

HOUSE No. 3548

Text of a further amendment, offered by Mr. Michlewitz of Boston, to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 24) of the House Bill making appropriations for the Fiscal Year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 58). March 23, 2023.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

By striking out all after the enacting clause and inserting in place thereof the following:-

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2023, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2023. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. These sums shall be
8 made available through the fiscal year ending June 30, 2023.

9 SECTION 2.

DISTRICT ATTORNEYS

Cape and Islands District Attorney

12 0340-1000 Cape and Islands District Attorney.....\$200,000

13 OFFICE OF THE COMPTROLLER
14 1599-3384 Judgments, Settlement and Legal Fees.....\$8,286,615

15 EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE

16 1599-4448 Collective Bargaining Contract Costs\$4,228,650

17 EXECUTIVE OFFICE OF EDUCATION

18 *Department of Early Education and Care*

19 3000-1045 Early Education and Care Workforce C3 Stabilization
20 Grants.....\$68,000,000

21 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

22 *Department of Housing and Community Development*

23 7004-0101 Emergency Assistance Family Shelters and Services\$44,938,224

24 7004-9316 Residential Assistance for Families in Transition\$15,692,986

25 EXECUTIVE OFFICE OF EDUCATION

26 *Department of Elementary and Secondary Education*

27 7053-1925 School Breakfast Program.....\$65,000,000

28 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
29 provide for an alteration of purpose for current appropriations, and to meet certain requirements
30 of law, the sums set forth in this section are hereby appropriated from the General Fund unless

31 specifically designated otherwise in this section, for the several purposes and subject to the
32 conditions specified in this section, and subject to the laws regulating the disbursement of public
33 funds for the fiscal year ending June 30, 2023. Except as otherwise stated, these sums shall be
34 made available through the fiscal year ending June 30, 2024.

35 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

36 *Reserves*

37 1599-0924 For a reserve to address the needs of homeless families and individuals;
38 provided, that funds may be expended to supplement school district costs associated with
39 additional student enrollments; provided further, that any such funds distributed to a city, town or
40 regional school district to supplement school district costs associated with additional student
41 enrollments shall be deposited with the treasurer of such city, town or regional school district and
42 held in a separate account and shall be expended by the school committee of such city, town or
43 regional school district without further appropriation, notwithstanding any general or special law
44 to the contrary; provided further, that funds in this item shall be distributed in a manner that
45 promotes geographic equity and fairly distributes school burdens and associated funding to
46 communities in which shelter capacity is increased; provided further, that the secretary of
47 administration and finance may transfer funds from this item to state agencies, as defined in
48 section 1 of chapter 29 of the General Laws; and provided further, that the secretary shall notify
49 the house and senate committees on ways and means of any such transfer.....\$40,061,776

50 1599-0925 For a reserve to address the needs of newly-arrived immigrants and
51 refugees to be administered by the executive office of health and human services, in coordination
52 with the office for refugees and immigrants and the department of housing and community

53 development; provided, that funds shall be expended to support refugee resettlement agencies,
54 nonprofit organizations, community-based organizations, family resource centers and local
55 partners supporting immigrants and refugees through case management, legal screenings,
56 benefits assistance, employment services programming and other non-housing-related supports
57 for newly-arrived immigrants and refugees; provided further, that funds may be used for both
58 direct assistance and administrative costs; provided further, that funds shall be made available to
59 the executive office of health and human services for the development, in coordination with the
60 office for refugees and immigrants and the department of housing and community development,
61 of a new arrivals coordination plan to establish a more coordinated system to address the needs
62 of newly-arrived immigrants and refugees including, but not limited to: (i) timely triage; (ii)
63 social workers; (iii) medical screenings; (iv) culturally-appropriate food; (v) legal screenings and
64 referrals; and (vi) assistance with screening and enrollment for benefits through MassHealth, the
65 department of transitional assistance, the emergency housing assistance program under section
66 30 of chapter 23B of the General Laws and other state programs; provided further, that the plan
67 shall address regional equity to ensure timely intake processes for newly-arrived immigrants and
68 refugees; provided further, that in developing the plan, the executive office shall collaborate with
69 and seek input from refugee resettlement agencies, nonprofit organizations, community-based
70 organizations and local partners; provided further, that the plan shall be developed and submitted
71 to the house and senate committees on ways and means not later than June 30, 2023; and
72 provided further, that the executive office of health and human services shall submit monthly
73 reports to the house and senate committees on ways and means detailing the identified number of
74 newly-arrived immigrants and refugees entering the commonwealth until the exhaustion of funds
75 in this item.....\$7,000,000

76 1599-3068 For emergency allotments to households participating in the supplemental
77 nutrition assistance program under the federal Food and Nutrition Act of 2008, 7 U.S.C. 2011 et
78 seq., to address food needs and increased food costs; provided, that the emergency allotments
79 shall be not more than 40 per cent of the amount needed to bring the monthly benefit up to the
80 applicable maximum monthly allotment for the household size or not more than 40 per cent of
81 \$95, whichever is greater.....\$130,000,000

82 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

83 *Department of Transitional Assistance*

84 4400-1030 For reimbursement to clients who have had their federal supplemental
85 nutrition assistance program payments stolen through electronic benefit transfer card skimming,
86 card cloning or other similar fraudulent electronically-based method, during the period of April
87 1, 2022 to September 30, 2022, inclusive; provided, that claims for such reimbursement must be
88 verified by the department of transitional assistance and must be reported to or identified by the
89 department not later than June 30, 2023; provided further, that reimbursements shall not exceed
90 the lesser of the amount of benefits stolen from the household, or the amount equal to 2 months
91 of the monthly allotment of the household immediately prior to the date on which the benefits
92 were stolen; and provided further, that notwithstanding the previous clause, the department may,
93 subject to the availability of funds in this item, make additional reimbursements for stolen
94 benefits available greater than the amount equal to 2 months of the monthly allotment of the
95 household immediately prior to the date on which the benefits were stolen or for the period of
96 October 1, 2022 to June 30, 2023, inclusive, to the extent that federal funds will not cover the
97 cost of reimbursement.....\$2,000,000

98

Department of Public Health

99 4513-1006 For family and reproductive health services; provided, that not less than
100 \$1,000,000 shall be expended for a public awareness campaign to educate providers and the
101 public about crisis pregnancy centers and pregnancy resource centers and the centers' lack of
102 medical services; provided further, that the campaign shall include information on the
103 availability of providers across the commonwealth that provide legitimate medical and family
104 planning services; provided further, that the campaign shall be linguistically diverse and
105 culturally competent; and provided further, that not less than \$250,000 shall be expended for
106 Reproductive Equity Now, Inc.'s free abortion legal hotline.....\$1,250,000

107 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

108 *Massachusetts Office of Travel and Tourism*

109 7008-1119 For the Boston branch of the National Association for the Advancement of
110 Colored People for costs related to programs to be included in its 114th national conference,
111 including a youth summit, anti-bias training and a career summit, which shall all be open to the
112 public and free of charge, and for costs related to community outreach to ensure residents of the
113 city of Boston and the commonwealth have access to such programs.....\$2,000,000

114 SECTION 3. To provide for a program of housing, community development, economic
115 opportunities, support for local governments, increased innovation and job creation, the sums set
116 forth in sections 3 to 3B, inclusive, for the several purposes and subject to the conditions
117 specified in this act, are hereby made available, subject to the laws regulating the disbursement
118 of public funds; provided, however, that the amounts specified in an item or for a particular

119 project may be adjusted in order to facilitate projects authorized in this act. These sums shall be
120 in addition to any amounts previously authorized and made available for these purposes.

