

HOUSE No. 4707

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 3, 2024.

The committee on Ways and Means, to whom was referred the Bill to [sic] the Affordable Homes Act (printed in House, No. 4138), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4707) [Bond Issue: General Obligation Bonds: \$6,205,000,000.00].

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4707

The Commonwealth of Massachusetts

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

An Act relative to the Affordable Homes Act.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, 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 a capital outlay program to rehabilitate, produce and
2 modernize state-aided public housing developments; to preserve the affordability and the income
3 mix of state-assisted multifamily developments; to support home ownership and rental housing
4 opportunities for low and moderate income citizens; to stem urban blight through the
5 implementation of housing stabilization programs; to support housing production for the elderly,
6 disabled and homeless; to preserve housing for the elderly, the homeless and low and moderate
7 income citizens and persons with disabilities; to develop facilities for licensed early care and
8 education and out of school time programs; and to promote economic reinvestment through the
9 funding of infrastructure improvements, the sums set forth in sections 2 to 2B, inclusive for the

10 several purposes and subject to the conditions specified in this act, are hereby made available
11 subject to the laws regulating the disbursement of public funds.

12 SECTION 2.

13 EXECUTIVE OFFICE OF EDUCATION

14 *Department of Early Education and Care*

15 3000-0411 For the purpose of state financial assistance in the form of grants for the
16 Early Education and Out of School Time Capital Fund for the development of eligible facilities
17 for licensed early care and education and out of school time programs established in section 18
18 of chapter 15D of the General Laws; provided, that the department of early education and care
19 may contract with quasi-public or non-profit entities to administer the program, including, but
20 not limited to, the Community Economic Development Assistance Corporation established in
21 chapter 40H of the General Laws; provided further, that the department may develop or finance
22 eligible facilities, may enter into subcontracts with nonprofit organizations established pursuant
23 to chapter 180 of the General Laws or organizations in which such nonprofit corporations have a
24 controlling financial or managerial interest; provided further, that the department shall consider:
25 (i) a balanced geographic plan for such eligible facilities when issuing the funding commitments;
26 and (ii) funding large group and school age child care centers, as defined by the department;
27 provided further, that the services made available pursuant to such grants shall not be construed
28 as a right or entitlement for any individual or class of persons to the benefits financing; provided
29 further, that no expenditure shall be made from this item without the prior approval of the
30 secretary of administration and finance; and provided further, that eligibility shall be established

31 by regulations promulgated by the department pursuant to chapter 30A of the General Laws for
32 the implementation, administration and enforcement of this item..... \$50,000,000

33 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

34 *Office of the Secretary*

35 7004-0069 For a program of loans or grants to assist homeowners or tenants with a
36 household member with blindness or severe disabilities in making modifications to their primary
37 residence for the purpose of improving accessibility or to allow such individuals to live
38 independently in the community or for construction costs to allow for the building of an
39 accessory unit, which shall mean a unit constructed as an additional dwelling unit separate from
40 the primary dwelling unit, for a person with disabilities or an elder needing assistance with
41 activities of daily living; provided, that not more than 10 per cent shall be used for grants to
42 assist landlords seeking to make modifications for a current or prospective tenant with
43 disabilities, who but for such a grant would be unable to maintain or secure permanent housing;
44 provided further, that the secretary of housing and livable communities and the secretary of
45 health and human services shall take all steps necessary to minimize the program's
46 administrative costs; provided further, that the secretary of health and human services may
47 contract with quasi-public or non-profit entities to administer the program, including, but not
48 limited to, the Community Economic Development Assistance Corporation established in
49 chapter 40H of the General Laws; provided further, that the program shall be available pursuant
50 to income eligibility standards approved by the secretary of health and human services; provided
51 further, that the repayment of the loans may be delayed until the sale of the principal residence
52 by the homeowner; provided further, that persons residing in a development covered by section 4

53 of chapter 151B of the General Laws shall not be eligible for the program unless the owner can
54 show that the modification is an undue financial burden or that the landlord is participating in the
55 grant program to maintain or secure housing for a tenant with disabilities; provided further, that
56 the secretary of health and human services shall consult with the Massachusetts commission for
57 the blind and the Massachusetts rehabilitation commission to develop rules, regulations and
58 guidelines for the program; provided further, that nothing in this item shall give rise to
59 enforceable legal rights in any party or an enforceable entitlement to services; provided further,
60 that funds expended from this item shall, to the maximum extent feasible, be prioritized for
61 projects that comply with decarbonization and sustainability standards; provided further, that
62 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
63 Plan developed by the executive office of housing and livable communities; provided further,
64 that for new construction projects, the standards set forth in the commonwealth's Opt-in
65 Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities
66 standards shall be the applicable standards for prioritization; provided further, that any project
67 proposing less than full compliance with said standards shall provide detailed analysis
68 demonstrating why full compliance would render the project infeasible notwithstanding
69 utilization of all available federal and state incentives, including rebates and tax credits; provided
70 further, that for retrofits of existing units, prioritization shall be given to projects that include
71 energy efficiency and electrification decarbonization measures, including, but not limited to
72 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
73 energy efficiency certification, and all-electric buildings and projects that incorporate green,
74 sustainable and climate-resilient elements; provided further, that projects that include lower
75 embodied carbon construction materials and methods shall be further prioritized; and provided

76 further, that the secretary of housing and livable communities shall submit quarterly reports to
77 the house and senate committees on ways and means, the joint committee on bonding, capital
78 expenditures and state assets and the joint committee on housing detailing the status of the
79 program established in this item..... \$60,000,000

80 7004-0070 For state financial assistance in the form of loans for the development of
81 community-based housing or supportive housing for individuals with mental illness and
82 individuals with intellectual disabilities; provided, that the loan program shall be administered by
83 the executive office of housing and livable communities through contracts with 1 or more of the
84 following agencies: the Massachusetts Development Finance Agency established in chapter 23G
85 of the General Laws, the Community Economic Development Assistance Corporation
86 established in chapter 40H of the General Laws, operating agencies established pursuant to
87 chapter 121B of the General Laws and the Massachusetts Housing Finance Agency established
88 in chapter 708 of the acts of 1966; provided further, that those agencies may develop or finance
89 community-based housing or supportive housing or may enter into subcontracts with nonprofit
90 organizations, established pursuant to chapter 180 of the General Laws, or organizations in
91 which such nonprofit corporations have a controlling financial or managerial interest or for-profit
92 organizations; provided, however, that preference for the subcontracts shall be given to nonprofit
93 organizations; provided further, that the executive office shall consider a balanced geographic
94 plan for such community-based housing or supportive housing when issuing the loans; provided
95 further, that the executive office shall consider development of a balanced range of housing
96 models by prioritizing funds for integrated housing as defined by the appropriate housing and
97 service agencies, including, but not limited to, the executive office of housing and livable
98 communities, the department of mental health and the department of developmental services, in

99 consultation with relevant and interested clients, clients' families, advocates and other parties as
100 necessary; provided further, that loans issued pursuant to this item shall: (i) not exceed 50 per
101 cent of the financing of the total development costs; (ii) not be issued unless a contract or
102 agreement for the use of the property for such housing provides for repayment to the
103 commonwealth at the time of disposition of the property if such property will no longer be
104 subject to a recorded deed restriction pursuant to clause (iii) of this item; provided, however, that
105 such repayment shall be in an amount equal to the commonwealth's proportional contribution
106 from the Facilities Consolidation Fund to the cost of the development through payments made by
107 the state agency making the contract; provided further, that such repayment shall not be required
108 if the executive office of housing and livable communities, in consultation with the department
109 of mental health and the department of developmental services, determines that relevant clients
110 will be better served at an alternative property and the proceeds from the disposition of the
111 property will be used, to the extent necessary for replacement of the housing at the property, for
112 1 or more of the following purposes: (A) to acquire such alternative property; or (B) to
113 rehabilitate such alternative property; (iii) not be issued unless the contract or agreement for the
114 use of the property for the purposes of such housing provides for the recording of a deed
115 restriction in the registry of deeds or the registry district of the land court of the county in which
116 the real property is located, for the benefit of the executive office and the departments, running
117 with the land, that the land shall be used to provide community-based housing or supportive
118 housing for eligible individuals as determined by the department of mental health and the
119 department of developmental services; provided, however, that the property shall not be released
120 from such restriction unless: (A) the balance of the principal and interest for the loan has been
121 repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of

122 housing and livable communities has determined, pursuant to clause (ii) of this item, that
123 repayment to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years,
124 during which time repayment may be deferred by the loan issuing authority; provided, however,
125 that if on the date the loans become due and payable to the commonwealth, an outstanding
126 balance exists and if, on such date, the executive office, in consultation with the executive office
127 of health and human services, determines that there still exists a need for such housing and that
128 there is continued funding available for the provision of services to such development, the
129 executive office may, by agreement with the owner of the development, extend the loans for
130 such periods, each period not to exceed 10 years, as the executive office shall determine;
131 provided further, that the project, whether at the original property, or at an alternative property
132 pursuant to clause (ii) of this item, shall remain affordable housing for the duration of the loan
133 term, including any extension thereof, as set forth in the contract or agreement entered into by
134 the executive office; provided further, that in the event the terms of repayment detailed in this
135 item would cause a project authorized by this item to become ineligible to receive federal
136 financial assistance which would otherwise assist in the development of that project, the
137 executive office may waive the terms of repayment which would cause the project to become
138 ineligible; and (v) have interest rates fixed at a rate, to be determined by the executive office, in
139 consultation with the state treasurer; provided further, that the loans shall be provided only for
140 projects conforming to this item; provided further, that the loans shall be issued in accordance
141 with a facilities consolidation plan prepared by the secretary of health and human services,
142 reviewed and approved by the executive office and filed with the secretary of administration and
143 finance, the house and senate committees on ways and means, the joint committee on bonding,
144 capital expenditures and state assets and the joint committee on housing; provided further, that

145 no expenditure shall be made from this item without the prior approval of the secretary of
146 administration and finance; provided further, that the executive office of housing and livable
147 communities, the department of mental health and the Community Economic Development
148 Assistance Corporation may identify appropriate financing mechanisms and guidelines for grants
149 or loans from this item to promote private development to produce housing, to provide for
150 independent integrated living opportunities, to write down building and operating costs and to
151 serve households at or below 15 per cent of the area median income for the benefit of department
152 of mental health clients; provided further, that funds expended from this item shall, to the
153 maximum extent feasible, be prioritized for projects that comply with decarbonization and
154 sustainability standards; provided further, that prioritization shall be determined through
155 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of
156 housing and livable communities; provided further, that for new construction projects, the
157 standards set forth in the commonwealth's Opt-in Specialized Energy Code in 225 CMR 22.00
158 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for
159 prioritization; provided further, that any project proposing less than full compliance with said
160 standards shall provide detailed analysis demonstrating why full compliance would render the
161 project infeasible notwithstanding utilization of all available federal and state incentives,
162 including rebates and tax credits; provided further, that for retrofits of existing units,
163 prioritization shall be given to projects that include energy efficiency and electrification
164 decarbonization measures, including, but not limited to electric or ground source heat pumps,
165 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
166 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
167 provided further, that projects that include lower embodied carbon construction materials and

168 methods shall be further prioritized; provided further, that not more than \$10,000,000 may be
169 expended from this item for a pilot program of community-based housing or supportive housing
170 loans to serve mentally ill homeless individuals in the current or former care of the department of
171 mental health; provided further, that in implementing the pilot program, the executive office
172 shall consider a balanced geographic plan when establishing community-based residences;
173 provided further, that the housing services made available pursuant to such loans shall not be
174 construed as a right or an entitlement for any individual or class of persons to the benefits of the
175 pilot program; provided further, that eligibility for the pilot program shall be established by
176 regulations promulgated by the executive office; and provided further, that the executive office
177 shall promulgate regulations under chapter 30A of the General Laws to implement, administer
178 and enforce this item, consistent with the facilities consolidation plan prepared by the secretary
179 of health and human services and after consultation with the secretary and the commissioner of
180 capital asset management and
181 maintenance.....\$70,000,000

182 7004-0071 For state financial assistance in the form of loans for the development and
183 redevelopment of community-based housing or supportive housing for persons with disabilities
184 who are institutionalized or at risk of being institutionalized and who are not eligible for housing
185 developed pursuant to item 7004-0070; provided, that the loan program shall be administered by
186 the executive office of housing and livable communities, through contracts with the
187 Massachusetts Development Finance Agency established in chapter 23G of the General Laws,
188 the Community Economic Development Assistance Corporation established in chapter 40H of
189 the General Laws, operating agencies established pursuant to chapter 121B of the General Laws
190 and the Massachusetts Housing Finance Agency established in chapter 708 of the acts of 1966;

191 provided further, that the agencies may develop or finance community-based housing or
192 supportive housing or may enter into subcontracts with nonprofit organizations established
193 pursuant to chapter 180 of the General Laws or organizations in which such nonprofit
194 corporations have a controlling financial or managerial interest or for-profit organizations;
195 provided, however, that preference for such subcontracts shall be given to nonprofit
196 organizations; provided further, that the executive office shall consider a balanced geographic
197 plan for such community-based housing or supportive housing when issuing the loans; provided
198 further, that all housing developed with these funds shall be integrated housing as defined by the
199 appropriate state housing and service agencies, including, but not limited to, the executive office,
200 the executive office of health and human services and the Massachusetts rehabilitation
201 commission, in consultation with relevant and interested clients, clients' families, advocates and
202 other parties as necessary; provided further, that loans issued pursuant to this item shall: (i) not
203 exceed 50 per cent of the financing of the total development costs; (ii) not be issued unless a
204 contract or agreement for the use of the property for the purposes of such housing provides for
205 repayment to the commonwealth at the time of disposition of the property if such property will
206 no longer be subject to a recorded deed restriction pursuant to clause (iii) of this item; provided,
207 however, that such repayment shall be in an amount equal to the commonwealth's proportional
208 contribution from community-based housing to the cost of the development through payments
209 made by the state agency making the contract; provided further, that such repayment shall not be
210 required if the executive office of housing and livable communities, in consultation with the
211 Massachusetts rehabilitation commission, determines that relevant clients will be better served at
212 an alternative property and the proceeds from the disposition of the property will be used, to the
213 extent necessary for replacement of the housing at the property, for 1 or both of the following

214 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
215 property; (iii) not be issued unless a contract or agreement for the use of the property for the
216 purposes of such community-based housing or supportive housing provides for the recording of a
217 deed restriction in the registry of deeds or the registry district of the land court of the county in
218 which the real property is located, for the benefit of the executive office, running with the land,
219 that the land shall be used to provide community-based housing or supportive housing for
220 eligible individuals as determined by the Massachusetts rehabilitation commission or other
221 agency of the executive office of health and human services; provided, however, that the
222 property shall not be released from such restrictions unless: (A) the balance of the principal and
223 interest for the loan has been repaid in full; (B) a mortgage foreclosure deed has been recorded;
224 or (C) the executive office of housing and livable communities has determined, pursuant to
225 clause (ii) of this item, that repayment to the commonwealth is not required; (iv) be issued for a
226 term not to exceed 30 years during which time repayment may be deferred by the loan issuing
227 authority; provided, however, that if on the date the loans become due and payable to the
228 commonwealth, an outstanding balance exists and if, on that date, the executive office, in
229 consultation with the executive office of health and human services, determines that there still
230 exists a need for such housing, the executive office may, by agreement with the owner of the
231 development, extend the loans for such periods, each period not to exceed 10 years, as the
232 executive office shall determine; provided further, that the project, whether at the original
233 property or at an alternative property pursuant to clause (ii) of this item, shall continue to remain
234 affordable housing for the duration of the loan term, including any extensions thereof, as set
235 forth in the contract or agreement entered into by the executive office; provided, however, that in
236 the event the terms of repayment detailed in this item would cause a project authorized by this

237 item to become ineligible to receive federal financial assistance, which would otherwise assist in
238 the development of that project, the executive office may waive the terms of repayment which
239 would cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be
240 determined by the executive office, in consultation with the state treasurer; provided further, the
241 loans shall be provided only for projects conforming to this item; provided further, that the loans
242 shall be issued in accordance with an enhancing community-based services plan prepared by the
243 secretary of health and human services, in consultation with the executive office and filed with
244 the secretary of administration and finance, the house and senate committees on ways and means,
245 the joint committee on bonding, capital expenditures and state assets and the joint committee on
246 housing; provided further, that funds expended from this item shall, to the maximum extent
247 feasible, be prioritized for projects that comply with decarbonization and sustainability
248 standards; provided further, that prioritization shall be determined through objective scoring
249 criteria in the Qualified Allocation Plan developed by the executive office of housing and livable
250 communities; provided further, that for new construction projects, the standards set forth in the
251 commonwealth's Opt-in Specialized Energy Code in 225 CMR 22.00 and 23.00 and the
252 Enterprise Green Communities standards shall be the applicable standards for prioritization;
253 provided further, that any project proposing less than full compliance with said standards shall
254 provide detailed analysis demonstrating why full compliance would render the project infeasible
255 notwithstanding utilization of all available federal and state incentives, including rebates and tax
256 credits; provided further, that for retrofits of existing units, prioritization shall be given to
257 projects that include energy efficiency and electrification decarbonization measures, including,
258 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House
259 or equivalent energy efficiency certification and all-electric buildings and projects that

260 incorporate green, sustainable and climate-resilient elements; provided further, that projects that
261 include lower embodied carbon construction materials and methods shall be further prioritized;
262 provided further, that no expenditure shall be made from this item without the prior approval of
263 the secretary of administration and finance; and provided further, that the executive office shall
264 promulgate regulations pursuant to chapter 30A of the General Laws for the implementation,
265 administration and enforcement of this item, consistent with the enhancing community-based
266 services plan prepared by the secretary of health and human services after consultation with the
267 secretary and the commissioner of capital asset management and
268 maintenance.....\$55,000,000

269 7004-0072 For the capitalization of the Affordable Housing Trust Fund established in
270 section 2 of chapter 121D of the General Laws; provided, that funds expended from this item
271 shall, to the maximum extent feasible, be prioritized for projects that comply with
272 decarbonization and sustainability standards; provided further, that prioritization shall be
273 determined through objective scoring criteria in the Qualified Allocation Plan developed by the
274 executive office of housing and livable communities; provided further, that for new construction
275 projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code in 225
276 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable
277 standards for prioritization; provided further, that any project proposing less than full compliance
278 with said standards shall provide detailed analysis demonstrating why full compliance would
279 render the project infeasible notwithstanding utilization of all available federal and state
280 incentives, including rebates and tax credits; provided further, that for retrofits of existing units,
281 prioritization shall be given to projects that include energy efficiency and electrification
282 decarbonization measures, including, but not limited to, electric or ground source heat pumps,

283 net-zero developments, Passive House or equivalent energy efficiency certification and all-
284 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
285 provided further, that projects that include lower embodied carbon construction materials and
286 methods shall be further prioritized; provided further, that not more than \$50,000,000 of the
287 funds made available in this item may be used to create and maintain opportunities for
288 homeownership for first time homebuyers; provided further, that funds shall be expended to
289 create and enhance access to homeownership in order to foster long-term benefits for housing
290 security, health and economic outcomes and to address a systemic homeownership gap in
291 socially disadvantaged communities and among targeted populations; provided further, that
292 funds may be expended for down payment assistance programs, mortgage insurance programs
293 and mortgage interest subsidy programs administered by the Massachusetts Housing Finance
294 Agency and the Massachusetts Housing Partnership; and provided further, that funds may be
295 expended to first-time homebuyer counseling and financial literacy
296 programs.....\$800,000,000

297 7004-0073 For state financial assistance in the form of grants or loans for the Housing
298 Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General
299 Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F;
300 provided, that not less than 25 per cent shall be used to fund projects which preserve and produce
301 housing for families and individuals with incomes of not more than 30 per cent of the area
302 median income, as defined by the United States Department of Housing and Urban
303 Development; provided further, that if the executive office of housing and livable communities
304 has not spent the amount authorized under the bond cap for this program, at the end of each
305 calendar year following the effective date of this act, the executive office may award the

306 remaining funds to projects that serve households earning more than 30 per cent of the area
307 median income, as defined by the United States Department of Housing and Urban
308 Development; provided further, that funds expended from this item shall, to the maximum extent
309 feasible, be prioritized for projects that comply with decarbonization and sustainability
310 standards; provided further, that prioritization shall be determined through objective scoring
311 criteria in the Qualified Allocation Plan developed by the executive office of housing and livable
312 communities; provided further, that for new construction projects, the standards set forth in the
313 commonwealth’s Opt-in Specialized Energy Code in 225 CMR 22.00 and 23.00 and the
314 Enterprise Green Communities standards shall be the applicable standards for prioritization;
315 provided further, that any project proposing less than full compliance with said standards shall
316 provide detailed analysis demonstrating why full compliance would render the project infeasible
317 notwithstanding utilization of all available federal and state incentives, including rebates and tax
318 credits; provided further, that for retrofits of existing units, prioritization shall be given to
319 projects that include energy efficiency and electrification decarbonization measures, including,
320 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House
321 or equivalent energy efficiency certification and all-electric buildings and projects that
322 incorporate green, sustainable and climate-resilient elements; and provided further, that projects
323 that include lower embodied carbon construction materials and methods shall be further
324 prioritized.....\$425,000,000

325 7004-0074 For state financial assistance in the form of grants for projects undertaken
326 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts
327 entered into by the executive office of housing and livable communities for those projects may
328 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,

