

SENATE No. 2622

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, January 24, 2022.

The committee on Senate Ways and Means to whom was referred the House Bill making appropriations for the fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4345); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered [Amendment Bill Number (Truncated)].

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

1 SECTION 1. To provide for certain unanticipated obligations of the commonwealth, to
2 provide for an alteration of purpose for current appropriations and to meet certain requirements
3 of law, the sum set forth in section 2A is hereby appropriated from the General Fund unless
4 specifically designated otherwise in this act, for the several purposes and subject to the
5 conditions specified in this act and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2022. This sum shall be made available until June 30,
7 2022.

8 SECTION 2A.

9 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

10 Reserves

11 1599-0080 For a reserve to support the establishment and expansion of 2019 novel
12 coronavirus testing locations, to be determined in consultation with the executive office of health
13 and human services and the department of public health, and the purchase of 2019 novel
14 coronavirus tests; provided, that such testing locations shall include, but not be limited to,
15 community health centers, urgent care centers and other nonprofit organizations; provided
16 further, that organizations receiving funds from this item for on-site testing shall provide walk-up

17 appointments; provided further, that funds may be expended for staffing at such locations;
18 provided further, that funds shall be expended for 2019 novel coronavirus rapid antigen tests for:
19 (i) elementary and secondary public school districts, charter schools and educational
20 collaboratives approved pursuant to section 4E of chapter 40 of the General Laws for the safe
21 opening and operations of school facilities; (ii) early education and care programs; (iii)
22 congregate care facilities including, but not limited to, nursing facilities; and (iv) health care
23 workers including, but not limited to, personal care attendants and home health aides; provided
24 further, that not less than \$5,000,000 shall be expended for efforts to increase vaccination rates
25 among the population of children ages 5 to 11, inclusive; provided further, that not less than
26 \$5,000,000 shall be expended to support expanded infrastructure and staff capacity at community
27 health centers to deliver 2019 novel coronavirus vaccines in communities with low vaccination
28 rates and increased on-site testing; provided further, that such community health centers shall
29 utilize all sources of vaccine delivery staff available to them under the department of public
30 health's rules and regulations including, but not limited to, enrolled medical students; provided
31 further, that the department shall develop, publicly advertise and administer on an ongoing basis
32 a depository of volunteers willing and eligible to administer 2019 novel coronavirus vaccines in
33 community health centers with limited staffing; provided further, that said funding shall
34 prioritize efforts to maximize a culturally, linguistically and ethnically competent workforce as it
35 relates to vaccine delivery; provided further, that not less than \$5,000,000 shall be expended to
36 support technical assistance to local community groups and organizations conducting outreach
37 and education related to 2019 novel coronavirus vaccines in communities disproportionately
38 impacted by the 2019 novel coronavirus pandemic; provided further, that said funds shall support
39 culturally, linguistically and ethnically appropriate materials and staff to conduct 2019 novel

40 coronavirus vaccine outreach and education; provided further, that such outreach and education
41 efforts shall continue for not less than 6 months after funds are received; provided further, that
42 funds shall be expended to the COVID-19 Vaccine Equity Initiative for efforts to increase the
43 rate of vaccination and booster shots in communities disproportionately impacted by the 2019
44 novel coronavirus pandemic; provided further, that funds shall be expended to support the
45 implementation of the comprehensive COVID-19 vaccination equity plan established in section
46 24; provided further, that funds shall be prioritized for communities disproportionately impacted
47 by the 2019 novel coronavirus pandemic; provided further, that funds shall be distributed in a
48 manner that promotes geographic equity; provided further, that the administration shall pursue
49 the highest allowable rate of federal reimbursement for all eligible expenditures from this item;
50 and provided further, that funds shall be distributed not later than February 28,
51 2022.....\$30,000,000

52 1599-0767 For a reserve to support the acquisition and distribution of high-quality
53 personal protective masks for: (i) children, staff and faculty in elementary and secondary public
54 school districts, charter schools and educational collaboratives approved pursuant to section 4E
55 of chapter 40 of the General Laws; (ii) children, staff and faculty in early education and care
56 programs; (iii) personnel and residents in congregate care facilities including, but not limited to,
57 nursing facilities; and (iv) health care workers including, but not limited to, personal care
58 attendants and home health aides; provided, that such masks shall include, but not be limited to,
59 N95 masks and KN95 masks; provided further, that such masks shall be distributed not later than
60 February 28, 2022; provided further, that such masks, to the maximum extent practicable, shall
61 be in alignment with the guidance issued under section 25; provided further, that funds shall be
62 prioritized for communities disproportionately impacted by the 2019 novel coronavirus pandemic;

63 provided further, that funds shall be distributed in a manner that promotes geographic equity;
64 provided further, that the administration shall pursue the highest allowable rate of federal
65 reimbursement for all eligible expenditures from this item; provided further, that the executive
66 office for administration and finance, in consultation with the department of elementary and
67 secondary education, the department of early education and care and the executive office of
68 health and human services, shall make available on a public website the: (a) total number of
69 masks purchased, including the total number of each type of mask purchased; (b) total number of
70 masks distributed; (c) school districts, charter schools and educational collaboratives approved
71 pursuant to said section 4E of said chapter 40 to which they were distributed; (d) early education
72 and care programs to which they were distributed; (e) congregate care facilities to which they
73 were distributed; and (f) number of masks distributed for health care workers, broken down by
74 type of worker; and provided further, that the executive office for administration and finance
75 shall report on said public website: (1) the number of rapid antigen tests purchased after January
76 1, 2022; (2) the number of tests distributed; and (3) the recipients to which the tests were
77 distributed\$25,000,000

78 SECTION 3. Section 23 of chapter 20 of the acts of 2021 is hereby amended by striking
79 out the words “December 15, 2021” and inserting in place thereof the following words:- July 15,
80 2022.