121 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

122 *Office of the Secretary*

123 7002-8041 For the Massachusetts Technology Park Corporation established in section
124 3 of chapter 40J of the General Laws for a matching grant program that enables academic
125 institutions, nonprofit organizations, industry consortiums, federally-funded research and
126 development centers and other technology-based economic development organizations to
127 compete for federal grants in technology and innovation fields including, but not limited to: (i)
128 artificial intelligence and machine learning; (ii) cybersecurity, data storage and data
129 management; (iii) quantum computing and information systems; (iv) robotics and advanced
130 automation; (v) high performance computing, semiconductors and advanced computer hardware;
131 (vi) blockchain; (vii) supply chain; (viii) clean energy, clean energy research, energy storage,
132 batteries and electric vehicle components, technology and infrastructure; (ix) food security; and
133 (x) advanced materials; provided, that the matching grant program may also enable participation
134 of these entities in associated workforce development federal grant programs; and provided
135 further, that not more than 15 days after any competitive application is submitted for federal
136 funds proposing the use of state matching funds from this item, the executive office of housing
137 and economic development shall submit a summary of the application to the house and senate
138 committees on ways and means.....\$125,000,000

139 7002-8042 To provide funds to the Massachusetts Broadband Incentive Fund
140 established in section 6C of chapter 40J of the General Laws for capital repairs and

141 improvements to broadband infrastructure owned by the Massachusetts Technology Park
142 Corporation established by section 3 of said chapter 40J.....\$9,300,000

143 7002-8043 For the Massachusetts Technology Park Corporation established in section
144 3 of chapter 40J of the General Laws for matching grants that support collaboration among
145 manufacturers located in the commonwealth and institutions of higher education, nonprofit
146 organizations and other public or quasi-public entities in the commonwealth; provided, that
147 eligible grantees shall include private businesses; provided further, that grants shall be awarded
148 and administered consistent with the strategic goals and priorities of the Massachusetts advanced
149 manufacturing collaborative established in section 10B of chapter 23A of the General Laws;
150 provided further, that grants made for the purchase of equipment to be owned by, leased to or
151 located within the premises of a private businesses shall be made in support of a partnership with
152 an institution of higher education or nonprofit corporation with a mission of supporting
153 manufacturing in the commonwealth; provided further, that a private university or business
154 entity shall not be eligible for a grant unless the Massachusetts Technology Park Corporation has
155 made a finding that a grant to such university or entity will result in a significant public benefit
156 and the private benefit is incidental to a legitimate public purpose; and provided further, that
157 grants shall be awarded in a manner that promotes geographic, social, racial and economic
158 equity.....\$14,000,000

159 7002-8047 For matching grants to support advanced manufacturing projects in
160 partnership with institutions of higher education, including state and municipal colleges and
161 universities, nonprofit organizations and other public or quasi-public entities; provided, that such
162 projects shall be in alignment with a Manufacturing USA institute.....\$15,000,000

163 7002-8048 For the MassWorks infrastructure program established by section 63 of
164 chapter 23A of the General Laws.....\$400,000,000

165 7002-8049 To enable public entities and other eligible entities within the
166 commonwealth to provide matching funds necessary to receive federal funding for broadband
167 infrastructure, equity, access and deployment in unserved or underserved locations and for
168 adoption, digital equity and other eligible uses consistent with federal guidelines.....\$30,000,000

169 7002-8051 For a program to provide assistance to projects that will improve,
170 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
171 public purposes of eliminating blight, increasing housing production, supporting economic
172 development projects, increasing the number of commercial buildings accessible to persons with
173 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
174 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
175 a loan provided to a municipality or other public entity, a community development corporation,
176 nonprofit entity or for-profit entity; provided further, that eligible uses of funding shall include,
177 but not be limited to: (i) improvements and additions to or alterations of structures and other
178 facilities necessary to comply with requirements of building codes; (ii) efforts to comply with
179 fire or other life safety codes and regulations pertaining to accessibility for persons with
180 disabilities; (iii) efforts to comply with code or regulatory compliance when compliance is
181 required in connection with a new commercial residential or civic use of such structure or
182 facility; and (iv) the targeted removal of existing underutilized structures or facilities to create or
183 activate publicly-accessible recreational or civic spaces; provided further, that funding shall be
184 awarded on a competitive basis in accordance with guidelines developed by the Massachusetts
185 Development Finance Agency established in section 2 of chapter 23G of the General Laws;

186 provided further, that financial assistance offered pursuant to this line item may be administered
187 by the executive office of housing and economic development through a contract with the
188 Massachusetts Development Finance Agency; provided further, that the executive office or the
189 Massachusetts Development Finance Agency may establish additional program requirements
190 through regulations or policy guidelines; provided further, that financial assistance offered
191 pursuant to this item shall be awarded, to the extent feasible, in a manner that reflects geographic
192 and demographic diversity and social, racial and economic equity within the commonwealth; and
193 provided further, that program funds, not to exceed 5 per cent of the total assistance made during
194 the fiscal year, may be used for the reasonable costs of administering the program....\$34,000,000

195 7002-8052 For grants and technical assistance to be made to municipalities and regional
196 applicants to support planning and locally-driven initiatives related to community development,
197 housing production, workforce training and economic opportunity, child care and early education
198 initiatives and climate resilience initiatives, including, but not limited to, nature-based solutions
199 projects, that incorporate these elements, across the commonwealth within individual
200 communities, regions or a defined subset of communities therein; provided, that funds may be
201 expended for culturally competent and multi-lingual technical assistance and training to small
202 businesses; provided further, that preference for these funds shall be given to businesses located
203 in low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and
204 provided further, that grants shall be awarded in a manner that promotes geographic
205 equity.....\$1,000,000

206 SECTION 3A.

207 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

208 *Department of Housing and Community Development*

209 7004-8026 For the Smart Growth Housing Trust Fund established in section 35AA of
210 chapter 10 of the General Laws.....\$8,000,000

211 SECTION 3B.

212 TREASURER AND RECEIVER GENERAL

213 0640-1006 For the Massachusetts Clean Water Trust established in section 2 of
214 chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
215 established in section 2L of chapter 29 of the General Laws for application by the trust for the
216 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
217 matching grant by the commonwealth to federal capitalization grants received under Title VI of
218 the federal Clean Water Act, Public Law 92-500, or for deposit in the Drinking Water Revolving
219 Fund established in section 2QQ of said chapter 29 for application by the trust for the purposes
220 specified in section 18 of said chapter 29C, any portion of which may be used as a matching
221 grant by the commonwealth to federal capitalization grants received under the federal Safe
222 Drinking Water Act, Public Law 93-523; provided, that funds may be used to assist homeowners
223 in complying with the revised Title 5 of the state environmental code for subsurface disposal of
224 sanitary waste; and provided further, that funds may be expended for the costs of projects and
225 programs included in the federal Infrastructure Investment and Jobs Act of 2021, Public Law No.
226 117-58.....\$104,000,000

227 SECTION 4. Section 9 of chapter 6C of the General Laws, as appearing in the 2020
228 Official Edition, is hereby amended by striking out subsection (e) and inserting in place thereof
229 the following subsection:-

230 (e) The director shall submit to the inspector general, for inclusion in the annual report
231 pursuant to section 12 of chapter 12A, a report of the unit’s activities for the preceding calendar
232 year, including, but not limited to, findings referred to the inspector general for investigation.
233 The inspector general shall submit the annual report to the joint committee on transportation not
234 later than April 30 of each year. The secretary shall make the annual report and all such reports
235 from previous years publicly available on the department’s website.

236 SECTION 5. Section 72 of chapter 22C of the General Laws, as so appearing, is hereby
237 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

238 (e) The director shall submit to the inspector general, for inclusion in the annual report
239 pursuant to section 12 of chapter 12A, a report of the unit’s activities for the preceding calendar
240 year, including, but not limited to, findings referred to the inspector general for investigation.
241 The inspector general shall submit the annual report to the joint committee on public safety and
242 homeland security not later than April 30 of each year. The department shall make the annual
243 report and all such reports from previous years publicly available on the department’s website.

244 SECTION 6. The first sentence of subsection (a) of section 9A of chapter 23J of the
245 General Laws, as inserted by section 18 of chapter 179 of the acts of 2022, is hereby amended by
246 striking out the words “separate and apart from its other funds”.

247 SECTION 7. Said subsection (a) of said section 9A of said chapter 23J, as so inserted, is
248 hereby further amended by striking out, in the second sentence, the word “bond”.

249 SECTION 8. Section 3 of chapter 23N of the General Laws, as inserted by section 5 of
250 chapter 173 of the acts of 2022, is hereby amended by striking out the definition of
251 “Occupational license” and inserting in place thereof the following definition:-

252 “Occupational license”, a license required to be held by the following employees of an
253 operator when the employee performs duties directly related to the operation of sports wagering
254 in the commonwealth in the following, or equivalent, roles: (i) general manager; (ii) assistant
255 general manager; (iii) gaming or sports wagering manager; (iv) chief of security; (v) chief
256 surveillance officer; (vi) chief compliance officer; (vii) principal executive officer; (viii)
257 principal accounting officer; (ix) chief information officer; (x) chief technology officer; (xi)
258 electronic gaming device manager; (xii) information technology manager; (xiii) software
259 development manager; (xiv) shift supervisor of an in-person sports wagering department; or (xv)
260 shift supervisor in the surveillance, cage or player development departments.

