

HOUSE No. 4726

House, No. 4707, as changed by the committee on Bills in the Third Reading, and as amended and passed to be engrossed by the House. June 5, 2024.

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 and rural villages; provided, that the program shall be administered to: (i)
476 maximize the amount of affordable residential and mixed-use space in close proximity to transit
477 nodes or within neighborhood commercial areas, resulting in higher density, compact
478 development and pedestrian-friendly, inclusive and connected neighborhoods; (ii) increase mass
479 transit ridership; (iii) decrease traffic congestion and reduce greenhouse gas emissions; and (iv)
480 increase economic opportunity for disadvantaged populations by making it easier for residents of
481 affordable housing to access public transportation, including transportation supporting commutes
482 to employment centers; provided further, that the program may be administered to include
483 projects which have residential units above commercial space located in areas characterized by a
484 predominance of commercial land uses, a high daytime or business population or a high
485 concentration of daytime traffic and parking, provided, that the financial subsidy for the
486 commercial portion of a project shall not exceed the lower of 25 per cent of the total
487 development cost of the commercial portion of the project or \$1,000,000; provided further, that
488 the executive office may provide financial support to non-profit and for-profit developers that
489 enter into binding agreements to set aside residential units in existing market-rate, transit-

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

512 7004-0080 For the Middle-Income Housing Fund administered by the Massachusetts
513 Housing Finance Agency..... \$200,000,000

514 SECTION 2A.

515 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

516 *Office of the Secretary*

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

531 1599-1953 For local housing initiatives; provided, that not less than \$1,000,000 shall
532 be expended for the Northern Bristol County Assistance Collaborative, Inc. for development
533 costs for the Attleboro affordable senior housing project; provided further, that not less than

534 \$1,000,000 shall be expended for a new connector road in Shrewsbury for new housing units;
535 provided further, that not less than \$500,000 shall be expended for Holyoke housing authority for
536 phase III of South Holyoke homes; provided further, that not less than \$100,000 shall be
537 expended for the Care drive senior housing project in the town of Erving; provided further, that
538 not less than \$500,000 shall be expended for Worcester property insurance cancellation repair
539 program; provided further, that not less than \$100,000 shall be expended for a feasibility study to
540 explore affordable housing opportunities in the town of Orange; provided further, that not less
541 than \$100,000 shall be expended for a feasibility study to explore affordable housing
542 opportunities in the town of Winchendon; provided further, that not less than \$300,000 shall be
543 expended for the removal or securing of blighted or abandoned property on sites to be used for
544 affordable, senior, or mixed-use housing in the town of Athol; provided further, that not less than
545 \$100,000 shall be expended for the removal or securing of blighted or abandoned property on
546 sites to be used for affordable, senior, or mixed-use housing in the town of Orange; provided
547 further, that not less than \$1,000,000 shall be expended for the renovation of Cassilas Farm for
548 affordable housing units in New Marlborough; provided further, that not less than \$100,000 shall
549 be expended for a feasibility study of St. Martin Hall on the property of Shakespeare and
550 Company located in the town of Lenox; provided further, that not less than \$5,000,000 shall be
551 expended for seasonal supportive housing for the non-profit creative economy in Berkshire
552 county; provided further, that not less than \$500,000 shall be expended for capital improvements
553 to the Revere housing authority; provided further, that not less than \$200,000 shall be expended
554 for the Revere housing authority gold star families public housing development; provided
555 further, that not less than \$4,000,000 shall be expended for the construction of a new entrance
556 and exit ramp on route 1 for safety improvements and planned access to Malden, Revere and the

557 overlook development which includes mixed income housing; provided further, that not less than
558 \$1,000,000 shall be expended for the demolition of the former Winthrop middle school to
559 facilitate the development of a mixed-use property including 55 plus housing; provided further,
560 that not less than \$500,000 shall be expended for capital improvements to the Tyngsborough
561 housing authority; provided further, that not less than \$500,000 shall be expended for capital
562 improvements to the Dracut housing authority; provided further, that not less than \$250,000 shall
563 be expended to the Shrewsbury housing authority for capital improvements; provided further,
564 that not less than \$100,000 shall be expended for the design, permitting and construction of a
565 road in Bellingham connecting North Main street and Mechanic street to improve access
566 between the downtown community and the Massachusetts Bay Transit Authority terminal link by
567 improving road infrastructure to allow for 550 new units of housing; provided further, that not
568 less than \$1,000,000 shall be expended to the Malden housing authority for repairs to the
569 Springdale elderly-disabled public housing facility; provided further, that not less than
570 \$1,000,000 shall be expended for the Malden housing authority for critical infrastructure repairs
571 to the Forestdale elderly-disabled public housing facility; provided further, that not less than
572 \$500,000 shall be expended for the YWCA Malden for renovations to units within its residency
573 program for low-income women; provided further, that not less than \$500,000 shall be expended
574 for the North Star Family Services, Inc.'s journey home family housing in Leominster; provided
575 further, that not less than \$1,000,000 shall be expended for Clear Path for Veterans New
576 England, Inc. veterans housing in Leominster; provided further, that not less than \$250,000 shall
577 be expended for the Lunenburg housing authority to improve and renovate site conditions in
578 Lunenburg; provided further, that not less than \$2,000,000 shall be expended for the
579 Neighborhood of Affordable Housing, Inc. for the restoration and production of housing at the

580 Union Block building in Taunton; provided further, that not less than \$500,000 shall be
581 expended for NewVue Communities, Inc. redevelopment, renovation and or repurposing of
582 underutilized properties; provided further, that not less than \$1,000,000 shall be expended for the
583 permitting and engineering costs associated with establishing a connection to the Massachusetts
584 water resources authority for the town of Walpole through the town of Norwood; provided
585 further, that not less than \$2,000,000 shall be expended for the city of Fitchburg to assist with the
586 redevelopment, renovation and site improvement of underutilized properties to provide
587 additional housing capacity; provided further, that not less than \$250,000 shall be expended for
588 the Townsend housing authority to improve and renovate site conditions in Townsend; provided
589 further, that not less than \$100,000 shall be expended for the town of Mansfield for development
590 in the parkway from North Main street and Chauncy street; provided further, that not less than
591 \$2,000,000 shall be expended for the Worcester affordable housing trust fund; provided further,
592 that not less than \$750,000 shall be expended for improvements to the West Boylston housing
593 authority; provided further, that not less than \$250,000 shall be expended for the Groton housing
594 authority to improve and renovate site conditions in Groton; provided further, that not less than
595 \$250,000 shall be expended to the Pepperell housing authority to improve and renovate site
596 conditions in Pepperell; provided further, that not less than \$2,000,000 shall be expended for the
597 WHEAT Community Connections' housing project in the town of Clinton; provided further, that
598 not less than \$250,000 shall be expended to the town of Ashby to improve and renovate site
599 conditions in Ashby; provided further, that not less than \$1,000,000 shall be expended for
600 improvements to the Leicester housing authority; provided further, that not less than \$1,000,000
601 shall be expended for facility upgrades at Menotomy Manor and the Arlington housing authority;
602 provided further, that not less than \$250,000 shall be expended to the affordable housing trust

603 fund in Dunstable to improve and renovate site conditions in Dunstable; provided further, that
604 not less than \$1,000,000 shall be expended for elevator replacement at Chestnut Manor in the
605 town of Arlington; provided further, that not less than \$500,000 shall be expended for fire alarm
606 upgrades at the Arlington housing authority; provided further, that not less than \$350,000 shall
607 be expended for the Worcester housing authority to renovate and preserve affordable units on
608 Oberlin street; provided further, that not less than \$10,000,000 shall be expended for the
609 Springfield housing authority; provided further, that not less than \$500,000 shall be expended for
610 Meryl's Safe Haven Inc. to complete and operate supportive housing for youth aging out of the
611 foster care system; provided further, that not less than \$500,000 shall be expended for the design
612 of the Belmont housing authority's expansion project; provided further, that not less than
613 \$1,000,000 shall be expended in 5 equal amounts over a consecutive 5 year period to the
614 Merrimack Valley Housing Partnership, Inc. to support an affordable home ownership pilot
615 program to bring down mortgage rates and to increase affordability for qualifying first time
616 home buyers purchasing a home in the city of Lowell; provided further, that not less than
617 \$1,000,000 shall be expended for Inquilinos Boricuas en Acción, Inc. for redevelopment of 2 San
618 Juan street in the city of Boson for the conversion from office space to 44 units of affordable
619 housing; provided further, that not less than \$1,000,000 shall be expended for the Sudbury
620 housing trust to develop affordable housing; provided further, that not less than \$500,000 shall
621 be expended for the Lincoln affordable housing trust to acquire and maintain affordable housing;
622 provided further, that not less than \$1,000,000 shall be expended for Inquilinos Boricuas en
623 Acción, Inc. to redevelop 403 Shawmut avenue in the city of Boston; provided further, that not
624 less than \$50,000 shall be expended to the Norwell housing authority to improve and renovate
625 site conditions in Norwell; provided further, that not less than \$2,000,000 shall be expended for

626 the expansion of the Massachusetts water resources authority services to municipalities
627 bordering the Wachusett reservoir; provided further, that not less than \$50,000 shall be expended
628 to the Hanson housing authority to improve and renovate site conditions in Hanson; provided
629 further, that not less than \$50,000 shall be expended for capital improvements to the Charlton
630 housing authority; provided further, that not less than \$50,000 shall be expended for capital
631 improvements at the Dudley housing authority; provided further, that not less than \$75,000 shall
632 be expended for capital improvements at the Webster housing authority; provided further, that
633 not less than \$100,000 shall be expended for building upgrades and improvements at the West
634 Brookfield housing authority; provided further, that not less than \$75,000 shall be expended for
635 capital improvements at the Douglas housing authority; provided further, that not less than
636 \$75,000 shall be expended for improvements at the Sutton housing authority; provided further,
637 that not less than \$75,000 shall be expended for capital improvements at the Oxford housing
638 authority; provided further, that not less than \$1,000,000 shall be expended to the North Shore
639 Community Development Corporation for costs associated with the el centro project; provided
640 further, that not less than \$1,500,000 shall be expended to the city of Worcester to create safe
641 and supportive housing programming; provided further, that not less than \$500,000 shall be
642 expended to the city of Worcester's elder housing repair program to address deferred
643 maintenance concerns and housing code violations at elder-owner occupied residential
644 properties; provided further, that not less than \$1,500,000 shall be expended for the Watertown
645 housing authority for the willow park family public housing development; provided further, that
646 not less than \$1,000,000 shall be expended to the Norwood housing authority; provided further,
647 that not less than \$200,000 shall be expended for improvements and other costs for safe,
648 affordable housing and supportive services at the Merrimack Valley YMCA; provided further,

649 that not less than \$100,000 shall be expended to the town of Marshfield for site evaluation,
650 assessment and preliminary design of the 25 acre Oak street parcel for multi-family housing;
651 provided further, that not less than \$200,000 shall be expended for the housing assistance
652 program at the Greater Lawrence Community Action Council, Inc.; provided further, that not
653 less than \$30,000 shall be expended to the town of Marshfield for updates to the existing
654 Marshfield housing production plan; provided further, that not less than \$2,000,000 shall be
655 expended for a joint housing development by the Gardner housing authority, Templeton housing
656 authority and Winchendon housing authority that focuses on senior citizen housing; provided
657 further, that not less than \$500,000 shall be expended to the town of Scituate to convert the old
658 Gates middle school into senior housing; provided further, that not less than \$5,000,000 shall be
659 expended to the city of Boston for the affordable housing component of the redevelopment of the
660 Boston water and sewer commission parking lots in Roxbury; provided further, that not less than
661 \$500,000 shall be expended for the Grafton housing authority for building upgrades and general
662 improvements; provided further, that not less than \$500,000 shall be expended to the
663 Northbridge housing authority for building upgrades and improvements; provided further, that
664 not less than \$25,900 shall be expended for Scituate to update its affordable housing plan;
665 provided further, that not less than \$1,000,000 shall be expended for the Melrose housing
666 authority to make repairs to CJ McCarthy and Julian Steele facilities; provided further, that not
667 less than \$500,000 shall be expended for the Southborough housing authority for the purchase,
668 acquisition, development and site preparation of new affordable housing projects; provided
669 further, that not less than \$500,000 shall be expended for the Northborough housing authority for
670 capital improvement projects and other projects; provided further, that not less than \$500,000
671 shall be expended for the Westborough affordable housing trust for capital improvements and

672 new housing production; provided further, that not less than \$1,000,000 shall be expended to
673 Hearth Inc. for vital capital repairs across their various properties in the city of Boston; provided
674 further, that not less than \$1,500,000 shall be expended to and disbursed equally among the local
675 housing authorities of the towns of Canton, Stoughton and Avon for capital improvements to
676 public housing properties; provided further, that not less than \$500,000 shall be expended to the
677 Upton housing authority for building upgrades and general improvements; provided further, that
678 not less than \$500,000 shall be expended for veteran preference housing in the city of Fall
679 River; provided further, that not less than \$400,000 shall be expended for supportive housing for
680 homeless in the city of Fall River; provided further, that not less than \$500,000 shall be
681 expended to the Winchester housing authority for the planning, design, renovation, maintenance
682 or construction of housing; provided further, that not less than \$500,000 shall be expended for
683 the replacement of shingles and new siding for the Nashmont development of the New Bedford
684 housing authority; provided further, that not less than \$1,000,000 shall be expended for the
685 Wakefield housing authority for the development of the Hurd school into affordable housing for
686 persons with disabilities; provided further, that not less than \$500,000 shall be expended for
687 required utility upgrades at the New Bedford housing authority; provided further, that not less
688 than \$500,000 shall be expended for the demolition of the existing building and construction of a
689 parking deck at 1204 Purchase street in New Bedford; provided further, that not less than
690 \$50,000 shall be expended for the Topsfield housing authority for power washing and
691 renovations at Little Brook Village in Topsfield; provided further, that not less than \$6,100,000
692 shall be expended for the Brockton yards project in the city of Brockton; provided further, that
693 not less than \$500,000 shall be expended for the Stoneham housing authority for the planning,
694 design, renovation, maintenance or construction of housing; provided further, that not less than