329 redevelopment and hazardous material abatement, including asbestos and lead paint, and for
330 compliance with state codes and laws and for adaptations necessary for compliance with the
331 federal Americans with Disabilities Act of 1990, the provision of day care facilities, learning
332 centers and teen service centers and the adaptation of units for families and persons with
333 disabilities; provided further, that priority shall be given to projects undertaken for the purpose of
334 compliance with state codes and laws or for other purposes related to the health and safety of
335 residents; provided further, that funds may be expended from this item to make such
336 modifications to congregate housing units as may be necessary to increase the occupancy rate of
337 such units; provided further, that the executive office shall continue to fund a program to provide
338 predictable funds to be used flexibly by housing authorities for capital improvements to extend
339 the useful life of state-assisted public housing; provided further, that not less than 25 per cent of
340 the funds made available in this item shall be used to fund projects which preserve or produce
341 housing for families and individuals with incomes of not more than 30 per cent of the area
342 median income, as defined by the United States Department of Housing and Urban
343 Development; provided further, that not less than \$99,000,000 shall be expended by the Boston
344 Housing Authority for the development of replacement public housing and additional new
345 housing on the Faneuil Gardens site owned by the Boston Housing Authority between Faneuil
346 street and North Beacon street, Boston Parcel ID 2202616000, in the city of Boston and the
347 adjacent parcel at the southeast corner of North Beacon street and Goodenough street, Boston
348 Parcel ID 2202627000, in the city of Boston; provided further, that not less than \$15,000,000 of
349 the funds made available in this item shall be used to increase accessibility of state-aided public
350 housing for persons with disabilities; provided further, that not more than \$150,000,000 of the
351 funds made available in this item may be used to fund projects that include sustainability

352 initiatives to reduce greenhouse gas emissions and make progress towards decarbonization
353 through energy efficiency and electrification decarbonization measures, including, but not
354 limited to, electric or ground source heat pumps, net-zero developments, Passive House or
355 equivalent energy efficiency certification and all-electric buildings and projects that incorporate
356 green, sustainable and climate-resilient elements; provided further, that projects that include
357 lower embodied carbon construction materials and methods shall be further prioritized; and
358 provided further, that funds made available in this item shall, to the extent feasible, be used in
359 accordance with the Massachusetts state hazard mitigation and climate adaptation
360 plan.....\$2,000,000,000

361 7004-0075 For state financial assistance in the form of grants for a demonstration
362 program, administered by the executive office of housing and livable communities, to
363 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
364 public housing that seek to reduce the need for future state modernization funding; provided, that
365 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of
366 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of
367 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration
368 program; provided further, that the executive office may exempt a recipient of demonstration
369 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by
370 the recipient that such exemptions are necessary to accomplish the effective revitalization of
371 public housing and shall not adversely affect public housing residents or applicants of any
372 income who are otherwise eligible; provided further, that the executive office may provide to
373 recipients of demonstration grants such additional regulatory relief as may be required to further
374 the objectives of the demonstration program; provided further, that funds may be made available

375 for technical assistance provided by the Community Economic Development Assistance
376 Corporation established in chapter 40H of the General Laws or the Massachusetts Housing
377 Partnership Fund established in section 35 of chapter 405 of the acts of 1985 to recipients of
378 demonstration grants and for evaluation of the demonstration; provided further, that the
379 executive office's regulations for the implementation, administration and enforcement of this
380 item shall: (i) require that selected housing authorities demonstrate innovative and replicable
381 solutions to the management, marketing or capital needs of state-aided family and elderly-
382 disabled public housing developments and contribute to the continued viability of the housing as
383 a resource for public housing eligible residents; (ii) encourage proposals that demonstrate
384 regional collaborations among housing authorities; and (iii) encourage proposals for new
385 affordable housing units on municipally-owned land, underutilized public housing sites or other
386 land owned by the housing authority; provided further, that funds expended from this item shall,
387 to the maximum extent feasible, be prioritized for projects that comply with decarbonization and
388 sustainability standards; provided further, that prioritization shall be determined through
389 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of
390 housing and livable communities; provided further, that for new construction projects, the
391 standards set forth in the commonwealth's Opt-in Specialized Energy Code in 225 CMR 22.00
392 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for
393 prioritization; provided further, that any project proposing less than full compliance with said
394 standards shall provide detailed analysis demonstrating why full compliance would render the
395 project infeasible notwithstanding utilization of all available federal and state incentives,
396 including rebates and tax credits; provided further, that for retrofits of existing units,
397 prioritization shall be given to projects that include energy efficiency and electrification

398 decarbonization measures, including, but not limited to, electric or ground source heat pumps,
399 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
400 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
401 and provided further, that projects that include lower embodied carbon construction materials
402 and methods shall be further prioritized\$200,000,000

403 7004-0076 For state financial assistance in the form of grants or loans for the Housing
404 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,
405 that not less than 25 per cent of the funds made available in this item shall be used to fund
406 projects which preserve and produce housing for families and individuals with incomes of not
407 more than 30 per cent of the area median income, as defined by the United States Department of
408 Housing and Urban Development; provided further, that funds expended from this item shall, to
409 the maximum extent feasible, be prioritized for projects that comply with decarbonization and
410 sustainability standards; provided further, that prioritization shall be determined through
411 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of
412 housing and livable communities; provided further, that for new construction projects, the
413 standards set forth in the commonwealth’s Opt-in Specialized Energy Code in 225 CMR 22.00
414 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for
415 prioritization; provided further, that any project proposing less than full compliance with said
416 standards shall provide detailed analysis demonstrating why full compliance would render the
417 project infeasible notwithstanding utilization of all available federal and state incentives,
418 including rebates and tax credits; provided further, that for retrofits of existing units,
419 prioritization shall be given to projects that include energy efficiency and electrification
420 decarbonization measures, including, but not limited to, electric or ground source heat pumps,

421 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
422 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
423 and provided further, that projects that include lower embodied carbon construction materials
424 and methods shall be further prioritized.....\$200,000,000

425 7004-0078 For state financial assistance in the form of no interest loans, grants,
426 subsidies, credit enhancements and other financial assistance for innovative, sustainable and
427 green housing initiatives; provided, that entities eligible to receive financial assistance under this
428 item shall include qualified for-profit or non-profit developers, community development
429 corporations, local housing authorities, community action agencies, community-based or
430 neighborhood-based non-profit housing organizations, other non-profit organizations and for-
431 profit entities, and governmental bodies; provided further, that funds may be used to assist units
432 occupied by and affordable to persons with incomes not more than 110 per cent of the area
433 median income, as defined by the United States Department of Housing and Urban Development
434 with priority given to projects that provide higher and deeper levels of affordability; provided
435 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
436 shall be persons whose income is not more than 60 per cent of the area median income, as
437 defined by the United States Department of Housing and Urban Development; provided further,
438 that financial assistance shall be awarded in a manner that promotes geographic, social, racial
439 and economic equity; provided further, that funds expended from this item shall, to the
440 maximum extent feasible, be prioritized for projects that comply with decarbonization and
441 sustainability standards; provided further, that prioritization shall be determined through
442 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of
443 housing and livable communities; provided further, that for new construction projects, the

444 standards set forth in the commonwealth’s Opt-in Specialized Energy Code in 225 CMR 22.00
445 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for
446 prioritization; provided further, that any project proposing less than full compliance with said
447 standards shall provide detailed analysis demonstrating why full compliance would render the
448 project infeasible notwithstanding utilization of all available federal and state incentives,
449 including rebates and tax credits; provided further, that for retrofits of existing units,
450 prioritization shall be given to projects that include energy efficiency and electrification
451 decarbonization measures, including, but not limited to, electric or ground source heat pumps,
452 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
453 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
454 provided further, that projects that include lower embodied carbon construction materials and
455 methods shall be further prioritized; provided further, that financial assistance under this item
456 shall be for the following purposes: (a) to accelerate and support innovative strategies for the
457 production of affordable and mixed-income housing developments and other market
458 transformation activities, including, but not limited to: (i) re-use of commercial space, office
459 space, and underutilized state- or locally-controlled land or assets, including, but not limited to,
460 brownfield or greyfield sites, or other property that the secretary of housing and livable
461 communities has determined is suitable for sustainable residential or mixed-use development; (ii)
462 modular construction, manufactured housing, and other innovative housing models that offer
463 development or operating cost savings, utilize advanced and applied technologies, provide
464 efficiencies to help accelerate production and that incorporate energy efficiency or energy
465 conservation into their design, construction or rehabilitation; (iii) accessory dwelling units and
466 co-housing models; and (iv) other market transformation efforts to be determined by the

467 executive office of housing and livable communities, which may include, but not be limited to,
468 any pilot program or demonstration program that is consistent with the purposes of this item;
469 provided further, that such strategies may include a mixed income social housing pilot program
470 in which a local or regional housing authority or other public or quasi-public entity maintains
471 majority ownership or control of such housing; (b) to accelerate and support the creation of low-
472 income and moderate-income residential housing units and mixed use developments that include
473 both residential housing units and commercial or retail space in close proximity to transit nodes
474 or within neighborhood commercial areas, including, but not limited to, those areas designated as
475 main street areas; provided, that the program shall be administered to: (i) maximize the amount
476 of affordable residential and mixed-use space in close proximity to transit nodes or within
477 neighborhood commercial areas, resulting in higher density, compact development and
478 pedestrian-friendly, inclusive and connected neighborhoods; (ii) increase mass transit ridership;
479 (iii) decrease traffic congestion and reduce greenhouse gas emissions; and (iv) increase economic
480 opportunity for disadvantaged populations by making it easier for residents of affordable housing
481 to access public transportation, including transportation supporting commutes to employment
482 centers; provided further, that the program may be administered to include projects which have
483 residential units above commercial space located in areas characterized by a predominance of
484 commercial land uses, a high daytime or business population or a high concentration of daytime
485 traffic and parking, provided, that the financial subsidy for the commercial portion of a project
486 shall not exceed the lower of 25 per cent of the total development cost of the commercial portion
487 of the project or \$1,000,000; provided further, that the executive office may provide financial
488 support to non-profit and for-profit developers that enter into binding agreements to set aside
489 residential units in existing market-rate, transit-oriented housing, over and above any units

490 required to be set aside under local zoning or approvals, for rent or sale to income-qualified
 491 households at affordable rents or sale prices, as applicable; and (c) to accelerate and support the
 492 creation and preservation of sustainable and climate resilient affordable multifamily housing;
 493 provided, that such financial assistance shall be made to: (i) incorporate efficient, sustainable and
 494 climate resilient design practices in affordable residential development to support positive
 495 climate mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels;
 496 (iii) increase resiliency of existing housing developments to mitigate impacts of climate change,
 497 including flooding and extreme temperatures; and (iv) enhance emergency preparedness,
 498 including sustainable means of power generation to allow for sheltering vulnerable populations
 499 in place; provided further, that financial assistance provided pursuant to clause (a) or clause (c)
 500 may be administered by the executive office of housing and livable communities through
 501 contracts with the Massachusetts Housing Partnership Fund, established in section 35 of chapter
 502 405 of the acts of 1985, or the Massachusetts Housing Finance Agency, established in chapter
 503 708 of the acts of 1966, or both, which may, as the case may be, directly offer financial
 504 assistance for the purposes set forth herein or may enter into subcontracts with non-profit
 505 organizations, established pursuant to chapter 180 of the General Laws for those purposes;
 506 provided further, that financial assistance provided pursuant to clause (b) may be administered
 507 by the executive office through contracts with said Massachusetts Housing Partnership Fund; and
 508 provided further, that the executive office of housing and livable communities or an
 509 administering agency under contract with the executive office may establish additional program
 510 requirements through regulations or policy guidelines.....\$275,000,000

511 7004-0080 For the Middle-Income Housing Fund administered by the Massachusetts
 512 Housing Finance Agency.....\$100,000,000

513 SECTION 2A.

514 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

515 *Office of the Secretary*

516 1100-2518 For costs associated with planning and studies, the preparation of plans
517 and specifications, demolition, remediation, construction and relocation of utilities, construction
518 and reconstruction of infrastructure, predevelopment, and site preparation; provided, that any
519 funds received by a state agency in connection with projects funded from this item may be
520 retained by the executive office for administration and finance and expended for the purposes of
521 the project, without further appropriation, in addition to the amounts appropriated in this item;
522 provided further, that where appropriate, the commissioner of capital asset management and
523 maintenance may transfer funds authorized herein in accordance with a delegation of project
524 control and supervision process pursuant to section 5 of chapter 7C of the General Laws or for
525 the capitalization of the surplus real property disposition fund established in section 107; and
526 provided further, that funds from this item shall be distributed in furtherance of affordable
527 housing production goals and availability of sites suitable for construction or expansion of
528 housing opportunities in the commonwealth in consultation with the secretary of housing and
529 livable communities..... \$30,000,000

530 1599-3032 For costs associated with expanding the capacity of the Massachusetts
531 Water Resources Authority to serve new cities and towns identified in expansion feasibility
532 studies conducted by the authority and published in October 2022 pursuant to item 1599-2032 of
533 chapter 102 of the acts of 2021; provided, that the authority shall prioritize expansion
534 opportunities with a focus on increasing housing capacity in the commonwealth and improving

535 drinking water quality for cities and towns with water supplies contaminated by per- and
536 polyfluoroalkyl substances; and provided further, that annually, not later than March 14, the
537 authority shall submit a report to the secretary of the executive office for administration and
538 finance, the secretary of the executive office of housing and livable communities, the house and
539 senate committees on ways and means and the joint committee on housing that shall include: (i)
540 the amount of funds allocated in the current fiscal year's capital improvement program for the
541 purposes contained in this item; (ii) a summary of the authority's outreach efforts, including the
542 cities and towns that are interested in joining the authority's service area; (iii) the timeline and
543 implementation process of proposed expansions; and (iv) barriers to proposed
544 expansions..... \$1,000,000,000

545 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

546 *Office of the Secretary*

547 7004-0077 For a local capital projects grant program to support and encourage
548 implementation of the housing choice designation for communities that have demonstrated
549 housing production and adoption of housing best practices, including a grant program to assist
550 MBTA communities in complying with the multi-family zoning requirement in section 3A of
551 chapter 40A of the General Laws.....\$50,000,000

552 7004-0079 For the Smart Growth Housing Trust Fund established in section 35AA of
553 chapter 10 of the General Laws..... \$20,000,000

554 7004-0081 For a reserve to support the production of for-sale, below-market housing
555 to expand homeownership opportunities for first-time homebuyers and socially and economically
556 disadvantaged individuals; provided, that grants and loans to developers shall be used to

557 facilitate production of affordable homeownership units for households earning up to 120 per
558 cent of the area median income; provided further, that projects with units restricted to households
559 earning not more than 80 per cent of the area median income shall receive preference; provided
560 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
561 for projects that comply with decarbonization and sustainability standards; provided further, that
562 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
563 Plan developed by the executive office of housing and livable communities; provided further,
564 that for new construction projects, the standards set forth in the commonwealth's Opt-in
565 Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities
566 standards shall be the applicable standards for prioritization; provided further, that any project
567 proposing less than full compliance with said standards shall provide detailed analysis
568 demonstrating why full compliance would render the project infeasible notwithstanding
569 utilization of all available federal and state incentives, including rebates and tax credits; provided
570 further, that for retrofits of existing units, prioritization shall be given to projects that include
571 energy efficiency and electrification decarbonization measures, including, but not limited to,
572 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
573 energy efficiency certification, and all-electric buildings and projects that incorporate green,
574 sustainable and climate-resilient elements; provided further, that projects that include lower
575 embodied carbon construction materials and methods shall be further prioritized; provided
576 further, that the minimum number of units for qualifying projects under the program shall be 10
577 units; provided further, that funds in this item shall be distributed in a manner that promotes
578 geographic equity; provided further, that grants may include a requirement for matching funds;
579 provided further, that the executive office of housing and livable communities may enter into

580 such contracts and agreements with the Massachusetts Housing Finance Agency, or such other
581 public agencies and instrumentalities as it may determine, for the administration of such
582 program; and provided further, that not more than 5 per cent of this item shall be used for the
583 reasonable costs of administering the program.....\$100,000,000

584 7004-0082 For grants and technical assistance to be made to municipalities and
585 regional applicants to support planning and locally-driven initiatives related to community
586 development, housing production, workforce training and economic opportunity, childcare and
587 early education initiatives and climate resilience initiatives, including nature-based solutions
588 projects, that incorporate these elements, across the commonwealth within individual
589 communities, regions or a defined subset of communities therein; provided, that funds may be
590 expended for culturally-competent and multi-lingual technical assistance and training to small
591 businesses; provided further, that preference for funds shall be given to businesses located in
592 low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and
593 provided further, that grants shall be awarded in a manner that promotes geographic
594 equity.....\$25,000,000

595 7004-0083 For the HousingWorks infrastructure program established by section 27½
596 of chapter 23B of the General Laws.....\$175,000,000

597 7004-0085 For state financial assistance to cities and towns or agencies, boards,
598 commissions, authorities, departments or instrumentalities thereof or community development
599 corporations or non-profit organizations to assist in the revitalization of neighborhoods and
600 communities with properties in blighted or substandard conditions by subsidizing the purchase
601 price, borrowing costs or costs of demolition or renovation projects of up to 50 units of

602 residential rental housing or 1 to 4 units of home ownership residential housing that have been
603 cited for building or sanitary code violations or that are subject to cancellation of commercial
604 property insurance due to substandard property conditions or are otherwise blighted or
605 substandard; provided, that contracts entered into by the executive office of housing and livable
606 communities for those projects may include, but shall not be limited to, projects providing for
607 demolition, renovation, remodeling, reconstruction, redevelopment and hazardous material
608 abatement, including asbestos and lead paint, and for compliance with state codes and laws and
609 for adaptations necessary for compliance with the federal Americans with Disabilities Act of
610 1990; provided further, that preference shall be given to community development corporations
611 and local non-profit organizations, organizations sponsoring projects that secure private funds
612 and projects with the greatest impact on community stabilization in weak markets, including, but
613 not limited to, rural communities and communities that have been disproportionately affected by
614 disinvestment, foreclosure and abandonment; provided further, that financial assistance shall be
615 awarded in a manner that promotes geographic, social, racial and economic equity; provided
616 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
617 for projects that comply with decarbonization and sustainability standards; provided further, that
618 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
619 Plan developed by the executive office of housing and livable communities; provided further,
620 that for new construction projects, the standards set forth in the commonwealth's Opt-in
621 Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities
622 standards shall be the applicable standards for prioritization; provided further, that any project
623 proposing less than full compliance with said standards shall provide detailed analysis
624 demonstrating why full compliance would render the project infeasible notwithstanding

625 utilization of all available federal and state incentives, including rebates and tax credits; provided
626 further, that for retrofits of existing units, prioritization shall be given to projects that include
627 energy efficiency and electrification decarbonization measures, including, but not limited to,
628 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
629 energy efficiency certification, and all-electric buildings and projects that incorporate green,
630 sustainable and climate-resilient elements; provided further, that projects that include lower
631 embodied carbon construction materials and methods shall be further prioritized; provided
632 further, that such rehabilitated housing shall remain affordable for such period as shall be
633 established by the executive office through guidance taking into account differences in market
634 conditions and the type of restrictions best suited to promoting community stabilization in
635 different markets; and provided further, that an amount not to exceed 2 per cent of the amount
636 expended may pay for administrative costs directly attributable to the purposes of this program,
637 including costs of support personnel.....\$50,000,000

638 7004-0092 For grants and technical assistance for municipalities for the conversion of
639 commercial properties into residential housing pursuant to section 103.....\$150,000,000

640 7004-0093 For the Massachusetts Healthy Homes program established in section 34
641 of chapter 23B of the General Laws, inserted by section 5.....\$50,000,000

642 7004-0094 For the veterans supported housing initiative program established in
643 section 36 of chapter 23B of the General Laws, inserted by section 5; provided, that the
644 executive office of housing and livable communities shall partner with a qualified non-profit
645 organization, as defined in said section 36 of said chapter 23B, to implement and operate the

646 program; and provided further, that the qualified non-profit organization shall receive not more
647 than \$20,000 in a 12-month period for each eligible veteran\$20,000,000

648 7004-0095 For grants to support remediation efforts at former state-owned buildings;
649 provided, that grants shall be to support housing development projects on lands and in buildings
650 previously owned by the commonwealth and that require asbestos, lead or hazardous material
651 demolition and remediation; provided further, that not less than \$15,000,000 shall be expended
652 for hazardous materials remediation at the former Medfield State Hospital; and provided further,
653 that the secretary of housing and livable communities, in consultation with the department of
654 environmental protection, shall report to the clerks of the house of representatives and the senate
655 and the house and senate committees on ways and means all grants awarded, including the
656 amounts of the grants.....\$50,000,000

657 SECTION 2B.

658 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

659 *Office of the Secretary*

660 7004-4784 For the Massachusetts Housing Finance Agency, established by section 3
661 of chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production
662 Momentum Fund for the purpose of accelerating the development of mixed-income and
663 workforce multifamily housing production projects by providing financial assistance in the form
664 of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity or
665 other instruments, depending on individual underwriting needs of the project; provided, that not
666 less than 20 per cent of the units in a project that receives such financial assistance shall be
667 restricted to households with incomes between 60 per cent and 120 per cent of area median

668 income; provided further, that notwithstanding paragraph (f) of section 5 of said chapter 708, the
669 Agency may in its discretion set the term and prepayment options for any mortgage or other loan
670 or instrument issued to any project receiving such financial assistance based on the individual
671 underwriting needs of the project; provided further, that such financial assistance shall be
672 awarded in a manner that promotes geographic equity; provided further, that funds expended
673 from this item shall, to the maximum extent feasible, be prioritized for projects that comply with
674 decarbonization and sustainability standards; provided further, that prioritization shall be
675 determined through objective scoring criteria in the Qualified Allocation Plan developed by the
676 executive office of housing and livable communities; provided further, that for new construction
677 projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code in 225
678 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable
679 standards for prioritization; provided further, that any project proposing less than full compliance
680 with said standards shall provide detailed analysis demonstrating why full compliance would
681 render the project infeasible notwithstanding utilization of all available federal and state
682 incentives, including rebates and tax credits; provided further, that for retrofits of existing units,
683 prioritization shall be given to projects that include energy efficiency and electrification
684 decarbonization measures, including, but not limited to, electric or ground source heat pumps,
685 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
686 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
687 provided further, that projects that include lower embodied carbon construction materials and
688 methods shall be further prioritized; and provided further, that not more than \$13,000,000 shall
689 be expended for new affordable housing units at the 1234-1240 Soldiers Field Road Project

690 approved by the Boston Redevelopment Authority pursuant to document number 8044 in the city
691 of Boston.....\$250,000,000

692 SECTION 3. Subsection (b) of section 1 of chapter 23B of the General Laws, as amended
693 by section 102 of chapter 7 of the acts of 2023, is hereby further amended by inserting after
694 clause (xvii) the following clause:-

695 (xviii) Develop and implement, not less than once every 5 years, a written comprehensive
696 housing plan for the commonwealth. Such plan shall include, but shall not be limited to, housing
697 supply and demand data, affordability and affordability gaps, identification of housing
698 affordability challenges and needs by region and strategies to address such housing needs.

