming Association/Massachusetts Chapter; a representative of the Cape
Cod Cranberry Growers Association; and a representative of the Massachusetts Association of
Dairy Farmers, Inc..
Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The executive office of energy and environmental affairs and the executive office of housing and economic development may furnish reasonable staff and other support for the work of the commission.

The commission shall review: (i) methods of supporting farms including development of tax incentives and credits for equipment related to farm-based renewable energy projects; (ii) the effects of zoning by-laws on farm-based renewable energy projects and means of reducing administrative and regulatory barriers to such projects; (iii) potential zoning exemptions of farm renewable energy systems; (iv) the feasibility of establishing an incentive program to facilitate the growth of non-solar renewable-energy distributed-generation projects on farms; (v) methods of encouraging the use of renewable energy resources on farms; (vi) development of potential grant programs in support of farms to develop farm-based renewable energy capabilities including wind harvesting, energy conserving refrigerated food storage pilot projects, methane capture and green combustion, and solar and photovoltaic energy projects; (vii) feasibility of using farms as resiliency centers during power outages or extreme weather events by installing technology such as battery storage or microgrids; (viii) the effects of climate change and means by which farms may seek to adapt to climate change; (ix) methods of promoting and facilitating more prompt interconnection of energy projects owned or operated by agricultural producers; (x) the development of a single uniform application for use by owners of farms in the commonwealth for application to any and all grant and other assistance programs administered by the department of agricultural resources and consistent with federal grant and program application criteria; (xi) the benefits of designating an administrator or separate office within the
The commission shall file a report of its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, with the clerks of the senate and the house of representatives, the senate and house committees on ways and means, the joint committee on environment, natural resources and agriculture and the joint committee on telecommunications, utilities and energy not later than June 30, 2021.

SECTION 98. Notwithstanding any general or special law to the contrary, certain regulatory approvals are hereby extended as provided in this section.

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

“Approval”, except as otherwise provided in subsection (b), any permit, certificate, order, excluding enforcement orders, license, certification, determination, exemption, variance, waiver, building permit or other approval or determination of rights from any municipal, regional or state governmental entity, including any agency, department, commission or other instrumentality thereof, concerning the use or development of real property, including certificates, licenses,
certifications, determinations, exemptions, variances, waivers, building permits or other
approvals or determinations of rights issued or made under chapter 21, chapter 21A except
section 16 of said chapter 21A, chapter 21D, sections 61 to 62I, inclusive, of chapter 30, chapters
30A, 40, 40A to 40C, inclusive, 40R, 41, 43D, section 21 of chapter 81, chapters 91, 131, 131A,
143, sections 4 and 5 of chapter 249 or chapter 258 of the General Laws or chapter 665 of the
acts of 1956 or any local by-law or ordinance.

“Development”, division of a parcel of land into 2 or more parcels, the construction,
reconstruction, conversion, structural alteration, relocation or enlargement of a building or other
structure or facility or any grading, soil removal or relocation, excavation or landfill or any use
or change in the use of any building or other structure or land or extension of the use of land.

“Tolling period”, the period from March 10, 2020 to March 10, 2021, inclusive.

(b) (1) Notwithstanding any general or special law to the contrary, an approval in effect
or existence during the tolling period shall be extended for a period of 1 year in addition to the
lawful term of the approval.

(2) Nothing in this section shall extend or purport to extend: (i) a permit or approval
issued by the federal government or an agency or instrumentality thereof or a permit or approval
of which the duration of effect or the date or terms of its expiration are specified or determined
under a law or regulation of the federal government or an agency or instrumentality thereof; (ii) a
permit, license, privilege or approval issued by the division of fisheries and wildlife under
chapter 131 of the General Laws; (iii) an approval, determination, exemption, certification,
statement of qualification or any other administrative action by the department of energy
resources under 225 CMR 20.00, subsection (c) of section 17 of chapter 25A of the General
Laws or corresponding regulations at 225 CMR 21.00; or (iv) any agreement entered into by the
Massachusetts Department of Transportation or the Massachusetts Bay Transportation Authority
or any permit, license or approval issued by the department or authority relating to the sale,
acquisition or lease or development of real property owned in whole or in part by the department
or authority or the sale, acquisition, lease or development of any interest therein related to such
real property pursuant to chapter 6C or chapter 161A of the General Laws.