695 \$500,000 shall be expended for the Amherst municipal affordable housing trust for planning the
696 development of affordable housing projects; provided further, that not less than \$2,000,000 shall
697 be expended for modernization and retrofitting at the West Broadway apartments in the South
698 Boston section of Boston; provided further, that not less than \$1,000,000 shall be expended for
699 the Amherst housing authority for maintenance or capital improvements; provided further, that
700 not less than \$25,000 shall be expended to expended to the town of Wayland to assist the town
701 with Chapter 40B monitoring costs; provided further, that not less than \$1,000,000 shall be
702 expended for improvements to properties under the control of the Wayland housing authority;
703 provided further, that not less than \$1,000,000 shall be expended for modernization and
704 retrofitting of the state-assisted South street apartments in the Jamaica Plain section of the
705 Boston; provided further, that not less than \$2,000,000 shall be expended for the deep energy
706 retrofit of the federally-assisted Mildred C. Hailey apartments in the Jamaica Plain neighborhood
707 in Boston; provided further, that not less than \$500,000 shall be expended for maintenance or
708 capital improvements at Granby housing authority; provided further, that not less than
709 \$1,000,000 shall be expended for the Natick housing authority; provided further, that not less
710 than \$1,000,000 shall be expended for the Amherst housing authority to implement clean energy
711 modifications on properties in Amherst; provided further, that not less than \$2,000,000 shall be
712 expended for the modernization of the Mary Ellen McCormack development; provided further,
713 that not less than \$6,000 shall be expended for security cameras at St. Joseph Community, Inc.;;
714 provided further, that not less than \$250,000 shall be expended for the North Reading housing
715 authority; provided further, that not less than \$3,000,000 shall be expended for the Needham
716 housing authority construction costs of affordable housing units at Linden street in Needham;
717 provided further, that not less than \$250,000 shall be expended for the Lynnfield housing

718 authority; provided further, that not less than \$3,000,000 shall be expended for the Franklin
719 bridge senior housing project in Franklin; provided further, that not less than \$1,000,000 shall be
720 expended for the Chelmsford housing authority for the redevelopment of the Chelmsford Arms
721 senior housing complex; provided further, that not less than \$2,000,000 shall be expended for the
722 comprehensive modernization and redevelopment of the federally-assisted heritage apartments in
723 Boston; provided further, that not less than \$500,000 shall be expended for a grant program for
724 municipalities that endeavor to establish local offices of housing stability to help tenants in
725 housing crises including, but not limited to, unaffordability, fire, natural disaster, eviction or
726 condemnation; provided further, that not less than \$2,000,000 shall be expended for the
727 construction of the transit-oriented development connector parkway in Mansfield from north
728 main street to Chauncy street; provided further, that not less than \$1,000,000 shall be expended
729 for the Resilience Hub in Northampton; provided further, that not less than \$2,000,000 shall be
730 expended for modernizing the special needs and state-assisted scattered site public housing in
731 Boston; provided further, that not less than \$50,000 shall be expended for capital improvements
732 to the Westfield housing authority; provided further, that not less than \$5,000,000 shall be
733 expended for the Brooke house, treehouse, and Harvard house projects at the Boston state
734 hospital in Boston; provided further, that not less than \$2,000,000 shall be expended for the
735 state-assisted Gallivan apartments; provided further, that not less than \$1,000,000 shall be
736 expended for the Brookline housing authority to upgrade kitchens to all-electric appliances;
737 provided further, that not less than \$200,000 shall be expended for the Brookline Community
738 Development Corporation for the development of at least 8 units of affordable housing; provided
739 further, that not less than \$50,000 shall be expended for an initial survey to develop land for
740 affordable housing in Southampton; provided further, that not less than \$2,000,000 shall be

741 expended for the redevelopment of the federally-assisted Bunker hill apartments in Charlestown;
742 provided further, that not less than \$100,000 shall be expended to the Abington housing authority
743 for building upgrades; provided further, that not less than \$500,000 shall be expended to Pioneer
744 Valley Habitat for Humanity for the construction of a warehouse for the purpose of expanding
745 affordable housing in the Connecticut river valley; provided further, that not less than \$100,000
746 shall be expended to the Whitman housing authority for building for building upgrades; provided
747 further, that not less than \$100,000 shall be expended to the East Bridgewater housing authority
748 for building upgrades and general improvements; provided further, that not less than \$3,000,000
749 shall be expended for the redevelopment of the federally-assisted Patricia White apartments in
750 the Brighton section of the city of Boston; provided further, that not less than \$100,000 shall be
751 expended for improvements to the Auburn housing authority; provided further, that not less than
752 \$100,000 shall be expended for improvements to the Millbury housing authority; provided
753 further, that not less than \$100,000 shall be expended for improvements to the Leicester housing
754 authority; provided further, that not less than \$500,000 shall be expended to the Springfield
755 housing authority for security camera improvements at the riverview complex; provided further,
756 that not less than \$10,000,000 shall be expended for grants and loans to developers with not
757 more than \$2,000,000 in assets under management to facilitate affordable housing production in
758 gateway municipalities; provided further, that not less than \$1,500,000 shall be expended for the
759 Thatcher street project in the city of Brockton; provided further, that not less than \$500,000 shall
760 be expended to the town of Shutesbury for testing and filtration equipment associated with
761 residential wells contaminated by per- and polyfluoroalkyl substances; provided further, that not
762 less than \$1,000,000 shall be expended to the town of Ludlow for the purpose of planning, pre-
763 development, and site preparation for certain buildings located at 63 Chestnut street and 54

764 Windsor street to be used for affordable, senior, or mixed-use housing; provided further, that not
765 less than \$2,500,000 shall be expended for the affordable housing project of the Austin street
766 parking lots in the Charlestown neighborhood in the city of Boston; provided further, that not
767 less than \$500,000 shall be expended for veteran preference housing in the city of Lowell;
768 provided further, that not less than \$4,000,000 shall be expended for affordable housing
769 production for seniors, veterans and persons with disabilities in the town of Braintree; provided
770 further, that not less than \$2,500,000 shall be expended for housing modernization, water and
771 sewage improvements and retrofit of the Fairmount apartments in the Hyde Park neighborhood
772 of the city of Boston; provided further, that not less than \$500,000 shall be expended to the
773 Springfield Tower Square, LLC for a net-zero clean energy mixed-use residential development at
774 1500 Main street in the city of Springfield; provided further, that not less than \$500,000 shall be
775 expended to HLRE Development, LLC for the conversion of the board of trade block building
776 into affordable and mixed-use housing in the city of Springfield; provided further, that not less
777 than \$3,000,000 shall be expended for the creation of supportive housing for those with mental
778 health and substance abuse disorders in the city of Boston; provided further, that not less than
779 \$2,000,000 shall be expended to the town of Middleton for infrastructure improvements on route
780 114; provided further, that not less than \$10,000,000 shall be expended for the Lawrence housing
781 authority for infrastructure and maintenance repairs; provided further, that not less than
782 \$1,000,000 shall be expended for the city of Haverhill as bridge funding for shovel ready
783 housing projects; provided further, that not less than \$500,000 shall be expended to the Haverhill
784 housing authority 335 Groveland supportive housing project; provided further, that not less than
785 \$5,000,000 shall be expended to the city of Boston to support the acquisition of tenanted housing
786 for the purposes of stabilization tenancies and converting such property into permanent

787 affordable housing; provided further, that not less than \$1,000,000 shall be expended to provide
788 permanent supportive housing for formerly homeless individuals at the 41 LaGrange street
789 project in the city of Boston; provided further, that not less than \$1,500,000 shall be expended
790 for the New Bedford small developer go fund; provided further, that not less than \$1,000,000
791 shall be expended for the International Veterans Care Services Inc for the veterans safe haven
792 project; provided further, that not less than \$1,500,000 shall be expended for the New Bedford
793 office of housing and community development to provide financial assistance for development
794 costs of converting commercial to residential housing; provided further, that not less than
795 \$2,000,000 shall be expended for roadway improvements to increase access to new housing units
796 in the town of Rowley; provided further, that not less than \$500,000 shall be expended for the
797 Brockton housing authority for the planning, design, renovation, maintenance or construction of
798 housing; provided further, that not less than \$500,000 shall be expended for the Salem affordable
799 housing trust fund; provided further, that not less than \$1,000,000 shall be expended for the West
800 Springfield housing authority for capital improvement projects and upgrades; provided further,
801 that not less than \$100,000 shall be expended for a site identification feasibility study for artist
802 housing for the Barrington Stage Company, Inc. and Berkshire Theatre Group, Inc. in the city of
803 Pittsfield; provided further, that not less than \$500,000 shall be expended to the city of
804 Greenfield for affordable, senior or mixed-use housing; provided further, that not less than
805 \$500,000 shall be expended to Rural Development, Inc. for technical assistance; provided
806 further, that not less than \$1,000,000 shall be expended to Revitalization Effort Toward New
807 Urbanism, Inc for the production of more than 100 affordable housing units at Merrimack street
808 corridor in the city of Lowell; provided further, that not less than \$5,000,000 shall be expended
809 for the Suffolk Downs project in the city of Boston and the city of Revere; provided further, that

810 not less than \$1,000,000 shall be expended to the city of Everett for 4 to 8 affordable housing
811 units; provided further, that not less than \$5,000,000 shall be expended for the transit-orientated
812 development mixed-use housing project at Riverside station; provided further, that not less than
813 \$2,000,000 shall be expended for the comprehensive modernization of the state-assisted Franklin
814 field apartments in the Dorchester section of the city of Boston; and provided further, that not
815 less than \$700,000 shall be expended for East Boston Community Development Corporation for
816 repairs and maintenance of income-restricted and subsidized rental
817 properties.....\$196,986,900

818 1599-3032 For costs associated with expanding the capacity of the Massachusetts
819 Water Resources Authority to serve new cities and towns identified in expansion feasibility
820 studies conducted by the authority and published in October 2022 pursuant to item 1599-2032 of
821 chapter 102 of the acts of 2021; provided, that the authority shall prioritize expansion
822 opportunities with a focus on increasing housing capacity in the commonwealth and improving
823 drinking water quality for cities and towns with water supplies contaminated by per- and
824 polyfluoroalkyl substances; and provided further, that annually, not later than March 14, the
825 authority shall submit a report to the secretary of the executive office for administration and
826 finance, the secretary of the executive office of housing and livable communities, the house and
827 senate committees on ways and means and the joint committee on housing that shall include: (i)
828 the amount of funds allocated in the current fiscal year’s capital improvement program for the
829 purposes contained in this item; (ii) a summary of the authority’s outreach efforts, including the
830 cities and towns that are interested in joining the authority’s service area; (iii) the timeline and
831 implementation process of proposed expansions; and (iv) barriers to proposed
832 expansions..... \$1,000,000,000

833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

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

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

7004-0081 For a reserve to support the production of for-sale, below-market housing to expand homeownership opportunities for first-time homebuyers and socially and economically disadvantaged individuals; provided, that grants and loans to developers shall be used to facilitate production of affordable homeownership units for households earning up to 120 per cent of the area median income; provided further, that projects with units restricted to households earning not more than 80 per cent of the area median income shall receive preference; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth’s Opt-in Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that any project

855 proposing less than full compliance with said standards shall provide detailed analysis
856 demonstrating why full compliance would render the project infeasible notwithstanding
857 utilization of all available federal and state incentives, including rebates and tax credits; provided
858 further, that for retrofits of existing units, prioritization shall be given to projects that include
859 energy efficiency and electrification decarbonization measures, including, but not limited to,
860 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
861 energy efficiency certification, and all-electric buildings and projects that incorporate green,
862 sustainable and climate-resilient elements; provided further, that projects that include lower
863 embodied carbon construction materials and methods shall be further prioritized; provided
864 further, that the minimum number of units for qualifying projects under the program shall be 10
865 units; provided further, that funds in this item shall be distributed in a manner that promotes
866 geographic equity; provided further, that grants may include a requirement for matching funds;
867 provided further, that the executive office of housing and livable communities may enter into
868 such contracts and agreements with the Massachusetts Housing Finance Agency, or such other
869 public agencies and instrumentalities as it may determine, for the administration of such
870 program; and provided further, that not more than 5 per cent of this item shall be used for the
871 reasonable costs of administering the program.....\$100,000,000

872 7004-0082 For grants and technical assistance to be made to municipalities and
873 regional applicants to support planning and locally-driven initiatives related to community
874 development, housing production, workforce training and economic opportunity, childcare and
875 early education initiatives and climate resilience initiatives, including nature-based solutions
876 projects, that incorporate these elements, across the commonwealth within individual
877 communities, regions or a defined subset of communities therein; provided, that funds may be

878 expended for culturally-competent and multi-lingual technical assistance and training to small
879 businesses; provided further, that preference for funds shall be given to businesses located in
880 low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and
881 provided further, that grants shall be awarded in a manner that promotes geographic
882 equity.....\$25,000,000

883 7004-0083 For the HousingWorks infrastructure program established by section 27½
884 of chapter 23B of the General Laws.....\$175,000,000

885 7004-0085 For state financial assistance to cities and towns or agencies, boards,
886 commissions, authorities, departments or instrumentalities thereof or community development
887 corporations or non-profit organizations to assist in the revitalization of neighborhoods and
888 communities with properties in blighted or substandard conditions by subsidizing the purchase
889 price, borrowing costs or costs of demolition or renovation projects of up to 50 units of
890 residential rental housing or 1 to 4 units of home ownership residential housing that have been
891 cited for building or sanitary code violations or that are subject to cancellation of commercial
892 property insurance due to substandard property conditions or are otherwise blighted or
893 substandard; provided, that contracts entered into by the executive office of housing and livable
894 communities for those projects may include, but shall not be limited to, projects providing for
895 demolition, renovation, remodeling, reconstruction, redevelopment and hazardous material
896 abatement, including asbestos and lead paint, and for compliance with state codes and laws and
897 for adaptations necessary for compliance with the federal Americans with Disabilities Act of
898 1990; provided further, that preference shall be given to community development corporations
899 and local non-profit organizations, organizations sponsoring projects that secure private funds
900 and projects with the greatest impact on community stabilization in weak markets, including, but