261 SECTION 9. Section 5 of said chapter 23N, as so inserted, is hereby amended by striking
262 out subsection (b) and inserting in place thereof the following subsection:-

263 (b) The commission shall not grant an operator license until it determines that each
264 person who has control of the applicant meets all qualifications for licensure. For the purposes of
265 this chapter, the following shall be considered to have control of an applicant:

266 (i) a person who owns 10 per cent or more of a corporate applicant; provided, however,
267 that a bank or other licensed lending institution that holds a mortgage or other lien acquired in
268 the ordinary course of business shall not be considered to have control of an applicant;

269 (ii) a person who holds a beneficial or proprietary interest of 10 per cent or more of an
270 applicant’s business;

271 (iii) if the applicant is a corporation: (A) president; (B) chief executive officer; (C) chief
272 operating officer; (D) chief financial officer; (E) treasurer; (F) secretary; (G) each inside director;
273 and (H) chair of the board of directors;

274 (iv) if the applicant is a limited liability corporation: (A) each member; (B) each
275 manager; and (C) any transferee of a member's interest; and

276 (v) if the applicant is a partnership, each partner.

277 SECTION 10. Paragraph (1) of subsection (c) of said section 5 of said chapter 23N, as
278 amended by section 36 of chapter 268 of the acts of 2022, is hereby further amended by inserting
279 after the figure "(b)" the following words:- and any applicant for an occupational license as
280 defined in section 3.

281 SECTION 11. Section 8 of said chapter 23N, as inserted by section 5 of chapter 173 of
282 the acts of 2022, is hereby amended by striking out subsection (d) and inserting in place thereof
283 the following 2 subsections:-

284 (d) Upon receipt of an application for an occupational license the commission shall
285 investigate each applicant which shall include obtaining criminal offender record information
286 from the department of criminal justice information services and exchanging fingerprint data and
287 criminal history with the department of state police and the United States Federal Bureau of
288 Investigation as provided in subsection (c) of section 5.

289 (e) Not later than March 1 of the third calendar year following the issuance or renewal of
290 an occupational license, an occupational license holder shall pay a nonrefundable license renewal
291 fee of \$100 and submit a renewal application on a form established by the commission. An
292 employer may pay the license renewal fee on behalf of the licensed employee.

293 SECTION 12. Subsection (a) of section 18 of said chapter 23N, as so inserted, is hereby
294 amended by adding the following sentence:- Expenditures from the fund shall not be subject to
295 appropriation.

296 SECTION 13. Said chapter 23N, as so inserted, is hereby further amended by striking out
297 section 18, the second time it appears, and inserting in place thereof the following section:-

298 Section 19. There shall be established and set up on the books of the commonwealth a
299 fund to be known as the Youth Development and Achievement Fund. The fund shall be credited
300 any monies transferred from the Sports Wagering Fund pursuant to section 17 and all monies
301 credited to or transferred to the fund from any other fund or source. Expenditures from the fund
302 shall be subject to appropriation and shall be expended equally for the following purposes:

303 (1) For the purposes of providing financial assistance to students from the commonwealth
304 enrolled in and pursuing a program of higher education in any approved public or independent
305 college, university, school of nursing or any other approved institution furnishing a program of
306 higher education;

307 (2) For the purposes of funding after-school and out-of-school activities, including, but
308 not limited to, youth athletics and other activities that improve student health, literacy programs,
309 English language learning programs, academic tutoring, art, theater and music programs and
310 community service programs; and

311 (3) For the purposes of providing matching grants to elementary and secondary youth
312 sports, organizations, clubs and other school groups to attend events, including, but not limited
313 to, academic events and programs, cultural events and award ceremonies both nationally and
314 internationally.

315 SECTION 14. Section 8K of chapter 26 of the General Laws, as inserted by section 22 of
316 chapter 177 of the acts of 2022, is hereby amended by striking out the words “42 U.S.C.
317 18031(j)”, each time they appear, and inserting in place thereof, in each instance, the following
318 words:- 42 U.S.C. 300gg-26.

319 SECTION 15. Section 2LLLLL of chapter 29 of the General Laws, as amended by
320 section 21 of chapter 126 of the acts of 2022, is hereby further amended by striking out the word
321 “subject” and inserting in place thereof the following words:- not subject.

322 SECTION 16. Subsection (a) of section 22B of chapter 32A of the General Laws, as
323 inserted by section 26 of chapter 177 of the acts of 2022, is hereby amended by striking out the
324 words “42 U.S.C. 18031 (j)” and inserting in place thereof the following words:- 42 U.S.C.
325 300gg-26.

326 SECTION 17. Subsection (a) of section 14A of chapter 94G of the General Laws, as
327 inserted by section 18 of chapter 180 of the acts of 2022, is hereby amended by adding the
328 following sentence:- Expenditures from the fund shall not be subject to appropriation.

329 SECTION 18. Subsection (a) of section 65G of chapter 112 of the General Laws, as
330 inserted by section 36 of chapter 177 of the acts of 2022, is hereby amended by striking out the
331 definition of “Board of registration” and inserting in place thereof the following definition:-

332 “Board of registration”, a board of registration: (i) serving in the department pursuant to
333 section 9 of chapter 13; provided, however, that this shall not include the board of registration as
334 established under section 10 of said chapter 13; (ii) serving pursuant to section 76 of said chapter
335 13; (iii) serving pursuant to section 80 of said chapter 13; (iv) serving pursuant to section 88 of

336 said chapter 13; or (v) serving under the supervision of the commissioner pursuant to section 1 of
337 this chapter.

338 SECTION 19. Section 7.08 of chapter 156D of the General Laws, as appearing in the
339 2020 Official Edition, is hereby amended by striking out the words “, unless the corporation is a
340 public corporation”, in lines 6 and 7.

341 SECTION 20. Subsection (g) of section 14 of chapter 176O of the General Laws, as
342 added by section 70 of chapter 177 of the acts of 2022, is hereby amended by striking out the
343 words “42 U.S.C. 18031(j)” and inserting in place thereof the following words:- 42 U.S.C.
344 300gg-26.

345 SECTION 21. Section 6A of chapter 180 of the General Laws, as appearing in the 2020
346 Official Edition, is hereby amended by adding the following 2 paragraphs:-

347 The board of directors may, unless otherwise provided in the articles of organization or
348 bylaws, authorize any annual, regular or special meeting of members to be held in-person at a
349 physical location, by means of remote communication or by a hybrid model with both a physical
350 location and a means of remote communication. Subject to the articles of organization, bylaws,
351 guidelines or procedures as the board of directors may adopt, members not physically present at
352 the designated location of a meeting of the members may, by means of remote communication:
353 (i) participate in a meeting of members; and (ii) be deemed, to the same extent as members
354 physically present at a designated location, to be: (A) present; and (B) authorized to vote.

355 Pursuant to the fifth paragraph, the corporation shall implement reasonable measures to:

356 (i) verify that each person deemed present and authorized to vote at the meeting by means
357 of remote communication is a member;

358 (ii) provide members a reasonable opportunity to participate in the meeting and vote on
359 matters submitted to the members, including an opportunity to read or hear the proceedings of
360 the meeting substantially concurrently with such proceedings; and

361 (iii) maintain a record of any vote or other action a member takes at a meeting by means
362 of remote communication.

363 SECTION 22. Chapter 221 of the General Laws is hereby amended by inserting after
364 section 46D the following section:-

365 Section 46E. (a) With respect to real estate closings involving the use of communication
366 technology, as defined in section 1 of chapter 222, the following words, as used in this section,
367 shall, unless the context clearly requires otherwise, have the following meanings:

368 “Closing”, the consummation of a transaction between parties for the purpose of granting
369 a mortgage or otherwise transferring title to a 1-family to 4-family residential dwelling, including
370 the execution of documents necessary to accomplish the valid and proper transfer of title and the
371 transfer of the consideration for the conveyance, whether done simultaneously with or
372 subsequent to the execution of documents for the transfer of title; provided, however, that a
373 “closing” shall not include any transaction in which the consideration for the transfer of title is
374 evidenced solely by a home equity loan or line of credit that: (i) is secured by a mortgage on a 1-
375 family to 4-family residential dwelling; (ii) does not involve the issuance of a lender’s or
376 mortgagee’s policy of title insurance in connection with such transaction; and (iii) is to be
377 retained by the lender and not sold on the secondary mortgage market.

378 “Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly
379 or in a nominee capacity, a mortgage loan securing real property, including, but not limited to, an
380 originator, holder, investor, assignee, successor, trust, trustee, nominee holder, Mortgage
381 Electronic Registration Systems or mortgage servicer, including the Federal National Mortgage
382 Association or the Federal Home Loan Mortgage Corporation; provided, however, that
383 “creditor” shall also include any servant, employee, representative or agent of a creditor.