699 SECTION 4. Section 27½ of said chapter 23B, inserted by section 117 of said chapter 7,
700 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the
701 following 2 subsections:-

702 (a) There shall be in the executive office of housing and livable communities a
703 HousingWorks infrastructure program to: (i) issue infrastructure grants that support housing to
704 municipalities and other public entities for design, construction, building, rehabilitation, repair
705 and other improvements to infrastructure that support the objectives of the secretariat, including,
706 but not limited to, sewers, utility extensions, streets, roads, curb-cuts, parking, water treatment
707 systems, telecommunications systems, transit improvements, public parks and spaces that
708 support planned or proposed housing improvements and pedestrian and bicycle ways; or (ii)
709 assist municipalities to advance projects that support housing development, preservation or
710 rehabilitation. Preference for grants or assistance under this section shall be given to: (A)
711 infrastructure serving locations within 0.5 miles of a transit station or transit route; (B) other

712 eligible locations as defined in section 1A of chapter 40A; (C) multi-family zoning districts that
713 comply with section 3A of said chapter 40A; and (D) projects that support housing in rural and
714 small towns, as defined by the executive office.

715 (b) A project that uses grants to municipalities for public infrastructure provided by this
716 section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter
717 30, chapter 30B and chapter 149.

718 SECTION 5. Said chapter 23B is hereby further amended by adding the following 7
719 sections:-

720 Section 31. (a) There shall be within the executive office of housing and livable
721 communities an office of fair housing. The secretary of housing and livable communities shall
722 appoint a director of the office who shall serve at the pleasure of the secretary.

723 (b) The office shall:

724 (i) collaborate with state agencies on policies and strategies to: (A) advance the
725 elimination of housing discrimination and increase access to fair housing; (B) overcome patterns
726 of segregation; (C) foster inclusive communities without barriers that restrict access for
727 individuals or groups protected from unlawful practices pursuant to chapter 151B; and (D)
728 support enforcement of and compliance with all fair housing laws, including, but not limited to,
729 said chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq.;

730 (ii) facilitate communication and partnership among state agencies and municipalities to
731 identify the intersections between activities of state agencies, activities of municipalities and fair
732 housing;

733 (iii) facilitate the development of interagency initiatives to examine and address the social
734 and economic determinants of housing disparities, including, but not limited to: (A) equal access
735 to quality housing; (B) housing affordability; (C) access and proximity to multimodal
736 transportation options, including cost of such transportation; (D) air, water and land usage and
737 quality, including, but not limited to, consideration of environmental justice principles as defined
738 in section 62 of chapter 30; (E) employment and workforce development; (F) access to
739 healthcare; (G) access to and quality of education; and (H) language access; and

740 (iv) administer the Fair Housing Fund established in section 2EEEEEE of chapter 29.

741 (c)(1) Not less than every 5 years, the office shall prepare a report evaluating the progress
742 of the commonwealth toward eliminating housing discrimination and increasing access to fair
743 housing. The report shall comply with applicable federal requirements for analysis and reporting.
744 Where possible, the report shall include quantifiable measures and comparative benchmarks and
745 shall detail progress on a regional basis. The office shall hold public hearings in geographically
746 diverse regions of the commonwealth to gather public information on the topics of the report.

747 (2) Annually, the office shall prepare a supplemental report describing the activities and
748 outcomes of the Fair Housing Fund established in section 2EEEEEE of chapter 29.

749 (3) Reports pursuant to this subsection shall be filed with the clerks of the house of
750 representatives and senate and the chairs of the joint committee on housing not later than July 1
751 in the year in which each such report is due. Each report shall be posted publicly on the office's
752 website.

753 Section 32. (a) As used in this section and section 33, "seasonal communities" shall mean
754 cities or towns characterized by significant seasonal fluctuations in population and employment

755 related to seasonally-based tourism, based on criteria established by the seasonal communities
756 coordinating council.

757 (b) There shall be a seasonal communities coordinating council established within the
758 executive office of housing and livable communities, which shall consist of the following
759 members: (i) the secretary, or a designee, who shall serve as chairperson; (ii) the secretary of
760 labor and workforce development, or a designee; (iii) 1 member appointed by the secretary; and
761 (iv) 4 members appointed by the governor, 1 of whom shall have expertise in municipal
762 government, 1 of whom shall have expertise in the tourism industry, 1 of whom shall have
763 expertise in the hospitality industry and 1 of whom shall have expertise in housing development
764 and finance; provided, that members appointed by the governor shall reflect each of the
765 following regions of the commonwealth: western, northeastern, southeastern and the Cape and
766 Islands. Each member appointed by the governor shall serve at the pleasure of the governor. The
767 council shall adopt by-laws to govern its affairs.

768 (c) The seasonal communities coordinating council shall advise and make
769 recommendations to the executive office, including, but not limited to, regulatory
770 recommendations related to: (i) a process for the executive office to designate cities and towns as
771 seasonal communities; (ii) criteria for the executive office to designate cities and towns as
772 seasonal communities; (iii) policies or programs to serve the distinct needs of seasonal
773 communities, including, but not limited to, access to specialized grant programs or special
774 consideration under certain state grant programs of general application; and (iv) best practices to
775 incentivize the production of affordable year-round housing in seasonal communities.

776 (d) Annually, not later than July 1, the seasonal communities coordinating council shall
777 submit a report of any recommendations pursuant to subsection (c) to the executive office, the
778 clerks of the house of representatives and the senate and the joint committee on housing.

779 Section 33. (a) The executive office of housing and livable communities shall designate
780 cities and towns as seasonal communities consistent with the process and recommendations
781 established by the seasonal communities coordinating council pursuant to section 32.

782 (b) The executive office shall develop a form for applications and determine necessary
783 information to be submitted to municipalities by the owner of a dwelling qualifying for
784 exemption pursuant to clause Fifty-ninth of section 5 of chapter 59.

785 (c) The executive office shall promulgate regulations or guidance to carry out this
786 section.

787 Section 34. (a) As used in this section and section 35, the following words shall, unless
788 the context clearly requires otherwise, have the following meanings:

789 “Eligible applicant”, an owner of residential property in the commonwealth who, as
790 determined by the executive office of housing and livable communities: (i) is an owner-occupant,
791 small landlord or larger landlord; (ii) meets any income eligibility and other requirements of the
792 program established by the executive office; and (iii) owns a property with habitability concerns.

793 “Existing home repair programs”, financial assistance administered by governmental,
794 quasi-governmental and nonprofit organizations, or the contractors and assignees of such
795 entities, that provide services to repair residential housing, including, but not limited to, mixed-
796 use projects that include residential housing.

797 “Habitability concerns”, home repairs that are required to ensure residential units are: (i)
798 fit for human habitation; (ii) free from defective conditions and health and safety hazards,
799 including, but not limited to, asbestos, mold, pests and lead; and (iii) free of conditions
800 preventing installation of measures to improve energy or water efficiency, utilize renewable
801 energy or lower utility costs.

802 “Larger landlord”, an individual who has title to more than 1 residential unit and who
803 does not meet the definition of owner-occupant or small landlord.

804 “Low-income owner-occupant”, an owner-occupant with a household income of not
805 more than 80 per cent of the area median income.

806 “Moderate-income owner-occupant”, an owner-occupant with a household income of at
807 least 80 per cent but not more than 135 per cent of the area median income.

808 “Other eligible owner-occupant”, an owner-occupant who does not meet the definition of
809 a low-income owner-occupant or moderate-income owner-occupant and leases at least 1 other
810 residential unit in the building.

811 “Owner-occupant”, an individual who has title to a residential building with at least 1 and
812 not more than 3 units and who resides in at least 1 of the units as their principal residence.

813 “Small landlord”, an individual who has title to a building with more than 3 residential
814 units, but does not live in the building for at least 6 months of any year, and has financial interest
815 in not more than 3 buildings or not more than 15 residential units.

816 (b) The executive office shall establish a Massachusetts healthy homes program and
817 make reasonable efforts to coordinate with other governmental, quasi-governmental and

818 nonprofit organizations administering programs that create a healthier environment for residents,
819 including, but not limited to, rehabilitating existing housing or making homes lead-safe. The
820 executive office may contract with other governmental, quasi-governmental and nonprofit
821 organizations to administer 1 or more of these programs to address habitability concerns.

822 (c)(1) The executive office may make grants or loans available to eligible applicants to
823 ensure owner-occupied and rental units are free of habitability concerns.

824 (2) Assistance in the form of grants and loans shall be provided to eligible applicants
825 consistent with the following requirements to ensure owner-occupied and rental units are free of
826 habitability concerns:

827 (i) For low-income owner-occupants, the assistance shall be provided as a grant.

828 (ii) For moderate-income owner-occupants, the assistance shall be provided as a 0 per
829 cent interest deferred payment loan with no repayment due until sale or refinancing of the
830 property. If the moderate-income owner-occupant continues to own the property for 3 years after
831 receiving the loan, the loan shall be forgiven.

832 (iii) For small landlords and other eligible owner-occupants, but not including larger
833 landlords, the assistance shall be provided as a 0 per cent interest deferred payment loan with no
834 repayment due until sale or refinancing of the property. Small landlords or other eligible owner-
835 occupants, but not including larger landlords, may apply for loan forgiveness after 3 years
836 following receipt of the loan. The executive office shall forgive the loan if the executive office
837 determines that the small landlord or other eligible owner-occupant, but not including larger
838 landlords, has: (A) owned the property without interruption after having received the loan; (B)

839 addressed all habitability concerns in a timely fashion; (C) not evicted tenants, other than for
840 cause; and (D) kept rent increases to not more than 5 per cent per year in each of the past 3 years.

841 (iv) For larger landlords, the assistance shall be provided as a below-market-rate loan
842 with an interest rate and repayment terms determined by the executive office. The executive
843 office shall provide the below-market-rate loan only to a larger landlord who executes an
844 agreement with the executive office that, for a term of 3 years, requires the landlord who owns
845 such property to: (A) maintain ownership of the property without interruption after having
846 received the loan; (B) address all habitability concerns in a timely fashion; (C) not evict tenants,
847 other than for cause; and (D) keep rent increases to not more than 5 per cent per year for each of
848 the 3 years. If a larger landlord does not comply with the requirements of the loan, the executive
849 office may require immediate repayment of the assistance.

850 (d) The executive office, and any entity administering the Massachusetts healthy homes
851 program on the executive office's behalf, shall administer the Massachusetts healthy homes
852 program consistent with guidelines and forms established by the executive office. The executive
853 office, and any other administering entity, shall strive to, in its administration of the program,
854 provide grants and loans to address habitability concerns and shall: (i) augment funds from other
855 home repair programs; (ii) increase retention in workforce development programs associated
856 with home repairs; (iii) provide technical assistance to address habitability concerns; and (iv)
857 support outreach, including, but not limited to, minimizing cultural, linguistic or other barriers
858 and maximizing access to program resources.

859 (e)(1) Grants or loans from the Massachusetts healthy homes program shall not exceed
860 \$50,000 per unit, unless the executive office waives this limit upon a determination of the

861 necessity of such waiver; provided, that the average amount of assistance shall not exceed
862 \$50,000 per unit.

863 (2) Not less than 50 per cent of any funds from the Massachusetts healthy homes program
864 shall be made to owners of buildings located in a gateway municipality as defined in section 3A
865 of chapter 23A.

866 (f) Annually, not later than June 30, the executive office shall report on the Massachusetts
867 healthy homes program to the clerks of the house of representatives and the senate, the joint
868 committee on housing and the house and senate committees on ways and means. The report shall
869 include: (i) the number of projects completed through the Massachusetts healthy homes program
870 addressing habitability concerns; (ii) the locations of projects completed through the
871 Massachusetts healthy homes program throughout the commonwealth; (iii) the total amount of
872 grants or loans authorized; (iv) the number of projects using existing home repair programs; and
873 (v) the breakdown of landlord owned properties and owner-occupied properties with habitability
874 concerns addressed through the Massachusetts healthy homes program. The executive office
875 shall make the report publicly available on its website.

876 (g) The executive office shall promulgate guidance or regulations necessary to carry out
877 this section.

878 Section 35. (a) There shall be within the executive office of housing and livable
879 communities a Massachusetts healthy homes program fund. The fund shall be credited with: (i)
880 revenue from appropriations or other money authorized by the general court and specifically
881 designated to be credited to the fund; (ii) interest earned on such revenue; and (iii) funds from
882 public and private sources and other gifts, grants and donations to support the habitability

883 concerns, including, but not limited to, funds from governmental, quasi-governmental, nonprofit
884 organizations, for-profit organizations and individuals; provided, that any funds received from
885 private organizations and individuals shall be made without conditions and without recourse.
886 Amounts credited to the fund shall not be subject to further appropriation and any money
887 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

888 (b) The executive office shall administer the fund consistent with the requirements of the
889 Massachusetts healthy homes program established in section 34.

890 (c) Annually, not later than June 30, the executive office shall report on all expenditures
891 from the Massachusetts healthy homes program fund to the clerks of the house of representatives
892 and the senate, the joint committee on housing and the house and senate committees on ways and
893 means. The executive office shall make the report publicly available on its website.

894 Section 36. (a) As used in this section, the following words shall, unless the context
895 clearly requires otherwise, have the following meanings:

896 “Homeless”, a veteran: (i) who is undomiciled and unable to secure permanent and stable
897 housing without special assistance, including, but not limited to, a veteran who is inappropriately
898 housed in an institutional facility and can safely live in the community where services are
899 provided; (ii) in a transitional housing facility without permanent domicile; (iii) in the
900 community, released or discharged after incarceration and who is without permanent and stable
901 housing; or (iv) who is in danger of becoming homeless due to circumstances and criteria
902 established by the secretary, in consultation with the secretary of veterans’ services.

903 “Qualified nonprofit organization”, a private nonprofit organization: (i) with
904 demonstrated success in developing or operating transitional and permanent housing programs
905 for veterans; and (ii) that is committed to ending veteran homelessness.

906 (b) The secretary of housing and livable communities, in consultation with the secretary
907 of veterans’ services, shall establish a veterans supportive housing program to assist qualified
908 nonprofit organizations to develop and preserve supportive housing for eligible veterans. The
909 qualified nonprofit organization shall provide wrap around services to meet the needs of eligible
910 veterans.

911 (c) Eligibility for supportive housing shall include:

912 (i) veterans and their families, or individual veterans, who are homeless and have an
913 unmet housing need as determined by the secretary; and

914 (ii) veterans who have 1 or more disabilities or other life challenges, including, but not
915 limited to: (A) serious mental illness; (B) substance use disorder; (C) living with HIV or AIDS,
916 or another chronic condition or affliction; (D) being a victim or survivor of domestic violence;
917 and (E) post-traumatic stress disorder.

918 (d)(1) The secretary may contract with a qualified nonprofit organization to establish
919 veterans supportive housing pursuant to subsection (b) for a term of not more than 5 years and
920 may renew a contract with a qualified nonprofit organization for like terms in accordance with
921 the procedures established by the secretary, in consultation with the secretary of veterans’
922 services, for the development and preservation of supportive housing for veterans.

923 (2) The secretary may award up to \$20,000 per eligible veteran pursuant to subsection (c)
924 in a calendar year to a qualified nonprofit organization that enters into a contract pursuant to
925 paragraph (1).

926 (3) The qualified nonprofit organization shall secure funding for the development and
927 preservation of any supportive housing project within 2 years from the date of the award. The
928 secretary shall establish procedures for the repayment of funds by qualified nonprofit
929 organizations that fail to secure funding within the 2-year period.

930 (e) The secretary, in consultation with the secretary of veterans' services, shall
931 promulgate rules or regulations for the administration of the veterans supportive housing
932 program.

933 Section 37. (a) As used in this section, the following words shall, unless the context
934 clearly requires otherwise, have the following meanings:

935 "Development cost", an expenditure directly related to the construction or substantial
936 rehabilitation of a qualified conversion project, including, but not limited to, the cost of site
937 assessment and remediation of hazardous materials; provided, however, that development cost
938 shall not include the purchase of the property.

939 "Executive office", the executive office of housing and livable communities.

940 "Market rate residential unit", a residential unit priced consistently with prevailing rents
941 or sale prices in the municipality as determined by the executive office.

942 "Qualified conversion project", the rehabilitation of a commercial property, including,
943 but not limited to, commercial centers, office parks and commercial buildings located on main

944 streets or downtown municipal areas, for primary multi-unit residential use or mixed-use, which
945 may include retail or other commercial uses, that: (i) contains not less than 2 residential units;
946 provided, however, that the project may be a mixed-use development that includes commercial
947 uses in addition to residential units if the building is primarily residential; (ii) contains at least 80
948 per cent market rate residential units upon completion of the rehabilitation, to be sold or leased;
949 (iii) prior to conversion, such building was nonresidential real property, as defined in section 168
950 of the Internal Revenue Code, all or a portion of which was leased, or available for lease, to
951 office tenants; and (iv) such building was initially placed in service at least 5 years before the
952 beginning of the conversion.

953 “Sponsors”, as defined in section 25 of chapter 23B.

954 “Substantial rehabilitation” or “substantially rehabilitated”, the necessary major
955 redevelopment, repair and renovation of a property, including, but not limited to, site assessment
956 and remediation of hazardous materials, but excluding the purchase of the property, as
957 determined by the executive office.

958 (b) The executive office shall establish a program for qualified conversion projects,
959 which shall be administered by the executive office. The purpose of the program shall be to
960 assist in the conversion of commercial properties into residential properties.

961 (c)(1) The executive office may certify 1 or more housing development projects as a
962 qualified conversion project: (i) upon timely receipt of a project proposal requesting the
963 designation as a qualified conversion project from a sponsor; provided, that a project proposal
964 shall be submitted in a form and with information as determined by the executive office, and
965 shall be supported by independently verifiable information and signed under the penalties of

966 perjury; and (ii) if the executive office determines that the project, together with any municipal
967 resources committed to the project, shall have a reasonable chance of increasing residential
968 growth, diversity of housing supply, supporting economic development and promoting
969 neighborhood stabilization as advanced in the proposal as a qualified conversion project.

970 (2) Prior to construction, the executive office shall certify that the proposed project meets
971 the definition of a qualified conversion project and the requirements pursuant to paragraph (1).

972 (3) The executive office shall evaluate and either grant or deny certification of the
973 designation as a qualified conversion project to any project proposal not later than 90 days from
974 the date of its receipt of a complete project proposal. Approval of a project due to the executive
975 office's failure to act within 90 days shall not constitute approval by the executive office of any
976 tax incentives provided under chapters 62 or 63.

977 (4) The executive office may impose a fee for the processing of applications for the
978 certification of any project under this section.

979 (5) Prior to construction, the executive office shall certify that all or a portion of the
980 qualified conversion project costs are for construction or substantial rehabilitation and shall
981 identify the development costs.

982 (d) The executive office shall review each pending certified qualified conversion project,
983 not yet completed, not less than once every 2 years.

984 (e) The executive office shall review each certified qualified conversion project upon
985 completion and certify that the project is consistent with the requirements of this section,
986 including the development cost and qualified conversion project requirements.

987 (f)(1) The executive office may revoke certification of a project if the executive office
988 determines, after an independent investigation, that: (i) representations made by the sponsor in its
989 project proposal are materially different from the conduct of the sponsor subsequent to the
990 certification and such difference frustrates the public purposes that the certification was intended
991 to advance; or (ii) the project no longer meets the criteria of this section.

992 (2) Upon revocation, the commonwealth may bring a cause of action against the sponsor
993 for the value of any economic benefit received by the sponsor prior to or subsequent to such
994 revocation.

995 (3) A revocation shall take effect on the first day of the tax year in which the executive
996 office determines that a material breach commenced.

997 (g) There shall be established a tax incentive program for certified qualified conversion
998 projects. After certification by the executive office upon the completion of the project, pursuant
999 to subsection (e), the executive office, in consultation with the commissioner of revenue, may
1000 award a tax credit available under subsection (ee) of section 6 of chapter 62 or section 3800 of
1001 chapter 63 of not more than 10 per cent of the development cost allocable to total units in a
1002 project, as determined by the executive office, to the sponsor of a qualified conversion project.
1003 The amount of the credit awarded shall be based on the following factors: (i) the need for
1004 residential development and diversity of housing supply in the municipality; (ii) the extent to
1005 which the certified qualified conversion project will encourage residential development,
1006 expansion of diversity of housing supply, support neighborhood stabilization and promote
1007 economic development in the zone; and (iii) the percentage of market rate residential units
1008 contained in the certified qualified conversion project. The executive office may limit a credit

1009 available to a certified qualified conversion project under subsection (ee) of section 6 of chapter
1010 62 and section 3800 of chapter 63 to a dollar amount or in any other manner deemed
1011 appropriate by the executive office.