901 not limited to, rural communities and communities that have been disproportionately affected by
902 disinvestment, foreclosure and abandonment; provided further, that financial assistance shall be
903 awarded in a manner that promotes geographic, social, racial and economic equity; provided
904 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized
905 for projects that comply with decarbonization and sustainability standards; provided further, that
906 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
907 Plan developed by the executive office of housing and livable communities; provided further,
908 that for new construction projects, the standards set forth in the commonwealth's Opt-in
909 Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities
910 standards shall be the applicable standards for prioritization; provided further, that any project
911 proposing less than full compliance with said standards shall provide detailed analysis
912 demonstrating why full compliance would render the project infeasible notwithstanding
913 utilization of all available federal and state incentives, including rebates and tax credits; provided
914 further, that for retrofits of existing units, prioritization shall be given to projects that include
915 energy efficiency and electrification decarbonization measures, including, but not limited to,
916 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
917 energy efficiency certification, and all-electric buildings and projects that incorporate green,
918 sustainable and climate-resilient elements; provided further, that projects that include lower
919 embodied carbon construction materials and methods shall be further prioritized; provided
920 further, that such rehabilitated housing shall remain affordable for such period as shall be
921 established by the executive office through guidance taking into account differences in market
922 conditions and the type of restrictions best suited to promoting community stabilization in
923 different markets; and provided further, that an amount not to exceed 2 per cent of the amount

924 expended may pay for administrative costs directly attributable to the purposes of this program,
925 including costs of support personnel.....\$50,000,000

926 7004-0092 For grants and technical assistance for municipalities for the conversion of
927 commercial properties into residential housing pursuant to section 103.....\$150,000,000

928 7004-0093 For the Massachusetts Healthy Homes program established in section 34
929 of chapter 23B of the General Laws, inserted by section 5.....\$50,000,000

930 7004-0094 For the veterans supported housing initiative program established in
931 section 36 of chapter 23B of the General Laws, inserted by section 5; provided, that the
932 executive office of housing and livable communities shall partner with a qualified non-profit
933 organization, as defined in said section 36 of said chapter 23B, to implement and operate the
934 program; and provided further, that the qualified non-profit organization shall receive not more
935 than \$20,000 in a 12-month period for each eligible veteran\$20,000,000

936 7004-0095 For grants to support remediation efforts at former state-owned buildings;
937 provided, that grants shall be to support housing development projects on lands and in buildings
938 previously owned by the commonwealth and that require asbestos, lead or hazardous material
939 demolition and remediation; provided further, that not less than \$15,000,000 shall be expended
940 for hazardous materials remediation at the former Medfield State Hospital; and provided further,
941 that the secretary of housing and livable communities, in consultation with the department of
942 environmental protection, shall report to the clerks of the house of representatives and the senate
943 and the house and senate committees on ways and means all grants awarded, including the
944 amounts of the grants.....\$50,000,000

945 SECTION 2B.

946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

7004-4784 For the Massachusetts Housing Finance Agency, established by section 3 of chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production Momentum Fund for the purpose of accelerating the development of mixed-income and workforce multifamily housing production projects by providing financial assistance in the form of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity or other instruments, depending on individual underwriting needs of the project; provided, that not less than 20 per cent of the units in a project that receives such financial assistance shall be restricted to households with incomes between 60 per cent and 120 per cent of area median income; provided further, that notwithstanding paragraph (f) of section 5 of said chapter 708, the Agency may in its discretion set the term and prepayment options for any mortgage or other loan or instrument issued to any project receiving such financial assistance based on the individual underwriting needs of the project; provided further, that such financial assistance shall be awarded in a manner that promotes geographic equity; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code in 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that any project proposing less than full compliance with said standards shall provide detailed analysis demonstrating why full compliance would

969 render the project infeasible notwithstanding utilization of all available federal and state
970 incentives, including rebates and tax credits; provided further, that for retrofits of existing units,
971 prioritization shall be given to projects that include energy efficiency and electrification
972 decarbonization measures, including, but not limited to, electric or ground source heat pumps,
973 net-zero developments, Passive House or equivalent energy efficiency certification, and all-
974 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;
975 provided further, that projects that include lower embodied carbon construction materials and
976 methods shall be further prioritized; and provided further, that not more than \$13,000,000 shall
977 be expended for new affordable housing units at the 1234-1240 Soldiers Field Road Project
978 approved by the Boston Redevelopment Authority pursuant to document number 8044 in the city
979 of Boston.....\$250,000,000

980 SECTION 3. The first paragraph of section 13A of chapter 22 of the General Laws, as
981 amended by section 60 of chapter 7 of the acts of 2023, is hereby further amended by striking out
982 the second and third sentences and inserting in place thereof the following 3 sentences:- Two of
983 the appointive members shall be architects licensed to practice in the commonwealth. One of the
984 appointive members shall be a licensed building inspector. Three of the appointive members
985 shall be selected after consultation with advocacy groups on behalf of persons with disabilities.

986 SECTION 3A. Said section 13A of said chapter 22, as so amended, is hereby further
987 amended by striking out the fourth paragraph and inserting in place thereof the following
988 paragraph:-

989 The board shall make and from time to time alter, amend and repeal, in accordance with
990 the provisions of chapter 30A, rules and regulations designed to make multiple dwellings and

991 public buildings and facilities, including, but not limited to, areas that are not generally in public
992 use, accessible to, functional for and safe for use by persons with disabilities. The board shall
993 also make rules and regulations requiring that any person who has lawful control of improved or
994 enclosed private property used as off-street parking areas where the public has a right of access
995 as invitees or licensees, shall reserve parking spaces in said off-street parking areas for vehicles
996 authorized to display handicapped plates or placards under section 2 of chapter 90; provided, that
997 the parking requirements shall be consistent with the ADA Standards for Accessible Design. The
998 parking spaces reserved for vehicles of such persons with a disability shall be clearly marked as
999 such. The rules and regulations of the board shall establish standards and procedures designed to
1000 make adaptable for persons with physical disabilities for any building, regardless of the date of
1001 construction: (i) all dwelling units in multiple dwellings equipped with an elevator; (ii) all
1002 ground floor dwelling units in multiple dwellings not equipped with an elevator; and (iii) all
1003 public use and common use portions of such multiple dwellings; provided, however, that in any
1004 building constructed before March 13, 1991, such standards and procedures for dwelling units
1005 shall apply only to such units within: (i) any non-residential building undergoing a gut
1006 rehabilitation as part of a change in use into a multiple dwelling facility; or (ii) any residential
1007 building which is vacant undergoing a gut rehabilitation. The rules and regulations of the board
1008 shall establish standards and procedures designed to make accessible to, functional for and safe
1009 for use by persons with physical disabilities residential buildings whenever constructed and
1010 without the restrictions in the above paragraph. Unless otherwise specified, 5 per cent of the
1011 units in lodging or residential facilities for hire, rent or lease, containing 20 or more units, shall
1012 meet this requirement; provided, however, that accessible units shall allow 5 feet of turning
1013 radius for a wheelchair in the kitchens and bathrooms. In the event that the board determines that

1014 the need, in certain areas of the commonwealth, for such units either exceeds or does not require
1015 said 5 per cent, the board may require that, in said areas a percentage of units less than 5 per cent
1016 or not greater than 10 per cent be accessible and safe for persons with disabilities; provided,
1017 however, that said accessible units shall allow 5 feet of turning radius for a wheelchair in the
1018 kitchens and bathrooms. The board may make such determination only if there is sufficient
1019 factual basis, using data from the central registry of the Massachusetts rehabilitation commission,
1020 established in section 74 of chapter 6, and other sources, to establish with a reasonable degree of
1021 certainty the present and future needs for said accessible units in certain areas of the
1022 commonwealth. A percentage of less than 5 per cent shall not be established unless such
1023 accessible units, which are not needed by persons with disabilities cannot be readily hired, rented
1024 or leased to other persons. The rules and regulations of the board shall include, but not be limited
1025 to, detailed architectural standards further defining adaptable and accessible dwelling units and
1026 such other provisions necessary to provide rights and remedies substantially equivalent to or
1027 greater than the rights and remedies provided by the federal Fair Housing Act, the ADA
1028 Standards for Accessible Design and regulations thereunder as pertaining to such multiple
1029 dwellings.

1030 SECTION 3B. Said section 13A of said chapter 22 is hereby further amended by
1031 inserting after the word “buildings”, in line 67, as appearing in the 2022 Official Edition, the
1032 following words:- and facilities.

1033 SECTION 3C. Said section 13A of said chapter 22 is hereby further amended by
1034 inserting after the word “section”, in line 75, as so appearing, the following words:- and
1035 facilities.

1036 SECTION 3D. Said section 13A of said chapter 22 is hereby further amended by striking
1037 out, in lines 80 and 81, as so appearing, the words “handicapped persons,” and inserting in place
1038 thereof the following words:- persons with a disability.

1039 SECTION 3E. Said section 13A of said chapter 22 is hereby further amended by striking
1040 out, in lines 88 and 89, as so appearing, the word “newspaper” and inserting in place thereof the
1041 following words:- forms of.

1042 SECTION 3F. Said section 13A of said chapter 22 is hereby further amended by inserting
1043 after the word “building”, in line 93, as so appearing, the following words:- or facility, including
1044 areas not generally in public use,.

1045 SECTION 3G. Said section 13A of said chapter 22 is hereby further amended by striking
1046 out the words “building be changed to a”, in line 94, as so appearing, and inserting in place
1047 thereof the following words:- building or facility be changed to a residential use or a.

1048 SECTION 3H. Said section 13A of said chapter 22 is hereby further amended by
1049 inserting after the word “building”, in lines 95 and 96, as so appearing, in each instance, the
1050 following words:- or facility.

1051 SECTION 3I. Said section 13A of said chapter 22 is hereby further amended by striking
1052 out, in lines 102 and 103, as so appearing, the words “physically handicapped persons” and
1053 inserting in place thereof the following words:- persons with a disability.

1054 SECTION 3J. Said section 13A of said chapter 22, as so appearing, is hereby further
1055 amended by striking out the eighth paragraph.

1056 SECTION 3K. Said section 13A of said chapter 22 is hereby further amended by striking
1057 out, in lines 131 and 132, as so appearing, the word “person” and inserting in place thereof the
1058 following words:- building or facility, or portion thereof,.

1059 SECTION 3L. Said section 13A of said chapter 22 is hereby further amended by
1060 inserting after the word “building”, in line 150, as so appearing, the second time it appears, the
1061 following words:- or facility.

1062 SECTION 3M. Said section 13A of said chapter 22 is hereby further amended by
1063 inserting after the word “building”, in line 166, as so appearing, the following word:- , facility.

1064 SECTION 3N. Said section 13A of said chapter 22 is hereby further amended by striking
1065 out, in lines 177, 179 and 187, as so appearing, in each instance, the words “physically
1066 handicapped persons” and inserting in place thereof, in each instance, the following words:-
1067 persons with a disability.

1068 SECTION 3O. The fourteenth paragraph of said section 13A of said chapter 22, as so
1069 appearing, is hereby amended by inserting after the definition of “Alteration”, the following
1070 definition:-

1071 “Areas that are not generally in public use”, areas not intended for use by the public, as
1072 designated in the 1991 and 2010 ADA Standards for Accessible Design, and employee work
1073 areas.

1074 SECTION 3P. Said fourteenth paragraph of said section 13A of said chapter 22, as so
1075 appearing, is hereby further amended by inserting after the definition of “Construction” the
1076 following 3 definitions:-

1077 “Employee work area”, all or any portion of a space used only by employees and used
1078 only for work, including, but not limited to, corridors, toilet rooms, kitchenettes and break rooms
1079 if said areas constitute the path of travel to or are essential to the use of employees for work;
1080 provided, that all employee work areas shall be made accessible in new construction or where
1081 renovation work being performed is otherwise subject to the jurisdiction of the board. Corridors,
1082 toilet rooms, kitchenettes and break rooms shall not otherwise be considered employee work
1083 areas; provided, however, that where corridors, toilet rooms, kitchenettes and break rooms
1084 constitute the path of travel to or are essential to the use of employees for work, they shall be,
1085 when possible, adaptable.

1086 “Facility”, all or any portion of a building, structure, site improvement, complex,
1087 equipment, road, walk, passageway, parking lot or other real or personal property, including the
1088 site where the building, property, structure or equipment is located.

1089 “Gut rehabilitation”, the general replacement of the interior of a building that may or may
1090 not include changes to structural elements such as flooring systems, columns or load bearing
1091 interior or exterior walls.

1092 SECTION 3Q. Said section 13A of said chapter 22 is hereby further amended by striking
1093 out, in line 200, as so appearing, the words “Physically handicapped person” and inserting in
1094 place thereof the following words:- Person with a disability.

1095 SECTION 3R. Said section 13A of said chapter 22 is hereby further amended by striking
1096 out, in line 204, as so appearing, the words “Physically handicapped persons” and inserting in
1097 place thereof the following words:- A person with a disability.

1098 SECTION 3S. Said section 13A of said chapter 22 is hereby further amended by striking
1099 out the definition of “Public building”, in lines 209 through 226, inclusive, as so appearing, and
1100 inserting in place thereof the following definition:-

1101 “Public building”, (i) a building constructed by the commonwealth or any political
1102 subdivision thereof with public funds and open to public use, including, but not limited to, a
1103 building constructed by a public housing authority, the Massachusetts Port Authority, the
1104 Massachusetts Parking Authority, the Massachusetts Department of Transportation, the
1105 Massachusetts Bay Transportation Authority or a building authority of any public educational
1106 institution, or their successors; or (ii) a privately financed building that is open to and used by the
1107 public, including, but not limited to, places of public accommodation listed in section 92A of
1108 chapter 272 and 42 U.S.C. section 12181(7).

1109 SECTION 3T. Subsection (b) of section 1 of chapter 23B of the General Laws, as
1110 amended by section 102 of chapter 7 of the acts of 2023, is hereby further amended by inserting
1111 after clause (xvii) the following clause:-

1112 (xviii) Develop and implement, not less than once every 5 years, a written comprehensive
1113 housing plan for the commonwealth. Such plan shall include, but shall not be limited to, housing
1114 supply and demand data, affordability and affordability gaps, identification of housing
1115 affordability challenges and needs by region and strategies to address such housing needs.