384 (b) Notwithstanding any general or special law to the contrary, no person, unless that
385 person has been admitted as an attorney in the commonwealth and has not been disqualified from
386 the practice of law due to resignation, disbarment or suspension or placed on inactive status,
387 shall (i) direct or manage a closing; or (ii) take the following actions in preparation for, or in
388 furtherance of, a closing:

389 (1) giving or furnishing legal advice as to the legal status of title;

390 (2) ensuring that the seller, or the borrower-mortgagor in a mortgage refinancing
391 transaction, is in a position to convey marketable title to the residential property at issue;

392 (3) issuing a certification of title pursuant to section 70 of chapter 93;

393 (4) drafting a deed to real property on behalf of another;

394 (5) ensuring that the documents necessary for the transfer of title are executed and
395 acknowledged in accordance with the laws of the commonwealth; provided, however, a non-
396 attorney may take such action under the direction or supervision of an attorney; or

397 (6) disbursing, or managing the disbursement, of consideration for the conveyance.

398 (c) The attorney general may initiate an action, including a petition for injunctive relief,
399 against any person or creditor whose violation of this section is part of a pattern, or consistent
400 with a practice, of noncompliance. The supreme judicial court and the superior court department
401 of the trial court of the commonwealth shall have concurrent jurisdiction in equity. A person
402 having an interest or right that is or may be adversely affected by a violation of this section may
403 initiate an action against the person or creditor for private monetary remedies.

404 SECTION 23. Chapter 222 of the General Laws is hereby amended by striking out
405 section 1, as appearing in the 2020 Official Edition, and inserting in place thereof the following
406 section:-

407 Section 1. For the purposes of this chapter, the following words shall, unless the context
408 clearly requires otherwise, have the following meanings:

409 “Acknowledgment”, a notarial act in which an individual, at a single time appears in
410 person before a notary public, is identified by the notary public through satisfactory evidence of
411 identity and presents a document or electronic record to the notary public and indicates to the
412 notary public that the signature on the document or record before the notary was voluntarily
413 affixed by the individual for the purposes stated within the document or electronic record or that
414 the signature on the document or electronic record was the individual’s free act and deed and, if
415 applicable, that the individual was authorized to sign in a particular representative capacity.

416 “Affirmation”, a notarial act, or part thereof, that is legally equivalent to an oath and in
417 which an individual, at a single time appears in person before a notary public, is identified by the
418 notary public through satisfactory evidence of identity and makes a vow of truthfulness or

419 fidelity while appearing before the notary public under the penalties of perjury without invoking
420 a deity.

421 “Appears in person”, “appears personally” or “personally appears”, (i) being in the same
422 physical location as another individual and close enough to see, hear, communicate with and
423 exchange tangible identification credentials with that individual; or (ii) interacting with a
424 remotely-located individual by means of communication technology in compliance with section
425 28.

426 “Capable of independent verification”, the ability to confirm the validity of an electronic
427 notarial act, including the electronic signature and seal, through a publicly accessible system, in
428 compliance with industry standard technology as approved by the secretary of the
429 commonwealth.

430 “Communication technology”, an electronic device or process that allows a notary public and a
431 remotely-located individual to communicate with each other simultaneously by sight and sound,
432 and when necessary and consistent with other applicable laws, facilitates communication with a
433 remotely-located individual with a vision, hearing or speech impairment.

434 “Copy certification”, a notarial act in which a notary public is presented with a document
435 that the notary public copies, or that the notary supervises someone else copying, by a
436 photographic or electronic copying process, compares the original document to the copy and
437 determines that the copy is accurate and complete.

438 “Credential analysis”, a process or service that meets the guidelines established by the
439 secretary, through which a third person affirms the validity of a current government-issued
440 identification credential by review of public or proprietary data sources.

441 “Credible witness”, an honest, reliable and impartial person who personally knows an
442 individual appearing before a notary and who takes an oath or affirmation before the notary to
443 vouch for that individual’s identity.

444 “Dynamic knowledge-based authentication”, a form of identity proofing based on a set of
445 questions that pertain to an individual and are formulated from public or proprietary data
446 sources.

447 “Electronic”, relating to technology having electrical, digital, magnetic, wireless, optical,
448 electromagnetic or similar capabilities.

449 “Electronic record”, information that is created, generated, sent, communicated, received
450 or stored by electronic means.

451 “Electronic signature”, an electronic sound, symbol or process that is attached to or
452 logically associated with a contract or other record and executed or adopted by a person with the
453 intent to sign the record.

454 “Foreign state”, a jurisdiction other than the United States, a state or a federally
455 recognized Indian tribe.

456 “Identity proofing”, a process or service that meets the guidelines established by the
457 secretary, by which a third party provides a notary public with a means to verify the identity of a
458 remotely-located individual by a review of personal information from public or private data
459 sources, which may include credential analysis, dynamic knowledge-based authentication,
460 analysis of biometric data including, but not limited to, facial recognition, voiceprint analysis or
461 fingerprint analysis or other means permitted by the secretary.

462 “Journal”, a chronological record of notarial acts performed by a notary public.

463 “Jurat”, a notarial act in which an individual, at a single time appears in person before a
464 notary public, is identified by the notary public through satisfactory evidence of identity and: (i)
465 presents a document or electronic record; (ii) signs the document or electronic record in the
466 presence of the notary public; and (iii) takes an oath or affirmation before the notary public
467 vouching for the truthfulness or accuracy of the contents of the signed document or electronic
468 record.

469 “Notarial act” or “notarization”, an act that a notary public is empowered to perform,
470 including acts performed electronically in accordance with this chapter.

471 “Notarial certificate”, the part of or attachment to a notarized document or electronic
472 record for completion by the notary public that bears the notary public’s signature and seal and
473 states the venue, date and facts that are attested by the notary public in a particular notarial act or
474 notarization.

475 “Notary public” or “notary”, a person commissioned to perform official acts pursuant to
476 Article IV of the Amendments of the Constitution.

477 “Notarial seal”, (i) a physical image or impression affixed, stamped or embossed on a
478 tangible record; or (ii) an electronic image attached to, or logically associated with, an electronic
479 record.

480 “Oath”, a notarial act, or part thereof, that is legally equivalent to an affirmation and in
481 which an individual, at a single time, appears in person before a notary public, is identified by

482 the notary public through satisfactory evidence of identity and takes a vow of truthfulness or
483 fidelity under the penalties of perjury by invoking a deity.

484 “Official misconduct”, a violation of sections 13 to 24, inclusive, or any other general or
485 special law in connection with a notarial act or a notary public’s performance of an official act in
486 a manner found to be grossly negligent or against the public interest.

487 “Personal knowledge of identity”, familiarity with an individual resulting from
488 interactions with that individual over a period of time sufficient to ensure beyond doubt that the
489 individual is the person whose identity is claimed.

490 “Principal”, a person whose signature is notarized or a person taking an oath or
491 affirmation before a notary public.

492 “Record”, information that is inscribed on a tangible medium or that is stored in an
493 electronic or other medium and is retrievable in perceivable form.

494 “Regular place of work or business”, a place where an individual spends a substantial
495 portion of their working or business hours.

496 “Remotely-located individual”, an individual who is not in the physical presence of the
497 notary public who performs a notarial act pursuant to section 28.

498 “Satisfactory evidence of identity”, identification of an individual based on: (i) at least 1
499 current document issued by a United States or state government agency bearing the photographic
500 image of the individual’s face and signature; (ii) the oath or affirmation of a credible witness
501 unaffected by the document or transaction who is personally known to the notary public and who
502 personally knows the individual; or (iii) identification of an individual based on the notary

503 public’s personal knowledge of the identity of the principal; provided, however, that for a person
504 who is not a United States citizen, “satisfactory evidence of identity” shall mean identification of
505 an individual based on a valid passport or other government-issued document evidencing the
506 individual’s nationality or residence and which bears a photographic image of the individual’s
507 face and signature. For purposes of a notarial act performed using communication technology for
508 a remotely-located individual, “satisfactory evidence of identity” shall be determined pursuant to
509 section 28.

510 “State secretary”, the secretary of the commonwealth.

511 “Signature witnessing”, a notarial act in which an individual, at a single time, appears in
512 person before a notary public, is identified by the notary public through satisfactory evidence of
513 identity and presents a document or electronic record and signs the document or electronic record
514 in the presence of the notary public.

515 “Tamper-evident”, the use of a set of applications, programs, hardware, software or other
516 technologies that will display evidence of any changes to an electronic record.

