

# **HOUSE . . . . . No. 4460**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 5, 2024.

The committee on Ways and Means, to whom was referred the message from Her Excellency the Governor submitting requests for making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4284) reports, in part, recommending that the accompanying bill (House, No. 4460) ought to pass [Total Appropriation: \$260,000,000.00] [Representatives Berthiaume of Spencer, Sullivan-Almeida of Abington, and Xiarhos of Barnstable dissent].

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 4460**

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**The Commonwealth of Massachusetts**

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

An Act making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2024, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund or the Transitional Escrow Fund established in section 16 of  
4 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless  
5 specifically designated otherwise in this act or in those appropriation acts, for the several  
6 purposes and subject to the conditions specified in this act or in those appropriation acts and  
7 subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,  
8 2024. These sums shall be in addition to any amounts previously appropriated and made  
9 available for the purposes of those items. Except as otherwise provided, these sums shall be  
10 made available through the fiscal year ending June 30, 2025.

11 SECTION 2.

12 OFFICE OF THE COMPTROLLER

13 *Comptroller*

14 1599-3384 Settlements and Judgments.....\$15,000,000

15 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
16 provide for an alteration of purpose for current appropriations and to meet certain requirements  
17 of law, the sums set forth in this section are hereby appropriated from the General Fund or the  
18 Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended  
19 by section 4 of chapter 98 of the acts of 2022, unless specifically designated otherwise in this  
20 section, for the several purposes and subject to the conditions specified in this section and subject  
21 to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2024.  
22 Except as otherwise provided, these sums shall be made available through the fiscal year ending  
23 June 30, 2025.

24 1599-1213 For a reserve to support the commonwealth’s response to the ongoing  
25 humanitarian crisis and influx of families seeking shelter; provided, that funds shall be expended  
26 for the emergency housing assistance program to support shelters and services pursuant to  
27 section 30 of chapter 23B of the General Laws; provided further, that not less than \$10,000,000  
28 shall be expended on an approved training program, as defined by section 30 of chapter 23B of  
29 the General Laws, as inserted by section 3, to provide skills and resources for individuals and  
30 families in the emergency housing assistance program or in overflow emergency shelter sites;  
31 provided further, that not less than \$3,000,000 shall be expended for family welcome centers;  
32 provided further, that not less than \$1,000,000 shall be expended for supplemental staffing at

33 emergency housing assistance program shelters; provided further, that not less than \$1,000,000  
34 shall be expended for resettlement agencies; provided further, that funds shall be expended for  
35 early education programs providing comprehensive services to homeless children and families  
36 residing in the emergency housing assistance program, including, but not limited to, services for:  
37 (i) early education; (ii) health; (iii) mental health; (iv) nutrition; and (v) family education and  
38 resources; provided further, that said funds shall include, but shall not be limited to, costs  
39 associated with translation services, transportation and coordination of services; provided further,  
40 that the secretary of administration and finance shall notify the house and senate committees on  
41 ways and means not less than 14 days prior to any transfer of funds from this item; and provided  
42 further, that any reporting requirements for this item shall be in addition to the reporting required  
43 pursuant to: (i) item 1599-0514 of section 2A of chapter 77 of the acts of 2023; and (ii) sections  
44 14 and 16 of this act.....\$245,000,000

45 Transitional Escrow Fund.....100%

46 SECTION 3. Section 30 of chapter 23B of the General Laws, as amended by sections 120  
47 and 121 of chapter 7 of the acts of 2023, is hereby further amended by adding the following  
48 paragraph:-

49 (G)(1) For the purposes of this paragraph, the following words shall, unless the context  
50 clearly requires otherwise, have the following meanings:

51 “Approved training program”, an existing training program the secretary of  
52 administration and finance, in consultation with the secretary of labor and workforce  
53 development, deems sufficient to provide skills and resources to individuals in the emergency  
54 housing assistance program including, but not limited to: (i) workforce and career technical skills

55 training, pursuant to item 1599-2037 of section 2A of chapter 102 of the acts of 2021; (ii) high-  
56 demand workforce training programs, pursuant to item 1599-2041 of said section 2A of said  
57 chapter 102; (iii) the manufacturing pilot program, established pursuant to item 7002-0020 of  
58 section 2 of chapter 28 of the acts of 2023; (iv) the Learn to Earn Initiative program, established  
59 pursuant to item 7002-1080 of said section 2 of said chapter 28; (v) 1199 SEIU training, pursuant  
60 to item 7003-0608 of said section 2 of said chapter 28; (vi) Massachusetts AFL-CIO Workforce  
61 Development Programs, Inc., pursuant to item 7003-1207 of said section 2 of said chapter 28;  
62 and (vii) shelter workforce development initiative, pursuant to item 7004-0109 of said section 2  
63 of said chapter 28; provided, that the approved training program shall be available to individuals  
64 in non-state-funded overflow emergency shelter sites and state-funded overflow emergency  
65 shelter sites.

66 “Authorized training program”, as defined in paragraph (1) of subsection (dd) of section  
67 6 of chapter 62.