1116 SECTION 4. Section 27½ of said chapter 23B, inserted by section 117 of said chapter 7,
1117 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the
1118 following 2 subsections:-

1119 (a) There shall be in the executive office of housing and livable communities a
1120 HousingWorks infrastructure program to: (i) issue infrastructure grants that support housing to
1121 municipalities and other public entities for design, construction, building, rehabilitation, repair
1122 and other improvements to infrastructure that support the objectives of the secretariat, including,
1123 but not limited to, sewers, utility extensions, streets, roads, curb-cuts, parking, water treatment
1124 systems, telecommunications systems, transit improvements, public parks and spaces that
1125 support planned or proposed housing improvements and pedestrian and bicycle ways; or (ii)
1126 assist municipalities to advance projects that support housing development, preservation or
1127 rehabilitation. Preference for grants or assistance under this section shall be given to: (A)
1128 infrastructure serving locations within 0.5 miles of a transit station or transit route; (B) other
1129 eligible locations as defined in section 1A of chapter 40A; (C) multi-family zoning districts that
1130 comply with section 3A of said chapter 40A; and (D) projects that support housing in rural and
1131 small towns, as defined by the executive office.

1132 (b) A project that uses grants to municipalities for public infrastructure provided by this
1133 section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter
1134 30, chapter 30B and chapter 149.

1135 SECTION 5. Said chapter 23B is hereby further amended by adding the following 7
1136 sections:-

1137 Section 31. (a) There shall be within the executive office of housing and livable
1138 communities an office of fair housing. The secretary of housing and livable communities shall
1139 appoint a director of the office who shall serve at the pleasure of the secretary.

1140 (b) The office shall:

1141 (i) collaborate with state agencies on policies and strategies to: (A) advance the
1142 elimination of housing discrimination and increase access to fair housing; (B) overcome patterns
1143 of segregation; (C) foster inclusive communities without barriers that restrict access for
1144 individuals or groups protected from unlawful practices pursuant to chapter 151B; and (D)
1145 support enforcement of and compliance with all fair housing laws, including, but not limited to,
1146 said chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq.;

1147 (ii) facilitate communication and partnership among state agencies and municipalities to
1148 identify the intersections between activities of state agencies, activities of municipalities and fair
1149 housing;

1150 (iii) facilitate the development of interagency initiatives to examine and address the social
1151 and economic determinants of housing disparities, including, but not limited to: (A) equal access
1152 to quality housing; (B) housing affordability; (C) access and proximity to multimodal
1153 transportation options, including cost of such transportation; (D) air, water and land usage and
1154 quality, including, but not limited to, consideration of environmental justice principles as defined
1155 in section 62 of chapter 30; (E) employment and workforce development; (F) access to
1156 healthcare; (G) access to and quality of education; and (H) language access; and

1157 (iv) administer the Fair Housing Fund established in section 2EEEEEE of chapter 29.

1158 (c)(1) Not less than every 5 years, the office shall prepare a report evaluating the progress
1159 of the commonwealth toward eliminating housing discrimination and increasing access to fair
1160 housing. The report shall comply with applicable federal requirements for analysis and reporting.
1161 Where possible, the report shall include quantifiable measures and comparative benchmarks and

1162 shall detail progress on a regional basis. The office shall hold public hearings in geographically
1163 diverse regions of the commonwealth to gather public information on the topics of the report.

1164 (2) Annually, the office shall prepare a supplemental report describing the activities and
1165 outcomes of the Fair Housing Fund established in section 2EEEEEE of chapter 29.

1166 (3) Reports pursuant to this subsection shall be filed with the clerks of the house of
1167 representatives and senate and the chairs of the joint committee on housing not later than July 1
1168 in the year in which each such report is due. Each report shall be posted publicly on the office's
1169 website.

1170 Section 32. (a) As used in this section and section 33, "seasonal communities" shall mean
1171 cities or towns characterized by significant seasonal fluctuations in population and employment
1172 related to seasonally-based tourism, based on criteria established by the rural and seasonal
1173 communities coordinating council.

1174 (b) There shall be a rural and seasonal communities coordinating council established
1175 within the executive office of housing and livable communities, which shall consist of the
1176 following members: (i) the secretary, or a designee, who shall serve as chairperson; (ii) the
1177 secretary of labor and workforce development, or a designee; (iii) 1 member appointed by the
1178 secretary; and (iv) 6 members appointed by the governor, 1 of whom shall have expertise in
1179 municipal government, 1 of whom shall have expertise in the tourism industry, 1 of whom shall
1180 have expertise in the hospitality industry, 1 of whom shall have expertise in housing
1181 development and finance, 1 of whom shall be a representative of the developer community and a
1182 resident of a municipality designated as a seasonal community and 1 of whom shall be a licensed
1183 real estate agent with the board of registration of real estate brokers and salespersons and a

1184 resident of a municipality designated as a seasonal community; provided, that members
1185 appointed by the governor shall reflect each of the following regions of the commonwealth:
1186 western, northeastern, southeastern and the Cape and Islands. Each member appointed by the
1187 governor shall serve at the pleasure of the governor. The council shall adopt by-laws to govern
1188 its affairs.

1189 (c) The rural and seasonal communities coordinating council shall advise and make
1190 recommendations to the executive office, including, but not limited to, regulatory
1191 recommendations related to:

1192 (i) a process for the executive office to designate cities and towns as seasonal
1193 communities;

1194 (ii) criteria for the executive office to designate cities and towns as seasonal communities,
1195 including, but not limited to:

1196 (A) high rates of short-term rentals in relation to the overall housing inventory of the
1197 municipality;

1198 (B) significant population increases in seasonal visitors;

1199 (C) a disparity between the area median income and the income required to purchase a
1200 home in the municipality at the median home price of the municipality;

1201 (D) percentage of housing stock used for seasonal, occasional or recreational use, or that
1202 is otherwise not used as the primary residence by the property owner; and

1203 (E) high variations in the average monthly variation of employment in the sector over the
1204 full year in relation to the municipality's minimum employment threshold;

1205 (iii) policies or programs to serve the distinct needs of seasonal communities, including,
1206 but not limited to, access to specialized grant programs or special consideration under certain
1207 state grant programs of general application; and

1208 (iv) best practices to incentivize the production of affordable year-round housing in
1209 seasonal communities.

1210 (d) The rural and seasonal communities coordinating council may seek input from the
1211 rural policy advisory commission established in section 55 of chapter 23A related to policies
1212 pursuant to subsection (c) and shall review, on an as needed basis, the ongoing needs of
1213 municipalities designated as seasonal communities.

1214 (e) Annually, not later than July 1, the rural and seasonal communities coordinating
1215 council shall submit a report of any recommendations pursuant to subsection (c) to the executive
1216 office, the clerks of the house of representatives and the senate and the joint committee on
1217 housing.

1218 Section 33. (a) The executive office of housing and livable communities shall designate
1219 cities and towns as seasonal communities consistent with the process and recommendations
1220 established by the rural and seasonal communities coordinating council pursuant to section 32.

1221 (b) The executive office shall develop a form for applications and determine necessary
1222 information to be submitted to municipalities by the owner of a dwelling qualifying for an
1223 exemption pursuant to clause Fifty-ninth of section 5 of chapter 59.

1224 (c) The executive office shall promulgate regulations or guidance to carry out this
1225 section.

1226 Section 34. (a) As used in this section and section 35, the following words shall, unless
1227 the context clearly requires otherwise, have the following meanings:

1228 “Eligible applicant”, an owner of residential property in the commonwealth who, as
1229 determined by the executive office of housing and livable communities: (i) is an owner-occupant,
1230 small landlord or larger landlord; (ii) meets any income eligibility and other requirements of the
1231 program established by the executive office; and (iii) owns a property with habitability concerns.

1232 “Existing home repair programs”, financial assistance administered by governmental,
1233 quasi-governmental and nonprofit organizations, or the contractors and assignees of such
1234 entities, that provide services to repair residential housing, including, but not limited to, mixed-
1235 use projects that include residential housing.

1236 “Habitability concerns”, home repairs that are required to ensure residential units are: (i)
1237 fit for human habitation; (ii) free from defective conditions and health and safety hazards,
1238 including, but not limited to, asbestos, mold, pests and lead; and (iii) free of conditions
1239 preventing installation of measures to improve energy or water efficiency, utilize renewable
1240 energy or lower utility costs.

1241 “Larger landlord”, an individual who has title to more than 1 residential unit and who
1242 does not meet the definition of owner-occupant or small landlord.

1243 “Low-income owner-occupant”, an owner-occupant with a household income of not
1244 more than 80 per cent of the area median income.

1245 “Moderate-income owner-occupant”, an owner-occupant with a household income of at
1246 least 80 per cent but not more than 135 per cent of the area median income.

1247 “Other eligible owner-occupant”, an owner-occupant who does not meet the definition of
1248 a low-income owner-occupant or moderate-income owner-occupant and leases at least 1 other
1249 residential unit in the building.

1250 “Owner-occupant”, an individual who has title to a residential building with at least 1 and
1251 not more than 3 units and who resides in at least 1 of the units as their principal residence.

1252 “Small landlord”, an individual who has title to a building with no more than 3 residential
1253 units and does not live in the building for at least 6 months of any year, or who has title to a
1254 building with 4 or more residential units; provided that, such an individual shall have financial
1255 interest in neither more than 3 buildings nor more than 15 residential units.

1256 (b) The executive office shall establish a Massachusetts healthy homes program and
1257 make reasonable efforts to coordinate with other governmental, quasi-governmental and
1258 nonprofit organizations administering programs that create a healthier environment for residents,
1259 including, but not limited to, rehabilitating existing housing or making homes lead-safe. The
1260 executive office may contract with other governmental, quasi-governmental and nonprofit
1261 organizations to administer 1 or more of these programs to address habitability concerns.

1262 (c)(1) The executive office may make grants or loans available to eligible applicants to
1263 ensure owner-occupied and rental units are free of habitability concerns.

1264 (2) Assistance in the form of grants and loans shall be provided to eligible applicants
1265 consistent with the following requirements to ensure owner-occupied and rental units are free of
1266 habitability concerns:

1267 (i) For low-income owner-occupants, the assistance shall be provided as a grant.

1268 (ii) For moderate-income owner-occupants, the assistance shall be provided as a 0 per
1269 cent interest deferred payment loan with no repayment due until sale or refinancing of the
1270 property. If the moderate-income owner-occupant continues to own the property for 3 years after
1271 receiving the loan, the loan shall be forgiven.

1272 (iii) For small landlords and other eligible owner-occupants, but not including larger
1273 landlords, the assistance shall be provided as a 0 per cent interest deferred payment loan with no
1274 repayment due until sale or refinancing of the property. Small landlords or other eligible owner-
1275 occupants, but not including larger landlords, may apply for loan forgiveness after 3 years
1276 following receipt of the loan. The executive office shall forgive the loan if the executive office
1277 determines that the small landlord or other eligible owner-occupant, but not including larger
1278 landlords, has: (A) owned the property without interruption after having received the loan; (B)
1279 addressed all habitability concerns in a timely fashion; (C) not evicted tenants, other than for
1280 cause; and (D) kept rent increases to not more than 5 per cent per year in each of the past 3 years.

1281 (iv) For larger landlords, the assistance shall be provided as a below-market-rate loan
1282 with an interest rate and repayment terms determined by the executive office. The executive
1283 office shall provide the below-market-rate loan only to a larger landlord who executes an
1284 agreement with the executive office that, for a term of 3 years, requires the landlord who owns
1285 such property to: (A) maintain ownership of the property without interruption after having
1286 received the loan; (B) address all habitability concerns in a timely fashion; (C) not evict tenants,
1287 other than for cause; and (D) keep rent increases to not more than 5 per cent per year for each of
1288 the 3 years. If a larger landlord does not comply with the requirements of the loan, the executive
1289 office may require immediate repayment of the assistance.

1290 (d) The executive office, and any entity administering the Massachusetts healthy homes
1291 program on the executive office's behalf, shall administer the Massachusetts healthy homes
1292 program consistent with guidelines and forms established by the executive office. The executive
1293 office, and any other administering entity, shall strive to, in its administration of the program,
1294 provide grants and loans to address habitability concerns and shall: (i) augment funds from other
1295 home repair programs; (ii) increase retention in workforce development programs associated
1296 with home repairs; (iii) provide technical assistance to address habitability concerns; and (iv)
1297 support outreach, including, but not limited to, minimizing cultural, linguistic or other barriers
1298 and maximizing access to program resources.

1299 (e)(1) Grants or loans from the Massachusetts healthy homes program shall not exceed
1300 \$50,000 per unit, unless the executive office waives this limit upon a determination of the
1301 necessity of such waiver; provided, that the average amount of assistance shall not exceed
1302 \$50,000 per unit.

1303 (2) Not less than 50 per cent of any funds from the Massachusetts healthy homes program
1304 shall be made to owners of buildings located in a gateway municipality as defined in section 3A
1305 of chapter 23A.

1306 (f) Annually, not later than June 30, the executive office shall report on the Massachusetts
1307 healthy homes program to the clerks of the house of representatives and the senate, the joint
1308 committee on housing and the house and senate committees on ways and means. The report shall
1309 include: (i) the number of projects completed through the Massachusetts healthy homes program
1310 addressing habitability concerns; (ii) the locations of projects completed through the
1311 Massachusetts healthy homes program throughout the commonwealth; (iii) the total amount of

1312 grants or loans authorized; (iv) the number of projects using existing home repair programs; and
1313 (v) the breakdown of landlord owned properties and owner-occupied properties with habitability
1314 concerns addressed through the Massachusetts healthy homes program. The executive office
1315 shall make the report publicly available on its website.

1316 (g) The executive office shall promulgate guidance or regulations necessary to carry out
1317 this section.

1318 Section 35. (a) There shall be within the executive office of housing and livable
1319 communities a Massachusetts healthy homes program fund. The fund shall be credited with: (i)
1320 revenue from appropriations or other money authorized by the general court and specifically
1321 designated to be credited to the fund; (ii) interest earned on such revenue; and (iii) funds from
1322 public and private sources and other gifts, grants and donations to support the habitability
1323 concerns, including, but not limited to, funds from governmental, quasi-governmental, nonprofit
1324 organizations, for-profit organizations and individuals; provided, that any funds received from
1325 private organizations and individuals shall be made without conditions and without recourse.
1326 Amounts credited to the fund shall not be subject to further appropriation and any money
1327 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

1328 (b) The executive office shall administer the fund consistent with the requirements of the
1329 Massachusetts healthy homes program established in section 34.

1330 (c) Annually, not later than June 30, the executive office shall report on all expenditures
1331 from the Massachusetts healthy homes program fund to the clerks of the house of representatives
1332 and the senate, the joint committee on housing and the house and senate committees on ways and
1333 means. The executive office shall make the report publicly available on its website.