(3) Nothing in this section shall affect the ability of a municipal, regional or state
governmental entity, including an agency, department, commission or other instrumentality
thereof, to revoke or modify a specific permit or approval, or extension of a specific permit or
approval under this section, when that specific permit or approval or the law or regulation under
which the permit or approval was issued contains language authorizing the modification or
revocation of the permit or approval.

(4) If an approval tolled under this section is based upon the connection to a sanitary
sewer system, the approval's extension shall be contingent upon the availability of sufficient
capacity, on the part of the treatment facility, to accommodate the development whose approval
has been extended. If sufficient capacity is not available, those permit holders whose approvals
have been extended shall have priority with regard to the further allocation of gallonage over
those permit holders who have not received approval of a hookup prior to the effective date of
this section. Priority regarding the distribution of further gallonage to a permit holder who has
received the extension of an approval under this section shall be allocated in order of the granting
of the original approval of the connection.
(5) If an owner or petitioner sells or otherwise transfers a property or project in order for an approval to receive an extension all commitments made by the original owner or petitioner under the terms of the permit must be assigned to and assumed by the new owner or petitioner. If the new owner or petitioner does not meet or abide by such commitments, then the approval shall not be extended under this section.

(6) Nothing in this section shall be construed or implemented in such a way as to modify a requirement of law that is necessary to retain federal delegation to or assumption by the commonwealth of the authority to implement a federal law or program.

SECTION 99. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the board of trustees of the University of Massachusetts, or any officer designated by the board, may convey to the city of Waltham, with conditions, a certain parcel of land in the city of Waltham together with the buildings thereon, now known and numbered as 240 Beaver street, designated as parcels R53003001 and R53003014 by the assessors of the city of Waltham and commonly known as the UMass Field Station. The land is owned by the commonwealth, acting through the board of trustees of the University of Massachusetts, and is more particularly described in deeds recorded in the Middlesex southern district registry of deeds in book 4600, page 42 and book 6911, page 201. As conditions of the conveyance, the land described in this section shall be dedicated by the city of Waltham to agricultural, open space, recreational or sustainability purposes and shall be subject to Article 97 of the Amendments to the Constitution of the Commonwealth.

(b) The consideration for the conveyance authorized in this section shall be not less than the fair market value of the property and buildings thereon based upon an independent
professional appraisal; provided, however, that the University of Massachusetts and the mayor of
the city of Waltham may agree on an offset of the fair market value that reflects the cost of
necessary environmental cleanup and current conditions of buildings. Nothing in this act shall
prevent the use of an appraisal conducted in the 3 years before the effective date of this section
from being used to determine the fair market value.

(c) The board of trustees of the University of Massachusetts, or any officer designated by
the board, shall, 30 days before the execution of the conveyance authorized in this section and
any subsequent amendment thereto, submit the proposed conveyance documents or amendment
and a report thereon to the inspector general for review and comment. The inspector general shall
issue a review and comment not more than 15 days after receipt of the proposed conveyance
documents or amendment. The board of trustees of the University of Massachusetts, or any
officer designated by the board, shall submit the conveyance documents and any subsequent
amendments thereto, the reports and the comments of the inspector general, if any, to the house
and senate committees on ways and means and the joint committee on state administration and
regulatory oversight not less than 15 days prior to the execution.

(d) The proceeds of the conveyance shall be deposited in a trust fund established by the
board of trustees of the University of Massachusetts pursuant to section 11 of chapter 75 of the
General Laws. The proceeds from the trust shall be used to benefit the University of
Massachusetts at Amherst.

(e) If the city of Waltham agrees to purchase the property described in subsection (a), the
city shall be responsible for all costs of the appraisal described in subsection (b) and the survey
...and deed preparation for the conveyance of the property and shall acquire the property and buildings thereon in as is condition, without warranties.