81 SECTION 4. Said chapter 20 is hereby further amended by inserting after section 26 the
82 following section:-

83 SECTION 26A. Section 20 is hereby repealed.

84 SECTION 5. Section 27 of said chapter 20 is hereby amended by striking out the figure
85 “20,”.

86 SECTION 6. Said chapter 20 is hereby further amended by inserting after section 30 the
87 following section:-

88 SECTION 30A. Section 26A shall take effect on July 15, 2022.

89 SECTION 7. Section 89 of chapter 102 of the acts of 2021 is hereby amended by striking
90 out the words “July 31, 2022”, each time they appear, and inserting in place thereof, in each
91 instance, the following words:- December 31, 2022.

92 SECTION 8. (a) As used in this section, the following words shall have the following
93 meanings unless the context clearly requires otherwise:

94 “Principal”, a person who is signing a document under this section as a principal or as a
95 credible witness, as those terms are defined in section 1 of chapter 222 of the General Laws.

96 “Satisfactory evidence of identity”, (i) identification of an individual based on at least 1
97 current document issued by a federal or state government agency bearing the photographic image
98 of the individual’s face and signature; or (ii) identification of an individual based on the notary
99 public’s personal knowledge of the identity of the principal.

100 (b) In order to address the disruptions caused by the outbreak of the 2019 novel
101 coronavirus, also known as COVID-19, and subsequent variants, a notary public appointed
102 pursuant to chapter 222 of the General Laws may perform an acknowledgement, affirmation or
103 other notarial act under said chapter 222 utilizing electronic video conferencing in real time as

104 provided in this section. A principal in any such notarial act may act individually or in a
105 representative capacity.

106 (c)(1) An acknowledgment, affirmation or other notarial act utilizing electronic video
107 conferencing pursuant to this section shall be valid and effective if:

108 (i) the notary public observes each principal's execution of a document;

109 (ii) both the notary public and each principal are physically located within the
110 commonwealth;

111 (iii) each principal provides the notary public with satisfactory evidence of identity;
112 provided, however, that if the principal is not a United States citizen, a valid passport or other
113 government-issued identification credential that evidences the principal's nationality or residence
114 and that bears the photographic image of the principal's face and signature shall constitute
115 satisfactory evidence of identity; provided further, that if the satisfactory evidence of identity is a
116 government-issued identification credential, the principal shall both visually display the
117 principal's identification credential to the notary public during the electronic video conference
118 and shall transmit to the notary public a copy of the front and back of the identification
119 credential, either with the executed document or separately through electronic means; provided
120 further, that if the principal's identification credential is a United States or foreign passport book,
121 a copy of the front cover and page displaying the principal's photograph, name and signature
122 shall be a sufficient copy; and provided further, that a copy of any such identification credential
123 shall be retained for a period of 10 years by the notary public, who shall keep it secure and
124 confidential in accordance with state and federal law;

125 (iv) each principal makes the acknowledgement, affirmation or other act to the notary
126 public, as appropriate;

127 (v) a principal causes the executed document to be delivered to the notary public by
128 delivery service, courier or other means in accordance with the notary public's instructions; and

129 (vi) with respect to any document requiring notarization and executed in the course of
130 closing a transaction involving a mortgage or other conveyance of title to real estate, upon
131 receipt of the executed document, the notary public and each principal engage in a second video
132 conference during which each principal verifies to the notary public that the document received
133 by the notary public is the same document executed during the first video conference.

134 During any video conference pursuant to this section, each principal shall: (i) swear or
135 affirm under the penalties of perjury that the principal is physically located within the
136 commonwealth; and (ii) make a disclosure of any person present in the room with the principal
137 and make that person viewable to the notary public.

138 (2) Upon completion of the process under paragraph (1), the notary public may affix the
139 notary public's stamp and signature to the executed document, whereupon the notarial act shall
140 be completed.

141 (3) The notarial certificate attached to the executed document shall include a recital
142 indicating that the document was notarized remotely pursuant to this section. The certificate shall
143 recite the county in which the notary public was located at the time that the notarial act was
144 completed and shall recite the date that the notarial act was completed; provided, however, that
145 the failure to include any of the recitals required by this subsection shall not affect the validity or
146 recordability of the document; and provided further, that, with respect to a document being

147 notarized in connection with a mortgage financing transaction, the notarial certificate may recite
148 the date stated within the body of the document, even if that date precedes the date of completion
149 of the notarial act.