1012 (h) Annually, not later than December 1, the executive office shall file a report detailing
1013 its findings of the review of all certified qualified conversion projects evaluated in the prior fiscal
1014 year, including projects evaluated prior to construction, while the project is pending and upon
1015 completion, to the commissioner of revenue, the joint committee on revenue and the joint
1016 committee on housing. The report shall include, but shall not be limited to: (i) a list of qualified
1017 conversion projects that received certification; (ii) information about each qualified conversion
1018 project, including the site address, project sponsor, range of rents of the residential units, type of
1019 residential units, number of each type of residential unit, number of affordable rental units for
1020 persons whose income is not more than 60 per cent of the area median income and the number of
1021 affordable owner-occupied units for persons whose income is not more than 80 per cent of the
1022 area median income; and (iii) the total amount of development costs for which a tax credit was
1023 issued or reserved pursuant to subsection (ee) of section 6 of chapter 62 or section 3800 of
1024 chapter 63 for each certified qualified conversion project the year the credit was issued and the
1025 completion or estimated completion year of the certified qualified conversion projects.

1026 (i) The executive office shall promulgate guidance or regulations for the administration of
1027 this section.

1028 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
1029 section 2DDDDDD, inserted by section 17 of chapter 28 of the acts of 2023, the following
1030 section:-

1031 Section 2EEEEEE. (a) There shall be established and set up on the books of the
1032 commonwealth a separate fund known as the Fair Housing Fund. There shall be credited to the
1033 fund: (i) revenue from appropriations or other funds authorized by the general court and
1034 specifically designated for the fund; (ii) any gifts, grants or private contributions; (iii) any
1035 interest on the fund's assets; and (iv) any other sources. Amounts credited to the fund shall be
1036 expended without further appropriation. Any balance in the fund at the close of a fiscal year shall
1037 be available for expenditure in subsequent fiscal years and shall not be transferred to any other
1038 fund or revert to the General Fund; provided, that the comptroller shall report the amount
1039 remaining in the fund at the end of each fiscal year to the house and senate committees on ways
1040 and means.

1041 (b) The fund shall be administered by the office of fair housing established in section 31
1042 of chapter 23B and funds shall be expended for the purpose of eliminating housing
1043 discrimination. Activities eligible for assistance from the fund shall include, but shall not be
1044 limited to: (i) private enforcement initiatives; (ii) education and outreach initiatives; (iii) fair
1045 housing testing; (iv) lending discrimination; (v) affirmatively furthering fair housing; and (vi)
1046 special projects.

1047 (c) Grantees eligible for assistance shall include, but shall not be limited to, fair housing
1048 assistance programs and fair housing initiative programs, as defined by the United States
1049 Department of Housing and Urban Development, any private, non-profit agency or any state-
1050 funded public housing authority.

1051 SECTION 7. Section 1A of chapter 40A of the General Laws, as appearing in the 2022
1052 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and
1053 inserting in place thereof the following definition:-

1054 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
1055 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
1056 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
1057 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient
1058 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor
1059 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is
1060 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,
1061 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-
1062 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall
1063 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term
1064 rental.

1065 SECTION 8. Section 3 of said chapter 40A, as so appearing, is hereby amended by
1066 adding the following paragraph:-

1067 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special
1068 permit or other discretionary zoning approval for the use of land or structures for an accessory
1069 dwelling unit, or the rental thereof, in a single-family residential zoning district; provided, that
1070 the use of land or structures for an accessory dwelling unit under this paragraph may be subject
1071 to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq., if applicable,
1072 site plan review, regulations concerning dimensional setbacks and the bulk and height of

1073 structures and may be subject to restrictions and prohibitions on short-term rental, as defined in
1074 section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit under this
1075 paragraph shall not require owner occupancy of either the accessory dwelling unit or the
1076 principal dwelling; provided, that not more than 1 additional parking space shall be required for
1077 an accessory dwelling unit; and provided further, that no additional parking space shall be
1078 required for an accessory dwelling located not more than 0.5 miles from a commuter rail station,
1079 subway station, ferry terminal or bus station. The executive office of housing and livable
1080 communities may issue guidelines or promulgate regulations to administer this paragraph.

1081 SECTION 9. Section 3A of said chapter 40A is hereby amended by striking out the
1082 words “section 27”, as appearing in section 152 of chapter 7 of the acts of 2023, and inserting in
1083 place thereof the following words:- section 27½.

1084 SECTION 10. Section 5 of said chapter 40A is hereby amended by striking out, in lines
1085 97 to 100, inclusive, as appearing in the 2022 Official Edition, the words “(c) accessory dwelling
1086 units in a detached structure on the same lot; or (d) a diminution in the amount of parking
1087 required for residential or mixed-use development pursuant to section 9” and inserting in place
1088 thereof the following words:- or (c) a diminution in the amount of parking required for
1089 residential or mixed-use development pursuant to section 9.

1090 SECTION 11. Section 9 of chapter 40H of the General Laws, as so appearing, is hereby
1091 amended by striking out, in line 1, the words “section 16G” and inserting in place thereof the
1092 following words:- section 16G½.

1093 SECTION 12. Said section 9 of said chapter 40H, as so appearing, is hereby further
1094 amended by striking out, in line 2, the words “and section 56 of chapter 23A”.

1095 SECTION 13. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby
1096 amended by adding the following clause:-

1097 Fifty-ninth. A city or town designated by the executive office of housing and livable
1098 communities as a seasonal community pursuant to sections 32 and 33 of chapter 23B may, by
1099 vote of its town meeting, town council or city council, and with the approval of the mayor where
1100 required by law, exempt from property taxation a dwelling unit that is rented annually for a term
1101 of not less than 1 year and is occupied year round, in an amount not to exceed 150 per cent of the
1102 fair market rent as established by the United States Department of Housing and Urban
1103 Development for the applicable metropolitan statistical area. The owner of a dwelling qualifying
1104 for the exemption under this clause shall submit to the municipality or its agent documentation
1105 necessary to confirm the eligibility of the rental. The amount of the exemption shall be
1106 determined by the municipality; provided, however, that the amount shall not exceed an amount
1107 equal to the tax otherwise owed on the property based on the assessed value of the property,
1108 including accessory dwelling units, multiplied by the square feet of the living space of all
1109 dwelling units on the property that qualify under this clause, divided by the total square feet of
1110 structures on the property. This clause shall take effect in a city or town upon its acceptance by
1111 the city or town.

1112 SECTION 14. Section 6 of chapter 62 of the General Laws, as most recently amended by
1113 section 5 of chapter 88 of the acts of 2024, is hereby further amended by adding the following
1114 subsection:-

1115 (ee)(1) As used in this subsection, the following words shall, unless the context clearly
1116 requires otherwise, have the following meanings:

1117 “Development cost”, as defined in section 37 of chapter 23B.

1118 “Executive office”, the executive office of housing and livable communities, established
1119 pursuant to chapter 23B.

1120 “Qualified conversion project”, as defined in section 37 of chapter 23B.

1121 “Sponsors”, as defined in section 25 of chapter 23B.

1122 (2) A credit shall be allowed against the tax liability imposed by this chapter, to the
1123 extent authorized by the executive office, in consultation with the commissioner, for a qualified
1124 conversion project that has been completed and certified by the executive office pursuant to
1125 section 37 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of
1126 the qualified conversion project development costs. The credit shall be allowed for the taxable
1127 year in which the executive office provides the commissioner written notification of completion
1128 of the certified qualified conversion project. For any certified qualified conversion project,
1129 development costs applicable to this credit shall be treated for purposes of this subsection as
1130 made on the date that the executive office provides the commissioner written notification of
1131 completion of the certified qualified conversion project and any data related to the development
1132 costs.

1133 (3) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer
1134 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or
1135 chapter 63, and the transferee shall be entitled to apply the credit against the tax liability with the
1136 same effect as if the transferee had incurred the development costs itself. Any amount of the tax
1137 credit that exceeds the tax due for a taxable year may be carried forward by the transferee, buyer
1138 or assignee in subsequent taxable years from which a certificate is initially issued by the

1139 executive office; provided, however, that in no event shall the transferee apply the credit to the
1140 tax due for any taxable year beginning more than 10 years after the taxable year in which the
1141 executive office provides the commissioner written notification of completion of the certified
1142 qualified conversion project.

1143 (4) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
1144 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
1145 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
1146 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1147 beginning more than 10 years after the taxable year in which the executive office provides the
1148 commissioner written notification of completion of the certified qualified conversion project.

1149 (5) The commissioner may, as of the effective date of a revocation pursuant to subsection
1150 (f) of section 37 of chapter 23B, disallow any credits allowed under this section.

1151 (6) The commissioner, in consultation with the executive office, may adopt regulations
1152 necessary to carry out this subsection, including regulations to recapture the value of any tax
1153 credits allowed under this subsection.

1154 SECTION 15. Section 6M of said chapter 62, as appearing in the 2022 Official Edition, is
1155 hereby amended by striking out, in lines 226 and 227, the words "\$12,000,000 in each of taxable
1156 years 2023 to 2025, inclusive" and inserting in place thereof the following words:- \$15,000,000
1157 in taxable years beginning on or after January 1, 2025.

1158 SECTION 16. Said chapter 62 is hereby further amended by inserting after section 6N
1159 the following section:-

1160 Section 6O. (a) For the purposes of this section, unless the context clearly requires
1161 otherwise, the following words shall have the following meanings:

1162 “Affordability period”, the 10-year period that commences on the date of the initial sale
1163 of a single-family dwelling constructed as part of a qualified homeownership development
1164 project.

1165 “Affordability restriction”, a restriction in form and substance approved by the director
1166 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1167 a qualified homeownership development project during the affordability period.

1168 “Commissioner”, the commissioner of revenue.

1169 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
1170 issuing an eligibility certificate.

1171 “Credit award amount”, the amount determined by the director and stipulated in the
1172 notice sent pursuant to paragraph (2) of subsection (c).

1173 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1174 established pursuant to chapter 708 of the acts of 1966.

1175 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1176 “Eligible location”, a geographic area in which a qualified homeownership development
1177 project may be located, based on criteria established in the qualified homeownership allocation
1178 plan.

1179 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
1180 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
1181 of the area median new single-family dwelling sales price, subject to such further limitations as
1182 may be established under the qualified homeownership credit allocation plan.

1183 “Project development team”, the group of entities that develops, constructs, reports,
1184 appraises, finances and services the associated properties of a qualified homeownership
1185 development project in partnership with the project development owner.

1186 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1187 exceeding 120 per cent of the area median income, as determined by the United States
1188 Department of Housing and Urban Development, for the location in which the single-family
1189 dwelling being purchased is located, and who satisfies any additional qualifications established
1190 by the director under the qualified homeownership credit allocation plan.

1191 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1192 approval of the secretary establishing: (i) criteria and metrics under which homeownership
1193 development projects shall be assessed for qualification and the geographic areas in which
1194 qualified homeownership development projects may be located; (ii) criteria for approving and
1195 ranking applications for credits; (iii) a methodology to determine applicable median new single-
1196 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
1197 maintain affordability of each single-family dwelling that is created as part of a qualified
1198 homeownership development project and restricted for sale to qualified buyers, throughout the
1199 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
1200 criteria governing the purchase, ownership and sale of completed qualified homeownership

1201 development project single-family dwellings; and (vii) the manner of determining qualified
1202 project expenditures.

1203 “Qualified homeownership development project”, a project to develop for sale single-
1204 family dwellings in the commonwealth that satisfies any qualifications established by the
1205 director with the approval of the secretary in the qualified homeownership credit allocation plan;
1206 provided, that the proposed project shall: (i) involve the new construction of not less than 10
1207 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
1208 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
1209 restriction in accordance with the qualified homeownership credit allocation plan.

1210 “Qualified project expenditure”, an expenditure directly related to the construction of a
1211 qualified homeownership development project, including, but not limited to, the cost of
1212 acquiring land, site assessment and remediation of hazardous materials and as further provided in
1213 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
1214 certified that the proposed project meets the definition of a qualified homeownership
1215 development project; (ii) prior to construction, the director has certified that all or a portion of
1216 the project costs are for new construction; and (iii) after the construction of the project has been
1217 completed, the director has certified that the project has been completed in compliance with this
1218 section and the requirements and conditions of any prior certifications.

1219 “Secretary”, the secretary of housing and livable communities.

1220 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
1221 units; provided, that all units shall comprise a single property, to be sold to and owned by a

1222 single homeowner; or (ii) a condominium unit in a professionally managed condominium
1223 development.

1224 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1225 homeownership development project or owner of a qualified homeownership development
1226 project.

1227 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1228 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
1229 consultation with the secretary, may authorize annually under this section and section 38PP of
1230 chapter 63 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in
1231 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
1232 the director by a sponsor.

1233 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
1234 homeownership development project under this section equal to the credit amount listed on the
1235 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1236 unused by the taxpayer or exceeds the taxpayer’s tax liability under this chapter for the taxable
1237 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
1238 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
1239 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1240 beginning after the affordability period.

1241 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
1242 application to the director on a form and in a manner prescribed by the director, in consultation
1243 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the

1244 name and address of the sponsor; (ii) the names and addresses of all members of the project
1245 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
1246 information as the director, in consultation with the secretary, may require pursuant to the
1247 qualified homeownership credit allocation plan.

1248 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1249 approve applications and award tax credits under this section for a qualified homeownership
1250 development project in accordance with the qualified homeownership credit allocation plan. The
1251 director, in consultation with the secretary, shall determine the credit amount awarded for each
1252 qualified homeownership development project, which shall not exceed the maximum credit
1253 amount.

1254 (2) The director shall send written notice of the tax credit award to the sponsor of a
1255 qualified homeownership development project. The notice shall stipulate that receipt of the tax
1256 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
1257 qualified buyers and issuance of an eligibility certificate.

1258 (d)(1) Upon completion of a qualified homeownership development project for which a
1259 tax credit was awarded under this section and the sale of all single-family dwellings that are
1260 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
1261 project expenditures certification for approval. Immediately after approving the final cost
1262 certification, the director shall compute the credit amount and issue an eligibility certificate to
1263 the project development owner. The credit amount, which shall be stated on the certificate, shall
1264 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
1265 subject to any reduction or increase as the result of the approval of the final qualified project

1266 expenditures certification; provided, that such amount shall not exceed the maximum credit
1267 amount.

1268 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1269 affordability period, the name, address and taxpayer identification number of the sponsor and all
1270 members of the project development team, the date the certificate is issued, a unique identifying
1271 number and any additional information the director, in consultation with the secretary and the
1272 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
1273 secretary and the commissioner.

1274 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1275 project and all single-family dwellings that are required to be sold to qualified buyers until such
1276 dwellings are sold to qualified buyers.

1277 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1278 homeownership development project for which a tax credit was issued under this section shall
1279 occupy such single-family dwelling as the qualified buyer's primary residence during the
1280 affordability period; provided, that a qualified buyer of a single-family dwelling that includes
1281 more than 1 residential unit need only occupy a single residential unit within the single-family
1282 dwelling as the qualified buyer's primary residence during the affordability period and may lease
1283 any additional units to third-party lessees.

1284 (3) If a single-family dwelling constructed as part of a qualified homeownership
1285 development project is sold during the affordability period, the seller shall transfer to the director
1286 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year
1287 of the affordability period which ends before the date of such sale, subject to such additional

1288 criteria as may be established under the qualified homeownership credit allocation plan. The
1289 director shall use any amount received pursuant to a repayment under this paragraph for the
1290 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of
1291 administering this section. The director may place a lien on each single-family dwelling
1292 constructed as part of a qualified homeownership development project for an amount it deems
1293 necessary to ensure potential repayment pursuant to this paragraph.

1294 (4) During the affordability period, a qualified buyer of a single-family dwelling that
1295 includes more than 1 residential unit shall not separate the ownership of individual residential
1296 units within the single-family dwelling.

1297 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
1298 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1299 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
1300 transferee had incurred the qualified project expenditures itself.

1301 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1302 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
1303 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
1304 provide to the commissioner appropriate information for proper allocation of the tax credit.

1305 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
1306 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
1307 credit required to be recaptured, the identity of each transferee subject to recapture and the
1308 amount of the tax credit previously transferred to such transferee.

1309 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
1310 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
1311 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.
1312 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
1313 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit
1314 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
1315 or taxpayers for the amount to be recaptured under this section.

1316 (h) The director may assess application, processing and reporting fees to cover the cost of
1317 administering this section.

1318 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
1319 partners or members of the legal entity entitled to the credit under this section and shall be
1320 allowed as a credit against the tax due under this chapter from such owners, partners or members
1321 in a manner determined by the commissioner.

1322 (j) The secretary, in consultation with the commissioner and director, shall adopt any
1323 rules and promulgate any regulations necessary to administer this section.

1324 SECTION 17. Subsection (b) of section 6O of said chapter 62, inserted by section 16, is
1325 hereby amended by striking out paragraph (1) and inserting in place thereof the following
1326 paragraph:-

1327 (1) There shall be a Massachusetts homeownership tax credit. The director, in
1328 consultation with the secretary, may authorize annually under this section and section 38PP of
1329 chapter 63 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding

1330 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
1331 sponsor.

1332 SECTION 18. Section 38EE of chapter 63 of the General Laws, as appearing in the 2022
1333 Official Edition, is hereby amended by striking out, in lines 213 and 214, the words
1334 “\$12,000,000 in each of taxable years 2023 to 2025, inclusive” and inserting in place thereof the
1335 following words:- \$15,000,000 in taxable years beginning on or after January 1, 2025.

1336 SECTION 19. Said chapter 63 is hereby further amended by inserting after section
1337 38NN, inserted by section 7 of chapter 88 of the acts of 2024, the following 2 sections:-

1338 Section 38OO. (a) As used in this section, the following words shall, unless the context
1339 clearly requires otherwise, have the following meanings:

1340 “Development cost”, as defined in section 37 of chapter 23B.

1341 “Executive office”, the executive office of housing and livable communities, established
1342 pursuant to chapter 23B.

1343 “Qualified conversion project”, as defined in section 37 of chapter 23B.

1344 “Sponsors”, as defined in section 25 of chapter 23B.

1345 (b) A credit shall be allowed against the tax liability imposed by this chapter, to the
1346 extent authorized by the executive office, in consultation with the commissioner, for a qualified
1347 conversion project that has been completed and certified by the executive office pursuant to
1348 section 37 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of
1349 the qualified conversion project development costs. The credit shall be allowed for the taxable
1350 year in which the executive office provides the commissioner written notification of completion

1351 of the certified qualified conversion project. For any certified qualified conversion project,
1352 development costs applicable to this credit shall be treated for purposes of this section as made
1353 on the date that the executive office provides the commissioner written notification of
1354 completion of the certified qualified conversion project and any data related to the development
1355 costs.

1356 (c) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer
1357 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or
1358 chapter 62, and the transferee shall be entitled to apply the credit against the tax with the same
1359 effect as if the transferee had incurred the development costs itself. If the sponsor of the certified
1360 housing development qualified conversion project is a partnership or a limited liability company
1361 taxed as a partnership, the credit, if transferred, must be transferred by the partnership or the
1362 limited liability company. If the credit allowed to a partnership, a limited liability company taxed
1363 as a partnership or multiple owners of property are not transferred they shall be passed through to
1364 the persons designated as partners, members or owners, respectively, pro rata or pursuant to an
1365 executed agreement among the persons designated as partners, members or owners documenting
1366 an alternative distribution method without regard to their sharing of other tax or economic
1367 attributes of the entity. Credits passed through to individual partners and members shall not be
1368 transferable. Any amount of the tax credit that exceeds the tax due for a taxable year may be
1369 carried forward by the transferee, buyer or assignee subsequent taxable years from which a
1370 certificate is initially issued by the executive office; provided, however, that in no event shall the
1371 transferee apply the credit to the tax due for any taxable year beginning more than 10 years after
1372 the taxable year in which the executive office provides the commissioner written notification of
1373 completion of the certified qualified conversion project.

1374 (d) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
1375 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
1376 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
1377 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1378 beginning more than 10 years after the taxable year in which the executive office provides the
1379 commissioner written notification of completion of the certified qualified conversion project.

1380 (e) The commissioner of revenue may, as of the effective date of a revocation pursuant to
1381 subsection (f) of section 37 of chapter 23B, disallow any credits allowed under this section.

1382 (f) The commissioner, in consultation with the executive office, may adopt regulations
1383 necessary to carry out this section, including regulations to recapture the value of any tax credits
1384 allowed under this section.

1385 Section 38PP. (a) For the purposes of this section, unless the context clearly requires
1386 otherwise, the following words shall have the following meanings:

1387 "Affordability period", the 10-year period that commences on the date of the initial sale
1388 of a single-family dwelling constructed as part of a qualified homeownership development
1389 project.

1390 "Affordability restriction", a restriction in form and substance approved by the director
1391 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1392 a qualified homeownership development project during the affordability period.

1393 "Commissioner", the commissioner of revenue.

1394 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
1395 issuing an eligibility certificate.

1396 “Credit award amount”, the amount determined by the director and stipulated in the
1397 notice sent pursuant to paragraph (2) of subsection (c).

1398 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1399 established pursuant to chapter 708 of the acts of 1966.

1400 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1401 “Eligible location”, a geographic area in which a qualified homeownership development
1402 project may be located, based on criteria established in the qualified homeownership allocation
1403 plan.

1404 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
1405 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
1406 of the area median new single-family dwelling sales price, subject to such further limitations as
1407 may be established under the qualified homeownership credit allocation plan.