1334 Section 36. (a) As used in this section, the following words shall, unless the context
1335 clearly requires otherwise, have the following meanings:

1336 “Homeless”, a veteran: (i) who is undomiciled and unable to secure permanent and stable
1337 housing without special assistance, including, but not limited to, a veteran who is inappropriately
1338 housed in an institutional facility and can safely live in the community where services are
1339 provided; (ii) in a transitional housing facility without permanent domicile; (iii) in the
1340 community, released or discharged after incarceration and who is without permanent and stable
1341 housing; or (iv) who is in danger of becoming homeless due to circumstances and criteria
1342 established by the secretary, in consultation with the secretary of veterans’ services.

1343 “Qualified nonprofit organization”, a private nonprofit organization: (i) with
1344 demonstrated success in developing or operating transitional and permanent housing programs
1345 for veterans; and (ii) that is committed to ending veteran homelessness.

1346 (b) The secretary of housing and livable communities, in consultation with the secretary
1347 of veterans’ services, shall establish a veterans supportive housing program to assist qualified
1348 nonprofit organizations to develop and preserve supportive housing for eligible veterans. The
1349 qualified nonprofit organization shall provide wrap around services to meet the needs of eligible
1350 veterans.

1351 (c) Eligibility for supportive housing shall include:

1352 (i) veterans and their families, or individual veterans, who are homeless and have an
1353 unmet housing need as determined by the secretary; and

1354 (ii) veterans who have 1 or more disabilities or other life challenges, including, but not
1355 limited to: (A) serious mental illness; (B) substance use disorder; (C) living with HIV or AIDS,
1356 or another chronic condition or affliction; (D) being a victim or survivor of domestic violence;
1357 and (E) post-traumatic stress disorder.

1358 (d)(1) The secretary may contract with a qualified nonprofit organization to establish
1359 veterans supportive housing pursuant to subsection (b) for a term of not more than 5 years and
1360 may renew a contract with a qualified nonprofit organization for like terms in accordance with
1361 the procedures established by the secretary, in consultation with the secretary of veterans'
1362 services, for the development and preservation of supportive housing for veterans.

1363 (2) The secretary may award up to \$20,000 per eligible veteran pursuant to subsection (c)
1364 in a calendar year to a qualified nonprofit organization that enters into a contract pursuant to
1365 paragraph (1).

1366 (3) The qualified nonprofit organization shall secure funding for the development and
1367 preservation of any supportive housing project within 2 years from the date of the award. The
1368 secretary shall establish procedures for the repayment of funds by qualified nonprofit
1369 organizations that fail to secure funding within the 2-year period.

1370 (e) The secretary, in consultation with the secretary of veterans' services, shall
1371 promulgate rules or regulations for the administration of the veterans supportive housing
1372 program.

1373 Section 37. (a) As used in this section, the following words shall, unless the context
1374 clearly requires otherwise, have the following meanings:

1375 “Development cost”, an expenditure directly related to the construction or substantial
1376 rehabilitation of a qualified conversion project, including, but not limited to, the cost of site
1377 assessment and remediation of hazardous materials; provided, however, that development cost
1378 shall not include the purchase of the property.

1379 “Executive office”, the executive office of housing and livable communities.

1380 “Market rate residential unit”, a residential unit priced consistently with prevailing rents
1381 or sale prices in the municipality as determined by the executive office.

1382 “Qualified conversion project”, the rehabilitation of a commercial property, including,
1383 but not limited to, commercial centers, office parks and commercial buildings located on main
1384 streets or downtown municipal areas, for primary multi-unit residential use or mixed-use, which
1385 may include retail or other commercial uses, that: (i) contains not less than 2 residential units;
1386 provided, however, that the project may be a mixed-use development that includes commercial
1387 uses in addition to residential units if the building is primarily residential; (ii) contains at least 80
1388 per cent market rate residential units upon completion of the rehabilitation, to be sold or leased;
1389 (iii) prior to conversion, such building was nonresidential real property, as defined in section 168
1390 of the Internal Revenue Code, all or a portion of which was leased, or available for lease, to
1391 office tenants; and (iv) such building was initially placed in service at least 5 years before the
1392 beginning of the conversion.

1393 “Sponsors”, as defined in section 25 of chapter 23B.

1394 “Substantial rehabilitation” or “substantially rehabilitated”, the necessary major
1395 redevelopment, repair and renovation of a property, including, but not limited to, site assessment

1396 and remediation of hazardous materials, but excluding the purchase of the property, as
1397 determined by the executive office.

1398 (b) The executive office shall establish a program for qualified conversion projects,
1399 which shall be administered by the executive office. The purpose of the program shall be to
1400 assist in the conversion of commercial properties into residential properties.

1401 (c)(1) The executive office may certify 1 or more housing development projects as a
1402 qualified conversion project: (i) upon timely receipt of a project proposal requesting the
1403 designation as a qualified conversion project from a sponsor; provided, that a project proposal
1404 shall be submitted in a form and with information as determined by the executive office, and
1405 shall be supported by independently verifiable information and signed under the penalties of
1406 perjury; and (ii) if the executive office determines that the project, together with any municipal
1407 resources committed to the project, shall have a reasonable chance of increasing residential
1408 growth, diversity of housing supply, supporting economic development and promoting
1409 neighborhood stabilization as advanced in the proposal as a qualified conversion project.

1410 (2) Prior to construction, the executive office shall certify that the proposed project meets
1411 the definition of a qualified conversion project and the requirements pursuant to paragraph (1).

1412 (3) The executive office shall evaluate and either grant or deny certification of the
1413 designation as a qualified conversion project to any project proposal not later than 90 days from
1414 the date of its receipt of a complete project proposal. Approval of a project due to the executive
1415 office's failure to act within 90 days shall not constitute approval by the executive office of any
1416 tax incentives provided under chapters 62 or 63.

1417 (4) The executive office may impose a fee for the processing of applications for the
1418 certification of any project under this section.

1419 (5) Prior to construction, the executive office shall certify that all or a portion of the
1420 qualified conversion project costs are for construction or substantial rehabilitation and shall
1421 identify the development costs.

1422 (d) The executive office shall review each pending certified qualified conversion project,
1423 not yet completed, not less than once every 2 years.

1424 (e) The executive office shall review each certified qualified conversion project upon
1425 completion and certify that the project is consistent with the requirements of this section,
1426 including the development cost and qualified conversion project requirements.

1427 (f)(1) The executive office may revoke certification of a project if the executive office
1428 determines, after an independent investigation, that: (i) representations made by the sponsor in its
1429 project proposal are materially different from the conduct of the sponsor subsequent to the
1430 certification and such difference frustrates the public purposes that the certification was intended
1431 to advance; or (ii) the project no longer meets the criteria of this section.

1432 (2) Upon revocation, the commonwealth may bring a cause of action against the sponsor
1433 for the value of any economic benefit received by the sponsor prior to or subsequent to such
1434 revocation.

1435 (3) A revocation shall take effect on the first day of the tax year in which the executive
1436 office determines that a material breach commenced.

1437 (g) There shall be established a tax incentive program for certified qualified conversion
1438 projects. After certification by the executive office upon the completion of the project, pursuant
1439 to subsection (e), the executive office, in consultation with the commissioner of revenue, may
1440 award a tax credit available under subsection (ee) of section 6 of chapter 62 or section 3800 of
1441 chapter 63 of not more than 10 per cent of the development cost allocable to total units in a
1442 project, as determined by the executive office, to the sponsor of a qualified conversion project.
1443 The amount of the credit awarded shall be based on the following factors: (i) the need for
1444 residential development and diversity of housing supply in the municipality; (ii) the extent to
1445 which the certified qualified conversion project will encourage residential development,
1446 expansion of diversity of housing supply, support neighborhood stabilization and promote
1447 economic development in the zone; and (iii) the percentage of market rate residential units
1448 contained in the certified qualified conversion project. The executive office may limit a credit
1449 available to a certified qualified conversion project under subsection (ee) of section 6 of chapter
1450 62 and section 3800 of chapter 63 to a dollar amount or in any other manner deemed
1451 appropriate by the executive office.

1452 (h) Annually, not later than December 1, the executive office shall file a report detailing
1453 its findings of the review of all certified qualified conversion projects evaluated in the prior fiscal
1454 year, including projects evaluated prior to construction, while the project is pending and upon
1455 completion, to the commissioner of revenue, the joint committee on revenue and the joint
1456 committee on housing. The report shall include, but shall not be limited to: (i) a list of qualified
1457 conversion projects that received certification; (ii) information about each qualified conversion
1458 project, including the site address, project sponsor, range of rents of the residential units, type of
1459 residential units, number of each type of residential unit, number of affordable rental units for

1460 persons whose income is not more than 60 per cent of the area median income and the number of
1461 affordable owner-occupied units for persons whose income is not more than 80 per cent of the
1462 area median income; and (iii) the total amount of development costs for which a tax credit was
1463 issued or reserved pursuant to subsection (ee) of section 6 of chapter 62 or section 3800 of
1464 chapter 63 for each certified qualified conversion project the year the credit was issued and the
1465 completion or estimated completion year of the certified qualified conversion projects.

1466 (i) The executive office shall promulgate guidance or regulations for the administration of
1467 this section.

1468 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
1469 section 2DDDDDD, inserted by section 17 of chapter 28 of the acts of 2023, the following
1470 section:-

1471 Section 2EEEEEE. (a) There shall be established and set up on the books of the
1472 commonwealth a separate fund known as the Fair Housing Fund. There shall be credited to the
1473 fund: (i) revenue from appropriations or other funds authorized by the general court and
1474 specifically designated for the fund; (ii) any gifts, grants or private contributions; (iii) any
1475 interest on the fund's assets; and (iv) any other sources. Amounts credited to the fund shall be
1476 expended without further appropriation. Any balance in the fund at the close of a fiscal year shall
1477 be available for expenditure in subsequent fiscal years and shall not be transferred to any other
1478 fund or revert to the General Fund; provided, that the comptroller shall report the amount
1479 remaining in the fund at the end of each fiscal year to the house and senate committees on ways
1480 and means.

1481 (b) The fund shall be administered by the office of fair housing established in section 31
1482 of chapter 23B and funds shall be expended for the purpose of eliminating housing
1483 discrimination. Activities eligible for assistance from the fund shall include, but shall not be
1484 limited to: (i) private enforcement initiatives; (ii) education and outreach initiatives; (iii) fair
1485 housing testing; (iv) lending discrimination; (v) affirmatively furthering fair housing; and (vi)
1486 special projects.

1487 (c) Grantees eligible for assistance shall include, but shall not be limited to, fair housing
1488 assistance programs and fair housing initiative programs, as defined by the United States
1489 Department of Housing and Urban Development, any private, non-profit agency or any state-
1490 funded public housing authority.

1491 SECTION 7. Section 1A of chapter 40A of the General Laws, as appearing in the 2022
1492 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and
1493 inserting in place thereof the following definition:-

1494 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
1495 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
1496 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
1497 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient
1498 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor
1499 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is
1500 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,
1501 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-
1502 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall

1503 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term
1504 rental.

1505 SECTION 8. Section 3 of said chapter 40A, as so appearing, is hereby amended by
1506 adding the following paragraph:-

1507 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special
1508 permit or other discretionary zoning approval for the use of land or structures for a single
1509 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;
1510 provided, that the use of land or structures for such accessory dwelling unit under this paragraph
1511 may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq.,
1512 if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and
1513 height of structures and may be subject to restrictions and prohibitions on short-term rental, as
1514 defined in section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit
1515 under this paragraph shall not require owner occupancy of either the accessory dwelling unit or
1516 the principal dwelling; provided, that not more than 1 additional parking space shall be required
1517 for an accessory dwelling unit; and provided further, that no additional parking space shall be
1518 required for an accessory dwelling located not more than 0.5 miles from a commuter rail station,
1519 subway station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental
1520 thereof, in a single-family residential zoning district there shall be a special permit for the use of
1521 land or structures for an accessory dwelling unit. The executive office of housing and livable
1522 communities may issue guidelines or promulgate regulations to administer this paragraph.

1523 SECTION 9. Section 3A of said chapter 40A is hereby amended by striking out the
1524 words “section 27”, as appearing in section 152 of chapter 7 of the acts of 2023, and inserting in
1525 place thereof the following words:- section 27½.

NO SECTION 10.

1526 SECTION 10A. Said chapter 40A is hereby further amended by adding the following
1527 section:-

1528 Section 18. (a) Notwithstanding any general or special law to the contrary, a city or town
1529 that permits or adopts inclusionary zoning, incentive zoning, a density bonus ordinance or by-
1530 law pursuant to this chapter or a housing production plan submitted to the executive office of
1531 housing and livable communities may enter into an agreement with a housing developer or
1532 residential development owner to provide a preference for affordable housing to low- or
1533 moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4. The
1534 preference shall be for up to 10 per cent of the affordable units in a particular development.

1535 (b) The preference under this section shall be established in the applicant selection
1536 process for available affordable units. Applicants who are veterans and who apply within 90 days
1537 of the initial marketing period of the development shall receive preference for the rental of up to
1538 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of
1539 the units subject to the preference remain available, applicants from the general public shall be
1540 considered for occupancy. Following the initial marketing period, qualified applicants who are
1541 veterans shall be placed on a waiting list for the preference-occupied units for veterans and on
1542 any general waiting list. The veterans on the preference-occupied waiting list shall be given
1543 preference for affordable units, as the units become available, whenever the percentage of
1544 preference-occupied units falls below 10 per cent.

1545 (c) Any agreement to provide affordable housing preferences for veterans pursuant to this
1546 section shall not affect a municipality's ability to receive credit for the unit for affordable

1547 housing pursuant to chapter 40B or any other law. The agreement may be monitored by a third
1548 party assigned by the municipality.

1549 (d) This section shall not require an increase in the existing amount of affordable units set
1550 by the city or town.

1551 (e) The city or town may require proof of veteran status and income eligibility as the city
1552 or town deems necessary.

1553 SECTION 11. Section 9 of chapter 40H of the General Laws, as appearing in the 2022
1554 Official Edition, is hereby amended by striking out, in line 1, the words “section 16G” and
1555 inserting in place thereof the following words:- section 16G½.

1556 SECTION 12. Said section 9 of said chapter 40H, as so appearing, is hereby further
1557 amended by striking out, in line 2, the words “and section 56 of chapter 23A”.