68 “Non-state-funded overflow emergency shelter site”, any overflow site that is funded  
69 through a nonprofit or other non-state entity for eligible families that have been waitlisted for  
70 placement at an emergency shelter as a result of the emergency housing assistance program  
71 reaching capacity at 7,500 families, as identified in the Emergency Assistance Family Shelter  
72 declaration issued by the secretary of housing and livable communities on October 31, 2023, and  
73 the extension of the declaration dated February 28, 2024, and any subsequent extensions,  
74 pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office  
75 of housing and livable communities on October 31, 2023, and accompanying guidance issued  
76 pursuant to said declaration and 760 CMR 67.10.

77 “State-funded overflow emergency shelter site”, any state-funded overflow site,  
78 including, but not limited to, any site funded under item 1599-0514 of section 2 of chapter 77 of  
79 the acts of 2023, for eligible families that have been waitlisted for placement at an emergency  
80 shelter as a result of the emergency housing assistance program reaching capacity at 7,500  
81 families, as identified in the Emergency Assistance Family Shelter declaration issued by the  
82 secretary of housing and livable communities on October 31, 2023, and the extension of the  
83 declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR  
84 67.10, as inserted by emergency regulations issued by the executive office of housing and livable  
85 communities on October 31, 2023, and accompanying guidance issued pursuant to said  
86 declaration and 760 CMR 67.10.

87 (2) A family with children or a pregnant woman with no other children that receives  
88 benefits through the emergency housing assistance program as of April 1, 2024, or thereafter,  
89 shall remain eligible for the program for not more than 9 consecutive months; provided,  
90 however, that such families shall be eligible for the program for not more than 12 consecutive  
91 months if eligible individuals in the family are: (i) employed; or (ii) participating in an: (A)  
92 authorized training program; or (B) approved training program; provided further, that the  
93 executive office shall promulgate regulations or guidance for eligibility which shall: (i) establish  
94 procedures for the termination of benefits pursuant to this paragraph; and (ii) allow a family with  
95 children or a pregnant woman with no other children to reapply for the emergency housing  
96 assistance program; provided further, that eligibility determinations when reapplying for the  
97 program shall be consistent with the guidance issued by the secretary of housing and livable  
98 communities on October 31, 2023, entitled “Emergency Assistance Program Guidance on  
99 Waitlist and Prioritization Procedures pursuant to Capacity Declaration dated October 31, 2023”

100 pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office  
101 of housing and livable communities on October 31, 2023.

102 (3) Notwithstanding paragraph (2), a family or a pregnant woman with no other children  
103 that receives benefits through the emergency housing assistance program as of April 1, 2024, or  
104 thereafter, shall remain eligible for the program for not more than 12 consecutive months if  
105 eligible for, but unable to participate in, an authorized training program or an approved training  
106 program or unable to obtain employment due to factors including, but not limited to: (i)  
107 pregnancy; (ii) a diagnosed disability or documented medical condition; (iii) being a single  
108 parent caring for a disabled child or family member; (iv) being a single parent caring for a child  
109 or children with no childcare; or (v) satisfying any additional criteria the secretary of housing  
110 and livable communities deems necessary pursuant to said guidance in paragraph (2) issued by  
111 the secretary of housing and livable communities on October 31, 2023. The executive office shall  
112 promulgate regulations or guidance for implementation of this paragraph.

113 (4) The executive office shall provide a physical copy of written information to families  
114 with children and pregnant women receiving benefits through the emergency housing assistance  
115 program in the form of printed handouts which shall include, but shall not be limited to,  
116 information about: (i) authorized training programs; (ii) approved training programs; (iii) food  
117 resources, including food pantries; (iv) services offered by resettlement agencies; (v) other  
118 housing programs; and (vi) other nonprofit or available resources the executive office deems  
119 necessary. All written information shall be translated into multiple languages and shall be  
120 available on the executive office's website.

121 SECTION 4. Paragraph (G) of said section 30 of said chapter 23B, as inserted by section  
122 3, is hereby repealed.

123 SECTION 5. Chapter 40A of the General Laws is hereby amended by inserting after  
124 section 3A the following section:-

125 Section 3B. (a) As used in this section, the following words shall, unless the context  
126 clearly requires otherwise, have the following meanings:

127 “Commission”, the alcoholic beverages control commission, established by section 70 of  
128 chapter 10.

129 “Outdoor table service”, restaurant service that includes food prepared on-site and under  
130 a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00 that is  
131 served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio,  
132 deck, lawn, parking area or other outdoor space.

133 (b) Notwithstanding the provisions of this chapter, any special permit, variance or other  
134 approval issued thereunder or any general or special law to the contrary, a city or town may  
135 approve a request for expansion of outdoor table service, including in the description of the  
136 licensed premises as described in subsection (c), or an extension of an earlier granted approval.  
137 Before such approval, the mayor, board of selectmen, select board or other chief executive  
138 officer, as established by charter or special act, shall establish the process for approving such  
139 requests. Such process shall not be required to comply with the notice and publication provisions  
140 of section 11. An approval under this section may be exercised immediately upon filing of notice  
141 thereof with the city or town clerk, without complying with any otherwise applicable recording  
142 or certification requirements.