517 “Tangible journal”, a journal created on a fixed tangible medium in a permanent bound
518 register with numbered pages.

519 “United States”, a location within the geographic boundaries of the United States, Puerto
520 Rico, the United States Virgin Islands and any territory, insular possession or other location
521 subject to the jurisdiction of the United States.

522 SECTION 24. Section 1A of said chapter 222, as so appearing, is hereby amended by
523 striking out, in line 6, the figure “26” and inserting in place thereof the following figure:- 29.

524 SECTION 25. Section 8 of said chapter 222, as so appearing, is hereby amended by
525 striking out subsection (b) and inserting in place thereof the following subsection:-

526 (b)(1) A notary public shall keep an official notarial seal that shall be the exclusive
527 property of the notary public. A notary public shall not permit another to use such notarial seal.
528 A notary public shall obtain a new seal upon renewal of the commission, upon receipt of a new
529 commission or if the name of the notary public has changed. The notarial seal shall include: (i)
530 the notary public's name exactly as indicated on the commission; (ii) the words "notary public"
531 and "Commonwealth of Massachusetts" or "Massachusetts"; (iii) the expiration date of the
532 commission in the following words: "My commission expires ____"; and (iv) a facsimile of the
533 seal of the commonwealth.

534 (2) If a notarial seal that requires ink is employed, black ink shall be used. The seal of a
535 notary public may be a digital image that appears in the likeness or representation of a traditional
536 physical notary public seal. Only the notary public whose name and registration number appear
537 on an electronic seal shall affix said seal. If the seal is electronically generated, it shall include
538 the words "Electronically affixed". The requirements of this subsection shall be satisfied by
539 using a seal that includes all of the information required by this section.

540 (3) A notary public shall attach or logically associate the notary public's electronic signature and
541 electronic seal to an electronic record that is the subject of a notarial act by use of the digital
542 certificate in a matter that is capable of independent verification and renders any subsequent
543 change or modification to the electronic document tamper evident.

544 SECTION 26. Section 16 of said chapter 222, as so appearing, is hereby amended by
545 inserting after the word “notarization”, in line 3, the following words:- , except as specifically
546 provided in this chapter.

547 SECTION 27. Said section 16 of said chapter 222, as so appearing, is hereby further
548 amended by inserting after the word “services”, in line 27, the following words:- ; provided
549 further, that a notary public shall not be precluded from receiving a technology services fee that
550 has been clearly disclosed in advance to the person requesting the service and that technology
551 services fee reflects the actual reasonable cost to the notary public of utilizing a third-party
552 technology service provider; provided further, that the state secretary may set reasonable limits
553 on such technology services fee.

554 SECTION 28. Section 18 of said chapter 222, as so appearing, is hereby amended by
555 adding the following subsection:-

556 (e)(1) Whenever the state secretary has cause to believe that a notary public registered
557 pursuant to section 28 has engaged in any conduct, practice or procedure that the state secretary
558 determines is contrary to section 46E of chapter 221, the state secretary may revoke the notary
559 public’s ability to perform notarial acts, or order the notary public to comply with the law. The
560 state secretary may adopt regulations governing administrative proceedings under this section.

561 (2) The attorney general may enforce an order issued by the state secretary pursuant to
562 this section by civil action as provided in said section 46E of said chapter 221.

563 (3) The remedies provided by this section shall not limit the availability of judicial
564 remedies to any person or official.

565 SECTION 29. Subsection (a) of section 22 of said chapter 222, as so appearing, is
566 hereby amended by striking out the second sentence and inserting in place thereof the following
567 3 sentences:- A journal may be created on a fixed tangible medium or in an electronic format. If
568 the journal is maintained on a tangible medium, it shall be a permanent, bound register with
569 numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent,
570 tamper-evident electronic format complying with the rules of the state secretary, including rules
571 concerning the regular transfer of electronic journal entries to the secretary.

572 SECTION 30. Said section 22 of said chapter 222, as so appearing, is hereby further
573 amended by striking out, in lines 6 and 7, the words “active journal at the same time” and
574 inserting in place thereof the following words:- tangible journal at any time. A notary may keep
575 more than 1 electronic journal; provided, however, that each electronic journal shall conform to
576 the requirements of subsection (a).

577 SECTION 31. Clause (v) of subsection (c) of said section 22 of said chapter 222, as so
578 appearing, is hereby amended by striking out subclauses (3) and (4) and inserting in place thereof
579 the following 3 subclauses:- (3) a notation indicating whether the notarial act was conducted in
580 person or remotely; (4) the fee, if any, charged for the notarial act, including whether a
581 technology services fee was charged and the amount of the technology services fee; and (5) the
582 address where the notarization was performed; provided, however, that if the notarial act was
583 performed remotely, the notary shall include the address of the notary and each principal and
584 witness.

585 SECTION 32. Said section 22 of said chapter 222, as so appearing, is hereby further
586 amended by striking out subsection (i) and inserting in place thereof the following subsection:-

587 (i) If not in use, a journal shall be kept under the exclusive control of the notary public or
588 a third-party technology service provider designated by the notary public; provided, however,
589 that there is a mutual agreement by both the notary public and the third-party service provider;
590 and provided further, that a journal shall not be used by any other notary public or surrendered to
591 an employer upon termination of employment.

592 SECTION 33. Said chapter 222 is hereby further amended by adding the following 3
593 sections:-

594 Section 27. (a) A notary public may select 1 or more tamper-evident technologies to
595 perform notarial acts with respect to electronic records. A person shall not require a notary public
596 to perform a notarial act with respect to an electronic record with a technology that the notary
597 public has not selected. Any technology approved by the state secretary pursuant to subsection
598 (h) of section 28 and selected by a notary public shall require the notary public's electronic
599 signature and electronic seal to be:

600 (i) unique to the notary public;

601 (ii) capable of independent verification;

602 (iii) retained under the sole control of the notary public; and

603 (iv) attached to or logically associated with the electronic record in a tamper-evident
604 manner.

605 (b) A tangible copy of an electronic record shall be accepted as the equivalent of an
606 original document for purposes of recording said copy; provided, however, that: (i) the copy
607 contains a notarial certificate that satisfies all requirements for an original document to be

608 accepted for recording; (ii) the copy satisfies all requirements for recording an original document
609 set forth in chapters 183 and 185, as applicable; and (iii) the notary public executing the notarial
610 certificate certifies that the tangible copy is an accurate copy of the electronic record.

611 Section 28. (a) A notary public physically located in the commonwealth may perform a
612 notarial act using communication technology for a remotely-located individual who is the
613 principal in a notarial act if the notary public:

614 (i) (A) has personal knowledge of the identity of the remotely-located individual; (B) has
615 identified the remotely-located individual by means of an oath or affirmation of a credible
616 witness unaffected by the document or transaction who is personally known to the notary public
617 and who personally knows the remotely-located individual; or (C) can reasonably identify the
618 remotely-located individual by not less than 2 different types of identity proofing processes or
619 services;

620 (ii) is able to execute the notarial act in a single, real-time session;

621 (iii) is reasonably able to confirm that a record before the notary public is the same record
622 in which the remotely-located individual made a statement or on which the remotely-located
623 individual executed a signature; and

624 (iv) the notary public, or a person acting on behalf of the notary public, creates an audio-
625 visual recording of the performance of the notarial act.

626 (b) A notary public physically located in the commonwealth may perform a notarial act
627 using communication technology for a remotely-located individual who is the principal in a
628 notarial act and is located outside the United States if the: (i) record: (A) is to be filed with or

629 relates to a matter before a public official or court, governmental entity or other entity subject to
630 the jurisdiction of the United States; or (B) involves property located in the territorial jurisdiction
631 of the United States or a transaction substantially connected with the United States; and (ii) act of
632 making the statement or signing the record is not prohibited by the foreign state in which the
633 remotely-located individual is located.

634 (c) A notary public shall not use communication technology to notarize a record related
635 to the electoral process, or a will, codicil or document purporting to be a will or codicil.

636 (d) Before a notary public performs the notary public's initial notarization using
637 communication technology, the notary public shall: (i) register as a remote notary with the state
638 secretary; (ii) inform the state secretary that the notary public intends to perform remote
639 notarizations; and (iii) identify the communication technology that the notary public will use.

640 The communication technology shall conform to the requirements of this chapter and any rules
641 adopted by the state secretary. The notice shall be submitted in the form prescribed by the state
642 secretary and shall: (A) include an affirmation that the notary public has read and will comply
643 with this section and all rules adopted by the state secretary; (B) be accompanied by proof that
644 the notary public has successfully completed any training that may be required by the state
645 secretary; and (C) identify a usual place of business in the commonwealth or, if a foreign entity,
646 identify a registered agent, and in either case identify an address for service of process in
647 connection with a civil action or other proceeding.