1558 SECTION 13. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby
1559 amended by adding the following clause:-

1560 Fifty-ninth. A city or town designated by the executive office of housing and livable
1561 communities as a seasonal community pursuant to sections 32 and 33 of chapter 23B may, by
1562 vote of its town meeting, town council or city council, and with the approval of the mayor where
1563 required by law, exempt from property taxation a dwelling unit that is rented annually for a term
1564 of not less than 1 year and is occupied year round, in an amount not to exceed 150 per cent of the
1565 fair market rent as established by the United States Department of Housing and Urban
1566 Development for the applicable metropolitan statistical area. The owner of a dwelling qualifying
1567 for the exemption under this clause shall submit to the municipality or its agent documentation

1568 necessary to confirm the eligibility of the rental. The amount of the exemption shall be
1569 determined by the municipality; provided, however, that the amount shall not exceed an amount
1570 equal to the tax otherwise owed on the property based on the assessed value of the property,
1571 including accessory dwelling units, multiplied by the square feet of the living space of all
1572 dwelling units on the property that qualify under this clause, divided by the total square feet of
1573 structures on the property. This clause shall take effect in a city or town upon its acceptance by
1574 the city or town.

1575 SECTION 14. Section 6 of chapter 62 of the General Laws, as most recently amended by
1576 section 5 of chapter 88 of the acts of 2024, is hereby further amended by adding the following
1577 subsection:-

1578 (ee)(1) As used in this subsection, the following words shall, unless the context clearly
1579 requires otherwise, have the following meanings:

1580 “Development cost”, as defined in section 37 of chapter 23B.

1581 “Executive office”, the executive office of housing and livable communities, established
1582 pursuant to chapter 23B.

1583 “Qualified conversion project”, as defined in section 37 of chapter 23B.

1584 “Sponsors”, as defined in section 25 of chapter 23B.

1585 (2) A credit shall be allowed against the tax liability imposed by this chapter, to the
1586 extent authorized by the executive office, in consultation with the commissioner, for a qualified
1587 conversion project that has been completed and certified by the executive office pursuant to
1588 section 37 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of

1589 the qualified conversion project development costs. The credit shall be allowed for the taxable
1590 year in which the executive office provides the commissioner written notification of completion
1591 of the certified qualified conversion project. For any certified qualified conversion project,
1592 development costs applicable to this credit shall be treated for purposes of this subsection as
1593 made on the date that the executive office provides the commissioner written notification of
1594 completion of the certified qualified conversion project and any data related to the development
1595 costs.

1596 (3) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer
1597 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or
1598 chapter 63, and the transferee shall be entitled to apply the credit against the tax liability with the
1599 same effect as if the transferee had incurred the development costs itself. Any amount of the tax
1600 credit that exceeds the tax due for a taxable year may be carried forward by the transferee, buyer
1601 or assignee in subsequent taxable years from which a certificate is initially issued by the
1602 executive office; provided, however, that in no event shall the transferee apply the credit to the
1603 tax due for any taxable year beginning more than 10 years after the taxable year in which the
1604 executive office provides the commissioner written notification of completion of the certified
1605 qualified conversion project.

1606 (4) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
1607 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
1608 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
1609 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1610 beginning more than 10 years after the taxable year in which the executive office provides the
1611 commissioner written notification of completion of the certified qualified conversion project.

1612 (5) The commissioner may, as of the effective date of a revocation pursuant to subsection
1613 (f) of section 37 of chapter 23B, disallow any credits allowed under this section.

1614 (6) The commissioner, in consultation with the executive office, may adopt regulations
1615 necessary to carry out this subsection, including regulations to recapture the value of any tax
1616 credits allowed under this subsection.

1617 SECTION 14A. Section 6J of said chapter 62, as appearing in the 2022 Official Edition,
1618 is hereby amended by striking out, in line 39, the figure “2027” and inserting in place thereof the
1619 following figure:- 2030.

1620 SECTION 14B. Said section 6J of said chapter 62, as so appearing, is hereby further
1621 amended by striking out, in line 41, the figure “\$55,000,000” and inserting in place thereof the
1622 following figure:- \$110,000,000.

1623 SECTION 15. Section 6M of said chapter 62, as so appearing, is hereby amended by
1624 striking out, in lines 226 and 227, the words “\$12,000,000 in each of taxable years 2023 to 2025,
1625 inclusive” and inserting in place thereof the following words:- \$15,000,000 in taxable years
1626 beginning on or after January 1, 2025.

1627 SECTION 16. Said chapter 62 is hereby further amended by inserting after section 6N
1628 the following section:-

1629 Section 6O. (a) For the purposes of this section, unless the context clearly requires
1630 otherwise, the following words shall have the following meanings:

1631 “Affordability period”, the 10-year period that commences on the date of the initial sale
1632 of a single-family dwelling constructed as part of a qualified homeownership development
1633 project.

1634 “Affordability restriction”, a restriction in form and substance approved by the director
1635 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1636 a qualified homeownership development project during the affordability period.

1637 “Commissioner”, the commissioner of revenue.

1638 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
1639 issuing an eligibility certificate.

1640 “Credit award amount”, the amount determined by the director and stipulated in the
1641 notice sent pursuant to paragraph (2) of subsection (c).

1642 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1643 established pursuant to chapter 708 of the acts of 1966.

1644 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1645 “Eligible location”, a geographic area in which a qualified homeownership development
1646 project may be located, based on criteria established in the qualified homeownership allocation
1647 plan.

1648 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
1649 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
1650 of the area median new single-family dwelling sales price, subject to such further limitations as
1651 may be established under the qualified homeownership credit allocation plan.

1652 “Project development team”, the group of entities that develops, constructs, reports,
1653 appraises, finances and services the associated properties of a qualified homeownership
1654 development project in partnership with the project development owner.

1655 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1656 exceeding 120 per cent of the area median income, as determined by the United States
1657 Department of Housing and Urban Development, for the location in which the single-family
1658 dwelling being purchased is located, and who satisfies any additional qualifications established
1659 by the director under the qualified homeownership credit allocation plan.

1660 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1661 approval of the secretary establishing: (i) criteria and metrics under which homeownership
1662 development projects shall be assessed for qualification and the geographic areas in which
1663 qualified homeownership development projects may be located; (ii) criteria for approving and
1664 ranking applications for credits; (iii) a methodology to determine applicable median new single-
1665 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
1666 maintain affordability of each single-family dwelling that is created as part of a qualified
1667 homeownership development project and restricted for sale to qualified buyers, throughout the
1668 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
1669 criteria governing the purchase, ownership and sale of completed qualified homeownership
1670 development project single-family dwellings; and (vii) the manner of determining qualified
1671 project expenditures.

1672 “Qualified homeownership development project”, a project to develop for sale single-
1673 family dwellings in the commonwealth that satisfies any qualifications established by the

1674 director with the approval of the secretary in the qualified homeownership credit allocation plan;
1675 provided, that the proposed project shall: (i) involve the new construction of not less than 10
1676 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
1677 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
1678 restriction in accordance with the qualified homeownership credit allocation plan.

1679 “Qualified project expenditure”, an expenditure directly related to the construction of a
1680 qualified homeownership development project, including, but not limited to, the cost of
1681 acquiring land, site assessment and remediation of hazardous materials and as further provided in
1682 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
1683 certified that the proposed project meets the definition of a qualified homeownership
1684 development project; (ii) prior to construction, the director has certified that all or a portion of
1685 the project costs are for new construction; and (iii) after the construction of the project has been
1686 completed, the director has certified that the project has been completed in compliance with this
1687 section and the requirements and conditions of any prior certifications.

1688 “Secretary”, the secretary of housing and livable communities.

1689 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
1690 units; provided, that all units shall comprise a single property, to be sold to and owned by a
1691 single homeowner; or (ii) a condominium unit in a professionally managed condominium
1692 development.

1693 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1694 homeownership development project or owner of a qualified homeownership development
1695 project.

1696 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1697 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
1698 consultation with the secretary, may authorize annually under this section and section 38PP of
1699 chapter 63 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in
1700 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
1701 the director by a sponsor.

1702 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
1703 homeownership development project under this section equal to the credit amount listed on the
1704 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1705 unused by the taxpayer or exceeds the taxpayer’s tax liability under this chapter for the taxable
1706 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
1707 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
1708 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1709 beginning after the affordability period.

1710 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
1711 application to the director on a form and in a manner prescribed by the director, in consultation
1712 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the
1713 name and address of the sponsor; (ii) the names and addresses of all members of the project
1714 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
1715 information as the director, in consultation with the secretary, may require pursuant to the
1716 qualified homeownership credit allocation plan.

1717 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1718 approve applications and award tax credits under this section for a qualified homeownership
1719 development project in accordance with the qualified homeownership credit allocation plan. The
1720 director, in consultation with the secretary, shall determine the credit amount awarded for each
1721 qualified homeownership development project, which shall not exceed the maximum credit
1722 amount.

1723 (2) The director shall send written notice of the tax credit award to the sponsor of a
1724 qualified homeownership development project. The notice shall stipulate that receipt of the tax
1725 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
1726 qualified buyers and issuance of an eligibility certificate.

1727 (d)(1) Upon completion of a qualified homeownership development project for which a
1728 tax credit was awarded under this section and the sale of all single-family dwellings that are
1729 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
1730 project expenditures certification for approval. Immediately after approving the final cost
1731 certification, the director shall compute the credit amount and issue an eligibility certificate to
1732 the project development owner. The credit amount, which shall be stated on the certificate, shall
1733 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
1734 subject to any reduction or increase as the result of the approval of the final qualified project
1735 expenditures certification; provided, that such amount shall not exceed the maximum credit
1736 amount.

1737 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1738 affordability period, the name, address and taxpayer identification number of the sponsor and all

1739 members of the project development team, the date the certificate is issued, a unique identifying
1740 number and any additional information the director, in consultation with the secretary and the
1741 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
1742 secretary and the commissioner.

1743 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1744 project and all single-family dwellings that are required to be sold to qualified buyers until such
1745 dwellings are sold to qualified buyers.

1746 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1747 homeownership development project for which a tax credit was issued under this section shall
1748 occupy such single-family dwelling as the qualified buyer's primary residence during the
1749 affordability period; provided, that a qualified buyer of a single-family dwelling that includes
1750 more than 1 residential unit need only occupy a single residential unit within the single-family
1751 dwelling as the qualified buyer's primary residence during the affordability period and may lease
1752 any additional units to third-party lessees.

1753 (3) If a single-family dwelling constructed as part of a qualified homeownership
1754 development project is sold during the affordability period, the seller shall transfer to the director
1755 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year
1756 of the affordability period which ends before the date of such sale, subject to such additional
1757 criteria as may be established under the qualified homeownership credit allocation plan. The
1758 director shall use any amount received pursuant to a repayment under this paragraph for the
1759 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of
1760 administering this section. The director may place a lien on each single-family dwelling

1761 constructed as part of a qualified homeownership development project for an amount it deems
1762 necessary to ensure potential repayment pursuant to this paragraph.

1763 (4) During the affordability period, a qualified buyer of a single-family dwelling that
1764 includes more than 1 residential unit shall not separate the ownership of individual residential
1765 units within the single-family dwelling.

1766 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
1767 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1768 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
1769 transferee had incurred the qualified project expenditures itself.

1770 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
1771 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
1772 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
1773 provide to the commissioner appropriate information for proper allocation of the tax credit.

1774 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
1775 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
1776 credit required to be recaptured, the identity of each transferee subject to recapture and the
1777 amount of the tax credit previously transferred to such transferee.

1778 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
1779 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
1780 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.

1781 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
1782 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit

1783 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
1784 or taxpayers for the amount to be recaptured under this section.

1785 (h) The director may assess application, processing and reporting fees to cover the cost of
1786 administering this section.

1787 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
1788 partners or members of the legal entity entitled to the credit under this section and shall be
1789 allowed as a credit against the tax due under this chapter from such owners, partners or members
1790 in a manner determined by the commissioner.

1791 (j) The secretary, in consultation with the commissioner and director, shall adopt any
1792 rules and promulgate any regulations necessary to administer this section.

1793 SECTION 17. Subsection (b) of section 6O of said chapter 62, inserted by section 16, is
1794 hereby amended by striking out paragraph (1) and inserting in place thereof the following
1795 paragraph:-

1796 (1) There shall be a Massachusetts homeownership tax credit. The director, in
1797 consultation with the secretary, may authorize annually under this section and section 38PP of
1798 chapter 63 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding
1799 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
1800 sponsor.

1801 SECTION 17A. Section 38R of chapter 63 of the General Laws, as appearing in the 2022
1802 Official Edition, is hereby amended by striking out, in line 38, the figure "2027" and inserting in
1803 place thereof the following figure:- 2030.

1804 SECTION 17B. Said section 38R of said chapter 63, as so appearing, is hereby further
1805 amended by striking out, in line 40, the figure “\$55,000,000” and inserting in place thereof the
1806 following figure:- \$110,000,000.

1807 SECTION 18. Section 38EE of said chapter 63, as so appearing, is hereby amended by
1808 striking out, in lines 213 and 214, the words “\$12,000,000 in each of taxable years 2023 to 2025,
1809 inclusive” and inserting in place thereof the following words:- \$15,000,000 in taxable years
1810 beginning on or after January 1, 2025.

1811 SECTION 19. Said chapter 63 is hereby further amended by inserting after section
1812 38NN, inserted by section 7 of chapter 88 of the acts of 2024, the following 2 sections:-

1813 Section 38OO. (a) As used in this section, the following words shall, unless the context
1814 clearly requires otherwise, have the following meanings:

1815 “Development cost”, as defined in section 37 of chapter 23B.

1816 “Executive office”, the executive office of housing and livable communities, established
1817 pursuant to chapter 23B.

1818 “Qualified conversion project”, as defined in section 37 of chapter 23B.

1819 “Sponsors”, as defined in section 25 of chapter 23B.

1820 (b) A credit shall be allowed against the tax liability imposed by this chapter, to the
1821 extent authorized by the executive office, in consultation with the commissioner, for a qualified
1822 conversion project that has been completed and certified by the executive office pursuant to
1823 section 37 of chapter 23B. The credit shall be equal to an amount not more than 10 per cent of
1824 the qualified conversion project development costs. The credit shall be allowed for the taxable

1825 year in which the executive office provides the commissioner written notification of completion
1826 of the certified qualified conversion project. For any certified qualified conversion project,
1827 development costs applicable to this credit shall be treated for purposes of this section as made
1828 on the date that the executive office provides the commissioner written notification of
1829 completion of the certified qualified conversion project and any data related to the development
1830 costs.