150 (4) The notary public shall execute an affidavit confirming under the penalties of perjury
151 that the notary public has: (i) received a copy of each principal's current identification credential
152 and visually inspected the credential during the initial video conference with the principal, if
153 applicable; (ii) obtained each principal's verbal assent to the recording of the electronic video
154 conference; (iii) taken each principal's affirmations as to physical presence of the principal
155 within the commonwealth; and (iv) been informed of and noted on the affidavit any person
156 present in the room, including a statement of the relationship of any person in the room to the
157 principal. The affidavit shall be retained for a period of 10 years by the notary public.

158 (5) With respect to any will, nomination of guardian or conservator, caregiver
159 authorization affidavit, trust, durable power of attorney, health care proxy or authorization under
160 the federal Health Insurance Portability and Accountability Act of 1996, the document shall be
161 complete when all original counterparts and the notary public's affidavit are compiled.

162 (6) Each notary public who performs a notarial act utilizing electronic video conferencing
163 pursuant to this section shall create an audio and video recording of the performance of the
164 notarial act; provided, however, that the audio and video recording shall be retained for a period
165 of 10 years by the notary public.

166 (d) A document executed, acknowledged or notarized pursuant to this section shall be a
167 properly executed, acknowledged and notarized document for all legal purposes in the
168 commonwealth, including, but not limited to, for recording with the registry of deeds of any

169 county, for filing as a valid will and for filing or recording with any other state, local or federal
170 agency, court, department or office.

171 With respect to any such document recorded in a registry of deeds or filed with a registry
172 district of the land court: (i) the affidavit required pursuant to paragraph (4) of subsection (c)
173 shall not be required to be recorded or filed; and (ii) a principal's being subsequently determined
174 to have been physically located outside of the commonwealth during any video conference or a
175 principal's having failed to accurately disclose the presence or identity of others in the room
176 during any video conference, in either case, shall not constitute grounds to set aside the title to
177 real property acquired by an arm's length third-party mortgagee or purchaser for value.

178 The expiration, repeal or amendment of this section shall not affect the validity of a
179 notarial act completed while this section is in effect and performed in accordance with the terms
180 of this section.

181 (e) The signature of any witness who participates in the electronic video conference and
182 whose signature is notarized pursuant to this section shall be valid as if the witness had been
183 present to sign in person. A document signed on multiple pages or in multiple locations within
184 the commonwealth or in multiple counterparts shall be valid and effective if it is otherwise in
185 conformity with this section.

186 (f)(1) Notwithstanding any provision of this section to the contrary, with respect to any
187 document requiring notarization and executed in the course of closing a transaction involving a
188 mortgage or other conveyance of title to real estate or with respect to any will, nomination of
189 guardian or conservator, caregiver authorization affidavit, trust, durable power of attorney, health

190 care proxy or authorization under the federal Health Insurance Portability and Accountability Act
191 of 1996:

192 (i) only a notary public appointed pursuant to chapter 222 of the General Laws who is an
193 attorney licensed to practice law in the commonwealth or a paralegal under the direct supervision
194 of such an attorney, shall perform an acknowledgment, affirmation or other notarial act utilizing
195 electronic video conferencing in real time as provided in this section; and

196 (ii) if the notary public is a paralegal, any copy of a principal's identification credential
197 required to be retained pursuant to paragraph (1) of subsection (c), the affidavit required to be
198 retained pursuant to paragraph (4) of said subsection (c) and the audio and video recording
199 required to be retained pursuant to paragraph (6) of said subsection (c) shall be retained by the
200 notary public's supervising attorney.

201 (2) Notwithstanding any provision of this section to the contrary, with respect to any
202 document requiring notarization and executed in the course of closing a transaction involving a
203 mortgage or other conveyance of title to real estate, if the principal proves their identity by a
204 government-issued identification credential in accordance with said paragraph (1) of said
205 subsection (c) and the principal is not otherwise personally known to the notary public, the
206 principal shall display a secondary form of identification containing the principal's name to the
207 notary public during the initial video conference, which may contain the principal's photograph,
208 signature or be issued by a government entity. Acceptable secondary forms of identification shall
209 include, but not be limited to, a credit or debit card, a social security card, a municipal tax bill or
210 a utility bill; provided, however, that any such municipal tax or utility bill is dated within 60 days
211 of the first video conference.

212 (3) Nothing in this section shall affect any law or regulation governing, authorizing or
213 prohibiting the practice of law, including, but not limited to, the requirement that the closing of a
214 transaction involving a mortgage or other conveyance of title to real estate may only be
215 conducted by an attorney duly admitted to practice law in the commonwealth.

216 SECTION 9. (a) As used in this section, the following words shall have the following
217 meanings unless the context clearly requires otherwise:

218 “COVID-19”, the outbreak of the novel coronavirus, also known as COVID-19, and
219 subsequent variants.

220 “COVID-19 rule”, any executive order, order of the commissioner of public health,
221 declaration, directive or other state or federal authorization, policy, statement, guidance, rule-
222 making, regulation or otherwise applicable law that waives, suspends or modifies otherwise
223 applicable state or federal law, regulations or standards regarding either: (i) scope of practice or
224 conditions of licensure, including modifications authorizing health care professionals licensed in
225 another state to practice in the commonwealth; or (ii) the delivery of care, including those
226 regarding the standard of care, the site at which care is delivered or the equipment used to deliver
227 care, during COVID-19.