143 (c) Pursuant to subsection (b), a local licensing authority may grant approval for a change  
144 in the description of the licensed premises for the purpose of permitting outdoor alcohol service  
145 as the local licensing authority deems reasonable and proper and may issue an amended license  
146 to existing license holders, without further review or approval from the commission prior to  
147 issuance. Upon approval of an amended license, the local licensing authority shall provide notice  
148 of the amended license to the commission. Nothing in this section shall prevent the commission  
149 from exercising the commission’s enforcement authority over an amended license.

150 (d) Before approving any request to extend an earlier granted approval, a city, town or  
151 local licensing authority may modify the scope of the approval as the city, town or local  
152 licensing authority deems proper and appropriate including, but not limited to, modifying the  
153 terms of an earlier granted approval to address potential issues with snow removal, pedestrian  
154 traffic or similar concerns.

155 SECTION 6. Section 6 of chapter 62 of the General Laws, as appearing in the 2022  
156 Official Edition, is hereby amended by adding the following subsection:-

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

159 “Authorized training program”, a program approved by the secretary of administration  
160 and finance and the secretary of labor and workforce development that is offered by an employer  
161 to train qualified trainees; provided, that said program shall assist qualified trainees in  
162 developing skills and accessing resources to prepare qualified trainees to enter the workforce;  
163 and provided further, that no authorized training program shall provide compensation to a

164 qualified trainee without work authorization and said program shall ensure the qualified trainee  
165 has no expectation of compensation for training.

166 “Qualified trainee”, an individual receiving benefits through the emergency housing  
167 assistance program pursuant to section 30 of chapter 23B and 760 CMR 67.00 or an individual in  
168 an overflow emergency shelter site established in response to the capacity limitation on said  
169 program pursuant to a declaration issued by the secretary of housing and livable communities  
170 dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any  
171 subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations  
172 issued by the executive office of housing and livable communities on October 31, 2023 and  
173 accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, who: (i)(A) has  
174 not received work authorization; or (B) is currently unemployed; and (ii) is participating in an  
175 authorized training program.

176 “Training”, teaching, developing or enhancing skills and knowledge to improve capacity,  
177 productivity and performance to enter the workforce, including, but not limited to, classes,  
178 clinics or other hands-on methods.

179 “Work authorization”, federal authorization to work in the United States pursuant to 8  
180 CFR 274a.

181 (2) A partnership, limited liability corporation or other legal entity that is not a business  
182 corporation subject to the excise under chapter 63 may be allowed a nonrefundable credit equal  
183 to \$2,500 for each qualified trainee who receives training through an authorized training program  
184 by said partnership, limited liability corporation or other legal entity in a taxable year. If the

185 credit allowed for a taxable year exceeds the taxpayer's liability for that taxable year, the  
186 taxpayer may carry forward and apply the credit in the subsequent taxable year.

187 (3) To be eligible for the credit pursuant to paragraph (2), the partnership, limited liability  
188 corporation or other legal entity shall: (i) have a place of business in the commonwealth; (ii)  
189 conduct the authorized training program in the commonwealth and in compliance with  
190 recommendations of the secretary of labor and workforce development pursuant to paragraph  
191 (5); and (iii) meet any additional requirements determined by the secretary of administration and  
192 finance and the secretary of labor and workforce development.

193 (4) The total amount of credits that may be authorized in a taxable year pursuant to this  
194 subsection and section 38NN of chapter 63 shall not exceed \$10,000,000.

195 (5) The secretary of labor and workforce development shall:

196 (i) identify industries with the greatest workforce needs in geographically diverse areas of  
197 the commonwealth in which qualified trainees may be employed after receiving work  
198 authorization; provided, that the secretary of labor and workforce development shall identify  
199 industries with varying work experience, education, certification and licensure requirements for  
200 training;

201 (ii) provide recommendations for training criteria to enable qualified trainees to be  
202 successful in the workforce; provided, that the secretary of labor and workforce development  
203 shall provide specific industry recommendations for training; and provided further, that the  
204 secretary may identify existing training programs that meet said training criteria; and

205 (iii) perform outreach to industries identified as having the greatest workforce needs to  
206 provide notice of the tax credit program established pursuant to this subsection.

207 SECTION 7. Subsection (dd) of said section 6 of said chapter 62, as inserted by section  
208 6, is hereby repealed.

209 SECTION 8. Chapter 63 of the General Laws is hereby amended by inserting after  
210 section 38MM the following section:-

211 Section 38NN. (a) As used in this subsection, the following words shall, unless the  
212 context clearly requires otherwise, have the following meanings:

213 “Authorized training program”, a program approved by the secretary of administration  
214 and finance and the secretary of labor and workforce development that is offered by an employer  
215 to train qualified trainees; provided, that said program shall assist qualified trainees in  
216 developing skills and accessing resources to prepare qualified trainees to enter the workforce;  
217 and provided further, that no authorized training program shall provide compensation to a  
218 qualified trainee without work authorization and said program shall ensure the qualified trainee  
219 has no expectation of compensation for training.