1408 “Project development team”, the group of entities that develops, constructs, reports,
1409 appraises, finances and services the associated properties of a qualified homeownership
1410 development project in partnership with the project development owner.

1411 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1412 exceeding 120 per cent of the area median income, as determined by the United States
1413 Department of Housing and Urban Development, for the location in which the single-family

1414 dwelling being purchased is located, and who satisfies any additional qualifications established
1415 by the director under the qualified homeownership credit allocation plan.

1416 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1417 approval of the secretary, establishing: (i) criteria and metrics under which homeownership
1418 development projects shall be assessed for qualification and the geographic areas in which
1419 qualified homeownership development projects may be located; (ii) criteria for approving and
1420 ranking applications for credits; (iii) a methodology to determine applicable median new single-
1421 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
1422 maintain affordability of each single-family dwelling that is created as part of a qualified
1423 homeownership development project and restricted for sale to qualified buyers, throughout the
1424 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
1425 criteria governing the purchase, ownership and sale of completed qualified homeownership
1426 development project single-family dwellings; and (vii) the manner of determining qualified
1427 project expenditures.

1428 “Qualified homeownership development project”, a project to develop for sale single-
1429 family dwellings in the commonwealth that satisfies any qualifications established by the
1430 director with the approval of the secretary in the qualified homeownership credit allocation plan;
1431 provided, that the proposed project shall: (i) involve the new construction of not less than 10
1432 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
1433 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
1434 restriction in accordance with the qualified homeownership credit allocation plan.

1435 “Qualified project expenditure”, an expenditure directly related to the construction of a
1436 qualified homeownership development project, including, but not limited to, the cost of
1437 acquiring land, site assessment and remediation of hazardous materials and as further provided in
1438 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
1439 certified that the proposed project meets the definition of a qualified homeownership
1440 development project; (ii) prior to construction, the director has certified that all or a portion of
1441 the project costs are for new construction; and (iii) after the construction of the project has been
1442 completed, the director has certified that the project has been completed in compliance with this
1443 section and the requirements and conditions of any prior certifications.

1444 “Secretary”, the secretary of housing and livable communities.

1445 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
1446 units; provided, that all units shall comprise a single property, to be sold to and owned by a
1447 single homeowner; or (ii) a condominium unit in a professionally managed condominium
1448 development.

1449 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1450 homeownership development project or owner of a qualified homeownership development
1451 project.

1452 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1453 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
1454 consultation with the secretary, may authorize annually under this section and section 6O of
1455 chapter 62 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

1456 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
1457 the director by a sponsor.

1458 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
1459 homeownership development project under this section equal to the credit amount listed on the
1460 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1461 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable
1462 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
1463 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
1464 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1465 beginning after the affordability period.

1466 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
1467 application to the director on a form and in a manner prescribed by the director, in consultation
1468 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the
1469 name and address of the sponsor; (ii) the names and addresses of all members of the project
1470 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
1471 information as the director, in consultation with the secretary, may require pursuant to the
1472 qualified homeownership credit allocation plan.

1473 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1474 approve applications and award tax credits under this section for a qualified homeownership
1475 development project in accordance with the qualified homeownership credit allocation plan. The
1476 director, in consultation with the secretary, shall determine the credit amount awarded for each

1477 qualified homeownership development project, which shall not exceed the maximum credit
1478 amount.

1479 (2) The director shall send written notice of the tax credit award to the sponsor of a
1480 qualified homeownership development project. The notice shall stipulate that receipt of the tax
1481 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
1482 qualified buyers and issuance of an eligibility certificate.

1483 (d)(1) Upon completion of a qualified homeownership development project for which a
1484 tax credit was awarded under this section and the sale of all single-family dwellings that are
1485 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
1486 project expenditures certification for approval. Immediately after approving the final cost
1487 certification, the director shall compute the credit amount and issue an eligibility certificate to
1488 the project development owner. The credit amount, which shall be stated on the certificate, shall
1489 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
1490 subject to any reduction or increase as the result of the approval of the final qualified project
1491 expenditures certification; provided, that such amount shall not exceed the maximum credit
1492 amount.

1493 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1494 affordability period, the name, address and taxpayer identification number of the sponsor and all
1495 members of the project development team, the date the certificate is issued, a unique identifying
1496 number and any additional information the director, in consultation with the secretary and the
1497 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
1498 secretary and the commissioner.

1499 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1500 project and all single-family dwellings that are required to be sold to qualified buyers until such
1501 dwellings are sold to qualified buyers.

1502 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1503 homeownership development project for which a tax credit was issued under this section shall
1504 occupy such single-family dwelling as the qualified buyer's primary residence during the
1505 affordability period; provided, that a qualified buyer of a single-family dwelling that includes
1506 more than 1 residential unit need only occupy a single residential unit within the single-family
1507 dwelling as the qualified buyer's primary residence during the affordability period and may lease
1508 any additional units to third-party lessees.

1509 (3) If a single-family dwelling constructed as part of a qualified homeownership
1510 development project is sold during the affordability period, the seller shall transfer to the director
1511 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year
1512 of the affordability period which ends before the date of such sale, subject to such additional
1513 criteria as may be established under the qualified homeownership credit allocation plan. The
1514 director shall use any amount received pursuant to a repayment under this paragraph for the
1515 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of
1516 administering this section. The director may place a lien on each single-family dwelling
1517 constructed as part of a qualified homeownership development project for an amount it deems
1518 necessary to ensure potential repayment pursuant to this paragraph.

1519 (4) During the affordability period, a qualified buyer of a single-family dwelling that
1520 includes more than 1 residential unit shall not separate the ownership of individual residential
1521 units within the single-family dwelling.

1522 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
1523 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1524 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
1525 transferee had incurred the qualified project expenditures itself.

1526 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1527 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
1528 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
1529 provide to the commissioner appropriate information for proper allocation of the tax credit.

1530 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
1531 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
1532 credit required to be recaptured, the identity of each transferee subject to recapture and the
1533 amount of the tax credit previously transferred to such transferee.

1534 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
1535 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
1536 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.
1537 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
1538 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit
1539 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
1540 or taxpayers for the amount to be recaptured under this section.

1541 (h) The director may assess application, processing and reporting fees to cover the cost of
1542 administering this section.

1543 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
1544 partners or members of the legal entity entitled to the credit under this section and shall be
1545 allowed as a credit against the tax due under this chapter from such owners, partners or members
1546 in a manner determined by the commissioner.

1547 (j) The secretary, in consultation with the commissioner and director, shall adopt any
1548 rules and promulgate any regulations necessary to administer this section.

1549 SECTION 20. Subsection (b) of section 38PP of said chapter 63, inserted by section 19,
1550 is hereby amended by striking out paragraph (1) and inserting in place thereof the following
1551 paragraph:-

1552 (1) There shall be a Massachusetts homeownership tax credit. The director, in
1553 consultation with the secretary, may authorize annually under this section and section 6O of
1554 chapter 62 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding
1555 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
1556 sponsor.

1557 SECTION 21. Section 127I of chapter 111 of the General Laws, as appearing in the 2022
1558 Official Edition, is hereby amended by adding the following paragraph:-

1559 Notwithstanding the fourth paragraph, following the appointment of a receiver for a
1560 vacant residential property, the court, upon motion by the receiver with notice to the owner,
1561 mortgagee and all interested parties, may allow the sale of the property to a nonprofit entity for

1562 fair market value in its then current condition. Any such sale shall be conditioned upon the court
1563 finding that the nonprofit agrees to correct all outstanding state sanitary code violations and
1564 rehabilitate the property for sale to a first-time homebuyer whose income is not more than 120
1565 per cent of the area median income as determined by the United States Department of Housing
1566 and Urban Development; provided, that a nonprofit entity shall demonstrate to the court adequate
1567 expertise and resources necessary to rehabilitate the property and correct outstanding state
1568 sanitary code violations. Any such motion filed by a receiver pursuant to this paragraph shall be
1569 heard by the court not less than 30 days following the filing date, during which period the owner,
1570 mortgagee and any other interested parties may join a motion for leave to correct all outstanding
1571 state sanitary code violations at the property. Upon a finding by the court that the owner,
1572 mortgagee or other interested party has the intention and ability to correct all outstanding state
1573 sanitary code violations, the court shall stay the hearing on the receiver's motion for a reasonable
1574 period of time to allow the owner, mortgagee or other interested party to correct such outstanding
1575 sanitary code violations.

1576 SECTION 22. Section 11 of chapter 121B of the General Laws, as so appearing, is
1577 hereby amended by striking out paragraphs (n) and (o) and inserting in place thereof the
1578 following 3 paragraphs:-

1579 (n) To join or cooperate with 1 or more other operating agencies in the exercise, either
1580 jointly or otherwise, of any of their powers for the purpose of financing, including the issuance
1581 of bonds, notes or other obligations and the giving of security therefor, planning, undertaking,
1582 owning, constructing, operating or contracting with respect to any project or projects authorized
1583 by this chapter located within the area within which 1 or more of such authorities are authorized
1584 to exercise their powers; and for such purpose to prescribe and authorize, by resolution, any

1585 operating agency so joining and cooperating with it to act in its behalf in the exercise of any of
1586 such powers;

1587 (o) To lease energy saving systems that replace non-renewable fuels with renewable
1588 energy such as solar powered systems; and

1589 (p) To secure, with the approval of the department, in consultation with the executive
1590 office for administration and finance, indebtedness incurred for the preservation, modernization
1591 and maintenance of 1 or more of its low rent housing developments assisted under section 32 or
1592 34 by a pledge of a portion of capital funds awarded to it for improvements to be carried out
1593 pursuant to a capital improvement plan, approved by the department and in accordance with
1594 department regulations governing capital projects. The department, in consultation with the
1595 executive office for administration and finance, shall promulgate regulations to establish
1596 limitations on the percentage of awarded capital funds that may be pledged to secure
1597 indebtedness, describe permitted terms for borrowing and repayment and establish criteria for
1598 operating agencies permitted to incur indebtedness secured by a pledge of capital funds. Any
1599 pledge of future year capital funds pursuant to this section shall be subject to the availability of
1600 funds under the department's capital spending plan. All financing documents related to future
1601 year capital fund amounts shall include a statement that the credit of the commonwealth is not
1602 pledged and that the pledging of funds shall be subject to the availability of funds under the
1603 department's capital spending plan.

1604 SECTION 23. Section 26C of said chapter 121B, as amended by section 256 of chapter 7
1605 of the acts of 2023, is hereby further amended by striking out the words "provided, however, that
1606 the capital assistance team shall provide services to the housing authority without requiring

1607 payment for the services by the housing authority” and inserting in place thereof the following
1608 words:- provided, however, that the capital assistance team shall provide services to a housing
1609 authority with 500 or fewer state-aided units without requiring payment for services by the
1610 housing authority; and provided further, that the capital assistance team may require payment for
1611 services provided to a housing authority with more than 500 state-aided units and for additional
1612 services not covered by this section and approved by the department.

1613 SECTION 24. Said section 26C of said chapter 121B, as so amended, is hereby further
1614 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

1615 (e) There shall be a capital assistance advisory board consisting of 7 members. Each
1616 capital assistance team shall appoint 2 members to the advisory board and the department shall
1617 appoint 1 member, who shall have at least 5 years of experience as the manager of not less than
1618 200 units of privately owned housing. Only members of participating housing authorities in the
1619 region shall be eligible for appointment to the advisory board. The advisory board shall meet on
1620 an annual basis with the capital assistance team directors, host housing authority directors and
1621 the secretary of housing and livable communities, or a designee, and shall discuss issues of
1622 program performance and coordination.

1623 SECTION 25. The first paragraph of section 29 of said chapter 121B, as appearing in the
1624 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place
1625 thereof the following sentence:- The members of a housing authority shall biennially, or more
1626 frequently as required by the department, and at a time to be determined by the department, file
1627 with the department a written report for its preceding fiscal years since its last previously filed
1628 written report.

1629 SECTION 26. Said first paragraph of said section 29 of said chapter 121B, as so
1630 appearing, is hereby further amended by adding the following sentence:- Notwithstanding the
1631 foregoing, nothing in this section shall exempt a housing authority from submitting an annual
1632 plan pursuant to section 28A and this section.

1633 SECTION 27. Section 34 of said chapter 121B, as so appearing, is hereby amended by
1634 adding the following paragraph:-

1635 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or
1636 federally-aided public housing project transferred or conveyed pursuant to the fourteenth
1637 paragraph shall maintain all rights pursuant to federal, state and local subsidy programs
1638 originally applicable to the project, including tenant contribution, lease terms, eviction, right to
1639 return, grievance, resident participation, preference in hiring and privacy rights, except as may be
1640 required to secure financing necessary for the feasibility of the project or to meet associated
1641 programmatic eligibility requirements after notice to affected tenants with an opportunity to
1642 comment. The redevelopment of such public housing project shall not be the basis for: (i)
1643 termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any
1644 tenant; or (iii) re-screening any existing tenant; provided, that no existing tenant shall be
1645 considered a new admission for any purpose, including, but not limited to, compliance with any
1646 income targeting requirements. Any such project shall have at least the same number of low rent
1647 housing units as the number of low rent housing units in the existing project. The requirements
1648 of this paragraph shall be implemented through contracts, use agreements, regulations or other
1649 means, as determined by the department. Any contracts, use agreements, regulations or other
1650 means shall be in compliance with all local, state and federal subsidy programs applicable and
1651 shall delineate: (i) the roles of the housing authority and other agencies in monitoring and

1652 enforcing compliance, including tracking temporary and permanent displacement; (ii) how the
1653 housing authority shall rehouse tenants so there shall be no displacement from affordable
1654 housing programs operated by the housing authority; and (iii) how tenants shall be provided with
1655 technical assistance to facilitate meaningful input related to the redevelopment of the proposed
1656 project. The benefits of any contracts, use agreements, regulations or other means shall inure to
1657 any tenant who occupied a unit within the project at the time of the transfer or conveyance of the
1658 project. Protections relating to tenant contribution, lease terms, eviction, grievance, resident
1659 participation, preference in hiring and privacy rights, except as may be required to secure
1660 financing necessary for the feasibility of the project or to meet associated programmatic
1661 eligibility requirements, shall inure to both present or future tenants or applicants of the project,
1662 who shall have the right to enforce the same as third-party beneficiaries. Nothing in this section
1663 shall create a separate or new administrative process of appeal or review for any grievance
1664 governed by the lease of any tenant. Tenants shall have an opportunity for comment on a project
1665 proposed under the fourteenth paragraph and an opportunity for public comment to be organized
1666 by the owners, controlled entities, designated private entities or public housing authorities
1667 responsible for such projects with adequate notice.

1668 SECTION 28. The third sentence of subsection (b) of section 3 of chapter 121E of the
1669 General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in
1670 place thereof the following clause:-

1671 (3) issued only if a contract or agreement for the use of the property for housing purposes
1672 provides for the recording of a restriction in the registry of deeds or the registry district of the
1673 land court in the county in which the affected real property is located, for the benefit of the
1674 department, running with the land, that the land be used for providing alternative forms of rental

1675 and ownership housing; provided, that the property shall not be released from the restriction
1676 until: (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a
1677 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the
1678 property; provided, that the department determines that relevant clients will be better served at an
1679 alternative property and the proceeds from the disposition of the property will be used, to the
1680 extent necessary for replacement of the housing at the property, for 1 or both of the following
1681 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
1682 property;.

1683 SECTION 29. Said section 3 of said chapter 121E, as so appearing, is hereby further
1684 amended by striking out, in lines 41 to 44, inclusive, the words “, provided that the project
1685 continues to remain affordable housing as set forth in the contract or agreement entered into for
1686 the duration of the project by the department” and inserting in place thereof the following
1687 words:- ; provided, that the project, whether at the original property, or at an alternative property
1688 pursuant to clause (3), continues to remain affordable housing as set forth in the contract or
1689 agreement entered into for the duration of the project by the department.

1690 SECTION 30. Section 2 of chapter 121F of the General Laws, as so appearing, is hereby
1691 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

1692 (a) There shall be within the department a separate fund to be known as the Housing
1693 Stabilization and Investment Trust Fund. The department shall administer the fund and shall
1694 ensure that funds are distributed among urban, suburban and rural areas with a particular
1695 emphasis on the development of alternative forms of housing and local and regional needs. Such
1696 funds shall be used for the purpose of undertaking projects to develop and support affordable

1697 housing developments and homeownership affordability through the acquisition, preservation,
1698 new construction and rehabilitation of affordable housing, including, but not limited to, the
1699 preservation and improvement of existing privately-owned and state or federally-assisted
1700 housing. Uses of the fund may include: (i) assistance for projects to stabilize and promote
1701 reinvestment in cities and towns, including, but not limited to, preserving and improving existing
1702 privately-owned and state or federally-assisted housing and any other techniques necessary to
1703 achieve reinvestment; provided, that funds may be expended for energy audits and housing
1704 modifications to achieve energy efficiency and conservation; and (ii) assistance for housing
1705 where the expiration of federal or state low-income housing tax credits or other federal or state
1706 subsidies would lead or has led to the termination of a use agreement for low-income housing or
1707 in which a project-based rental assistance contract is expiring or has expired. The fund shall be
1708 an expendable trust fund and shall not be subject to appropriation.

1709 SECTION 31. Said section 2 of said chapter 121F, as so appearing, is hereby further
1710 amended by striking out, in line 28, the words “nonprofit or for-profit organizations” and
1711 inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of
1712 section 3.

1713 SECTION 32. Said section 2 of said chapter 121F, as so appearing, is hereby further
1714 amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic
1715 Development Assistance Corporation established in chapter 40H to provide assistance from the
1716 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof
1717 the following words:- to provide assistance from the fund.

1718 SECTION 33. Section 3 of said chapter 121F, as so appearing, is hereby amended by
1719 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

1720 (a) The fund shall finance low and no-interest loans, grants, subsidies, credit
1721 enhancements and other financial assistance for rental and ownership housing; provided, that any
1722 assistance provided shall be the minimum amount necessary to make a project feasible; provided
1723 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
1724 to this chapter may be provided to qualified for-profit or non-profit developers, community
1725 development corporations, local housing authorities, community action agencies, community-
1726 based or neighborhood-based non-profit housing organizations, other non-profit organizations
1727 and for-profit entities and governmental bodies; provided further, that recipients may enter into
1728 subcontracts to administer the contracts with other for-profit or nonprofit organizations; provided
1729 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
1730 to this chapter may be provided for the acquisition of property to provide or preserve affordable
1731 housing; provided further, that the loan program may be administered by the department through
1732 contracts with the Massachusetts Housing Partnership Fund established in section 35 of chapter
1733 405 of the acts of 1985; provided further, that the program may include acquisition, financing
1734 and other holding costs, interim management costs and operating costs and may be used by the
1735 Massachusetts Housing Partnership Fund to secure, collateralize or reserve against other
1736 financing obtained by the Massachusetts Housing Partnership Fund to support such costs; and
1737 provided further, that not less than 75 per cent of the beneficiaries of the housing shall be persons
1738 whose income is not more than 60 per cent of the area median income and not less than 13 per
1739 cent of the beneficiaries of the housing shall be persons whose income is not more than 30 per
1740 cent of the area median income.

1741 (b)(1) Activities eligible for assistance from the fund shall include, but shall not be
1742 limited to: (i) projects to develop and support affordable housing developments and
1743 homeownership affordability through the acquisition, preservation, new construction and
1744 rehabilitation of affordable housing; and (ii) the preservation of affordable housing developments
1745 that: (A) are currently, or were previously, subject to prepayment or payment of a state or
1746 federally-assisted mortgage; (B) are receiving project-based rental assistance under section 8 of
1747 the United States Housing Act of 1937, 42 U.S.C. 1437f, and the rental assistance is expiring; or
1748 (C) have received other project-based federal or state subsidies which are terminating or have
1749 terminated.

1750 (2) Property eligible for assistance shall include, but shall not be limited to, housing
1751 where the prepayment or payment of a state or federally-assisted mortgage or the expiration of
1752 federal low income housing tax credits or other federal or state subsidies would lead or has led to
1753 the termination of a use agreement for low income housing or in which a project-based rental
1754 assistance contract is expiring or has expired; provided, that a property eligible for assistance that
1755 has been acquired for the purpose of preserving or improving the property shall not lose
1756 eligibility due to actions by the purchaser to renew or extend state or federal contracts or
1757 subsidies.

1758 (3) The department, in consultation with nonprofit organizations, the Community
1759 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency
1760 and the Massachusetts Housing Partnership Fund, shall identify projects at greatest risk of
1761 prepayment, payment, termination of subsidies and use restrictions or nonrenewal of rental
1762 assistance. Funding priority shall be based on at-risk criteria to be determined by the department
1763 and set forth in regulations promulgated by the department.

1764 SECTION 34. Said section 3 of said chapter 121F, as so appearing, is hereby further
1765 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

1766 (d) Prior to providing assistance, the department shall determine that: (i) the housing
1767 would not, by private enterprise alone and without government assistance, be available to lower
1768 income families and individuals; and (ii) the amount of assistance is the minimum amount
1769 necessary to make the housing development feasible. The department shall require, as a
1770 condition of receiving assistance, that: (A) the housing remain affordable for its useful life as
1771 determined by the department; and (B) with respect to rental housing, the operations of the
1772 owner and its articles of organization and by-laws, and any changes to the articles of
1773 organization and by-laws, shall be subject to regulation by the department.

1774 SECTION 35. Section 5 of said chapter 121F, as so appearing, is hereby amended by
1775 striking out, in lines 2 to 5, inclusive, the words “including, but not limited to, regulations
1776 relative to grants to cities and towns for the demolition of certain vacant and abandoned
1777 buildings and procedures for neighborhood revitalization plans”.