228 “Damages”, injury or loss of property or personal injury or death, including economic or
229 non-economic losses.

230 “Good faith”, shall, without limitation, include acts or omissions undertaken consistent
231 with the guidelines for crisis standards of care during COVID-19 issued by the department of
232 public health and exclude, without limitation: (i) acts or omissions based on race, ethnicity,

233 national origin, religion, disability, sexual orientation or gender identity; (ii) deceptive acts or
234 practices; and (iii) fraud.

235 “Health care facility”, (i) an acute-care hospital, as defined in section 25B of chapter 111
236 of the General Laws, that provides emergency services in an emergency department and satellite
237 emergency facilities, as defined in section 51½ of said chapter 111; (ii) a hospital operated by the
238 department of public health pursuant to section 62I or 69E of said chapter 111 or chapter 122 of
239 the General Laws; (iii) a community health center, as defined in 130 CMR 405.000; or (iv) a
240 clinic licensed under section 51 of said chapter 111.

241 “Health care professional”, an individual, whether acting as an agent, volunteer,
242 contractor, employee or otherwise, who is: (i) authorized to provide health care services pursuant
243 to licensure or certification by the board of registration in medicine, the board of registration in
244 nursing, the board of respiratory care, the board of registration in pharmacy, the board of
245 registration of physician assistants, the board of allied health professionals, the board of allied
246 mental health and human services professions, the board of registration of social workers or the
247 board of registration of psychologists; (ii) a student or trainee in their approved medical
248 professional services academic training program; (iii) a nursing attendant or certified nursing
249 aide, including an individual who is providing care as part of the individual’s approved nursing
250 attendant or certified nurse aide training program; (iv) certified, accredited or approved under
251 chapter 111C of the General Laws to provide emergency medical services; or (v) a health care
252 facility administrator, executive, supervisor, board member, trustee or other person responsible
253 for directing, supervising or managing a health care facility or its personnel.

254 “Health care services”, services provided by a health care facility or health care
255 professional, regardless of location, that involve the: (i) treatment, diagnosis, prevention or
256 mitigation of COVID-19; (ii) assessment or care of an individual with a confirmed or suspected
257 case of COVID-19; or (iii) care of any other individual who presents at a health care facility or to
258 a health care professional during COVID-19.

259 (b) Notwithstanding any general or special law to the contrary, except as provided in
260 subsection (c), health care professionals and health care facilities shall be immune from suit and
261 civil liability for any damages alleged to have been sustained by an act or omission by the health
262 care professional or health care facility in the course of providing health care services during
263 COVID-19; provided, however, that: (i) the health care facility or health care professional is
264 arranging for or providing health care services pursuant to a COVID-19 rule and in accordance
265 with otherwise applicable law; (ii) arranging for or providing care or treatment of the individual
266 was impacted by the health care facility’s or health care professional’s decision or activity in
267 response to treatment conditions resulting from COVID-19 or a COVID-19 rule; and (iii) the
268 health care facility or health care professional is arranging for or providing health care services
269 in good faith.

270 (c) The immunity provided in subsection (b) shall not apply: (i) if the damage was caused
271 by an act or omission constituting gross negligence, recklessness or conduct with an intent to
272 harm or to discriminate based on race, ethnicity, national origin, religion, disability, sexual
273 orientation or gender identity by a health care facility or health care professional providing health
274 care services; (ii) to consumer protection actions brought by the attorney general; or (iii) to false
275 claims actions brought by or on behalf of the commonwealth.

276 SECTION 10. (a) Notwithstanding section 13 of chapter 39 of the General Laws or any
277 other general or special law, charter provision, ordinance or by-law to the contrary, a town may
278 act by vote of its select board or board of selectmen, in consultation and with the approval of the
279 town moderator, to prescribe the number of voters necessary to constitute a quorum at any town
280 meeting held during the outbreak of the 2019 novel coronavirus, also known as COVID-19, and
281 subsequent variants, at a number that is less than the number that would otherwise be required by
282 law, town by-law or town charter; provided, however, that the number of voters necessary to
283 constitute a quorum shall not be less than 10 per cent of the number that would otherwise be
284 required.

285 (b) The select board or board of selectmen shall publish notice of its intention to consider
286 an adjustment of town meeting quorum requirements under this section not less than 7 days
287 before the vote of the select board or board of selectmen. The select board or board of selectmen
288 shall provide for adequate means of public access that will allow interested members of the
289 public to clearly follow the deliberations of the select board or board of selectmen on making a
290 quorum adjustment as those deliberations are occurring.

291 (c) Not less than 10 days after a vote of the select board or board of selectmen to adjust
292 the quorum requirement under this section, the town clerk shall notify the attorney general of the
293 adjusted quorum requirement.

294 (d) All actions taken pursuant to this section are hereby ratified, validated and confirmed
295 to the same extent as if the town meeting had been conducted in accordance with all other
296 applicable laws, charter provisions, ordinances and by-laws.