220 “Qualified trainee”, an individual receiving benefits through the emergency housing  
221 assistance program pursuant to section 30 of chapter 23B and 760 CMR 67.00 or an individual in  
222 an overflow emergency shelter site established in response to the capacity limitation on said  
223 program pursuant to a declaration issued by the secretary of housing and livable communities  
224 dated October 31, 2023, the extension of the declaration dated February 28, 2024 and any  
225 subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by emergency regulations  
226 issued by the executive office of housing and livable communities on October 31, 2023, and

227 accompanying guidance issued pursuant to said declaration and 760 CMR 67.10, who: (i)(A) has  
228 not received work authorization; or (B) is currently unemployed; and (ii) is participating in an  
229 authorized training program.

230 “Training”, teaching, developing or enhancing skills and knowledge to improve capacity,  
231 productivity and performance to enter the workforce, including, but not limited to, classes,  
232 clinics or other hands-on methods.

233 “Work authorization”, federal authorization to work in the United States pursuant to 8  
234 CFR 274a.

235 (b) A business corporation may be allowed a nonrefundable credit equal to \$2,500 for  
236 each qualified trainee who receives training through an authorized training program by said  
237 business corporation in a taxable year. If the credit allowed for a taxable year exceeds the  
238 taxpayer’s liability for that taxable year, the taxpayer may carry forward and apply the credit in  
239 the subsequent taxable year.

240 (c) To be eligible for the credit pursuant to subsection (b), the business corporation shall:  
241 (i) have a place of business in the commonwealth; (ii) conduct the authorized training program in  
242 the commonwealth and in compliance with recommendations of the secretary of labor and  
243 workforce development pursuant to subsection (e); and (iii) meet any additional requirements  
244 determined by the secretary of administration and finance and the secretary of labor and  
245 workforce development.

246 (d) The total amount of credits that may be authorized in a taxable year pursuant to  
247 subsection (dd) of section 6 of chapter 62 and this section shall not exceed \$10,000,000.

248 (e) The secretary of labor and workforce development shall:

249 (i) identify industries with the greatest workforce needs in geographically diverse areas of  
250 the commonwealth in which qualified trainees may be employed after receiving work  
251 authorization; provided, that the secretary of labor and workforce development shall identify  
252 industries with varying work experience, education, certification and licensure requirements for  
253 training;

254 (ii) provide recommendations for training criteria to enable qualified trainees to be  
255 successful in the workforce; provided, that the secretary of labor and workforce development  
256 shall provide specific industry recommendations for training; and provided further, that the  
257 secretary may identify existing training programs that meet said training criteria; and

258 (iii) perform outreach to industries identified as having the greatest workforce needs to  
259 provide notice of the tax credit program established pursuant to this section.

260 SECTION 9. Section 38NN of said chapter 63, as inserted by section 8, is hereby  
261 repealed.

262 SECTION 10. Chapter 138 of the General Laws is hereby amended by inserting after  
263 section 12 the following section:-

264 Section 12½. (a) As used in this section, the following words shall, unless the context  
265 clearly requires otherwise, have the following meanings:

266 “Mixed drink”, distilled spirits, cordials or liqueurs, with or without mixers, that are  
267 combined on a licensed premises and sold in a sealed container or original container that is  
268 unopened; provided, that a mixed drink may contain wines and malt beverages in addition to

269 distilled spirits, cordials or liqueurs; provided further, that the volume of distilled spirits,  
270 cordials, liqueurs, wines, malt beverages and mixers contained in said mixed drink shall be of the  
271 same proportion and same price as if served for on-premises consumption.

272 “Mixer”, a non-alcoholic ingredient in a mixed drink.

273 “Sealed container”, a packaged container with a secure lid or cap designed to prevent  
274 consumption without removal of the lid or cap; provided, however, that if the packaged container  
275 has a lid with sipping holes or an opening for straws, said container shall be covered or affixed  
276 with an additional seal; provided further, that said lid, cap or seal shall be affixed before sale in  
277 such a way to prevent reopening without it being obvious that said lid, cap or seal was removed  
278 or broken, which may include tape or a sticking adhesive.

279 (b) Notwithstanding any general or special law to the contrary, an establishment licensed  
280 to sell all alcoholic beverages, distilled spirits, cordials or liqueurs for on-premises consumption  
281 may sell mixed drinks for off-premises consumption subject to all the following conditions: (i)  
282 the mixed drink shall not be sold to a person under 21 years of age; (ii) any delivery of mixed  
283 drinks for off-premises consumption shall not be made without verification that the person  
284 receiving the order has attained 21 years of age; (iii) the mixed drink shall be sold in a sealed  
285 container or an original unopened container; (iv) the mixed drink shall be sold as part of the  
286 same transaction as the purchase of food, and any order that includes a mixed drink shall be  
287 placed not later than the hour of which the establishment is licensed to sell alcohol or 12:00  
288 A.M., whichever time is earlier; provided, that a transaction shall include at least 1 item of food  
289 prepared on-site sufficient to serve 1 individual; (v) a customer shall be limited to 64 fluid  
290 ounces of mixed drinks per transaction consistent with clause (iv); and (vi) if the mixed drink in

291 a sealed container or an original unopened container is to be transported by a motor vehicle,  
292 either by delivery or pick-up, the driver of the motor vehicle shall transport the mixed drink in  
293 the trunk of the motor vehicle or an area that is not considered the passenger area, as defined by  
294 section 24I of chapter 90.