SECTION 100. Grants from the amounts collected pursuant to subsection (a) of section 13T of chapter 23A of the General Laws allocated to regional tourism councils pursuant to clause (ii) of subsection (d) of said section 13T of said chapter 23A for fiscal year 2021 shall be distributed not later than September 1, 2020. Grants from the amounts collected pursuant to subsection (b) of section 13T of chapter 23A of the General Laws allocated to regional tourism councils for fiscal year 2020 shall be distributed not later than September 1, 2020 according to the current allocation formula.

SECTION 101 Notwithstanding any general or special law to the contrary, the department of energy resources shall investigate the necessity, benefits and costs of requiring distribution companies, as defined in section 1 of chapter 164 of the General Laws, to jointly and competitively conduct additional offshore wind generation solicitations and procurements of not more than approximately 2,800 megawatts of aggregate nameplate capacity, in addition to the solicitations and procurements required by section 83C of chapter 169 of the acts of 2008, inserted by chapter 188 of the acts of 2016, and section 21 of chapter 227 of the acts 2018 and shall require said additional solicitations and procurements by December 31, 2035; provided, however, that for said solicitations and procurements, as outlined in this section, the department of energy resources may also require distribution companies to jointly and competitively solicit and procure proposals for offshore wind energy transmission sufficient to deliver energy generation procured pursuant to this section from designated wind energy areas for which a federal lease was issued on or after January 1, 2012, that may be developed independent of such offshore wind energy generation; provided further, that such transmission service shall be made...
available for use by more than 1 wind energy generation project and shall not exceed the
generation capacity authorized by this section; and provided further, that any selection of
offshore wind energy transmission shall be the most cost-effective mechanism for procuring
reliable, low-cost offshore wind energy transmission service for ratepayers.

SECTION 102. Notwithstanding the fourth paragraph of section 5 of chapter 121B of the
General Laws, if a town has 4 elected members of a housing authority board on the effective date
of this act, any vacant seat or, if there is no vacant seat, the first seat set to expire not less than 60
days after the effective date of this act, shall be filled by the appointment of a tenant member
unless a waiver has been granted by the department pursuant to section 5A of said chapter 121B
that allows for the appointment of a person who is not eligible to be a tenant member.

SECTION 103. Tenants required to be appointed to housing authority boards pursuant to
the fifth paragraph of section 5 of chapter 121B of the General Laws shall be appointed not more
than 90 days after the effective date of this act.

SECTION 104. On the effective date of this act, a housing authority may request a
waiver of the requirement to appoint a tenant member to a housing authority board pursuant to
section 5 of chapter 121B of the General Laws if a person who is eligible to be a tenant member
is already serving as either an elected member or a member appointed to fill a vacancy by the
board of selectmen. The waiver shall be valid for 1 year and may be renewed for successive 1-
year terms until the expiration of the current tenant member’s term or until that member vacates
the position and, at that time, the board of selectmen shall appoint a tenant member pursuant to
said section 5 of said chapter 121B.
SECTION 105. Notwithstanding the number of elected members on the local housing
authority board, any votes taken by a local housing authority and any votes taken by a town with
respect to a local housing authority between August 6, 2014 and the effective date of this act are
hereby ratified, validated and confirmed.

SECTION 106. The Massachusetts marketing partnership shall issue a report not later
than July 1, 2021, on the feasibility of hosting a competitive Union Cycliste International
America Tour or Union Cycliste International World Tour multi-stage racing event in the
commonwealth. The report shall include, but not be limited to, potential dates to host such an
event, potential routes that maximize the various natural terrains in the commonwealth and areas
that highlight the history of the commonwealth, potential revenues to the commonwealth,
potential tourism impact surrounding the event, potential economic development to
municipalities and local jobs as a result of the event, potential costs to the commonwealth, steps
to be taken and costs associated with bidding on and securing such an event on the Union
Cycliste International calendar and any state or local laws, regulations or ordinances that may
affect the hosting of such an event.

SECTION 107. (a) There shall be a special commission on telecommuting to evaluate
and study the impact of telecommuting on employees of the commonwealth.