297 SECTION 11. (a) Notwithstanding any general or special law, charter provision,
298 ordinance or by-law to the contrary, during the outbreak of the 2019 novel coronavirus, also
299 known as COVID-19, and subsequent variants, if the moderator in a town having a
300 representative town meeting form of government determines that it is not possible to safely
301 assemble the town meeting members and interested members of the public in a common location
302 while complying with any applicable state or local orders, directives or guidance concerning
303 public assemblies, the moderator may request that the select board or board of selectmen of the
304 town call for a representative town meeting to be held through remote participation, including,
305 but not limited to, by means of a video or telephone conferencing platform. Such a request by the
306 moderator to the select board or board of selectmen shall be in writing and shall include, but not
307 be limited to: (i) the moderator's determination and request to hold a town meeting through
308 remote participation in accordance with this section; (ii) the video or telephone conferencing
309 platform the moderator has determined to use to hold the town meeting; (iii) confirmation that
310 the moderator has consulted with the local disability commission or coordinator for federal
311 Americans with Disabilities Act compliance; and (iv) a certification by the moderator that: (A)
312 the moderator has tested the video or telephone conferencing platform; and (B) the platform
313 satisfactorily enables the town meeting to be conducted in substantially the same manner as if the
314 meeting occurred in person at a physical location and in accordance with the operational and
315 functional requirements set forth in this section.

316 A video or telephone conference platform used by a town meeting for remote
317 participation under this section shall, at minimum, provide for the ability for: (i) the moderator,
318 town meeting members, town officials and any other interested members of the public to identify
319 and hear the moderator and each town meeting member who attends and participates in the

320 remotely-held town meeting, as well as any other individuals who participate in the remotely-
321 held town meeting; (ii) the ability to determine whether a quorum is present; (iii) a town meeting
322 member, town official or other individual to request recognition by the moderator without prior
323 authorization; provided, however, that to the extent technologically feasible, the request is visible
324 or audible to the public in real time and upon review of the recording of the town meeting
325 proceedings, preserved according to subsection (h); (iv) the moderator to determine when a town
326 meeting member wishes to be recognized to speak, make a motion, raise a point of order or
327 object to a request for unanimous consent; (v) the moderator to recognize a town meeting
328 member, town official or other individual to speak and to enable that person to speak; (vi) the
329 ability to conduct a roll call vote; (vii) any interested members of the public to access the
330 meeting remotely for purposes of witnessing the deliberations and actions taken at the town
331 meeting; and (viii) the town meeting to be recorded. Registered voters residing in the town
332 wishing to participate in a remote town meeting conducted pursuant to this section shall submit a
333 request to participate to the town clerk not less than 48 hours in advance of the town meeting.
334 Upon receipt of the request and verification of the requester's voter registration status, the clerk
335 shall provide to the requester instructions for participating in the remote town meeting.

336 (b) Not later than 10 business days following receipt of a written request by the
337 moderator for remote participation at a town meeting pursuant to subsection (a), the select board
338 or board of selectmen shall vote to determine if the town meeting shall be held remotely by
339 means of the video or telephone conferencing platform requested by the moderator.

340 (c) If the select board or board of selectmen votes to approve the request of the moderator
341 for remote participation at a town meeting, and the select board or board of selectmen has
342 already issued a warrant pursuant to section 10 of chapter 39 of the General Laws calling a town

343 meeting to be held not later than July 15, 2022, the select board or board of selectmen shall, at
344 the same meeting of the board, approve and issue, in consultation with the moderator, a notice
345 that expressly states: (i) that the town meeting shall be held remotely by means of the video or
346 telephone conferencing platform requested by the moderator; (ii) the date and time of the
347 meeting; and (iii) any information necessary for the moderator, town meeting members, town
348 officials and interested members of the public to access and witness the deliberations and actions
349 taken at the town meeting remotely.

350 The notice issued by the select board or board of selectmen shall be: (i) accompanied by
351 the written request of the moderator submitted to the select board or board of selectmen under
352 subsection (a); (ii) filed and posted in accordance with the requirements of subsection (b) of
353 section 10A of said chapter 39; (iii) distributed to each town meeting member; and (iv) publicly
354 posted not less than 10 days before the scheduled date of the remote town meeting. The notice
355 may include a date, time and place for the town meeting to be resumed if the town meeting does
356 not vote to continue the town meeting remotely pursuant to subsection (f).

357 (d) If the select board or board of selectmen votes to approve the request of the moderator
358 for remote participation at a town meeting, and the select board or board of selectmen has not yet
359 issued a warrant for a town meeting, the select board or board of selectmen shall approve and
360 issue a warrant pursuant to said section 10 of said chapter 39 for the town meeting that expressly
361 states: (i) that the town meeting shall be held remotely by means of the video or telephone
362 conferencing platform requested by the moderator; (ii) the date and time of the meeting; and (iii)
363 any information necessary for the moderator, town meeting members, town officials and
364 interested members of the public to access and witness the deliberations and actions taken at the
365 town meeting remotely.