1831 (c) A taxpayer eligible for the credit may, with prior notice to the commissioner, transfer
1832 the credit, in whole or in part, to any individual or entity with tax liabilities under this chapter or
1833 chapter 62, and the transferee shall be entitled to apply the credit against the tax with the same
1834 effect as if the transferee had incurred the development costs itself. If the sponsor of the certified
1835 housing development qualified conversion project is a partnership or a limited liability company
1836 taxed as a partnership, the credit, if transferred, must be transferred by the partnership or the
1837 limited liability company. If the credit allowed to a partnership, a limited liability company taxed
1838 as a partnership or multiple owners of property are not transferred they shall be passed through to
1839 the persons designated as partners, members or owners, respectively, pro rata or pursuant to an
1840 executed agreement among the persons designated as partners, members or owners documenting
1841 an alternative distribution method without regard to their sharing of other tax or economic
1842 attributes of the entity. Credits passed through to individual partners and members shall not be
1843 transferable. Any amount of the tax credit that exceeds the tax due for a taxable year may be
1844 carried forward by the transferee, buyer or assignee subsequent taxable years from which a
1845 certificate is initially issued by the executive office; provided, however, that in no event shall the
1846 transferee apply the credit to the tax due for any taxable year beginning more than 10 years after

1847 the taxable year in which the executive office provides the commissioner written notification of
1848 completion of the certified qualified conversion project.

1849 (d) If the credit allowable for any taxable year exceeds the taxpayer's tax liability for that
1850 tax year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion,
1851 as reduced from year to year, of the credit which exceed the tax for the taxable year; provided,
1852 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1853 beginning more than 10 years after the taxable year in which the executive office provides the
1854 commissioner written notification of completion of the certified qualified conversion project.

1855 (e) The commissioner of revenue may, as of the effective date of a revocation pursuant to
1856 subsection (f) of section 37 of chapter 23B, disallow any credits allowed under this section.

1857 (f) The commissioner, in consultation with the executive office, may adopt regulations
1858 necessary to carry out this section, including regulations to recapture the value of any tax credits
1859 allowed under this section.

1860 Section 38PP. (a) For the purposes of this section, unless the context clearly requires
1861 otherwise, the following words shall have the following meanings:

1862 "Affordability period", the 10-year period that commences on the date of the initial sale
1863 of a single-family dwelling constructed as part of a qualified homeownership development
1864 project.

1865 "Affordability restriction", a restriction in form and substance approved by the director
1866 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of
1867 a qualified homeownership development project during the affordability period.

1868 “Commissioner”, the commissioner of revenue.

1869 “Credit amount”, the amount computed by the director pursuant to subsection (d) before
1870 issuing an eligibility certificate.

1871 “Credit award amount”, the amount determined by the director and stipulated in the
1872 notice sent pursuant to paragraph (2) of subsection (c).

1873 “Director”, the executive director of the Massachusetts Housing Finance Agency,
1874 established pursuant to chapter 708 of the acts of 1966.

1875 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1876 “Eligible location”, a geographic area in which a qualified homeownership development
1877 project may be located, based on criteria established in the qualified homeownership allocation
1878 plan.

1879 “Maximum credit amount”, the amount equal to 35 per cent of the lesser of: (i) the total
1880 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent
1881 of the area median new single-family dwelling sales price, subject to such further limitations as
1882 may be established under the qualified homeownership credit allocation plan.

1883 “Project development team”, the group of entities that develops, constructs, reports,
1884 appraises, finances and services the associated properties of a qualified homeownership
1885 development project in partnership with the project development owner.

1886 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not
1887 exceeding 120 per cent of the area median income, as determined by the United States
1888 Department of Housing and Urban Development, for the location in which the single-family

1889 dwelling being purchased is located, and who satisfies any additional qualifications established
1890 by the director under the qualified homeownership credit allocation plan.

1891 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the
1892 approval of the secretary, establishing: (i) criteria and metrics under which homeownership
1893 development projects shall be assessed for qualification and the geographic areas in which
1894 qualified homeownership development projects may be located; (ii) criteria for approving and
1895 ranking applications for credits; (iii) a methodology to determine applicable median new single-
1896 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to
1897 maintain affordability of each single-family dwelling that is created as part of a qualified
1898 homeownership development project and restricted for sale to qualified buyers, throughout the
1899 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)
1900 criteria governing the purchase, ownership and sale of completed qualified homeownership
1901 development project single-family dwellings; and (vii) the manner of determining qualified
1902 project expenditures.

1903 “Qualified homeownership development project”, a project to develop for sale single-
1904 family dwellings in the commonwealth that satisfies any qualifications established by the
1905 director with the approval of the secretary in the qualified homeownership credit allocation plan;
1906 provided, that the proposed project shall: (i) involve the new construction of not less than 10
1907 single-family dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20
1908 per cent of the single-family dwellings being sold to qualified buyers, subject to an affordability
1909 restriction in accordance with the qualified homeownership credit allocation plan.

1910 “Qualified project expenditure”, an expenditure directly related to the construction of a
1911 qualified homeownership development project, including, but not limited to, the cost of
1912 acquiring land, site assessment and remediation of hazardous materials and as further provided in
1913 the qualified homeownership credit allocation plan; provided, however, that: (i) the director has
1914 certified that the proposed project meets the definition of a qualified homeownership
1915 development project; (ii) prior to construction, the director has certified that all or a portion of
1916 the project costs are for new construction; and (iii) after the construction of the project has been
1917 completed, the director has certified that the project has been completed in compliance with this
1918 section and the requirements and conditions of any prior certifications.

1919 “Secretary”, the secretary of housing and livable communities.

1920 “Single-family dwelling”, (i) a residential property containing not more than 4 residential
1921 units; provided, that all units shall comprise a single property, to be sold to and owned by a
1922 single homeowner; or (ii) a condominium unit in a professionally managed condominium
1923 development.

1924 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified
1925 homeownership development project or owner of a qualified homeownership development
1926 project.

1927 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1928 (b)(1) There shall be a Massachusetts homeownership tax credit. The director, in
1929 consultation with the secretary, may authorize annually under this section and section 6O of
1930 chapter 62 a total sum not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in

1931 the preceding taxable year; and (iii) any Massachusetts homeownership tax credits returned to
1932 the director by a sponsor.

1933 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified
1934 homeownership development project under this section equal to the credit amount listed on the
1935 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is
1936 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable
1937 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as
1938 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,
1939 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year
1940 beginning after the affordability period.

1941 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an
1942 application to the director on a form and in a manner prescribed by the director, in consultation
1943 with the secretary; provided, that said application shall include, but shall not be limited to: (i) the
1944 name and address of the sponsor; (ii) the names and addresses of all members of the project
1945 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other
1946 information as the director, in consultation with the secretary, may require pursuant to the
1947 qualified homeownership credit allocation plan.

1948 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and
1949 approve applications and award tax credits under this section for a qualified homeownership
1950 development project in accordance with the qualified homeownership credit allocation plan. The
1951 director, in consultation with the secretary, shall determine the credit amount awarded for each

1952 qualified homeownership development project, which shall not exceed the maximum credit
1953 amount.

1954 (2) The director shall send written notice of the tax credit award to the sponsor of a
1955 qualified homeownership development project. The notice shall stipulate that receipt of the tax
1956 credit is contingent upon the sale of all single-family dwellings that are required to be sold to
1957 qualified buyers and issuance of an eligibility certificate.

1958 (d)(1) Upon completion of a qualified homeownership development project for which a
1959 tax credit was awarded under this section and the sale of all single-family dwellings that are
1960 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified
1961 project expenditures certification for approval. Immediately after approving the final cost
1962 certification, the director shall compute the credit amount and issue an eligibility certificate to
1963 the project development owner. The credit amount, which shall be stated on the certificate, shall
1964 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),
1965 subject to any reduction or increase as the result of the approval of the final qualified project
1966 expenditures certification; provided, that such amount shall not exceed the maximum credit
1967 amount.

1968 (2) Each eligibility certificate shall state the credit amount, the years that comprise the
1969 affordability period, the name, address and taxpayer identification number of the sponsor and all
1970 members of the project development team, the date the certificate is issued, a unique identifying
1971 number and any additional information the director, in consultation with the secretary and the
1972 commissioner, may require. The director shall certify a copy of each eligibility certificate to the
1973 secretary and the commissioner.

1974 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development
1975 project and all single-family dwellings that are required to be sold to qualified buyers until such
1976 dwellings are sold to qualified buyers.

1977 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified
1978 homeownership development project for which a tax credit was issued under this section shall
1979 occupy such single-family dwelling as the qualified buyer's primary residence during the
1980 affordability period; provided, that a qualified buyer of a single-family dwelling that includes
1981 more than 1 residential unit need only occupy a single residential unit within the single-family
1982 dwelling as the qualified buyer's primary residence during the affordability period and may lease
1983 any additional units to third-party lessees.

1984 (3) If a single-family dwelling constructed as part of a qualified homeownership
1985 development project is sold during the affordability period, the seller shall transfer to the director
1986 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year
1987 of the affordability period which ends before the date of such sale, subject to such additional
1988 criteria as may be established under the qualified homeownership credit allocation plan. The
1989 director shall use any amount received pursuant to a repayment under this paragraph for the
1990 purpose of providing financial assistance to first-time homebuyers and offsetting the costs of
1991 administering this section. The director may place a lien on each single-family dwelling
1992 constructed as part of a qualified homeownership development project for an amount it deems
1993 necessary to ensure potential repayment pursuant to this paragraph.

1994 (4) During the affordability period, a qualified buyer of a single-family dwelling that
1995 includes more than 1 residential unit shall not separate the ownership of individual residential
1996 units within the single-family dwelling.

1997 (f)(1) All or any portion of a tax credit issued in accordance with this section may be
1998 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to
1999 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the
2000 transferee had incurred the qualified project expenditures itself.

2001 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in
2002 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax
2003 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall
2004 provide to the commissioner appropriate information for proper allocation of the tax credit.

2005 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement
2006 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax
2007 credit required to be recaptured, the identity of each transferee subject to recapture and the
2008 amount of the tax credit previously transferred to such transferee.

2009 (g) The director, in consultation with the secretary, shall determine whether a sponsor or
2010 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to
2011 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed.
2012 Notwithstanding the time limitations on assessments pursuant to chapter 62C, the commissioner
2013 shall determine the taxpayer or taxpayers that claimed the credit, the tax against which the credit
2014 was claimed and the amount to be recaptured and shall make an assessment against the taxpayer
2015 or taxpayers for the amount to be recaptured under this section.

2016 (h) The director may assess application, processing and reporting fees to cover the cost of
2017 administering this section.

2018 (i) The credit under this section shall be attributed on a pro rata basis to the owners,
2019 partners or members of the legal entity entitled to the credit under this section and shall be
2020 allowed as a credit against the tax due under this chapter from such owners, partners or members
2021 in a manner determined by the commissioner.

2022 (j) The secretary, in consultation with the commissioner and director, shall adopt any
2023 rules and promulgate any regulations necessary to administer this section.

2024 SECTION 20. Subsection (b) of section 38PP of said chapter 63, inserted by section 19,
2025 is hereby amended by striking out paragraph (1) and inserting in place thereof the following
2026 paragraph:-

2027 (1) There shall be a Massachusetts homeownership tax credit. The director, in
2028 consultation with the secretary, may authorize annually under this section and section 6O of
2029 chapter 62 a total sum not exceeding: (i) the amount, if any, not authorized in the preceding
2030 taxable year; and (ii) any Massachusetts homeownership tax credits returned to the director by a
2031 sponsor.

2032 SECTION 21. Section 127I of chapter 111 of the General Laws, as appearing in the 2022
2033 Official Edition, is hereby amended by adding the following paragraph:-

2034 Notwithstanding the fourth paragraph, following the appointment of a receiver for a
2035 vacant residential property, the court, upon motion by the receiver with notice to the owner,
2036 mortgagee and all interested parties, may allow the sale of the property to a nonprofit entity for

2037 fair market value in its then current condition. Any such sale shall be conditioned upon the court
2038 finding that the nonprofit agrees to correct all outstanding state sanitary code violations and
2039 rehabilitate the property for sale to a first-time homebuyer whose income is not more than 120
2040 per cent of the area median income as determined by the United States Department of Housing
2041 and Urban Development; provided, that a nonprofit entity shall demonstrate to the court adequate
2042 expertise and resources necessary to rehabilitate the property and correct outstanding state
2043 sanitary code violations. Any such motion filed by a receiver pursuant to this paragraph shall be
2044 heard by the court not less than 30 days following the filing date, during which period the owner,
2045 mortgagee and any other interested parties may join a motion for leave to correct all outstanding
2046 state sanitary code violations at the property. Upon a finding by the court that the owner,
2047 mortgagee or other interested party has the intention and ability to correct all outstanding state
2048 sanitary code violations, the court shall stay the hearing on the receiver's motion for a reasonable
2049 period of time to allow the owner, mortgagee or other interested party to correct such outstanding
2050 sanitary code violations.

2051 SECTION 22. Section 11 of chapter 121B of the General Laws, as so appearing, is
2052 hereby amended by striking out paragraphs (n) and (o) and inserting in place thereof the
2053 following 3 paragraphs:-

2054 (n) To join or cooperate with 1 or more other operating agencies in the exercise, either
2055 jointly or otherwise, of any of their powers for the purpose of financing, including the issuance
2056 of bonds, notes or other obligations and the giving of security therefor, planning, undertaking,
2057 owning, constructing, operating or contracting with respect to any project or projects authorized
2058 by this chapter located within the area within which 1 or more of such authorities are authorized
2059 to exercise their powers; and for such purpose to prescribe and authorize, by resolution, any

2060 operating agency so joining and cooperating with it to act in its behalf in the exercise of any of
2061 such powers;

2062 (o) To lease energy saving systems that replace non-renewable fuels with renewable
2063 energy such as solar powered systems; and

2064 (p) To secure, with the approval of the department, in consultation with the executive
2065 office for administration and finance, indebtedness incurred for the preservation, modernization
2066 and maintenance of 1 or more of its low rent housing developments assisted under section 32 or
2067 34 by a pledge of a portion of capital funds awarded to it for improvements to be carried out
2068 pursuant to a capital improvement plan, approved by the department and in accordance with
2069 department regulations governing capital projects. The department, in consultation with the
2070 executive office for administration and finance, shall promulgate regulations to establish
2071 limitations on the percentage of awarded capital funds that may be pledged to secure
2072 indebtedness, describe permitted terms for borrowing and repayment and establish criteria for
2073 operating agencies permitted to incur indebtedness secured by a pledge of capital funds. Any
2074 pledge of future year capital funds pursuant to this section shall be subject to the availability of
2075 funds under the department's capital spending plan. All financing documents related to future
2076 year capital fund amounts shall include a statement that the credit of the commonwealth is not
2077 pledged and that the pledging of funds shall be subject to the availability of funds under the
2078 department's capital spending plan.