295 (c) Notwithstanding any general or special law to the contrary, an establishment licensed  
296 to sell all alcoholic beverages or only wines or malt beverages for on-premises consumption may  
297 sell wine or malt beverages for off-premises consumption subject to all the following conditions:  
298 (i) the wine or malt beverage shall not be sold to a person under 21 years of age; (ii) any delivery  
299 of wine or malt beverages for off-premises consumption shall not be made without verification  
300 that the person receiving the order has attained 21 years of age; (iii) the wine or malt beverage  
301 shall be sold in a sealed container or an original unopened container; (iv) the wine or malt  
302 beverage shall be sold as part of the same transaction as the purchase of food and any order that  
303 includes wine or a malt beverage shall be placed not later than the hour of which the  
304 establishment is licensed to sell alcohol or 12:00 A.M., whichever time is earlier; provided, that a  
305 transaction shall include at least 1 item of food prepared on-site sufficient to serve 1 individual;  
306 (v) a customer shall be limited to 192 ounces of malt beverage and 1.5 liters of wine per  
307 transaction consistent with clause (iv); and (vi) if the wine or malt beverage in a sealed container  
308 or an original unopened container is to be transported by a motor vehicle, either by delivery or  
309 pick-up, the driver of the motor vehicle shall transport the wine or malt beverage in the trunk of  
310 the motor vehicle or an area that is not considered the passenger area, as defined by section 24I  
311 of chapter 90.

312 (d) An establishment licensed to sell alcoholic beverages for on-premises consumption  
313 shall include an establishment licensed pursuant to section 12, subsection (b) of section 19,

314 subsection (n) of section 19B, subsection (n) of section 19C, section 19D, subsection (o) of  
315 section 19E or section 19H; provided, that an establishment licensed pursuant to said section  
316 19D shall also hold a license pursuant to said section 12. An establishment selling alcoholic  
317 beverages for off-premises consumption may only sell alcoholic beverages permitted pursuant to  
318 their type and category of license.

319 (e)(1) An establishment licensed to sell alcoholic beverages for on-premises consumption  
320 that delivers any alcoholic beverage for off-premises consumption in a vehicle owned or leased  
321 by the establishment or its employees shall obtain a transportation permit pursuant to section 22  
322 for each vehicle used for delivery of alcoholic beverages.

323 (2) An establishment licensed to sell alcoholic beverages for on-premises consumption  
324 that delivers any alcoholic beverage for off-premises consumption may use a third party with a  
325 permit for express transportation pursuant to section 22 for delivery of alcoholic beverages.

326 SECTION 11. Section 7A of chapter 167E of the General Laws, as appearing in the 2022  
327 Official Edition, is hereby amended by inserting after the word “person”, in line 14, the  
328 following words:- , by synchronous real-time video conference or by telephone.

329 SECTION 12. Section 65C ½ of chapter 171 of the General Laws, as so appearing, is  
330 hereby amended by inserting after the word “person”, in line 14, the following words:- , by  
331 synchronous real-time video conference or by telephone.

332 SECTION 13. Section 31A of chapter 20 of the acts of 2021, as amended by section 41  
333 of chapter 2 of the acts of 2023, is hereby further amended by striking out the words “March 31,  
334 2024” and inserting in place thereof the following words:- March 31, 2025.

335 SECTION 14. (a) For the purposes of this section, the following words shall, unless the  
336 context clearly requires otherwise, have the following meanings:

337 “Approved training program”, an existing training program the secretary of  
338 administration and finance, in consultation with the secretary of labor and workforce  
339 development, deems sufficient to provide skills and resources to individuals in the emergency  
340 housing assistance program, established in section 30 of chapter 23B of the General Laws,  
341 including, but not limited to: (i) workforce and career technical skills training, pursuant to item  
342 1599-2037 of section 2A of chapter 102 of the acts of 2021; (ii) high-demand workforce training  
343 programs, pursuant to item 1599-2041 of said section 2A of said chapter 102; (iii) the  
344 manufacturing pilot program, established pursuant to item 7002-0020 of section 2 of chapter 28  
345 of the acts of 2023; (iv) the Learn to Earn Initiative program, established pursuant to item 7002-  
346 1080 of said section 2 of said chapter 28; (v) 1199 SEIU training, pursuant to item 7003-0608 of  
347 said section 2 of said chapter 28; (vi) Massachusetts AFL-CIO Workforce Development  
348 Programs, Inc., pursuant to item 7003-1207 of said section 2 of said chapter 28; and (vii) shelter  
349 workforce development initiative, pursuant to item 7004-0109 of said section 2 of said chapter  
350 28; provided, that the approved training program shall be available to individuals in non-state-  
351 funded overflow emergency shelter sites and state-funded overflow emergency shelter sites.