(b) The commission shall consist of: the senate and house chairs of the joint committee
on state administration and regulatory oversight, who shall serve as co-chairs; 2 members
appointed by the president of the senate, 1 of whom shall be from legislative information
services; 1 member appointed by the speaker of the house of representatives; 2 members
appointed by the governor from the executive branch; the secretary of administration and finance
or their designee; the secretary of technology services and security or their designee; the chief
human resources officer of the human resources division; the secretary of energy and
environmental affairs; 1 member appointed by the attorney general; 1 member appointed by the
state treasurer; 1 member appointed by the state secretary; 1 member appointed by the state
auditor; 1 member appointed by the Service Employees International Union; and 1 member
appointed by the National Association of Government Employees.

(c) Not later than December 1, 2021, the commission shall file a report of its analysis and
recommendations regarding the efficacy of telecommuting to the clerks of the senate and the
house of representatives, the joint committee on state administration and regulatory oversight,
the office of the senate president, the office of the speaker of the house and the office of the
governor.

The report shall include, but not be limited to: (i) both the costs and potential cost savings
associated with working remotely; (ii) the information technology requirements needed to allow
remote work; (iii) the effect of remote work on employee productivity, recruitment and retention
and; (iv) the environmental impact of telecommuting.

SECTION 108. (a) There shall be an industrial mill building revitalization task force to
stimulate the re-development, rehabilitation and revitalization of industrial mill buildings and
surrounding areas in the commonwealth. The task force shall: (i) review current laws and
regulations beneficial to the revitalization of mill buildings and surrounding areas, including, but
not limited to, federal and state tax incentives and renewable energy production; (ii) create a list
of existing mill buildings in the commonwealth, their locations, whether they are active or
inactive and current uses, if applicable; (iii) investigate potential new uses for mill buildings
based on market conditions that increase economic development; (iv) identify strategies to
improve mill building energy efficiency and prevent further structural and environmental
degradation; (v) explore innovative permitting processes, zoning regulations and building codes
to encourage redevelopment; and (vi) consider any other action in furtherance of its purpose.

(b) The task force shall consist of: the secretary of housing and economic development or
a designee, who shall serve as chair; the secretary of energy and environmental affairs or a
designee; the chairs of the joint committee on economic development and emerging technologies
or their designees; the director of the Massachusetts Development Finance Agency or a designee;
2 members of the house of representatives who represent communities with mill buildings; 2
members of the senate who represent communities with mill buildings; the director of the
Massachusetts clean energy center or a designee; 2 residents of the commonwealth appointed by
the chair who own mill buildings, 1 of which is active and 1 of which is inactive; 1
representative of a utility company in the commonwealth appointed by the chair; 1 representative
from an economic development organization appointed by the chair; and 3 representatives of
planning organizations in the commonwealth appointed by the chair, 1 of whom shall be from
the western region of the state, 1 of whom shall be from the central region of the state and 1 of
whom shall be from the eastern region of the state.

(c) The task force shall submit its report and recommendations, together with drafts of
legislation to carry its recommendations into effect, to the joint committee on economic
development and emerging technologies and the clerks of the house of representatives and the
senate not later than August 1, 2021.
SECTION 109. The commonwealth health insurance connector shall study and provide a plan to assist small businesses with the cost of increased health insurance premium costs during the public health emergency caused by the 2019 novel coronavirus pandemic, also known as COVID-19, and for the 12 months following the termination of all emergency declarations by the governor relative to COVID-19 of any and all existing emergency declarations related thereto. The connector shall recommend a plan that is fair, transparent and accounts for differences in the size and need of employers eligible for assistance. Not later than October 1, 2020, the commonwealth health insurance connector shall file its report with the clerks of the senate and house of representatives, the joint committee on health care financing and the house and senate committees on ways and means.