366 The warrant issued by the select board or board of selectmen shall be: (i) accompanied by
367 the written request of the moderator submitted to the select board or board of selectmen under
368 subsection (a); and (ii) filed in accordance with said section 10 of said chapter 39, all other
369 applicable laws and any relevant provisions of the town charter or by-laws. The warrant may
370 include a date, time and place for the town meeting to be resumed if the town meeting does not
371 vote to continue the town meeting remotely pursuant to subsection (f).

372 (e) Not later than 5 business days after a vote of the select board or board of selectmen to
373 approve the request of the moderator to hold a town meeting remotely pursuant to subsection (c)
374 or (d), the town clerk shall submit certified copies of the vote of the select board or board of
375 selectmen and the written request of the moderator to the attorney general.

376 (f) Prior to taking up any business at a representative town meeting held through remote
377 participation under this section, the town meeting members present and voting at the meeting
378 shall vote on whether to commence business at the town meeting remotely by means of the
379 chosen video or telephone conferencing platform. If the town meeting votes to continue
380 conducting the town meeting remotely, the town meeting shall proceed by remote participation
381 to address the articles included in the warrant. If the town meeting does not vote to continue
382 conducting the town meeting remotely, the town meeting shall be adjourned to the date, time and
383 place specified in the notice or warrant under subsection (c) or (d). If no date, time and place has
384 been specified in the notice or warrant, the town meeting shall immediately be dissolved without
385 taking any votes on any other matters and the select board or board of selectmen may call the
386 town meeting pursuant to a new warrant that provides for the town meeting to be held in person
387 at a physical location in accordance with said section 10 of said chapter 39 and all other
388 applicable laws and provisions of the town charter and by-laws.

389 (g) Any roll call vote taken at a representative town meeting held through remote
390 participation pursuant to this section shall be taken by any means that the moderator determines
391 accurately and securely records the votes of those entitled to vote at the meeting, including, but
392 not limited to, roll call vote, electronic voting, voting by ballot, voting by phone or any
393 combination thereof. The vote of each town meeting member on a roll call vote shall be recorded
394 and kept with the minutes of the town meeting.

395 (h) A representative town meeting held remotely pursuant to this section shall be
396 recorded and the recording shall be preserved and made publicly available on the town's website
397 for not less than 90 days after the conclusion of the remote town meeting.

398 (i) All actions taken during a remote town meeting held pursuant to this section are
399 hereby ratified, validated and confirmed to the same extent as if the town meeting had been
400 conducted in person and such actions are in accordance with all other applicable laws, charter
401 provisions, ordinances and by-laws.

402 SECTION 12. Notwithstanding section 28 of chapter 53 of the General Laws or any other
403 general or special law to the contrary, the state primary in 2022 shall be held on Tuesday,
404 September 6, 2022.

405 SECTION 13. Notwithstanding section 3 of chapter 53 of the General Laws or any other
406 general or special law to the contrary, a person whose name is not printed on the September 6,
407 2022 state primary ballot as a candidate for an office, but who receives sufficient votes to
408 nominate the person for the office, shall file in the office of the state secretary a written
409 acceptance of the nomination and a receipt from the state ethics commission verifying that a

410 statement of financial interest has been filed pursuant to chapter 268B of the General Laws not
411 later than 5:00 p.m. on Thursday, September 8, 2022.

412 SECTION 14. Notwithstanding sections 11, 13 and 53A of chapter 53 of the General
413 Laws, section 5 of chapter 55B of the General Laws or any other general or special law to the
414 contrary, objections to and withdrawals from nominations made at the September 6, 2022 state
415 primary shall be filed with the state secretary not later than 12:00 p.m. on Friday, September 9,
416 2022.

417 SECTION 15. Notwithstanding section 14 of chapter 53 of the General Laws or any other
418 general or special law to the contrary, any vacancy from the September 6, 2022 state primary
419 caused by death, withdrawal or ineligibility under section 14 shall be filled by an executive
420 committee, determined by the state party committee of the same political party that made the
421 original nomination.

422 SECTION 16. Notwithstanding section 15 of chapter 53 of the General Laws or any other
423 general or special law to the contrary, when a nomination is made to fill a vacancy caused by the
424 death, withdrawal or ineligibility of a candidate from the September 6, 2022 state primary, the
425 certificate of nomination shall be on a form prescribed by the state secretary, signed by the
426 executive committee appointed by the state committee of the same political party as provided for
427 in section 15 and filed with the state secretary not later than 5:00 p.m. on Monday, September
428 12, 2022.

429 SECTION 17. Notwithstanding section 135 of chapter 54 of the General Laws or any
430 other general or special law to the contrary, a petition for a recount of the September 6, 2022
431 state primary shall be filed with the appropriate local election officials not later than 5:00 p.m. on

432 Friday, September 9, 2022 and all recounts shall be completed and notice of the results shall be
433 sent to the state secretary not later than 5:00 p.m. on Saturday, September 17, 2022.