352 “Authorized training program”, a program approved by the secretary of administration  
353 and finance and the secretary of labor and workforce development that is offered by an employer  
354 to train qualified trainees; provided, that said program shall assist qualified trainees in  
355 developing skills and accessing resources to prepare qualified trainees to enter the workforce;  
356 and provided further, that no authorized training program shall provide compensation to a

357 qualified trainee without work authorization and said program shall ensure the qualified trainee  
358 has no expectation of compensation for training.

359 “Non-state-funded overflow emergency shelter site”, any overflow site that is funded  
360 through a nonprofit or other non-state entity for eligible families that have been waitlisted for  
361 placement at an emergency shelter as a result of the emergency housing assistance program,  
362 established in section 30 of chapter 23B of the General Laws, reaching capacity at 7,500  
363 families, as identified in the Emergency Assistance Family Shelter declaration issued by the  
364 secretary of housing and livable communities on October 31, 2023, and the extension of the  
365 declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR  
366 67.10, as inserted by emergency regulations issued by the executive office of housing and livable  
367 communities on October 31, 2023, and accompanying guidance issued pursuant to said  
368 declaration and 760 CMR 67.10.

369 “Qualified trainee”, an individual receiving benefits through the emergency housing  
370 assistance program pursuant to section 30 of chapter 23B of the General Laws and 760 CMR  
371 67.00 or an individual in an overflow emergency shelter site established in response to the  
372 capacity limitation on said program pursuant to a declaration issued by the secretary of housing  
373 and livable communities dated October 31, 2023, the extension of the declaration dated February  
374 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR 67.10, as inserted by  
375 emergency regulations issued by the executive office of housing and livable communities on  
376 October 31, 2023 and accompanying guidance issued pursuant to said declaration and 760 CMR  
377 67.10, who: (i)(A) has not received work authorization; or (B) is currently unemployed; and (ii)  
378 is participating in an authorized training program.

379 “State-funded overflow emergency shelter site”, any state-funded overflow site,  
380 including, but not limited to, any site funded under item 1599-0514 of section 2 of chapter 77 of  
381 the acts of 2023, for eligible families that have been waitlisted for placement at an emergency  
382 shelter as a result of the emergency housing assistance program reaching capacity at 7,500  
383 families, as identified in the Emergency Assistance Family Shelter declaration issued by the  
384 secretary of housing and livable communities on October 31, 2023, and the extension of the  
385 declaration dated February 28, 2024, and any subsequent extensions, pursuant to 760 CMR  
386 67.10, as inserted by emergency regulations issued by the executive office of housing and livable  
387 communities on October 31, 2023, and accompanying guidance issued pursuant to said  
388 declaration and 760 CMR 67.10.

389 (b) Notwithstanding any general or special law to the contrary, any state-funded overflow  
390 emergency shelter site operational as of March 15, 2024 shall serve families and pregnant  
391 women with no other children until the hour of 9 A.M. each day and no family or pregnant  
392 woman shall be required to leave the state-funded overflow emergency shelter site prior to 9  
393 A.M.; provided, that any state-funded overflow emergency shelter site that becomes operational  
394 after March 15, 2024 shall be open 24 hours per day 7 days per week to provide services to  
395 families with children and pregnant women with no other children.

396 (c) If multiple state-funded overflow emergency shelter sites are required to maintain  
397 shelter for newly arriving migrants, refugees and asylum seekers, state-funded overflow  
398 emergency shelter sites shall be located in geographically diverse areas throughout the  
399 commonwealth.

400 (d) All state-funded overflow emergency shelter sites and, to the extent feasible, non-  
401 state-funded overflow emergency shelter sites shall provide information to families about  
402 authorized training programs and approved training programs offered to provide skills and  
403 resources to individuals for assistance in entering the workforce; provided, that eligible  
404 individuals in the family shall be authorized to participate in the authorized training programs  
405 and the approved training programs; provided further, that all state-funded overflow emergency  
406 shelter sites and non-state-funded overflow emergency shelter sites shall provide information to  
407 families and pregnant women about other resources available, including, but not limited to: (i)  
408 food resources, including food pantries in close proximity to said overflow emergency shelter  
409 site; (ii) services offered by resettlement agencies; (iii) housing programs; and (iv) other  
410 available resources from nonprofits or other sources.