1778 SECTION 36. The General Laws are hereby amended by inserting after chapter 121G the
1779 following chapter:-

1780 CHAPTER 121H
1781 SUPPORTIVE HOUSING POOL FUND

1782 Section 1. As used in this chapter, the following words shall, unless the context clearly
1783 requires otherwise, have the following meanings:

1784 “Chronically homeless”, a person who has been homeless for at least 1 year or has been
1785 repeatedly homeless.

1786 “Executive office”, the executive office of housing and livable communities.

1787 “Fund”, the Supportive Housing Pool Fund established in section 2.

1788 “Permanent supportive housing”, rental housing that includes supportive services for
1789 individuals and families who may be homeless or chronically homeless, individuals and families
1790 with behavioral health needs or substance addiction needs, survivors of domestic violence,
1791 survivors of human trafficking, survivors of sexual violence, individuals and families at risk of
1792 entering or transitioning out of the foster care system, youth and young adults, seniors and
1793 veterans or other individuals with similar needs, as determined by the executive office.

1794 Section 2. (a) There shall be a Supportive Housing Pool Fund to support the production
1795 of permanent supportive housing. The fund shall be administered by the executive office directly
1796 or through contracts with 1 or more of the following administering agencies: (i) the Community
1797 Economic Development Assistance Corporation, established in chapter 40H; (ii) the
1798 Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of
1799 1985; or (iii) the Massachusetts Housing Finance Agency, established in chapter 708 of the acts
1800 of 1966; provided, that an administering agency may directly offer financial assistance for the
1801 purposes pursuant to this section or may enter into subcontracts with non-profit organizations
1802 established pursuant to chapter 180 for those purposes; and provided further, that the
1803 administering agency may establish additional program requirements through regulations or
1804 policy guidelines.

1805 (b) There shall be credited to the fund: (i) revenue from appropriations or other money
1806 authorized by the general court and specifically designated for the fund; (ii) any gifts, grants,
1807 private contributions, repayment of loans, fees and charges imposed relative to the making of
1808 loans, grants, subsidies, credit enhancements and other financial assistance; (iii) any investment
1809 income earned on the fund's assets; and (iv) any other sources. Money remaining in the fund at
1810 the end of a fiscal year shall not revert to the General Fund.

1811 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or
1812 other financial assistance to projects and organizations that shall provide stable housing options
1813 and supportive services to residents of permanent supportive housing, which may include, but
1814 shall not be limited to, staffing, case management, service coordination or other tenancy-related
1815 services provided by a project sponsor or through a third party, or other services or activities that
1816 the executive office has determined are essential to the day-to-day operation of permanent
1817 supportive housing.

1818 Section 4. The executive office may promulgate regulations for the implementation,
1819 administration and enforcement of this chapter and may, in consultation with the executive office
1820 of health and human services, the executive office of elder affairs, the department of children and
1821 families and the office for victim assistance, issue guidelines for the fund.

1822 SECTION 37. Section 1 of chapter 188 of the General Laws, as appearing in the 2022
1823 Official Edition, is hereby amended by striking out, in lines 15, 21, 25, 41 and 47, each time it
1824 appears, the figure "\$500,000" and inserting in place thereof, in each instance, the following
1825 figure:- \$1,000,000.

1826 SECTION 38. Section 3 of chapter 708 of the acts of 1966, as amended by section 43 of
1827 chapter 204 of the acts of 1996, is hereby further amended by striking out, in the first sentence,
1828 the words “department of housing and community development” and inserting in place thereof
1829 the following words:- executive office of housing and livable communities.

1830 SECTION 39. The first paragraph of said section 3 of said chapter 708, as most recently
1831 amended by sections 43 and 44 of said chapter 204, is hereby further amended by striking out the
1832 third sentence and inserting in place thereof the following sentence:- Any law to the contrary
1833 notwithstanding the MHFA shall not be subject to the provisions of chapter 30A, sections 24
1834 through 28, inclusive, of chapter 93, chapter 255E or chapter 255F of the General Laws.

1835 SECTION 40. The first sentence of the second paragraph of said section 3 of said chapter
1836 708, as amended, is hereby further amended by striking out the words “director of housing and
1837 community development” and inserting in place thereof the following words:- secretary of
1838 housing and livable communities.

1839 SECTION 41. Paragraph (b) of section 8 of said chapter 708, is hereby amended by
1840 striking out the sixth sentence, as most recently amended by chapter 34 of the acts of 2003, and
1841 inserting in place thereof the following sentence:- The aggregate principal amount of notes and
1842 bonds of the MHFA issued to make mortgage loans pursuant to section 5 and to make or
1843 purchase loans pursuant to section 5A, outstanding at any 1 time, shall not exceed the sum of
1844 \$10,800,000,000.

1845 SECTION 42. Paragraph (a) of section 35 of chapter 405 of the acts of 1985 is hereby
1846 further amended by striking out the words “department of housing and community

1847 development”, as appearing in section 47 of chapter 204 of the acts of 1996, and inserting in
1848 place thereof the following words:- executive office of housing and livable communities.

1849 SECTION 43. Said paragraph (a) of said section 35 of said chapter 405 is hereby further
1850 amended by striking out the words “communities and development”, as appearing in section 36
1851 of chapter 102 of the acts of 1990, and inserting in place thereof the following words:- housing
1852 and livable communities.

1853 SECTION 44. Section 2 of chapter 52 of the acts of 1993 is hereby amended by striking
1854 out item 4000-8200, most recently amended by sections 15 to 18, inclusive, of chapter 244 of the
1855 acts of 2002, and inserting in place thereof the following item:-

1856 4000-8200 For state financial assistance to implement the recommendations of the
1857 special commission in the form of loans for the development of community-based housing for
1858 individuals with mental health or intellectual or developmental disabilities; provided, that said
1859 loan program shall be administered by the executive office of housing and livable communities
1860 through contracts with authorities which shall be limited to housing authorities and
1861 redevelopment authorities duly organized and existing in accordance with chapter 121B of the
1862 General Laws, community development corporations duly organized and existing in accordance
1863 with chapter 40F of the General Laws, the Massachusetts Housing Finance Agency, a body
1864 politic and corporate entity established by chapter 708 of the acts of 1966, as amended, the
1865 Massachusetts community economic development assistance corporation (CEDAC), a body
1866 politic and corporate entity established by chapter 40H of the General Laws, and the
1867 Massachusetts Government Land Bank, a body politic and corporate entity established by
1868 chapter 212 of the acts of 1975; provided, that said loan issuing authorities may develop or

1869 finance said community-based housing, or may enter into subcontracts with non-profit
1870 organizations established pursuant to chapter 180 of the General Laws or organizations in which
1871 such non-profit corporations have a controlling financial or managerial interest; provided,
1872 however, that said department shall take due consideration of a balanced geographic plan for
1873 such community-based housing when issuing said loans; provided further, that loans issued
1874 pursuant to this item shall be subject to the following provisions: (1) said loans shall be limited
1875 to not more than 50 per cent of the financing of the total development costs; (2) said loans shall
1876 only be issued for a community-based housing project contingent on the title to said real property
1877 reverting to the commonwealth when said loan becomes due and payable except as provided by
1878 section 3; (3) said loans shall only be issued when any contract or agreement for the use of said
1879 property for the purposes of such community-based housing provides for the recording of a
1880 restriction in the registry of deeds or the registry district of the land court of the county in which
1881 the affected real property is located, for the benefit of the said departments, running with the
1882 land, that the land be used for the purpose of providing community-based housing for eligible
1883 individuals as determined by the departments of mental health; provided, that the property shall
1884 not be released from such restrictions unless: (i) the balance of the principal and interest for the
1885 loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has
1886 been a disposition of the property; provided, that the executive office of housing and livable
1887 communities, in consultation with the department of mental health and the department of
1888 developmental services, determines that relevant clients will be better served at an alternative
1889 property and the proceeds from the disposition of the property will be used, to the extent
1890 necessary for replacement of the housing at the property, for 1 or both of the following purposes:
1891 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property; (4) said

1892 loans shall be issued for a term of up to 30 years during which time repayment may be deferred
1893 by the loan issuing authority unless at the end of any fiscal year, cash collections from all sources
1894 in connection with a community-based housing project, except for contributions, donations, or
1895 grant monies, exceed 105 per cent of cash expenditures on behalf of said project, including debt
1896 service, operating expenses, and capital reserves, in which event such excess cash shall be paid
1897 to the commonwealth within 45 days of the end of said fiscal year, payable first to interest due
1898 hereunder and thereafter to principal advanced pursuant to said loan; provided, that if on the date
1899 said loans become due and payable to the commonwealth an outstanding balance exists and if, on
1900 such date, the executive office of housing and livable communities in consultation with the
1901 executive office of health and human services, determines that there still exists a need for such
1902 housing and that there is continued funding available for the provision of services to such
1903 development, said executive office may, by agreement with the owner of the development,
1904 extend the loans for such periods, each period not to extend beyond 10 years, as the executive
1905 office determines; provided, however, that the project, whether at the original property, or at an
1906 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
1907 loan term, as extended, as set forth in the contract or agreement entered into by the executive
1908 office; and provided, further, that, in the event that the terms of repayment detailed in this item
1909 would cause a project authorized by this item to become ineligible to receive federal funds which
1910 would otherwise assist in the development of that project, the secretary may waive the terms of
1911 repayment which would cause the project to become ineligible; (5) interest rates for said loans
1912 shall be fixed at a rate, to be determined by the secretary for housing and livable communities in
1913 consultation with the treasurer of the commonwealth, that shall be equal to the rate anticipated to
1914 be that paid by the commonwealth for bonds issued pursuant to section 8 of this act; which

1915 financing shall not exceed terms of 30 years; (6) said loans shall be provided only for projects
1916 conforming to the provisions of this act; and (7) said loans shall be issued in accordance with a
1917 facilities consolidation plan prepared by the secretary of health and human services, reviewed
1918 and approved by the secretary of housing and livable communities and filed with the secretary
1919 for administration and finance and the house and senate committees on ways and means;
1920 provided, that no expenditures shall be made pursuant to this item without the prior approval of
1921 the secretary for administration and finance; provided further, that not more than \$10,000,000
1922 shall be expended from this item for a pilot program of community-based housing loans to serve
1923 mentally-ill homeless individuals in the current or former care of said department of mental
1924 health; provided further, that in implementing said pilot program, said executive office shall take
1925 due consideration of a balanced geographic plan when establishing community-based residences;
1926 provided further, that said housing services made available pursuant to such loans shall not be
1927 construed as a right or an entitlement for any individual or class of persons to the benefits of said
1928 pilot program; and provided further, that eligibility for said pilot program shall be established by
1929 regulations promulgated by said executive office. The executive office of housing and livable
1930 communities is hereby authorized and directed to promulgate emergency regulations pursuant to
1931 section 2 of chapter 30A of the General Laws for the implementation of the community-based
1932 housing loan program and the mentally ill homeless pilot loan program authorized by this item,
1933 consistent with the facilities consolidation plan prepared by the secretary of health and human
1934 services and after consultation with said secretary and the commissioner of the division of capital
1935 asset management and maintenance.....\$50,000,000

1936 SECTION 45. Clause (2) of item 3722-8899 of section 2 of chapter 494 of the acts of
1937 1993 is hereby amended by striking out the words “provided, that said property shall not be

1938 released from such restriction unless and until the balance of the principal and interest for said
1939 loan is repaid in full or unless and until a mortgage foreclosure deed is recorded” and inserting in
1940 place thereof the following words:- provided, that said property shall not be released from such
1941 restriction unless and until: (i) the balance of the principal and interest for said loan has been
1942 repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has been a
1943 disposition of the property; provided, further that the executive office of housing and livable
1944 communities shall determine that relevant clients will be better served at an alternative property
1945 and the proceeds from the disposition of the property shall be used, to the extent necessary for
1946 replacement of the housing at the property, for 1 or both of the following purposes: (A) to
1947 acquire such alternative property; or (B) to rehabilitate such alternative property.

1948 SECTION 46. Clause (4) of said item 3722-8899 of said section 2 of said chapter 494 is
1949 hereby amended by striking out the words “provided, that the project continues to remain
1950 affordable housing as set forth in the contract or agreement entered into for the duration of the
1951 project by the department” and inserting in place thereof the following words:- provided, that
1952 that the project, whether at the original property, or at an alternative property pursuant to clause
1953 (2), continues to remain affordable housing as set forth in the contract or agreement entered into
1954 for the duration of the project by the executive office.

1955 SECTION 47. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further
1956 amended by striking out clauses (6) to (8), inclusive, and inserting in place thereof the following
1957 clause:- and (6) the executive office shall take due consideration of a balanced geographic plan
1958 for such alternative forms of housing when issuing said loans;.

1959 SECTION 48. The first paragraph of section 16 of chapter 179 of the acts of 1995 is
1960 hereby amended by striking out the words “in the form of mobile vouchers” and inserting in
1961 place thereof the following words:- in the form of either mobile vouchers or project-based
1962 vouchers.

1963 SECTION 49. The second paragraph of section 12 of chapter 257 of the acts of 1998, as
1964 amended by section 52 of chapter 235 of the acts of 2000, is hereby further amended by striking
1965 out clause (2) and inserting in place thereof the following clause:-

1966 (2) such loans shall only be issued when a contract or agreement for the use of the
1967 property for the purposes of such housing provides for the recording of a restriction in the
1968 registry of deeds or the registry district of the land court in the county in which the affected real
1969 property is located, for the benefit of the executive office of housing and livable communities,
1970 running with the land, that the land be used for the purpose of providing alternative forms of
1971 rental and ownership housing. Such property shall not be released from such restriction until: (i)
1972 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage
1973 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;
1974 provided, that the executive office shall determine that relevant clients will be better served at an
1975 alternative property and the proceeds from the disposition of the property will be used, to the
1976 extent necessary for replacement of the housing at the property, for 1 or both of the following
1977 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
1978 property;.

1979 SECTION 50. Clause (3) of said section 12 of said chapter 257 , as so amended, is hereby
1980 further amended by striking out the words “, provided that the project continues to remain

1981 affordable housing as set forth in the contract or agreement entered into for the duration of the
1982 project by the department” and inserting in place thereof the following words:- ; provided, that
1983 the project, whether at the original property, or at an alternative property pursuant to clause (2),
1984 continues to remain affordable housing as set forth in the contract or agreement entered into for
1985 the duration of the project by the executive office.

1986 SECTION 51. Said section 12 of said chapter 257, as so amended, is hereby further
1987 amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following
1988 clause:- and (5) said executive office shall take due consideration of a balanced geographic plan
1989 for such alternative forms of housing when issuing such loans.

1990 SECTION 52. The second paragraph of section 5 of chapter 244 of the acts of 2002 is
1991 hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

1992 (2) such loans shall only be issued when a contract or agreement for the use of the
1993 property for the purposes of such housing provides for the recording of a restriction in the
1994 registry of deeds or the registry district of the land court in the county in which the affected real
1995 property is located, for the benefit of the executive office of housing and livable communities,
1996 running with the land, that the land be used for the purpose of providing alternative forms of
1997 rental and ownership housing. Such property shall not be released from such restriction until: (i)
1998 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage
1999 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;
2000 provided, that the executive office shall determine that relevant clients will be better served at an
2001 alternative property and the proceeds from the disposition of the property will be used, to the
2002 extent necessary for replacement of the housing at the property, for 1 or both of the following

2003 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
2004 property;.

2005 SECTION 53. Said second paragraph of said section 5 of said chapter 244 is hereby
2006 further amended by striking out, in clause (3), the words “provided that the project continues to
2007 remain affordable housing as set forth in the contract or agreement entered into for the duration
2008 of the project by the department” and inserting in place thereof the following words:- ; provided,
2009 that the project, whether at the original property, or at an alternative property pursuant to clause
2010 (2), continues to remain affordable housing as set forth in the contract or agreement entered into
2011 for the duration of the project by the executive office.

2012 SECTION 54. Said second paragraph of said section 5 of said chapter 244 is hereby
2013 further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the
2014 following clause:- and (5) said executive office shall take due consideration of a balanced
2015 geographic plan for such alternative forms of housing when issuing such loans.

2016 SECTION 55. Item 4000-8200 of section 2E of chapter 290 of the acts of 2004, as
2017 amended by section 20 of chapter 6 of the acts of 2005, is hereby further amended by striking out
2018 clause (2) and inserting in place thereof the following clause:-

2019 (2) said loans shall be issued only when any contract or agreement for the use of said
2020 property for the purposes of such housing provides for repayment to the commonwealth at the
2021 time of disposition of the property if such property will no longer be subject to a recorded deed
2022 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount
2023 equal to the commonwealth’s proportional contribution from the Facilities Consolidation Fund to
2024 the cost of the development through payments made by the state agency making the contract;

2025 provided, further, that such repayment shall not be required if the executive office of housing and
2026 livable communities, in consultation with the department of mental health and the department of
2027 developmental services, determines that relevant clients will be better served at an alternative
2028 property and the proceeds from the disposition of the property will be used, to the extent
2029 necessary for replacement of the housing at the property, for 1 or both of the following purposes:
2030 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property;.

2031 SECTION 56. Clause (3) of said item 4000-8200 of said section 2E of said chapter 290,
2032 as so amended, is hereby amended by striking out the words “provided, that the property shall
2033 not be released from such restrictions until the balance of the principal and interest for the loan is
2034 repaid in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
2035 following words:- provided, that the property shall not be released from such restrictions unless:
2036 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage
2037 foreclosure deed has been recorded; or (iii) the executive office of housing and livable
2038 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
2039 required.

2040 SECTION 57. Clause (4) of said item 4000-8200 of said section 2E of said chapter 290,
2041 as so amended, is hereby amended by striking out the words “provided, however, that the project
2042 shall continue to remain affordable housing for the duration of the loan term, as extended, as set
2043 forth in the contract or agreement entered into by the department” and inserting in place thereof
2044 the following words:- provided, however, that the project, whether at the original property, or at
2045 an alternative property pursuant to clause (3), shall continue to remain affordable housing for the
2046 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
2047 the executive office.

2048 SECTION 58. Said item 4000-8200 of said section 2E of said chapter 290, as so
2049 amended, is hereby further amended by striking out clauses (6) and (7).

2050 SECTION 59. Said item 4000-8200 of said section 2E of said chapter 290, as so
2051 amended, is hereby further amended by striking out the figure “(8)” and inserting in place thereof
2052 the following figure:- (6).

2053 SECTION 60. Said item 4000-8200 of said section 2E of said chapter 290, as so
2054 amended, is hereby further amended by striking out the figure “(9)” and inserting in place thereof
2055 the following figure:- (7).

2056 SECTION 61. Said item 4000-8200 of said section 2E of said chapter 290, as so
2057 amended, is hereby further amended by striking out the figure “(10)” and inserting in place
2058 thereof the following figure:- (8).

2059 SECTION 62. Item 4000-8201 of said section 2E of said chapter 290 is hereby amended
2060 by striking out clause (2) and inserting in place thereof the following clause:-

2061 (2) said loans shall be issued only when any contract or agreement for the use of said
2062 property for the purposes of such housing provides for repayment to the commonwealth at the
2063 time of disposition of the property if such property will no longer be subject to a recorded deed
2064 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount
2065 equal to the commonwealth’s proportional contribution from this item to the cost of the
2066 development through payments made by the state agency making the contract; provided, further,
2067 that such repayment shall not be required if the executive office of housing and livable
2068 communities, in consultation with the Massachusetts rehabilitation commission, determines that
2069 relevant clients will be better served at an alternative property and the proceeds from the

2070 disposition of the property will be used, to the extent necessary for replacement of the housing at
2071 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
2072 (B) to rehabilitate such alternative property.

2073 SECTION 63. Clause (3) of said item 4000-8201 of said section 2E of said chapter 290 is
2074 hereby amended by striking out the words “provided further, that the property shall not be
2075 released from such restrictions until the balance of the principal and interest for the loan is repaid
2076 in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
2077 following words:- provided further, that the property shall not be released from such restrictions
2078 unless: (A) the balance of the principal and interest for the loan has been repaid in full; (B) a
2079 mortgage foreclosure deed has been recorded; or (C) the executive office of housing and livable
2080 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
2081 required.

2082 SECTION 64. Clause (4) of said item 4000-8201 of said section 2E of said chapter 290 is
2083 hereby amended by striking out the words “provided, however, that the project shall continue to
2084 remain affordable housing for the duration of the loan term, as extended, as set forth in the
2085 contract or agreement entered into by the department” and inserting in place thereof the
2086 following words:- provided, however, that the project, whether at the original property, or at an
2087 alternative property pursuant to clause (2), shall continue to remain affordable housing for the
2088 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
2089 the executive office.

2090 SECTION 65. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2091 further amended by striking out clauses (6) and (7).

2092 SECTION 66. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2093 further amended by striking out the figure “(8)” and inserting in place thereof the following
2094 figure:- (6).

2095 SECTION 67. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2096 further amended by striking out the figure “(9)” and inserting in place thereof the following
2097 figure:- (7).

2098 SECTION 68. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
2099 further amended by striking out the figure “(10)” and inserting in place thereof the following
2100 figure:- (8).

2101 SECTION 69. Item 7004-7013 of said section 2E of said chapter 290, as amended by
2102 section 21 of chapter 6 of the acts of 2005, is hereby further amended by inserting after the figure
2103 “2002” the following words:- , as amended.

2104 SECTION 70. Section 5 of chapter 293 of the acts of 2006 is hereby amended by inserting
2105 after the definition of “Economic development project” the following definition:-

2106 “Eligible housing increment”, a new residential unit that may either be a single-family
2107 house or 1 dwelling unit in a building or development containing 2 or more dwelling units,
2108 which dwelling units may be rental units or units in a condominium or cooperative, or a
2109 combination of any of the foregoing, and that is created as part of an economic development
2110 project and pursuant to an infrastructure development assistance agreement approved by the
2111 secretary under this act.