434 Petitions for district-wide and statewide recounts of the September 6, 2022 state primary
435 shall be submitted to the appropriate local election officials for certification not later than 12:00
436 p.m. on Friday, September 9, 2022 and local election officials shall complete certification not
437 later than 10:00 a.m. on Tuesday, September 13, 2022. Thereafter, certified petitions shall be
438 filed with the state secretary not later than 5:00 p.m. on Tuesday, September 13, 2022. If the state
439 secretary determines that the contest is eligible for a statewide or district-wide recount, the state
440 secretary shall notify the local election officials who shall complete the recount and shall notify
441 the state secretary of the results of the recount not later than 5:00 p.m. on Saturday, September
442 17, 2022.

443 Notwithstanding said section 135 of said chapter 54, a board of registrars shall provide at
444 least 2 days' notice of the date, time and location of the recount to each candidate for the office
445 for which the recount has been petitioned; provided, however, that electronic notice shall be
446 sufficient.

447 SECTION 18. Notwithstanding sections 8 to 10, inclusive, of chapter 55B of the General
448 Laws or any other general or special law to the contrary, the state ballot law commission shall
449 notify candidates of any objections filed to nominations at the September 6, 2022 state primary
450 not later than 5:00 p.m. on Friday, September 9, 2022. Notice of the commission hearings shall
451 be given by telephone and electronic mail. Hearings on objections shall be held on Wednesday,
452 September 14, 2022 and decisions shall be rendered not later than 5:00 p.m. on Monday,
453 September 19, 2022.

454 SECTION 19. Notwithstanding section 7.08 of chapter 156D of the General Laws or any
455 other general or special law to the contrary, as a result of the outbreak of the 2019 novel
456 coronavirus, also known as COVID-19, and subsequent variants, a public corporation, as
457 referenced in said section 7.08 of said chapter 156D and otherwise consistent with the other
458 provisions of said section 7.08 of said chapter 156D, or a corporation as defined in section 2 of
459 chapter 180 of the General Laws, may conduct an annual or special meeting of the shareholders
460 solely by means of remote communication.

461 SECTION 20. Notwithstanding any general or special law or any by-law of the
462 corporation to the contrary, as a result of the outbreak of the 2019 novel coronavirus, also known
463 as COVID-19, and subsequent variants, and unless the articles of organization provide otherwise,
464 the board of directors of a corporation defined in section 2 of chapter 180 of the General Laws
465 may: (i) provide notice of a meeting of the board of directors: (A) only to those directors it is
466 practicable to reach; and (B) in any practicable manner; (ii) cancel a meeting of the members, as
467 defined in said section 2 of said chapter 180, with notice of cancellation given in any practicable
468 manner; (iii) allow a director or officer to continue to serve during the outbreak of COVID-19
469 and subsequent variants and until the director's or officer's successor is elected, appointed or
470 designated; provided, however, that directors and officers whose term is extended pursuant to
471 this section shall continue to serve until the director's or officer's successor takes office, despite
472 the expiration of a director's or officer's term; (iv) allow a director to participate in a regular or
473 special meeting by, or conduct the meeting through the use of, any means of communication by
474 which all directors participating are able to simultaneously communicate with each other during
475 the meeting; (v) allow members at a meeting of the members to vote in person or by proxy;
476 provided that any member voting by proxy shall be considered present at the meeting for

477 purposes of any quorum requirement; (vi) appoint successors to any of the officers, directors,
478 employees or agents; (vii) relocate the principal office or designate alternative offices; and (viii)
479 allow members to participate in any meeting of members by remote participation, even if not
480 physically present at the meeting. Participation by remote communication at any meeting of the
481 members shall constitute presence at such meeting only if: (i) reasonable measures are
482 implemented to verify that each person deemed present and permitted to vote at the meeting by
483 means of remote communication is a member or proxyholder; (ii) reasonable measures are
484 implemented to provide such members and proxyholders a reasonable opportunity to participate
485 in the meeting and to vote on matters submitted to the members, including an opportunity to read
486 or to hear the proceedings of the meeting substantially concurrently with such proceedings, pose
487 questions and make comments, regardless of whether the members can simultaneously
488 communicate with each other during the meeting; and (iii) if any member or proxyholder votes
489 or takes other action at the meeting by means of remote communication, a record of such vote or
490 other action shall be maintained by the corporation.

491 Directors who participate in a meeting of the board of directors pursuant to this section
492 shall constitute a quorum. In a corporation with members, the corporation shall notify the
493 members, as soon as reasonably practicable, of any action taken by the board of directors
494 pursuant to this section.

495 SECTION 21. Notwithstanding section 7A of chapter 167E of the General Laws, section
496 65C1/2 of chapter 171 of the General Laws or any other general or special law to the contrary,
497 due to the outbreak of the 2019 novel coronavirus, also known as COVID-19, and subsequent
498 variants, written certification from a counselor with a third-party organization that a mortgagor
499 has received counseling via a synchronous, real-time video conference or by telephone in lieu of

500 counseling in person shall satisfy the requirements of clause (ii) of subsection (b) of said section
501 7A of said chapter 167E or clause (ii) of subsection (b) of said section 65C1/2 of said chapter
502 171; provided, however, that the third-party organization shall have been approved by the
503 executive office of elder affairs for purposes of such counseling.