SECTION 110. There shall be a special legislative commission to review and investigate the unique challenges facing the housing market for year-round residents and families in the counties of Barnstable, Dukes and Nantucket. The commission shall consist of: 4 members appointed by the senate president, 1 of whom shall represent a housing advocacy organization in the commonwealth and 1 of whom shall represent the Cape Cod and Islands Association of Realtors, Inc.; 4 members appointed by the speaker of the house of representatives, 1 of whom shall be a member of a union representing health care workers and 1 of whom shall be a planning director for a municipality; the chief executive officer of the Cape Cod Chamber of Commerce or their designee; the chief executive officer of the Martha’s Vineyard Chamber of Commerce, Inc., or their designee; the chief executive officer of the Nantucket Chamber of Commerce or their designee; the executive director of the Cape Cod commission or their designee; the executive director of the Martha’s Vineyard commission or their designee; the town manager of Nantucket or their designee; the chief executive officer of the Housing Assistance Corporation or
their designee; the executive director of the Island Housing Trust Corporation or their designee;
the executive director of Housing Nantucket or their designee. An appointee of the senate
president and an appointee of the speaker shall be appointed to serve as co-chairs.

The commission shall: (i) review the housing challenges facing year-round families
within the counties of Barnstable, Dukes and Nantucket; (ii) study unique solutions that could be
applied within the counties of Barnstable, Dukes and Nantucket to build more affordable and
workforce housing; (iii) study policy solutions that include, but are not limited to, allowance of
tiny homes, the building of special housing developments for municipal employees and the
allowance of a local option transfer fee on certain real estate transactions; and (iv) draft proposed
policy changes to the legislature for the creation of legislation and to the department of housing
and community development for potential regulatory change.

The task force shall file a report of its findings and recommendations, together with drafts
of legislation necessary to carry those recommendations into effect, with the clerks of the senate
and the house of representatives, the senate and house committees on ways and means and the
joint committee on housing not later than July 31, 2021.

SECTION 111. Notwithstanding any general or special law to the contrary, to meet the
expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a
request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
by the governor from time to time but not exceeding, in the aggregate, $315,033,000. All bonds
issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
Economic Development Act of 2020” and shall be issued for a maximum term of years not
exceeding 30 years as the governor may recommend to the general court pursuant to section 3 of
Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however,
that all such bonds shall be payable not later than June 30, 2055. All interest and payments on
account of principal on such obligations shall be payable from the General Fund. Bonds and
interest thereon issued under the authority of this section shall, notwithstanding any other
provision of this act, be general obligations of the commonwealth.

SECTION 112. Notwithstanding any general or special law to the contrary, to meet the
expenditures necessary in carrying out section 2A, the state treasurer shall, upon receipt of a
request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
by the governor from time to time but not exceeding, in the aggregate, $140,000,000. All bonds
issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
Economic Development Act of 2020” and shall be issued for a maximum term of years not
exceeding 30 years as the governor may recommend to the general court pursuant to section 3 of
Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however,
that all such bonds shall be payable not later than June 30, 2055. All interest and payments on
account of principal on such obligations shall be payable from the General Fund. Bonds and
interest thereon issued under the authority of this section shall, notwithstanding any other
provision of this act, be general obligations of the commonwealth.

SECTION 113. The secretary of administration and finance shall establish the fees

SECTION 114. Section 3 of chapter 93N of the General Laws shall not apply to a
consumer debt for which the cause of action arose before January 1, 2020; provided, however,
that subsection (b) of said section 3 of said chapter 93N shall apply to payments made after the
effective date of this act; provided further, that subsection (b) of section 6 of said chapter 93N
shall not apply to a contract, including a consumer form contract, that is in effect before January
1, 2020.

SECTION 115. The first report required under section 35 of chapter 12 of the General
Laws shall be submitted not later than January 1, 2022.

SECTION 116. Sections 3, 5, 6 and 7 shall take effect on January 1, 2022.

SECTION 117. Sections 8 and 23 shall take effect on January 1, 2021.

SECTION 118. Sections 40 to 47, inclusive, and sections 52, 53, 55 and 56 shall apply to
tax years beginning on or after January 1, 2021.


SECTION 120. Chapter 93N of the General Laws, section 89 and section 114 shall take
effect on January 1, 2021.

SECTION 121. Sections 64 to 66, inclusive, and sections 102 to 105, inclusive, shall take
effect 120 days from the effective date of this act.

SECTION 122. Section 70 shall take effect on January 1, 2023.

SECTION 123. Section 4G of chapter 175 of the General Laws shall apply to all policies
issued on or after January 1, 2021.

SECTION 124. Sections 84 and 85 shall take effect on January 1, 2021.