648 (e) If a notarial act is performed pursuant to this section, the certificate of notarial act
649 required by section 15 shall indicate that the notarial act was performed remotely using

650 communication technology and identify the venue for the notarial act as the county within the
651 commonwealth where the notary public was physically located while performing the notarial act.

652 (f) A notary public, a guardian, conservator or agent of a notary public or a personal
653 representative of a deceased notary public shall retain the audio-visual recording created under
654 clause (iv) of subsection (a) or cause the recording to be retained by a repository designated by
655 or on behalf of the person required to retain the recording. The recording shall be retained for 10
656 years after the recording is made.

657 (g) Upon request, the notary public shall make available electronic copies of the pertinent
658 entries in the electronic journal and provide access to any related audio-video communication
659 recording to the following persons: (i) the parties to an electronic record notarized by the notary
660 public; (ii) the title insurer reviewing an insured transaction in the context of an audit of its agent,
661 if the agent conducted the electronic notarial act as an element of the insured transaction; and
662 (iii) any other persons pursuant to a subpoena, court order, law enforcement investigation or
663 other lawful inspection demand.

664 (h) The state secretary shall establish standards, in conformity with national standards, for
665 the use of communication technology and identity proofing by notaries public commissioned by
666 the commonwealth. The state secretary shall create and maintain a registry of communication
667 technology service providers who meet the established standards as certified by the
668 communication technology service provider. A notary public who uses communication
669 technology shall utilize communication technology and identity proofing from communication
670 technology service providers included on the state secretary's registry.

671 (i) The state secretary shall assess on each communication technology service provider
672 approved by the secretary an annual fee to be proportioned equally among registered providers.
673 The annual fee shall not exceed, in the aggregate, the actual and reasonable costs incurred by the
674 state secretary for administering the requirements imposed under this section. The costs may
675 include acquiring additional software and other such costs and expenses as determined by the
676 state secretary as reasonable and necessary to meet such requirements. The annual fee shall not
677 be greater than \$500,000, in the aggregate.

678 (j) The secretary shall adopt rules regarding performance of the notarial act that: (i)
679 prescribe the means of performing a notarial act involving a remotely-located individual using
680 communication technology; (ii) establish standards for identity proofing by means of credential
681 analysis using 1 or more commercially available automated software or hardware processes that,
682 consistent with sound commercial practices: (A) aid the notary public in verifying the
683 authenticity of the credential by analyzing the integrity of visual, physical or cryptographic
684 security features to indicate that the credential is not fraudulent or inappropriately modified; and
685 (B) use information held or published by the issuing source or authoritative source to confirm the
686 validity of credential details; provided, however, that the results of the credential analysis
687 process shall be provided to the notary public performing the notarial act; and (iii) provide for
688 the use of audio-video communication technology that: (A) allows the signal transmission to be
689 reasonably secure from interception, access or viewing by anyone other than the participants
690 communicating; (B) provides sufficient audio clarity and video resolution to enable the notary to
691 communicate with the remotely-located individual and any witness and to confirm the identity of
692 the remotely-located individual and any witness, as required, using identity proofing; and (C)

693 meets tamper-evident technological requirements by the use of additional technology that
694 renders any subsequent change or modification to the electronic record evident.

695 (k) By allowing its communication technology or identity proofing to facilitate a notarial
696 act for a remotely-located individual or by providing storage of the audio-visual recording
697 created under clause (iv) of subsection (a), the provider of the communication technology,
698 identity proofing or storage shall appoint the state secretary as the provider's agent for service of
699 process in any civil action in the commonwealth related to the notarial act.

700 (l) With respect to notarial acts conducted during a closing, as defined in section 46E of
701 chapter 221, the communication technology shall be engaged by the closing attorney with the
702 approval of the lender. Upon successful verification of the identity of the remotely-located
703 individual by the notary as required by clause (i) of subsection (a), such attorney, or the attorney
704 directing or managing the closing who is directly supervising a non-attorney notary public, shall
705 enter and affirm the attorney's board of bar overseers registration number prior to the conduct of
706 the first notarial act. The communication technology shall record such information in a manner
707 that is logically associated with the transaction and shall retain such information for the same
708 length of time and in the same manner as it retains all other information regarding the notarial
709 act.

710 (m) In addition to any coverage it elects to provide for individual notaries public, a
711 communication technology service provider shall provide maintenance of errors and omissions
712 insurance coverage in a total amount of not less than \$250,000 in the annual aggregate with
713 respect to potential errors or omissions in or relating to the technology or processes provided by
714 the communication technology service provider. A notary public shall not be responsible for the

715 security of the systems used by the remotely-located individual or others to access the
716 notarization session.

717 (n) Prior to a notary public's initial notarization using communication technology, the
718 state secretary may require the notary public to complete a course, either in-person or online,
719 addressing the duties, obligations and technology requirements for conducting remote
720 notarizations offered by the state secretary or a vendor approved by the state secretary; provided,
721 however, that if such course is required the course's duration shall not exceed 3 hours. Each such
722 provider of communication technology shall make the in-person or online course generally
723 available to all applicants. Regardless of membership in the provider's organization, the provider
724 shall charge each attendee the same cost for the course unless the course is provided in
725 conjunction with a regularly scheduled meeting of the provider's membership.

726 (o) Notwithstanding any general or special law to the contrary, with respect to any
727 document executed in the course of a closing, as defined in section 46E of chapter 221, involving
728 a mortgage or other conveyance of title to residential real property, only a notary public
729 appointed pursuant to this chapter who is an attorney licensed to practice law in the
730 commonwealth, or a non-attorney who is under the direct supervision of, or acting pursuant to a
731 direct request by, the attorney directing or managing the closing, shall perform an
732 acknowledgment, affirmation or other notarial act utilizing communication technology. The
733 notarial certificate affixed to any such document shall recite the board of bar overseers
734 registration number of the attorney notary, or of the supervising attorney for a document
735 notarized by a non-attorney.

736 (p) The chief justice of the land court department may promulgate rules, orders,
737 guidelines and directives to implement this section and section 27 as said sections pertain to the
738 execution, acknowledgment and registration of documents affecting title to land whose title has
739 been registered and confirmed by the land court department pursuant to chapter 185.

740 Section 29. A notary public shall not use, sell or offer to sell to another person or transfer
741 to another person for use or sale any personal information obtained under section 28 that
742 identifies a remotely-located individual, a witness to a remote notarization or a person named in
743 a record presented for remote notarization, except: (i) as necessary to facilitate performance of a
744 notarial act; (ii) to effect, administer, enforce, service or process a record provided by or on
745 behalf of the individual or the transaction of which the record is a part; (iii) in accordance with
746 said section 28, including the rules adopted pursuant thereto; or (iv) in accordance with other
747 applicable federal or state law, or to comply with a lawful subpoena or court order.

748 SECTION 34. Item 7008-1116 of section 2 of chapter 41 of the acts of 2019, as most
749 recently amended by section 119 of chapter 126 of the acts of 2022, is hereby further amended
750 by striking out the figure “2023” and inserting in place thereof the following figure:- 2024.

751 SECTION 35. Said item 7008-1116 of said section 2 of said chapter 41, as most recently
752 amended by section 120 of said chapter 126, is hereby further amended by striking out the figure
753 “2023” and inserting in place thereof the following figure:- 2024.

754 SECTION 36. Section 13 of chapter 53 of the acts of 2020, as most recently amended by
755 section 15 of chapter 42 of the acts of 2022, is hereby further amended by striking out the words
756 “April 1, 2023” and inserting in place thereof the following words:- April 1, 2024.

757 SECTION 37. Subsection (b) of section 2 of chapter 118 of the acts of 2020, as most
758 recently amended by section 19 of chapter 42 of the acts of 2022, is hereby further amended by
759 striking out the words “April 1, 2023” and inserting in place thereof the following words:- April
760 1, 2024.

761 SECTION 38. Section 19 of chapter 20 of the acts of 2021, as amended by section 27 of
762 chapter 42 of the acts of 2022, is hereby further amended by striking out the words “April 1,
763 2023”, each time they appear, and inserting in place thereof, in each instance, the following
764 words:- April 1, 2024.

765 SECTION 39. Section 23 of said chapter 20, as most recently amended by section 3 of
766 chapter 107 of the acts of 2022, is hereby further amended by striking out the words “the
767 termination of the declaration that an emergency exists which is detrimental to the public health
768 declared by the governor on May 28, 2021 or until March 31, 2023, whichever is sooner” and
769 inserting in place thereof the following words:- March 31, 2024.