2112 SECTION 71. Said section 5 of said chapter 293 is hereby further amended by striking
2113 out the definition of “New revenue” and inserting in place thereof the following definition:-

2114 “New revenue”, revenue derived from a commercial or residential component of an
2115 economic development project by the creation of any eligible new jobs or eligible housing
2116 increments or by new economic activity that would otherwise not have taken place in the
2117 commonwealth on said commercial component or on, or as a result of, said residential
2118 component, as each may be more fully defined by any rules, regulations or guidelines
2119 promulgated by the secretary or the commissioner.

2120 SECTION 72. The definition of “New state tax revenues” in said section 5 of said chapter
2121 293 is hereby amended by inserting after the word “components” the following words:- or on
2122 account of the residential components.

2123 SECTION 73. Said section 5 of said chapter 293, is hereby further amended by inserting
2124 after the definition of “Public infrastructure improvements” the following definition:-

2125 “Residential component”, any component of an economic development project
2126 comprising 1 or more eligible housing increments, as more fully described in, or determined in
2127 accordance with, a certified economic development project.

2128 SECTION 74. Clause (iv) of subsection (a) of section 7 of said chapter 293 is hereby
2129 amended by inserting after the words “each commercial” the following words:- or residential.

2130 SECTION 75. Said clause (iv) of said subsection (a) of said section 7 of said chapter 293
2131 is hereby further amended by inserting after the words “all commercial” the following words:-
2132 and residential.

2133 SECTION 76. Clause (i) of subsection (c) of said section 7 of said chapter 293 is hereby
2134 amended by inserting after the word “commercial” the following words:- and residential.

2135 SECTION 77. Subsection (e) of said section 7 of said chapter 293, inserted by section 7
2136 of chapter 129 of the acts of 2008, is hereby amended by inserting after the word “met” the
2137 following words:- , and with respect to projects which include a residential component, shall give
2138 priority to projects within any MBTA community as defined in section 1A of chapter 40A of the
2139 General Laws; provided, that such MBTA community is in compliance with the requirements of
2140 section 3A of said chapter 40A.

2141 SECTION 78. Subsection (a) of section 10 of said chapter 293, as amended by section 10
2142 of said chapter 129, is hereby further amended by inserting after the words “the commercial” the
2143 following words:- or residential.

2144 SECTION 79. Said subsection (a) of said section 10 of said chapter 293, as so amended,
2145 is hereby further amended by inserting after the words “each commercial”, each time they
2146 appear, the following words:- or residential.

2147 SECTION 80. Subsection (b) of said section 10 of said chapter 293, as amended by
2148 section 11 of said chapter 129, is hereby further amended by inserting after the word
2149 “commercial”, each time it appears, the following words:- or residential.

2150 SECTION 81. Subsection (c) of said section 10 of said chapter 293 is hereby amended by
2151 inserting after the words “commercial components”, each time they appear, the following
2152 words:- or residential components.

2153 SECTION 82. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby
2154 amended by striking out clause (2) and inserting in place thereof the following clause:-

2155 (2) be issued only when a contract or agreement for the use of the property for such
2156 housing provides for repayment to the commonwealth at the time of disposition of the property if
2157 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);
2158 provided, however, that such repayment shall be in an amount equal to the commonwealth's
2159 proportional contribution from the Facilities Consolidation Fund to the cost of the development
2160 through payments made by the state agency making the contract; provided, further, that such
2161 repayment shall not be required if the executive office of housing and livable communities, in
2162 consultation with the department of mental health and the department of developmental services,
2163 determines that relevant clients will be better served at an alternative property and the proceeds
2164 from the disposition of the property will be used, to the extent necessary for replacement of the
2165 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
2166 property; or (B) to rehabilitate such alternative property.

2167 SECTION 83. Clause (3) of said item 7004-0029 of said section 2 of said chapter 119 is
2168 hereby amended by striking out the words "provided, that the property shall not be released from
2169 such restriction until the balance of the principal and interest for the loan has been repaid in full
2170 or until a mortgage foreclosure deed has been recorded" and inserting in place thereof the
2171 following words:- provided, that the property shall not be released from such restriction unless:
2172 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage
2173 foreclosure deed has been recorded; or (iii) the executive office of housing and livable
2174 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
2175 required.

2176 SECTION 84. Clause (4) of said item 7004-0029 of said section 2 of said chapter 119 is
2177 hereby amended by striking out the words “provided, however, that the project shall remain
2178 affordable housing for the duration of the loan term, including any extension thereof, as set forth
2179 in the contract or agreement entered into by the department” and inserting in place thereof the
2180 following words:- provided, however, that the project, whether at the original property, or at an
2181 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
2182 loan term, including any extension thereof, as set forth in the contract or agreement entered into
2183 by the executive office.

2184 SECTION 85. Clause (5) of said item 7004-0029 of said section 2 of said chapter 119 is
2185 hereby amended by striking out the following words:- provided further, that expenditures from
2186 this item shall not be made for the purpose of refinancing outstanding mortgage loans for
2187 community-based housing in existence prior to the effective date of this act; provided further,
2188 that community-based housing projects developed pursuant to this item shall not be refinanced
2189 during the term of any loan issued pursuant to this item unless the balance of the principal and
2190 interest for such loan has been repaid in full at the time of such refinancing; provided further,
2191 that the community-based housing projects may be refinanced if the refinancing would result in a
2192 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be
2193 due and payable on a date not later than the date on which the original loan was due and payable,
2194 except in accordance with clause (4) when necessary to effect extraordinary repairs or
2195 maintenance which shall be approved by the commissioner of mental retardation or the
2196 commissioner of mental health, as the case may be, and the department;.

2197 SECTION 86. Item 7004-0030 of said section 2 of said chapter 119 is hereby amended
2198 by striking out clause (2) and inserting in place thereof the following clause:-

2199 (2) be issued only when a contract or agreement for the use of the property for the
2200 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2201 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2202 to clause (3); provided, however, that such repayment shall be in an amount equal to the
2203 commonwealth's proportional contribution from community-based housing to the cost of the
2204 development through payments made by the state agency making the contract; provided, further,
2205 that such repayment shall not be required if the executive office of housing and livable
2206 communities, in consultation with the Massachusetts rehabilitation commission, determines that
2207 relevant clients will be better served at an alternative property and the proceeds from the
2208 disposition of the property will be used, to the extent necessary for replacement of the housing at
2209 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
2210 (B) to rehabilitate such alternative property;.

2211 SECTION 87. Clause (3) of said item 7004-0030 of said section 2 of said chapter 119 is
2212 hereby amended by striking out the words "provided further, that the property shall not be
2213 released from such restrictions until the balance of the principal and interest for the loan has been
2214 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
2215 thereof the following words:- provided further, that the property shall not be released from such
2216 restrictions unless: (A) the balance of the principal and interest for the loan has been repaid in
2217 full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
2218 and livable communities has determined, pursuant to clause (2), that repayment to the
2219 commonwealth is not required.

2220 SECTION 88. Clause (4) of said item 7004-0030 of said section 2 of said chapter 119 is
2221 hereby amended by striking out the words "provided, however, that the project shall continue to

2222 remain affordable housing for the duration of the loan term, including any extensions thereof, as
2223 set forth in the contract or agreement entered into by the department” and inserting place thereof
2224 the following words:- provided, however, that the project, whether at the original property, or at
2225 an alternative property pursuant to clause (2), shall continue to remain affordable housing for the
2226 duration of the loan term, including any extensions thereof, as set forth in the contract or
2227 agreement entered into by the executive office.

2228 SECTION 89. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
2229 amended by striking out clause (5) and inserting in place thereof the following clause:-

2230 (5) have interest rates fixed at a rate, to be determined by the executive office, in
2231 consultation with the state treasurer; provided, that the loans shall be issued in accordance with
2232 an enhancing community-based services plan prepared by the secretary of health and human
2233 services, in consultation with the executive office and filed with the secretary for administration
2234 and finance and the house and senate committees on ways and means and the joint committee on
2235 housing; provided further, that no expenditure shall be made from this item without the prior
2236 approval of the secretary for administration and finance; provided further, that the executive
2237 office shall promulgate regulations pursuant to chapter 30A of the General Laws for the
2238 implementation, administration and enforcement of this item, consistent with the enhancing
2239 community-based services plan prepared by the secretary of health and human services after
2240 consultation with the secretary and the commissioner of capital asset management and
2241 maintenance.

2242 SECTION 90. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby
2243 repealed.

2244 SECTION 91. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby
2245 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2246 (ii) be issued only when a contract or agreement for the use of the property for such
2247 housing provides for repayment to the commonwealth at the time of disposition of the property if
2248 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);
2249 provided, however, that such repayment shall be in an amount equal to the commonwealth's
2250 proportional contribution from the Facilities Consolidation Fund to the cost of the development
2251 through payments made by the state agency making the contract; provided, further, that such
2252 repayment shall not be required if the executive office of housing and livable communities, in
2253 consultation with the department of mental health and the department of developmental services,
2254 determines that relevant clients will be better served at an alternative property and the proceeds
2255 from the disposition of the property will be used, to the extent necessary for replacement of the
2256 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
2257 property; or (B) to rehabilitate such alternative property;.

2258 SECTION 92. Clause (iii) of said item 7004-0040 of said section 2 of said chapter 129 is
2259 hereby amended by striking out the words "provided, however, that the property shall not be
2260 released from such restriction until the balance of the principal and interest for the loan has been
2261 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
2262 thereof the following words:- provided, however, that the property shall not be released from
2263 such restriction unless: (A) the balance of the principal and interest for the loan has been repaid
2264 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
2265 and livable communities has determined, pursuant to clause (ii), that repayment to the
2266 commonwealth is not required.

2267 SECTION 93. Clause (iv) of said item 7004-0040 of said section 2 of said chapter 129 is
2268 hereby amended by striking out, in clause (iv), the words “provided further, that the project shall
2269 remain affordable housing for the duration of the loan term, including any extension thereof, as
2270 set forth in the contract or agreement entered into by the department” and inserting in place
2271 thereof the following words:- provided further, that the project, whether at the original property,
2272 or at an alternative property pursuant to clause (iii), shall remain affordable housing for the
2273 duration of the loan term, including any extension thereof, as set forth in the contract or
2274 agreement entered into by the executive office.

2275 SECTION 94. Item 7004-0041 of said section 2 of said chapter 129 is hereby amended
2276 by striking out clause (ii) and inserting in place thereof the following clause:-

2277 (ii) be issued only when a contract or agreement for the use of the property for the
2278 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2279 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2280 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
2281 commonwealth’s proportional contribution from community-based housing to the cost of the
2282 development through payments made by the state agency making the contract; provided, further,
2283 that such repayment shall not be required if the executive office of housing and livable
2284 communities, in consultation with the Massachusetts rehabilitation commission, determines that
2285 relevant clients will be better served at an alternative property and the proceeds from the
2286 disposition of the property will be used, to the extent necessary for replacement of the housing at
2287 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
2288 (B) to rehabilitate such alternative property;.

2289 SECTION 95. Clause (iii) of said item 7004-0041 of said section 2 of said chapter 129 is
2290 hereby amended by striking out the words “provided, however, that the property shall not be
2291 released from such restrictions until the balance of the principal and interest for the loan has been
2292 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
2293 thereof the following words:- provided however, that the property shall not be released from
2294 such restrictions unless: (A) the balance of the principal and interest for the loan has been repaid
2295 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
2296 and livable communities has determined, pursuant to clause (ii), that repayment to the
2297 commonwealth is not required.

2298 SECTION 96. Clause (iv) of said item 7004-0041 of said section 2 of said chapter 129 is
2299 hereby amended by striking out the words “provided, however, that the project shall continue to
2300 remain affordable housing for the duration of the loan term, including any extensions thereof, as
2301 set forth in the contract or agreement entered into by the department” and inserting place thereof
2302 the following words:- provided, however, that the project, whether at the original property, or at
2303 an alternative property pursuant to clause (ii), shall continue to remain affordable housing for the
2304 duration of the loan term, including any extensions thereof, as set forth in the contract or
2305 agreement entered into by the executive office.

2306 SECTION 97. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby
2307 amended by striking out clause (ii) and inserting in place thereof the following clause:-

2308 (ii) not be issued unless a contract or agreement for the use of the property for such
2309 housing provides for repayment to the commonwealth at the time of disposition of the property if
2310 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);

2311 provided, however, that such repayment shall be in an amount equal to the commonwealth's
2312 proportional contribution from the Facilities Consolidation Fund to the cost of the development
2313 through payments made by the state agency making the contract; provided, further, that such
2314 repayment shall not be required if the executive office of housing and livable communities, in
2315 consultation with the department of mental health and the department of developmental services,
2316 determines that relevant clients will be better served at an alternative property and the proceeds
2317 from the disposition of the property will be used, to the extent necessary for replacement of the
2318 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
2319 property; or (B) to rehabilitate such alternative property.

2320 SECTION 98. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
2321 amended by striking out the words "until the balance of the principal and interest for the loan has
2322 been repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
2323 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
2324 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
2325 office of housing and livable communities has determined, pursuant to clause (ii) of this item,
2326 that repayment to the commonwealth is not required.

2327 SECTION 99. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
2328 amended by striking out the words "shall remain affordable housing for the duration of the loan
2329 term, including any extension thereof, as set forth in the contract or agreement entered into by
2330 the department" and inserting in place thereof the following words:-, whether at the original
2331 property, or at an alternative property pursuant to clause (iii), shall remain affordable housing for
2332 the duration of the loan term, including any extension thereof, as set forth in the contract or
2333 agreement entered into by the executive office.

2334 SECTION 100. Item 7004-0051 of said section 2 of said chapter 99 is hereby amended
2335 by striking out clause (ii) and inserting in place thereof the following clause:-

2336 (ii) not be issued unless a contract or agreement for the use of the property for the
2337 purposes of such housing provides for repayment to the commonwealth at the time of disposition
2338 of the property if such property will no longer be subject to a recorded deed restriction pursuant
2339 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
2340 commonwealth's proportional contribution from community-based housing to the cost of the
2341 development through payments made by the state agency making the contract; provided, further,
2342 that such repayment shall not be required if the executive office of housing and livable
2343 communities, in consultation with the Massachusetts rehabilitation commission, determines that
2344 relevant clients will be better served at an alternative property and the proceeds from the
2345 disposition of the property will be used, to the extent necessary for replacement of the housing at
2346 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
2347 (B) to rehabilitate such alternative property;.

2348 SECTION 101. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
2349 amended by striking out the words "until the balance of the principal and interest for the loan has
2350 been repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
2351 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
2352 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
2353 office of housing and livable communities has determined, pursuant to clause (ii), that repayment
2354 to the commonwealth is not required.

2355 SECTION 102. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
2356 amended by striking out the words “shall continue to remain affordable housing for the duration
2357 of the loan term, including any extensions thereof, as set forth in the contract or agreement
2358 entered into by the department” and inserting place thereof the following words:-, whether at the
2359 original property, or at an alternative property pursuant to clause (ii), shall continue to remain
2360 affordable housing for the duration of the loan term, including any extensions thereof, as set
2361 forth in the contract or agreement entered into by the executive office.

2362 SECTION 103. (a) For the purposes of this section, the following words shall, unless the
2363 context clearly requires otherwise, have the following meanings:

2364 “Development cost”, an expenditure directly related to the construction or substantial
2365 rehabilitation of a municipal conversion project, including the cost of site assessment and
2366 remediation of hazardous materials, but excluding the purchase of the property.

2367 “Executive office”, the executive office of housing and livable communities.

2368 “Substantial rehabilitation”, the necessary major redevelopment, repair and renovation of
2369 a property, including, but not limited to, site assessment and remediation of hazardous materials,
2370 but excluding the purchase of the property, as determined by the executive office.

2371 (b) The executive office shall establish a municipal conversion project competitive grant
2372 program for municipalities to apply for grants to assist with the development costs of converting
2373 commercial property into residential housing, including, but not limited to, commercial buildings
2374 located on main streets or in downtown municipal areas, commercial centers and office parks.

2375 (c)(1) A municipality may apply to the executive office for funds for the development
2376 costs of capital projects to convert commercial properties.

2377 (2) The executive office shall determine the criteria for the award of grants to
2378 municipalities pursuant to subsection (b), including, but not limited to, criteria for: (i) the
2379 substantial rehabilitation to convert a building for primary multi-unit residential use; (ii) the
2380 amount of market rate units, upon completion of the conversion, to be sold or leased; and (iii)
2381 additional factors to be considered, including, but not limited to: (A) proximity to transportation
2382 and transit; and (B) parking, if applicable.

2383 (3) The executive office shall review applications from a municipality for a grant for the
2384 development costs of municipal conversion projects, on a form prescribed by the executive
2385 office.

2386 (d) The executive office shall promulgate rules or regulations for administering the grant
2387 program, including, but not limited to, regulations pertaining to: (i) criteria pursuant to paragraph
2388 (2) of subsection (c); (ii) the amounts of each award of funds to a municipality; (iii) the use of
2389 funds for conversion projects; (iv) the eligibility of developers to conduct such projects; and (v)
2390 the revocation of a grant for an uncompleted project.

2391 (e) Annually, not later than December 1, the executive office shall report to the clerks of
2392 the house of representatives and the senate, the house and senate committees on ways and means,
2393 the joint committee on housing and the joint committee on bonding, capital expenditures and
2394 state assets on amounts awarded to municipalities for qualified projects pursuant to subsection
2395 (b), delineated by municipality and including for each qualified project, the total grant amount, a
2396 description of the project and the status of the project.

2397 SECTION 104. Notwithstanding any general or special law, or any rule or regulation to
2398 the contrary, the architectural access board, established pursuant to section 13A of chapter 22 of
2399 the General Laws, shall determine the value of any multiple dwelling, as defined in 521 CMR
2400 5.00, that is owned, constructed or renovated by a housing authority, as defined in section 1 of
2401 chapter 121B of the General Laws, by a replacement cost that is determined by and reflected in
2402 the executive office of housing and livable communities' Capital Planning System survey and
2403 database for state-funded public housing. For such buildings that are not included in the survey
2404 and database, the replacement cost shall be calculated by the executive office based on the
2405 replacement cost for comparable facilities that are included in the survey and database. The
2406 executive office shall supplement the survey and database on file with the architectural access
2407 board for any such building by preparing and filing documentation identifying the replacement
2408 cost for the building and the method by which it was calculated.

2409 SECTION 105. (a) As used in this section and sections 106 and 107, the following words
2410 shall, unless the context clearly requires otherwise, have the following meanings:

2411 "Affordable housing purposes", development of multi-family housing, of which either: (i)
2412 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent
2413 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be
2414 affordable to households with incomes at or below 50 per cent of the area median income,
2415 adjusted for household size; provided, that affordable housing purposes may include subsequent
2416 conveyance by a public agency, other than a state agency, with a restriction for affordable
2417 housing purposes.

2418 "Commissioner", the commissioner of capital asset management and maintenance.

2419 “Housing purposes”, development of housing for use as the primary residence of the
2420 occupant, including, but not limited to, market rate housing, affordable housing and public
2421 housing; provided, that housing purposes may include subsequent conveyance by a public
2422 agency, other than a state agency, with a restriction for housing purposes; and provided further,
2423 that housing purposes shall include affordable housing purposes.

2424 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,
2425 that “public agency” shall include the Massachusetts Department of Transportation, the
2426 Massachusetts Bay Transportation Authority and the University of Massachusetts Building
2427 Authority; provided, however, that public agency shall not include cities, towns or counties, or
2428 any boards, committees, commissions or other instrumentalities thereof; and provided further,
2429 that public agency shall not include any agency that is a state agency.

2430 “Public institution of higher education”, as set forth in section 5 of chapter 15A of the
2431 General Laws.

2432 “Real property”, as defined in said section 1 of said chapter 7C.

2433 “Real property of the commonwealth”, real property of a state agency consistent with
2434 chapter 7C.

2435 “Real property of a public agency”, as defined in section 32 of chapter 7C.

2436 “Secretary”, the secretary of administration and finance.

2437 “State agency”, as defined in said section 1 of said chapter 7C; provided, however, that
2438 state agency shall not include counties.

2439 “Surplus real property”, (i) real property of the commonwealth that has been determined
2440 by the commissioner: (A) to be surplus to the current and foreseeable needs of the
2441 commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to be surplus to
2442 the current and foreseeable needs of any state agency pursuant to section 33 or 34 of said chapter
2443 7C; or (ii) real property of a public agency determined by the commissioner to be surplus to the
2444 current and foreseeable needs of the public agency, as determined by the public agency;
2445 provided, however, that surplus real property shall not include property subject to Article XCVII
2446 of the Amendments to the Constitution of the Commonwealth.

2447 (b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
2448 or any other general or special law to the contrary, the commissioner may sell, lease for a term
2449 not to exceed 99 years, transfer or otherwise dispose of surplus real property of the
2450 commonwealth or surplus real property of a public agency for housing purposes.

2451 (2)(i) The commissioner may, in consultation with the secretary and the secretary of
2452 housing and livable communities, determine that real property of the commonwealth is surplus
2453 real property and shall be disposed of for housing purposes; provided, that prior to determining
2454 that the real property is surplus real property, the commissioner shall provide a suitable written
2455 notice and inquiry to the state agency with care and control of the real property, with a date
2456 certain required for any response. If no written response is timely received from the state agency
2457 specifying a current or foreseeable need for the real property, the commissioner shall declare
2458 such real property as surplus real property and dispose of such real property for housing
2459 purposes. If a written response is timely received from the state agency specifying a current or
2460 foreseeable need for the real property, the commissioner shall, in consultation with the secretary,

2461 the secretary of housing and livable communities and such state agency, determine whether the
2462 real property shall be declared surplus real property and disposed of for housing purposes.