504 SECTION 22. Notwithstanding any general or special law to the contrary, local election
505 officials shall transmit absentee ballots to voters covered under the federal Uniformed and
506 Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301 et seq., whose applications were
507 received not less than 45 days before the November 8, 2022 state election, not later than
508 Saturday, September 24, 2022.

509 SECTION 23. Notwithstanding any general or special law to the contrary, the state
510 secretary may add or change any dates relating to the nominations made at the September 6,
511 2022 state primary that the state secretary considers necessary for the orderly administration of
512 the November 8, 2022 state election by providing notice of the change to the state parties and
513 any affected person, by filing notice with the state secretary's rules and regulations division, by
514 posting on the state secretary's website and by whatever other means the state secretary
515 considers appropriate.

516 SECTION 24. (a) Notwithstanding any general or special law to the contrary, the
517 secretary of health and human services shall prepare and implement a detailed comprehensive
518 COVID-19 vaccination equity plan, including interim goals, benchmarks and timelines, to
519 significantly increase the proportion of adults and children who are fully vaccinated for COVID-
520 19, including booster vaccinations, among communities in the commonwealth that have
521 disproportionately low vaccination rates, which may include, but shall not be limited to,

522 minority, immigrant and low-income communities. The goal of the plan shall be to eliminate
523 disparities in the rates of vaccination within 4 months of the effective date of this section. The
524 plan shall include: (i) mechanisms necessary to directly deliver medically and scientifically
525 accurate, culturally competent and linguistically diverse information about the safety and
526 efficacy of vaccination, including particularly the COVID-19 vaccine, and the pathways to
527 receiving a COVID-19 vaccine; (ii) a complete list of existing or new community-based
528 partnerships for implementation of the plan, including an explanation the role of local public
529 health departments or boards of health, community-rooted faith-based organizations and locally-
530 based health care providers in implementing the plan; and (iii) a budget for implementation with
531 funding sources identified. The secretary shall provide the plan in writing to the joint committees
532 on ways and means, the committee on COVID-19 and emergency preparedness and management
533 and the committee on public health and make the plan publicly available on the website of the
534 department of public health not later than 30 days after the effective date of this section. The
535 secretary shall report progress towards achieving the equity plan goals by region, by community
536 and statewide not less than every 2 months following the completion of the plan.

537 SECTION 25. Notwithstanding any general or special law to the contrary, the department
538 of public health shall issue and post publicly on its website guidance on mask usage, including
539 scientific information and data from scientific studies about the protection provided by different
540 masks against COVID-19, and subsequent variants thereof, not later than 30 days after the
541 effective date of this section. The department shall review and update this guidance as necessary
542 not less than every 30 days thereafter for the duration of the public health emergency declared by
543 the governor on May 28, 2021.

544 Any supports or resources procured or provided by the commonwealth for the purpose of
545 protecting residents from COVID-19 shall, to the maximum extent practicable, be in alignment
546 with the guidance issued under this section.

547 SECTION 26. Notwithstanding any general or special law to the contrary, the department
548 of public health shall issue and post publicly on its website updated guidance related to testing,
549 quarantining and isolation periods related to COVID-19 and subsequent variants thereof. The
550 department shall review and update this guidance as necessary not less than every 30 days
551 thereafter for the duration of the public health emergency declared by the governor on May 28,
552 2021. The department shall undertake efforts to assist compliance by residents with guidance
553 issued under this section, including but not limited to, the bulk procurement and distribution of
554 COVID-19 testing materials and kits.

555 SECTION 27. The special legislative commission established by section 106 of chapter
556 227 of the acts of 2020, as amended by section 93 of chapter 24 of the acts of 2021, is hereby
557 revived and continued to March 1, 2022. The special commission shall file its report pursuant to
558 said section 106 of said chapter 227 with the clerks of the house of representatives and the
559 senate, the house and senate committees on ways and means, the joint committee on education
560 and the joint committee on economic development not later than March 1, 2022.

561 SECTION 28. Section 8 shall take effect as of December 15, 2021. Affirmation,
562 acknowledgment or other notarial that occurred virtually on or after December 15, 2021 and until
563 the effective date of this act shall be deemed valid; provided, however, that each requirement of
564 chapter 71 of the acts of 2020 was satisfied at the time of the affirmation, acknowledgement or
565 other notarial act.

566 SECTION 29. If sections 10 and 11 are not in effect at least 15 days prior to the date of a
567 scheduled representative town meeting to be held during the outbreak of COVID-19, any action
568 of a town moderator, select board or town meeting that is substantially consistent with the
569 requirements of said section 10 or said section 11 shall be ratified, validated and confirmed in all
570 respects as if this act had been in place prior thereto.

571 SECTION 30. Section 9 is hereby repealed.

572 SECTION 31. Sections 8, 10, 11, 19, 20 and 21 are hereby repealed.

573 SECTION 32. Sections 19 and 20 shall take effect as of December 15, 2021. Actions
574 taken at meetings of shareholders and boards of directors on or after December 15, 2021 and
575 until the effective date of this act shall be deemed valid; provided, that meetings of shareholders
576 and boards of directors are consistent with said sections 19 and 20.

577 SECTION 33. Section 30 shall take effect on February 28, 2022.

578 SECTION 34. Section 31 shall take effect on July 15, 2022.