770 SECTION 40. Section 30A of said chapter 20, as amended by section 4 of said chapter
771 107, is hereby further amended by striking out the words “March 31, 2023” and inserting in
772 place thereof the following words:- March 31, 2025.

773 SECTION 41. Said chapter 20 is hereby further amended by striking out section 31A,
774 inserted by section 31 of chapter 42 of the acts of 2022, and inserting in place thereof the
775 following section:-

776 Section 31A. Section 27A shall take effect March 31, 2024.

777 SECTION 42. Subsection (a) of section 132 of chapter 24 of the acts of 2021 is hereby
778 amended by striking out the words “2 members of the house of representatives, 1 of whom shall
779 be appointed by the house minority leader; 2 members of the senate” and inserting in place
780 thereof the following words:- 3 members of the house of representatives, 1 of whom shall be
781 appointed by the house minority leader; 3 members of the senate.

782 SECTION 43. Section 21 of chapter 76 of the acts of 2021 is hereby amended by striking
783 out the words “December 31, 2021”, each time they appear, and inserting in place thereof, in
784 each instance, the following words:- June 30, 2023.

785 SECTION 44. Section 22 of said chapter 76 is hereby amended by striking out the words
786 “December 31, 2021”, both times they appear, and inserting in place thereof, in each instance,
787 the following words:- April 30, 2023.

788 SECTION 45. Item 1599-2051 of section 2A of chapter 102 of the acts of 2021 is hereby
789 amended by striking out the words “December 31, 2022” and inserting in place thereof the
790 following words:- June 30, 2023.

791 SECTION 46. Section 89 of said chapter 102 is hereby amended by striking out the
792 words “December 31, 2022”, inserted by section 11 of chapter 22 of the acts of 2022, each time
793 they appear, and inserting in place thereof, in each instance, the following words:- November 15,
794 2023.

795 SECTION 47. The first paragraph of subsection (a) of section 26 of chapter 22 of the acts
796 of 2022 is hereby amended by inserting after the first sentence the following 2 sentences:- For
797 the purposes of this section, “remote participation” shall mean participation that is: (i) fully
798 remote in which only remote participation is authorized; or (ii) hybrid in which both in-person

799 participation and remote participation are authorized. Any request submitted by a town
800 moderator for a remote town meeting under this section shall state if the proposed remote
801 participation will be fully remote or hybrid.

802 SECTION 48. Chapter 22 of the acts of 2022 is hereby amended by striking out section
803 41 and inserting in place thereof the following section:-

804 SECTION 41. Sections 12, 24 and 27 are hereby repealed.

805 SECTION 49. Said chapter 22 is hereby further amended by inserting after section 41 the
806 following 2 sections:-

807 SECTION 41A. Sections 15 and 26 are hereby repealed.

808 SECTION 41B. Section 25 is hereby repealed.

809 SECTION 50. Said chapter 22 is hereby further amended by inserting after section 44 the
810 following 2 sections:-

811 SECTION 44A. Section 41B shall take effect on March 31, 2024.

812 SECTION 44B. Section 41A shall take effect on March 31, 2025.

813 SECTION 51. Subsection (d) of section 2 of chapter 76 of the acts of 2022 is hereby
814 amended by striking out the words "March 1, 2023" and inserting in place thereof the following
815 words:- December 31, 2023.

816 SECTION 52. Paragraph (3) of subsection (b) of section 1 of chapter 77 of the acts of
817 2022 is hereby amended by striking out the words "June 1, 2022" and inserting in place thereof
818 the following words:- June 1, 2023.

819 SECTION 53. Item 7004-0101 of section 2 of chapter 126 of the acts of 2022 is hereby
820 amended by adding the following words:- provided further, that the department of housing and
821 community development shall coordinate with the division of medical assistance and the
822 department of transitional assistance to verify the eligibility of families applying for entry into
823 the emergency shelter system; and provided further, that the department of housing and
824 community development shall report to the house and senate committees on ways and means
825 monthly: (i) the number of migrant families presenting to field offices; (ii) number of individual
826 persons presenting to field offices; (iii) hours at which said persons and families are presenting at
827 field offices; (iv) the number of persons turned away from said field offices; (v) the length and
828 duration of an intake visit before an individual is moved to a placement, temporary or otherwise;
829 and (vi) which agency, if any, including, but not limited to, the department of transitional
830 assistance and the division of medical assistance, assisted in each intake.

831 SECTION 54. Item 7004-0108 of said section 2 of said chapter 126 is hereby amended
832 by striking out the word “annually” and inserting in place thereof the following words:- annually;
833 and provided further, that the secretary of housing and economic development may transfer
834 funds between items 7004-0108 and 7004-0101; and provided further, that the secretary of
835 housing and economic development shall notify the house and senate committees on ways and
836 means not less than 14 days in advance of any such transfer.

837 SECTION 55. Item 7010-1192 of said section 2 of said chapter 126 is hereby amended
838 by striking out the words “improvements at the Wildwood school” and inserting in place thereof
839 the following words:- school improvements.

840 SECTION 56. Subsection (b) of section 165 of said chapter 126 is hereby amended by
841 striking out the words “April 15, 2023” and inserting in place thereof the following words:-
842 September 30, 2023.

843 SECTION 57. Section 168 of said chapter 126 is hereby amended by striking out the
844 words “March 31, 2023r” and inserting in place thereof the following words:- December 31,
845 2023.

846 SECTION 58. Subsection (h) of section 60 of chapter 176 of the acts of 2022 is hereby
847 amended by striking out the words “March 31, 2023” and inserting in place thereof the following
848 words:- June 30, 2023.

849 SECTION 59. Section 87 of chapter 177 of the acts of 2022 is hereby amended by
850 striking out the figure “23” and inserting in place thereof the following figure:- 32.

851 SECTION 60. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby
852 amended by striking out the words “provided further, that not less than \$150,000 shall be
853 expended for improvements to Charlesgate Park in Boston” and inserting in place thereof the
854 following words:- provided further, that not less than \$150,000 shall be expended to the
855 Charlesgate Alliance for the purpose of making improvements to Charlesgate park in Boston.

856 SECTION 61. Item 1599-6077 of said section 2A of said chapter 268 is hereby amended
857 by striking out the words “provided further, that not less than \$50,000 shall be expended for the
858 Fenway Cares Mutual Aid Initiative, including administrative costs, to distribute fresh food and
859 personal protective equipment to food-insecure residents in Boston” and inserting in place
860 thereof the following words:- provided further, that not less than \$50,000 shall be expended to
861 Fenway Civic Association for the purpose of funding the Fenway Cares Mutual Aid Initiative,

862 including administrative costs, to distribute fresh food and personal protective equipment to
863 food-insecure residents of the Fenway neighborhood in the city of Boston.

864 SECTION 62. Item 1599-6088 of said section 2A of said chapter 268 is hereby amended
865 by striking out the words “provided further, that not less than \$150,000 shall be expended for the
866 department of elementary and secondary education to aid in the disbursement of federal funds for
867 the Local Food for Schools Program” and inserting in place thereof the following words:-
868 provided further, that not less than \$150,000 shall be expended to Massachusetts Farm to School
869 for the disbursement of federal funds for the Local Food for Schools Program.

870 SECTION 63. Item 1599-6089 of said section 2A of said chapter 268 is hereby amended
871 by striking out the words “provided, that if the Boston Landmarks Commission designates the
872 Nazzaro Community Center as a historical building then not less than \$25,000,000 shall be
873 expended for Boston Centers & Families within the city of Boston for the construction of a new
874 community center within the North End section of Boston and not less than \$5,000,000 of said
875 \$25,000,000 shall be expended for the rehabilitation of Nazzaro Community Center in the North
876 End section of Boston for the future use by a non-profit” and inserting in place thereof the
877 following words:- provided, that not less than \$20,000,000 shall be expended for Boston Centers
878 for Youth & Families in the city of Boston for the construction of a new community center in the
879 North End section of the city of Boston; provided further, that not less than \$5,000,000 shall be
880 expended for the rehabilitation of the Nazzaro Community Center in the North End section of the
881 city of Boston for the future use by a non-profit, if the Boston Landmarks Commission
882 designates said Nazzaro Community Center as a historical building.