2463 (ii) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2464 any other general or special law to the contrary, if real property of the commonwealth is
2465 determined to be surplus to the current needs, but not to the foreseeable needs, of any state
2466 agency, the commissioner shall take such necessary action to ensure that any disposition of the
2467 real property is temporary and maintains the commissioner's ability to make such real property
2468 available to a state agency, as needed.

2469 (iii) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2470 any other general or special law to the contrary, the commissioner may, in consultation with the
2471 secretary and the secretary of housing and livable communities, make real property of the
2472 commonwealth that has been determined to be surplus to the current needs, but not the
2473 foreseeable needs, of any state agency available for a period of time not to extend beyond the
2474 foreseeable need of any state agency for housing and related purposes to municipalities, public
2475 agencies and non-profit organizations for nominal consideration.

2476 (3) The chancellor or president of any public institution of higher education may, with the
2477 approval of the commissioner of higher education, determine that property of any public
2478 institution of higher education is surplus to the current and foreseeable needs of such institution
2479 and the commissioner may dispose of such property for housing purposes without approval by
2480 the institution's board of trustees.

2481 (4)(i) The Governor may identify parcels of land owned or controlled by a public agency,
2482 and any buildings or improvements thereon, as potentially surplus real property by submitting a

2483 written notice to the public agency. Within 30 days of receipt of the notice, the public agency
2484 shall determine whether such real property is surplus to its current and foreseeable needs. If the
2485 public agency determines that the real property is not surplus to its current and foreseeable needs,
2486 such public agency shall respond in writing not later than 30 days after receipt of a request by the
2487 governor, specifying the reason for its determination.

2488 (ii) The commissioner may, in consultation with the secretary and the secretary of
2489 housing and livable communities, enter into agreements with a public agency to dispose of
2490 surplus real property of the public agency for housing purposes; provided, that the commissioner
2491 shall not be required to determine if the real property of the public agency is surplus to the
2492 current and foreseeable needs of the commonwealth and shall not be required to provide written
2493 notice and inquiry to any public agency.

2494 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2495 any other general or special law to the contrary, the commissioner may amend a use restriction
2496 held by the commonwealth for general municipal purposes or any other purpose, except those
2497 purposes subject to Article XCVII of the Amendments to the Constitution of the Commonwealth,
2498 to include housing purposes.

2499 (d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
2500 or any other general or special law to the contrary, if the commissioner, in consultation with the
2501 secretary and the secretary of housing and livable communities, determines that real property is
2502 surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the
2503 commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph
2504 (4) of subsection (b), the commissioner shall: (i) provide written notice, for each city or town in

2505 which the property is located, to the city manager in the case of a city under Plan E form of
2506 government, the mayor and city council in the case of all other cities, the chair of the board of
2507 selectmen or the select board in the case of a town, the county commissioners, the chair of the
2508 zoning board of appeals, the chair of the planning board, the regional planning agency and the
2509 members of the general court representing the city or town in which the property is located;
2510 provided, that such notice shall include a statement that the proposed reuse of the property is for
2511 housing purposes, with a date certain for any response that shall be not less than 30 days from
2512 the date of such notice; (ii) following the date certain set forth in such notice, declare said real
2513 property available for disposition and identify all reuse restrictions, including, but not limited to,
2514 a restriction for housing purposes; and (iii) ensure that any deed, lease or other disposition
2515 agreement shall set forth all reuse restrictions, including, but not limited to, a restriction for
2516 housing purposes, provide for effective remedies on behalf of the commonwealth and provide, in
2517 the event of a failure to comply with the reuse restrictions by the grantee, lessee or other
2518 recipient, that title or such lesser interest as may have been conveyed, may revert to the
2519 commonwealth. The commissioner shall, in identifying reuse restrictions for such property,
2520 consider in good faith any comments presented by local officials and members of the general
2521 court representing each city or town in which the property is located.

2522 (2) The commissioner shall, in consultation with the secretary of housing and livable
2523 communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes
2524 and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said
2525 real property is located; provided, that the sales-partnership agreement shall require the
2526 municipality to utilize appropriate competitive processes and procedures; provided, further, that
2527 the sales-partnership agreement may require the municipality to conduct said competitive

2528 processes and select a developer prior to disposition of the real property; provided, further, that
2529 the commissioner may transfer the real property directly to the selected developer pursuant to the
2530 sale-partnership agreement; and provided, further, that the sales-partnership agreement may
2531 provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales
2532 price paid to the commonwealth, as determined by the commissioner. A competitive process
2533 pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and
2534 requests for price and development proposals. The commissioner may accept any consideration
2535 for surplus real property disposed of pursuant to this section deemed appropriate by the
2536 commissioner and the secretary of housing and livable communities. The commissioner shall
2537 prioritize disposition of surplus real property for affordable housing purposes.

2538 (3) Not less than 30 days before the date of an auction or the date on which bids or
2539 proposals or other offers to purchase or lease surplus real property are due, the commissioner
2540 shall place a notice in the central register published by the state secretary pursuant to section 20A
2541 of chapter 9 of the General Laws stating the availability of such property, the nature of the
2542 competitive process and other information deemed relevant, including the time and location of
2543 the auction, the submission of bids or proposals and the opening thereof. The commissioner shall
2544 not be required to place said notice if the property is conveyed: (i) to a municipality or developer
2545 selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in
2546 accordance with clause (ii) of paragraph (2) of subsection (e).

2547 (4) All surplus real property shall be conveyed with a restriction for housing purposes.
2548 The deed or other instrument conveying the surplus real property shall provide that said real
2549 property shall be used solely for housing purposes.

2550 (5) The commissioner shall place a notice in the central register identifying the
2551 municipality, public agency, individual or firm selected as party to such real property transaction,
2552 along with the amount of such transaction. If the commissioner accepts an amount below the
2553 value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the
2554 justification therefore, specifying the difference between the calculated value and the price
2555 received.

2556 (e)(1) The commissioner shall establish the value of surplus real property using
2557 customarily accepted appraisal methodologies. The value shall be calculated both for: (i) the
2558 highest and best use of the property as may be encumbered; and (ii) subject to uses, restrictions
2559 and encumbrances defined by the commissioner. In no instance in which the commonwealth
2560 retains responsibility for maintaining the property shall the terms provide for payment of less
2561 than the annual maintenance costs.

2562 (2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the
2563 secretary and the secretary of housing and livable communities, dispose of surplus real property
2564 for nominal consideration; provided, that the surplus real property shall be conveyed with a
2565 restriction for affordable housing purposes. The deed or other instrument conveying the surplus
2566 real property shall provide that said property shall be used solely for affordable housing purposes
2567 and may include a reversionary clause that stipulates that if the parcel ceases at any time to be
2568 used for affordable housing purposes, title and the parcel shall, at the election of the
2569 commonwealth, revert to the commonwealth.

2570 (ii) Notwithstanding any time limit established pursuant to section 7 of chapter 184A of
2571 the General Laws, or any general or special law to the contrary, the reversionary clause may be
2572 enforceable.

2573 (iii) The commissioner may, in consultation with the secretary and the secretary of
2574 housing and livable communities, amend a use restriction held by the commonwealth to include
2575 housing purposes.

2576 (f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
2577 any other general or special law to the contrary, the commissioner may, in consultation with the
2578 secretary, the secretary of housing and livable communities and the state agency with care and
2579 control of the real property, transfer care and control of real property between state agencies for
2580 housing purposes.

2581 (g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real
2582 property and no deed, executed by or on behalf of the commonwealth, shall be valid unless such
2583 agreement or deed contains the following certification, signed by the commissioner:

2584 “The undersigned certifies under penalties of perjury that I have fully complied with
2585 requirements of law related to any real property described.”

2586 (2) No agreement for the sale, lease, transfer or other disposition of surplus real property
2587 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the
2588 statement required by section 38 of chapter 7C of the General Laws.

2589 (h) The grantee or lessee of any surplus real property shall be responsible for all costs
2590 relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings
2591 and any other expenses, as shall be deemed necessary by the commissioner.

2592 (i) The commissioner shall deposit the proceeds from any disposition of real property
2593 pursuant to this section into the surplus real property disposition fund established in section 107.

2594 (j) The commissioner may, in consultation with the secretary of housing and livable
2595 communities, promulgate regulations to implement this section.

2596 SECTION 106. (a) Notwithstanding chapter 40A of the General Laws, or any other
2597 general or special law, or any local zoning ordinance or by-law or any municipal ordinance or
2598 by-law to the contrary, a city or town shall permit the residential use of real property conveyed
2599 by the commissioner pursuant to section 105 for housing purposes as of right, as defined in
2600 section 1A of said chapter 40A, notwithstanding any use limitations otherwise applicable in the
2601 zoning district in which the real property is located, including, but not limited to, commercial,
2602 mixed-use development or industrial uses; provided, however, that the city or town may impose
2603 reasonable regulations concerning the bulk and height of structures and determining yard sizes,
2604 lot area, setbacks, open space and building coverage requirements; provided, further, that the city
2605 or town may require site plan review; and provided, further, that the city or town shall permit no
2606 fewer than 4 units of housing per acre.

2607 (b) Real property conveyed by the commissioner pursuant to section 105 shall include,
2608 but shall not be limited to, the amendment of use restrictions held by the commonwealth to allow
2609 for the use of such real property for housing purposes.

2610 (c) The secretary of housing and livable communities may promulgate regulations to
2611 implement this section.

2612 SECTION 107. (a) There is hereby established a surplus real property disposition fund
2613 for the proceeds from property dispositions pursuant to section 105, to be administered by the
2614 secretary of administration and finance.

2615 (b) The fund shall be credited with: (i) the proceeds realized from the disposition of
2616 surplus real property and the amendment of use restrictions pursuant to section 105; (ii) any
2617 appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on
2618 money in the fund. Amounts credited to the fund shall not be subject to further appropriation and
2619 money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and
2620 shall be available for expenditure in the subsequent fiscal year.

2621 (c) Amounts credited to the fund may be: (i) transferred by the secretary to the state
2622 agency that had care and control of the land conveyed pursuant to section 105 if the real property
2623 was conveyed for fair market value consideration in an amount equal to the net proceeds of the
2624 disposition; (ii) transferred by the secretary to the state agency that had care and control of the
2625 real property conveyed pursuant to section 105 if the real property was conveyed for
2626 consideration less than fair market value in an amount equal to \$10,000 per unit of housing
2627 permitted by the city or town in which the real property is located or the net proceeds of the
2628 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance
2629 with a sales partnership agreement pursuant to section 105; or (iv) expended for costs associated
2630 with the disposition of real property pursuant to section 105, including, but not limited to,
2631 demolition, site preparation and environmental remediation; provided, that all money transferred

2632 to a state agency pursuant to clauses (i) and (ii) shall be expended by the agency for capital
2633 facility projects, as defined in section 1 of chapter 7C of the General Laws; and provided,
2634 further, that all net proceeds from the disposition of surplus real property of a public agency
2635 other than a state agency, as determined by the commissioner of capital asset management and
2636 maintenance, shall be transferred to such public agency.

2637 SECTION 108. (a) Notwithstanding any general or special law to the contrary, not later
2638 than 120 days after the expiration of affordability restrictions on housing units assisted under
2639 items 7004-0070 and 7004-0071 of section 2, the executive office of housing and livable
2640 communities or its assignee, who shall be a qualified developer selected pursuant to the terms of
2641 said items 7004-0700 and 7004-0071 under the guidelines of the executive office, shall have an
2642 option to purchase any such housing units at their current appraised value, reduced by any
2643 remaining obligation of the owner, upon the expiration of the affordability restrictions. The
2644 executive office or its assignee shall only purchase or acquire such housing units to preserve or
2645 provide affordable housing. The executive office or its assignee shall hold such purchase option
2646 for the first 120 days after the expiration of the affordability restrictions. Failure to exercise the
2647 purchase option within 120 days after the expiration of the affordability restriction shall
2648 constitute a waiver of the purchase option by the executive office or its assignee.

2649 (b) Not later than 30 days after the expiration of an affordability restriction pursuant to
2650 subsection (a), the owner and the executive office shall each designate a professional in the field
2651 of multi-unit residential housing. Each professional shall select an impartial appraiser. Not later
2652 than 60 days after the expiration of the affordability restriction, the 2 impartial appraisers shall
2653 determine the current appraised value in accordance with recognized professional standards. If

2654 there is a difference in the valuations, the valuations shall be added together and divided by 2 to
2655 determine the current appraised value of the units.

2656 (c) No sale, transfer or other disposition of the property shall be completed until either the
2657 purchase option period has expired or the owner has been notified, in writing, by the executive
2658 office or its assignee that the option will not be exercised. The option shall be exercised only by
2659 written notice signed by a designated representative of the executive office or its assignee, sent to
2660 the owner by certified mail at the address specified in the notice of intention and recorded with
2661 the registry of deeds or the registry district of the land court of the county in which the affected
2662 real property is located, within the option period. If the purchase option has been assigned to a
2663 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,
2664 the written notice shall state the name and address of the developer and the terms and conditions
2665 of the assignment.

2666 (d) Before any sale, transfer or other disposition of property for which the executive
2667 office has not previously exercised an option to purchase, an owner shall offer the executive
2668 office or its assignee, who shall be a qualified developer selected pursuant to said items 7004-
2669 0070 and 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase
2670 the units. The owner shall provide to the executive office or its assignee written notice by regular
2671 and certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise
2672 dispose of the property. The executive office or its assignee shall hold the first refusal option for
2673 the first 120 days after receipt of the owner's written notice of intent to transfer the property.
2674 Failure to respond to the written notice of intent to sell, transfer or otherwise dispose of the
2675 property within the 120-day period shall constitute a waiver of the right of first refusal by the
2676 executive office. No sale, transfer or other disposition of the property shall be completed until

2677 either the first refusal option period has expired or the owner has been notified in writing by the
2678 executive office or its assignee that the option will not be exercised. The option shall be
2679 exercised only by written notice signed by a designated representative of the executive office or
2680 its assignee, sent to the owner by certified mail at the address specified in the notice of intention
2681 and recorded with the registry of deeds or the registry district of the land court of the county in
2682 which the affected real property is located, within the option period. If the first refusal option has
2683 been assigned to a qualified developer selected pursuant to said items 7004-0070 and 7004-0071
2684 of said section 2, the written notice shall state the name and address of the developer and the
2685 terms and conditions of the assignment.

2686 (e) An affidavit before a notary public that the notice of intent was mailed on behalf of an
2687 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or
2688 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised
2689 shall be recorded with the registry of deeds or the registry district of the land court in the county
2690 in which the affected real property is located. Each notice of intention, notice of exercise of the
2691 purchase option or first refusal option and notice that the purchase option or first refusal option
2692 shall not be exercised shall contain the name of the recorded owner of the property and a
2693 reasonable description of the property to be sold or converted. Each affidavit signed before a
2694 notary public shall have attached to it a copy of the notice of intention to which it relates. The
2695 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records
2696 for the party in question. Upon notifying the owner in writing of its intention to exercise its
2697 purchase option or first refusal option during the 120-day period, the executive office or its
2698 assignee shall have an additional 120 days, beginning on the date the purchase option period or
2699 first refusal option period expires, to purchase the units. The time periods may be extended by

2700 mutual agreement between the executive office or its assignee and the owner of the property.
2701 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the
2702 land court of the county in which the affected real property is located. Within a reasonable time
2703 after requesting an extension, the owner shall make available to the executive office or its
2704 assignee any information that is reasonably necessary for the executive office to exercise its
2705 option.

2706 SECTION 109. Notwithstanding any general or special law to the contrary, a private
2707 entity engaged in a construction, development, renovation, remodeling, reconstruction,
2708 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify
2709 individuals employed on the project and shall comply with all laws concerning workers'
2710 compensation insurance coverage, unemployment insurance, social security taxes and income
2711 taxes with respect to all such employees. All construction contractors engaged by a private entity
2712 on any such project shall furnish documentation to the appointing authority showing that all
2713 employees employed on the project have hospitalization and medical benefits that meet the
2714 minimum requirements of the commonwealth health insurance connector established in chapter
2715 176Q of the General Laws.

2716 SECTION 110. Notwithstanding any general or special law to the contrary, the
2717 unexpended and unencumbered balances of the bond-funded authorizations in the following
2718 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
2719 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,
2720 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,
2721 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

2722 SECTION 111. To meet the expenditures necessary in carrying out sections 2 and 2A,
2723 inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
2724 commonwealth in an amount to be specified by the governor from time to time but not
2725 exceeding, in the aggregate, \$5,955,000,000. All bonds issued by the commonwealth as aforesaid
2726 shall be designated on their face, The Affordable Homes Act of 2024, and shall be issued for a
2727 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
2728 court under section 3 of Article LXII of the Amendments to the Constitution; provided, however,
2729 that all such bonds shall be payable not later than June 30, 2059. All interest and payments on
2730 account of principal on such obligations shall be payable from the General Fund. Bonds and
2731 interest thereon issued under the authority of this section shall, notwithstanding any other
2732 provision of this act, be general obligations of the commonwealth. An amount not to exceed 2
2733 per cent of the authorizations may be expended by the executive office of housing and livable
2734 communities for administrative costs directly attributable to the purposes of this act, including
2735 costs of clerical and support personnel. The secretary of housing and livable communities shall
2736 file an annual spending plan detailing, by subsidiary, all personnel costs and any administrative
2737 costs charged to expenditures made pursuant to this act with the fiscal affairs division within the
2738 executive office for administration and finance, the house and senate committees on ways and
2739 means, the joint committee on bonding, capital expenditures and state assets and the joint
2740 committee on housing.

2741 SECTION 112. To meet the expenditures necessary in carrying out section 2B, the state
2742 treasurer shall, upon request of the governor, shall issue and sell bonds in an amount to be
2743 specified by the governor from time to time but not exceeding, in the aggregate, \$250,000,000.
2744 All bonds issued by the commonwealth as aforesaid shall be designated on their face The

2745 Affordable Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding
2746 30 years, as the governor may recommend to the general court pursuant to section 3 of Article
2747 LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be
2748 payable not later than June 30, 2059. All interest and payments on account of principal on such
2749 obligations shall be payable from the General Fund. Bonds and interest thereon issued under the
2750 authority of this section shall, notwithstanding any other provision of this act, be general
2751 obligations of the commonwealth. An amount not to exceed 2 per cent of the authorizations may
2752 be expended by the executive office of housing and livable communities for administrative costs
2753 directly attributable to the purposes of this act, including costs of clerical and support personnel.
2754 The secretary of housing and livable communities shall file an annual spending plan with the
2755 fiscal affairs division, the house and senate committees on ways and means, the house and senate
2756 committees on bonding, capital expenditures and states assets and the joint committee on
2757 housing which details, by subsidiary, all personnel costs and any administrative costs charged to
2758 expenditures made pursuant to this act.

2759 SECTION 113. The seasonal communities coordinating council, established in section 32
2760 of chapter 23B of the General Laws, inserted by section 5, shall submit an initial report to the
2761 executive office of housing and livable communities and the joint committee on housing not later
2762 than 180 days following appointment of its members.

2763 SECTION 114. Not later than 90 days after the effective date of this act, the secretary of
2764 housing and livable communities, in consultation with the secretary of veterans' services, shall
2765 promulgate rules or regulations pursuant to subsection (e) of section 36 of chapter 23B of the
2766 General Laws, inserted by section 5.

2767 SECTION 115. The executive office of housing and livable communities shall report on
2768 all expenditures from the Massachusetts healthy homes program established pursuant to section
2769 34 of chapter 23B of the General Laws, inserted by section 5, and the Massachusetts healthy
2770 homes program fund established pursuant to section 35 of said chapter 23B, inserted by section
2771 5, to the clerks of the house of representatives and the senate, the joint committee on housing and
2772 the house and senate committees on ways and means not later than 18 months after the effective
2773 date of this act. The report shall include: (i) the number of projects completed through the
2774 Massachusetts healthy homes program addressing habitability concerns; (ii) the locations
2775 throughout the commonwealth; (iii) the total amount of grants or loans authorized; (iv) the
2776 number of projects using existing home repair programs; and (v) the breakdown of landlord-
2777 owned properties and owner-occupied properties. The executive office shall make the report
2778 publicly available on its website.

2779 SECTION 116. Not later than 180 days after the effective date of this act, the executive
2780 office of housing and livable communities shall promulgate guidance or regulations pursuant to
2781 subsection (g) of section 34 of chapter 23B of the General Laws, as inserted by section 5.

2782 SECTION 117. Section 37 of chapter 23B of the General Laws, inserted by section 5,
2783 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 14, sections
2784 15, 16, and 18 and sections 38OO and 38PP of chapter 63 of the General Laws, inserted by
2785 section 19, shall take effect for tax years beginning on or after January 1, 2025.

2786 SECTION 118. Section 37 of chapter 23B of the General Laws, inserted by section 5,
2787 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 14, and
2788 section 38OO of chapter 63 of the General Laws, inserted by section 19 are hereby repealed.

2789 SECTION 119. Section 103 is hereby repealed.

2790 SECTION 120. Section 105 is hereby repealed.

2791 SECTION 121. Sections 8 and 10 shall take effect 180 days after the effective date of this
2792 act.

2793 SECTION 122. Sections 17, 20, 118 and 119 shall take effect on January 1, 2030.

2794 SECTION 123. Section 120 shall take effect on June 30, 2030; provided, however, that
2795 the commissioner of capital asset management and maintenance may complete any transaction
2796 for which agreements have been signed and delivered on or before June 30, 2030.