411 (e) The secretary of housing and livable communities shall submit to the house and senate  
412 committees on ways and means not less than every 30 days a report with data for each state-  
413 funded overflow emergency shelter site and, to the extent feasible, each non-state-funded  
414 overflow emergency shelter site, including the following information: (i) types of services  
415 provided to families, including a breakdown of the types of services and hours of availability of  
416 services; (ii) total number of families; (iii) number of families new to the overflow emergency  
417 shelter site since the last report; (iv) total number of individuals; (v) number of individuals new  
418 to the overflow emergency shelter site since the last report; (vi) average length of stay, in days,  
419 for individuals in an overflow emergency shelter site, including a breakdown of data on: (A) the  
420 family with the longest length of stay; (B) families that have been placed in the emergency  
421 shelter assistance program from a state-funded overflow emergency shelter site or non-state-  
422 funded overflow emergency shelter site; and (C) families that are no longer in the state-funded

423 overflow emergency shelter site or non-state-funded overflow emergency shelter site but have  
424 not been placed in the emergency assistance program; (vii) a procurement record for state-funded  
425 overflow sites for supplies and services necessary to provide resources and necessities of daily  
426 living to families; and (viii) efforts made to connect families with additional services or  
427 programs, including, but not limited to, resettlement agencies, HomeBase or other housing  
428 programs.

429           SECTION 15. (a) Notwithstanding any general or special law to the contrary, not later  
430 than April 1, 2024, the governor shall seek from the United States Department of Homeland  
431 Security any and all federal approvals for a waiver to permit expedited work authorizations,  
432 temporary work authorizations or provisional work authorizations, including, but not limited to,  
433 any waiver for said work authorizations pursuant to 8 C.F.R. section 274a.12, as amended, for  
434 newly arriving migrants, refugees and asylum seekers in the commonwealth to allow said  
435 migrants, refugees and asylum seekers to create a pathway to work and to aid in alleviating the  
436 commonwealth's shelter capacity crisis for which the governor declared a state of emergency on  
437 August 8, 2023 due to the significant influx of families seeking shelter in response to ongoing  
438 humanitarian crises and conflicts around the world.

439           (b) The request for a waiver pursuant to subsection (a) shall include: (i) alternative  
440 approaches for work authorizations to allow for an expedited process in the commonwealth,  
441 including, but not limited to, requests for expedited work authorizations, temporary work  
442 authorizations or provisional work authorizations; provided, that 1 alternative approach shall  
443 include a proposed state sponsorship program allowing the commonwealth to sponsor said  
444 migrants, refugees and asylum seekers for a state-operated worker program; and (ii) data on the  
445 current number of migrants, refugees and asylum seekers:

446 (A) in the emergency housing assistance program, pursuant to section 30 of chapter 23B  
447 of the General Laws, as amended by section 3, and 760 CMR 67.00;

448 (B) in a state-funded overflow emergency shelter site and a non-state funded overflow  
449 emergency shelter site, as those terms are defined in section 14;

450 (C) ready to enter the workforce upon grant of a work authorization; and

451 (D) participating in training or skills-based learning programs, including but not limited  
452 to:

453 (1) authorized training programs, as defined in paragraph (1) of subsection (dd) of section  
454 6 of chapter 62 of the General Laws, as inserted by section 6, and section 38NN of chapter 63 of  
455 the General Laws, as inserted by section 8; and

456 (2) approved training programs, as defined in said section 30 of said chapter 23B, as  
457 inserted by section 3, to be ready to enter the workforce upon grant of a work authorization.

458 (c) The waiver request pursuant to subsection (a) shall be publicly available on the  
459 governor's website not later than April 1, 2024.

460 SECTION 16. (a) The executive office of administration and finance, in consultation with  
461 the executive office of housing and livable communities and the executive office of labor and  
462 workforce development, shall submit a report to the house and senate committees on ways and  
463 means not less than every 30 days on the approved training program, as defined in section 30 of  
464 chapter 23B of the General Laws, as inserted by section 3. Said reports shall include, but shall  
465 not be limited to: (i) the total number of individuals participating in the approved training  
466 program; (ii) the total number of individuals waiting for placement to participate in an approved

467 training program; (iii) the list of approved training programs approved by the secretary of  
468 administration and finance in consultation with the secretary of labor and workforce  
469 development; (iv) the total number of individuals from the emergency assistance shelter system  
470 participating in an approved training program; (v) the total number of individuals from an  
471 overflow emergency shelter site participating in an approved training program; (vi) the number  
472 of new individuals participating in the approved training program since the last report; (vii) the  
473 number of new individuals waiting for placement to participate in an approved training program  
474 since the last report; (viii) the list of approved training programs approved by the secretary since  
475 the last report; (ix) the number of individuals from the emergency assistance shelter system  
476 participating in an approved training program since the last report; (x) the number of individuals  
477 from an overflow emergency shelter site participating in an approved training program since the  
478 last report; (xi) geographic areas in the commonwealth, broken down by municipality, where the  
479 approved training programs are located; (xii) the total number of individuals who received work  
480 authorization while participating in an approved training program; (xiii) the number of  
481 individuals who received work authorization while participating in an approved training program  
482 since the last report; (xiv) the total number of individuals who were provided notice of the  
483 availability of an approved training program; and (xv) the number of individuals who were  
484 provided notice of the availability of an approved training program since the last report.