883 SECTION 64. Item 1599-6090 of said section 2A of said chapter 268 is hereby amended
884 by striking out the words “provided further, that not less than \$150,000 shall be a expended for
885 the establishment of regional transportation shuttle service between the town of Great Barrington
886 and Wassaic station in the town of Amenia, New York; provided further, that not less than
887 \$100,000 shall be expended for Housatonic river water remediation efforts in the town of Great
888 Barrington” and inserting in place thereof the following words:- provided further, that not less
889 than \$250,000 shall be expended for Housatonic river water remediation efforts in the town of
890 Great Barrington.

891 SECTION 65. Item 4403-2001 of said section 2A of said chapter 268 is hereby amended
892 by striking out the words “for not more than 12 consecutive months”.

893 SECTION 66. Notwithstanding section 25 of chapter 111C of the General Laws or any
894 other general or special law to the contrary, when a class I, II or V ambulance transports a patient
895 receiving care at the paramedic level of advanced life support, ambulance staffing shall satisfy
896 minimum required staffing standards; provided, however, that the ambulance shall be staffed
897 with at least 1 emergency medical technician who is at a minimum shall be certified at the
898 paramedic level, and 1 first responder, as defined in 105 CMR 171.000, who shall drive the
899 ambulance; provided, however, that “first responder” shall not include lifeguards.

900 SECTION 67. Notwithstanding section 7 of chapter 94C of the General Laws or any
901 other general or special law to the contrary, and consistent with the commissioner of public
902 health’s COVID-19 Public Health Emergency Order No. 2022-20 issued on November 14, 2022,
903 unlicensed staff of a community program that participates in the department of public health’s
904 medication administration program may possess and administer prepackaged medications to

905 individuals in such programs without first obtaining medication administration program
906 certification. Such possession and administration shall comply with guidance issued by the
907 department.

908 SECTION 68. Notwithstanding section 53 of chapter 111 of the General Laws or any
909 other general or special law to the contrary, and consistent with the commissioner of public
910 health's COVID-19 Public Health Emergency Order No. 2022-03 issued on January 14, 2022,
911 out-of-hospital dialysis units licensed pursuant to section 51A of said chapter 111 shall not be
912 required to have on site sufficient personnel to ensure a ratio of at least 1 direct patient care staff
913 member to every 3 patients, as long as the unit has sufficient direct care staff, who are trained in
914 dialysis care, available to meet the needs of the patients undergoing dialysis.

915 SECTION 69. Notwithstanding any general or special law to the contrary, the special
916 commission established in section 76 of chapter 154 of the acts of 2018 is hereby revived and
917 continued to April 30, 2023. The special commission shall file its findings and recommendations
918 pursuant to said section 76 of said chapter 154 with the clerks of the senate and the house of
919 representatives and the chairs of the senate and house committees on ways and means not later
920 than April 30, 2023.

921 SECTION 70. Notwithstanding any general or special law to the contrary, the special
922 legislative commission established in section 105 of chapter 253 of the acts of 2020 is hereby
923 revived and continued to April 30, 2023. The special legislative commission shall file its findings
924 and recommendations pursuant to subsection (c) of said section 105 of said chapter 253 with the
925 clerks of the house of representatives and senate and the governor not later than April 30, 2023.

926 SECTION 71. Notwithstanding any general or special law to the contrary, the special
927 legislative commission established in section 108 of chapter 253 of the acts of 2020 is hereby
928 revived and continued to April 30, 2023. The special legislative commission shall file its findings
929 and recommendations pursuant to subsection (d) of said section 108 of said chapter 253 with the
930 clerks of the house of representatives and senate and the governor not later than April 30, 2023.

931 SECTION 72. (a) Notwithstanding any general or special law to the contrary, the special
932 legislative commission established in section 107 of chapter 253 of the acts of 2020 is hereby
933 revived and continued to May 31, 2024. The commission shall supplement its report dated March
934 30, 2022 with further recommendations, together with any draft legislation necessary to carry
935 those recommendations into effect, by filing the same with the governor, the speaker of the
936 house of representatives and the president of the senate and the clerks of the house of
937 representatives and the senate not later than May 31, 2024.

938 (b) Commission members shall be appointed consistent with subsection (b) of said
939 section 107 of said chapter 253.

940 SECTION 73. The special legislative commission established in section 93 of chapter
941 358 of the acts of 2020 is hereby revived and continued to August 1, 2024. The commission shall
942 submit its findings and recommendations pursuant to said section 93 of said chapter 358 to the
943 clerks of the senate and house of representatives and the joint committee on community
944 development and small business not later than August 1, 2024.

945 SECTION 74. Notwithstanding any general or special law to the contrary, the special
946 commission established in section 94 of chapter 358 of the acts of 2020 is hereby revived and
947 continued to December 31, 2024. The special commission shall file its findings and

948 recommendations pursuant to said section 94 of said chapter 358 with the clerks of the senate
949 and the house of representatives, the chairs of the senate and house committees on ways and
950 means, the senate and house chairs of the joint committee on environment, natural resources and
951 agriculture and the house and senate chairs of the joint committee on telecommunications,
952 utilities and energy not later than December 31, 2024.

953 SECTION 75. Notwithstanding any general or special law to the contrary, the special
954 legislative commission established in chapter 74 of the acts of 2021 is hereby revived and
955 continued to December 31, 2024. The special commission shall file its findings and
956 recommendations pursuant to said chapter 74 with the clerks of the senate and the house of
957 representatives, the joint committee on children, families and persons with disabilities, the joint
958 committee on housing, the joint committee on education, the joint committee on community
959 development and small businesses, the joint committee on economic development and emerging
960 technologies, the joint committee on public health, the joint committee on racial equity, civil
961 rights, and inclusion and the senate and house committees on ways and means not later than
962 December 31, 2024.

963 SECTION 76. Notwithstanding any general or special law to the contrary, the executive
964 office of administration and finance shall transfer \$250,000 from the startup costs for Revolution
965 250 related to the planning and celebration of the commonwealth's 250th anniversary of the
966 American Revolution established in item 1599-6077 of section 2A of chapter 268 of the acts of
967 2022 to the Massachusetts Tourism Trust Fund established in section 13T of chapter 23A of the
968 General Laws.

969 SECTION 77. Notwithstanding any general or special law to the contrary, to meet the
970 expenditures necessary in carrying out section 3, the state treasurer shall, upon receipt of a
971 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
972 by the governor from time to time but not exceeding, in the aggregate, \$628,300,000. All bonds
973 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
974 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
975 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
976 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
977 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
978 and payments on account of principal on such obligations shall be payable from the General
979 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
980 any other provision of this act, be general obligations of the commonwealth.

981 SECTION 78. Notwithstanding any general or special law to the contrary, to meet the
982 expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a
983 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
984 by the governor from time to time but not exceeding, in the aggregate, \$8,000,000. All bonds
985 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
986 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
987 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
988 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
989 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
990 and payments on account of principal on such obligations shall be payable from the General

991 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
992 any other provision of this act, be general obligations of the commonwealth.

993 SECTION 79. Notwithstanding any general or special law to the contrary, to meet the
994 expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a
995 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
996 by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds
997 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
998 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
999 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
1000 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
1001 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
1002 and payments on account of principal on such obligations shall be payable from the General
1003 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
1004 any other provision of this act, be general obligations of the commonwealth.

1005 SECTION 80. The salary adjustments and other economic benefits authorized by the
1006 following collective bargaining agreements shall be effective for the purposes of section 7 of
1007 chapter 150E of the General Laws:

1008 between the Special Sheriff of Essex County and the Essex County Correctional Officers
1009 Association, Unit SE2.

1010 SECTION 81. Not later than January 1, 2024: (i) the secretary of the commonwealth shall
1011 implement the regulations required by subsections (d), (h) and (j) of section 28 of chapter 222 of
1012 the General Laws, inserted by section 33; and (ii) the chief justice of the land court shall

1013 promulgate any rules, orders, guidelines and directives as permitted by subsection (p) of said
1014 section 28 of said chapter 222, inserted by said section 33.

1015 SECTION 82. Sections 66, 67 and 68 are hereby repealed.

1016 SECTION 83. Sections 19 and 21 shall take effect as of March 31, 2023.

1017 SECTION 84. Sections 22 through 32, inclusive, shall take effect 90 days after the
1018 effective date of this act.

1019 SECTION 85. Sections 27 to 29, inclusive, of chapter 222 of the General Laws, as added
1020 by section 33, shall take effect on January 1, 2024.

1021 SECTION 86. Section 46 shall take effect as of December 31, 2022.

1022 SECTION 87. Section 51 shall take effect as of March 1, 2023.

1023 SECTION 88. Section 52 shall take effect as of June 1, 2022.

1024 SECTION 89. Section 82 shall take effect on November 10, 2023.