485 (b) The executive office of administration and finance, in consultation with the executive  
486 office of housing and livable communities and the executive office of labor and workforce  
487 development, shall submit a report to the house and senate committees on ways and means not  
488 less than every 30 days on the authorized training program, as defined in paragraph (1) of  
489 subsection (dd) of section 6 of chapter 62 of the General Laws, as inserted by section 6, and

490 section 38NN of chapter 63 of the General Laws, as inserted by section 8. Said reports shall  
491 include, but shall not be limited to: (i) the implementation status of authorized training programs;  
492 (ii) the total number of employers seeking to offer an authorized training program; (iii) the  
493 number of employers seeking to offer an authorized training program since the last report; (iv)  
494 the total number of employers approved by the secretary of administration and finance and the  
495 secretary of labor and workforce development to offer an authorized training program and a  
496 breakdown of the industries and geographic area, broken down by municipality, where  
497 employers are located; (v) the number of employers approved by the secretary of administration  
498 and finance and secretary of labor and workforce development to offer an authorized training  
499 program since the last report; (vi) the total number of individuals waiting for placement in an  
500 authorized training program; (vii) the number of individuals waiting for placement in an  
501 authorized training program since the last report; (viii) the total number of individuals from the  
502 emergency assistance shelter system participating in an authorized training program; (ix) the  
503 number of individuals from the emergency assistance shelter system participating in an  
504 authorized training program since the last report; (x) the total number of individuals from an  
505 overflow emergency shelter site participating in an authorized training program; (xi) the number  
506 of individuals from an overflow emergency shelter site participating in an authorized training  
507 program since the last report; (xii) the total number of individuals who received work  
508 authorization while participating in an authorized training program; (xiii) the number of  
509 individuals who received work authorization while participating in an authorized training  
510 program since the last report; (xiv) the total number of individuals who were provided notice of  
511 the availability of an authorized training program; (xv) the total number of individuals offered  
512 employment by an employer after receiving work authorization and participating in an

513 authorized training program; and (xvi) the number of individuals offered employment by an  
514 employer after receiving work authorization and participating in an authorized training program  
515 since the last report.

516 SECTION 17. (a) Not later than 30 days after the effective date of this act, the secretary  
517 of labor and workforce development, in consultation with the secretary of administration and  
518 finance, shall promulgate regulations or guidance for the administration of the authorized  
519 training programs established in subsection (dd) of section 6 of chapter 62 of the General Laws,  
520 as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as inserted by  
521 section 8, including, but not limited to, requirements to be deemed an authorized training  
522 program.

523 (b) Not later than 30 days after the effective date of this act, the commissioner of the  
524 department of revenue, in consultation with the secretary of labor and workforce development  
525 and the secretary of administration and finance, shall promulgate regulations or guidance for the  
526 administration of the tax credit established in subsection (dd) of section 6 of chapter 62 of the  
527 General Laws, as inserted by section 6, and section 38NN of chapter 63 of the General Laws, as  
528 inserted by section 8.

529 SECTION 18. Section 14 is hereby repealed.

530 SECTION 19. Section 4 shall take effect on April 1, 2025 or upon the end of the capacity  
531 limitation on the emergency shelter assistance program pursuant to the declaration issued by the  
532 secretary of housing and livable communities dated October 31, 2023, the extension of the  
533 declaration dated February 28, 2024 and any subsequent extensions, issued pursuant to 760 CMR  
534 67.10, as inserted by emergency regulations issued by the executive office of housing and livable

535 communities on October 31, 2023, and accompanying guidance issued pursuant to said  
536 declaration and 760 CMR 67.10, whichever is sooner.

537 SECTION 20. Sections 5 and 10 shall take effect as of April 1, 2024.

538 SECTION 21. Sections 6 and 8 shall take effect for taxable years beginning on or after  
539 January 1, 2024.

540 SECTION 22. Sections 7 and 9 shall take effect on January 1, 2026 or in the taxable year  
541 of the end of the capacity limitation on the emergency shelter assistance program pursuant to a  
542 declaration issued by the secretary of housing and livable communities dated October 31, 2023,  
543 the extension of the declaration dated February 28, 2024 and any subsequent extensions, issued  
544 pursuant to 760 CMR 67.10, as inserted by emergency regulations issued by the executive office  
545 of housing and livable communities on October 31, 2023 and accompanying guidance issued  
546 pursuant to said declaration and 760 CMR 67.10, whichever is sooner.

547 SECTION 23. Sections 11 to 13, inclusive, shall take effect as of March 31, 2024.

548 SECTION 24. Section 18 shall take effect 30 days after the closure of the last state-  
549 funded overflow emergency shelter site or non-state-funded overflow emergency shelter site, as  
550 those terms are defined in section 14; provided, that if a state-funded overflow emergency shelter  
551 site or non-state-funded overflow emergency shelter site reopens, or a new state-funded overflow  
552 emergency shelter site or non-state-funded overflow emergency shelter site opens, for any reason  
553 all reporting required pursuant to section 14 shall resume until 30 days after closure of the sites.