2079 SECTION 23. Section 26C of said chapter 121B, as amended by section 256 of chapter 7
2080 of the acts of 2023, is hereby further amended by striking out the words "provided, however, that
2081 the capital assistance team shall provide services to the housing authority without requiring

2082 payment for the services by the housing authority” and inserting in place thereof the following
2083 words:- provided, however, that the capital assistance team shall provide services to a housing
2084 authority with 500 or fewer state-aided units without requiring payment for services by the
2085 housing authority; and provided further, that the capital assistance team may require payment for
2086 services provided to a housing authority with more than 500 state-aided units and for additional
2087 services not covered by this section and approved by the department.

2088 SECTION 24. Said section 26C of said chapter 121B, as so amended, is hereby further
2089 amended by striking out subsection (e) and inserting in place thereof the following subsection:-

2090 (e) There shall be a capital assistance advisory board consisting of 7 members. Each
2091 capital assistance team shall appoint 2 members to the advisory board and the department shall
2092 appoint 1 member, who shall have at least 5 years of experience as the manager of not less than
2093 200 units of privately owned housing. Only members of participating housing authorities in the
2094 region shall be eligible for appointment to the advisory board. The advisory board shall meet on
2095 an annual basis with the capital assistance team directors, host housing authority directors and
2096 the secretary of housing and livable communities, or a designee, and shall discuss issues of
2097 program performance and coordination.

2098 SECTION 25. The first paragraph of section 29 of said chapter 121B, as appearing in the
2099 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place
2100 thereof the following sentence:- The members of a housing authority shall biennially, or more
2101 frequently as required by the department, and at a time to be determined by the department, file
2102 with the department a written report for its preceding fiscal years since its last previously filed
2103 written report.

2104 SECTION 26. Said first paragraph of said section 29 of said chapter 121B, as so
2105 appearing, is hereby further amended by adding the following sentence:- Notwithstanding the
2106 foregoing, nothing in this section shall exempt a housing authority from submitting an annual
2107 plan pursuant to section 28A and this section.

2108 SECTION 27. Section 34 of said chapter 121B, as so appearing, is hereby amended by
2109 adding the following paragraph:-

2110 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or
2111 federally-aided public housing project transferred or conveyed pursuant to the fourteenth
2112 paragraph shall maintain all rights pursuant to federal, state and local subsidy programs
2113 originally applicable to the project, including tenant contribution, lease terms, eviction, right to
2114 return, grievance, resident participation, preference in hiring and privacy rights, except as may be
2115 required to secure financing necessary for the feasibility of the project or to meet associated
2116 programmatic eligibility requirements after notice to affected tenants with an opportunity to
2117 comment. The redevelopment of such public housing project shall not be the basis for: (i)
2118 termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any
2119 tenant; or (iii) re-screening any existing tenant; provided, that no existing tenant shall be
2120 considered a new admission for any purpose, including, but not limited to, compliance with any
2121 income targeting requirements. Any such project shall have at least the same number of low rent
2122 housing units as the number of low rent housing units in the existing project. The requirements
2123 of this paragraph shall be implemented through contracts, use agreements, regulations or other
2124 means, as determined by the department. Any contracts, use agreements, regulations or other
2125 means shall be in compliance with all local, state and federal subsidy programs applicable and
2126 shall delineate: (i) the roles of the housing authority and other agencies in monitoring and

2127 enforcing compliance, including tracking temporary and permanent displacement; (ii) how the
2128 housing authority shall rehouse tenants so there shall be no displacement from affordable
2129 housing programs operated by the housing authority; and (iii) how tenants shall be provided with
2130 technical assistance to facilitate meaningful input related to the redevelopment of the proposed
2131 project. The benefits of any contracts, use agreements, regulations or other means shall inure to
2132 any tenant who occupied a unit within the project at the time of the transfer or conveyance of the
2133 project. Protections relating to tenant contribution, lease terms, eviction, grievance, resident
2134 participation, preference in hiring and privacy rights, except as may be required to secure
2135 financing necessary for the feasibility of the project or to meet associated programmatic
2136 eligibility requirements, shall inure to both present or future tenants or applicants of the project,
2137 who shall have the right to enforce the same as third-party beneficiaries. Nothing in this section
2138 shall create a separate or new administrative process of appeal or review for any grievance
2139 governed by the lease of any tenant. Tenants shall have an opportunity for comment on a project
2140 proposed under the fourteenth paragraph and an opportunity for public comment to be organized
2141 by the owners, controlled entities, designated private entities or public housing authorities
2142 responsible for such projects with adequate notice.

2143 SECTION 28. The third sentence of subsection (b) of section 3 of chapter 121E of the
2144 General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in
2145 place thereof the following clause:-

2146 (3) issued only if a contract or agreement for the use of the property for housing purposes
2147 provides for the recording of a restriction in the registry of deeds or the registry district of the
2148 land court in the county in which the affected real property is located, for the benefit of the
2149 department, running with the land, that the land be used for providing alternative forms of rental

2150 and ownership housing; provided, that the property shall not be released from the restriction
2151 until: (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a
2152 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the
2153 property; provided, that the department determines that relevant clients will be better served at an
2154 alternative property and the proceeds from the disposition of the property will be used, to the
2155 extent necessary for replacement of the housing at the property, for 1 or both of the following
2156 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
2157 property;.

2158 SECTION 29. Said section 3 of said chapter 121E, as so appearing, is hereby further
2159 amended by striking out, in lines 41 to 44, inclusive, the words “, provided that the project
2160 continues to remain affordable housing as set forth in the contract or agreement entered into for
2161 the duration of the project by the department” and inserting in place thereof the following
2162 words:- ; provided, that the project, whether at the original property, or at an alternative property
2163 pursuant to clause (3), continues to remain affordable housing as set forth in the contract or
2164 agreement entered into for the duration of the project by the department.

2165 SECTION 30. Section 2 of chapter 121F of the General Laws, as so appearing, is hereby
2166 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

2167 (a) There shall be within the department a separate fund to be known as the Housing
2168 Stabilization and Investment Trust Fund. The department shall administer the fund and shall
2169 ensure that funds are distributed among urban, suburban and rural areas with a particular
2170 emphasis on the development of alternative forms of housing and local and regional needs. Such
2171 funds shall be used for the purpose of undertaking projects to develop and support affordable

2172 housing developments and homeownership affordability through the acquisition, preservation,
2173 new construction and rehabilitation of affordable housing, including, but not limited to, the
2174 preservation and improvement of existing privately-owned and state or federally-assisted
2175 housing. Uses of the fund may include: (i) assistance for projects to stabilize and promote
2176 reinvestment in cities and towns, including, but not limited to, preserving and improving existing
2177 privately-owned and state or federally-assisted housing and any other techniques necessary to
2178 achieve reinvestment; provided, that funds may be expended for energy audits and housing
2179 modifications to achieve energy efficiency and conservation; and (ii) assistance for housing
2180 where the expiration of federal or state low-income housing tax credits or other federal or state
2181 subsidies would lead or has led to the termination of a use agreement for low-income housing or
2182 in which a project-based rental assistance contract is expiring or has expired. The fund shall be
2183 an expendable trust fund and shall not be subject to appropriation.

2184 SECTION 31. Said section 2 of said chapter 121F, as so appearing, is hereby further
2185 amended by striking out, in line 28, the words “nonprofit or for-profit organizations” and
2186 inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of
2187 section 3.

2188 SECTION 32. Said section 2 of said chapter 121F, as so appearing, is hereby further
2189 amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic
2190 Development Assistance Corporation established in chapter 40H to provide assistance from the
2191 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof
2192 the following words:- to provide assistance from the fund.

2193 SECTION 33. Section 3 of said chapter 121F, as so appearing, is hereby amended by
2194 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

2195 (a) The fund shall finance low and no-interest loans, grants, subsidies, credit
2196 enhancements and other financial assistance for rental and ownership housing; provided, that any
2197 assistance provided shall be the minimum amount necessary to make a project feasible; provided
2198 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
2199 to this chapter may be provided to qualified for-profit or non-profit developers, community
2200 development corporations, local housing authorities, community action agencies, community-
2201 based or neighborhood-based non-profit housing organizations, other non-profit organizations
2202 and for-profit entities and governmental bodies; provided further, that recipients may enter into
2203 subcontracts to administer the contracts with other for-profit or nonprofit organizations; provided
2204 further, that loans, grants, subsidies, credit enhancements and other financial assistance pursuant
2205 to this chapter may be provided for the acquisition of property to provide or preserve affordable
2206 housing; provided further, that the loan program may be administered by the department through
2207 contracts with the Massachusetts Housing Partnership Fund established in section 35 of chapter
2208 405 of the acts of 1985; provided further, that the program may include acquisition, financing
2209 and other holding costs, interim management costs and operating costs and may be used by the
2210 Massachusetts Housing Partnership Fund to secure, collateralize or reserve against other
2211 financing obtained by the Massachusetts Housing Partnership Fund to support such costs; and
2212 provided further, that not less than 75 per cent of the beneficiaries of the housing shall be persons
2213 whose income is not more than 60 per cent of the area median income and not less than 13 per
2214 cent of the beneficiaries of the housing shall be persons whose income is not more than 30 per
2215 cent of the area median income.

2216 (b)(1) Activities eligible for assistance from the fund shall include, but shall not be
2217 limited to: (i) projects to develop and support affordable housing developments and
2218 homeownership affordability through the acquisition, preservation, new construction and
2219 rehabilitation of affordable housing; and (ii) the preservation of affordable housing developments
2220 that: (A) are currently, or were previously, subject to prepayment or payment of a state or
2221 federally-assisted mortgage; (B) are receiving project-based rental assistance under section 8 of
2222 the United States Housing Act of 1937, 42 U.S.C. 1437f, and the rental assistance is expiring; or
2223 (C) have received other project-based federal or state subsidies which are terminating or have
2224 terminated.

2225 (2) Property eligible for assistance shall include, but shall not be limited to, housing
2226 where the prepayment or payment of a state or federally-assisted mortgage or the expiration of
2227 federal low income housing tax credits or other federal or state subsidies would lead or has led to
2228 the termination of a use agreement for low income housing or in which a project-based rental
2229 assistance contract is expiring or has expired; provided, that a property eligible for assistance that
2230 has been acquired for the purpose of preserving or improving the property shall not lose
2231 eligibility due to actions by the purchaser to renew or extend state or federal contracts or
2232 subsidies.

2233 (3) The department, in consultation with nonprofit organizations, the Community
2234 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency
2235 and the Massachusetts Housing Partnership Fund, shall identify projects at greatest risk of
2236 prepayment, payment, termination of subsidies and use restrictions or nonrenewal of rental
2237 assistance. Funding priority shall be based on at-risk criteria to be determined by the department
2238 and set forth in regulations promulgated by the department.

2239 SECTION 34. Said section 3 of said chapter 121F, as so appearing, is hereby further
2240 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

2241 (d) Prior to providing assistance, the department shall determine that: (i) the housing
2242 would not, by private enterprise alone and without government assistance, be available to lower
2243 income families and individuals; and (ii) the amount of assistance is the minimum amount
2244 necessary to make the housing development feasible. The department shall require, as a
2245 condition of receiving assistance, that: (A) the housing remain affordable for its useful life as
2246 determined by the department; and (B) with respect to rental housing, the operations of the
2247 owner and its articles of organization and by-laws, and any changes to the articles of
2248 organization and by-laws, shall be subject to regulation by the department.

2249 SECTION 35. Section 5 of said chapter 121F, as so appearing, is hereby amended by
2250 striking out, in lines 2 to 5, inclusive, the words “including, but not limited to, regulations
2251 relative to grants to cities and towns for the demolition of certain vacant and abandoned
2252 buildings and procedures for neighborhood revitalization plans”.

2253 SECTION 36. The General Laws are hereby amended by inserting after chapter 121G the
2254 following chapter:-

2255 CHAPTER 121H

2256 SUPPORTIVE HOUSING POOL FUND

2257 Section 1. As used in this chapter, the following words shall, unless the context clearly
2258 requires otherwise, have the following meanings:

2259 “Chronically homeless”, a person who has been homeless for at least 1 year or has been
2260 repeatedly homeless.

2261 “Executive office”, the executive office of housing and livable communities.

2262 “Fund”, the Supportive Housing Pool Fund established in section 2.

2263 “Permanent supportive housing”, rental housing that includes supportive services for
2264 individuals and families who may be homeless or chronically homeless, individuals and families
2265 with behavioral health needs or substance addiction needs, survivors of domestic violence,
2266 survivors of human trafficking, survivors of sexual violence, individuals and families at risk of
2267 entering or transitioning out of the foster care system, youth and young adults, seniors and
2268 veterans or other individuals with similar needs, as determined by the executive office.

2269 Section 2. (a) There shall be a Supportive Housing Pool Fund to support the production
2270 of permanent supportive housing. The fund shall be administered by the executive office directly
2271 or through contracts with 1 or more of the following administering agencies: (i) the Community
2272 Economic Development Assistance Corporation, established in chapter 40H; (ii) the
2273 Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts of
2274 1985; or (iii) the Massachusetts Housing Finance Agency, established in chapter 708 of the acts
2275 of 1966; provided, that an administering agency may directly offer financial assistance for the
2276 purposes pursuant to this section or may enter into subcontracts with non-profit organizations
2277 established pursuant to chapter 180 for those purposes; and provided further, that the
2278 administering agency may establish additional program requirements through regulations or
2279 policy guidelines.

2280 (b) There shall be credited to the fund: (i) revenue from appropriations or other money
2281 authorized by the general court and specifically designated for the fund; (ii) any gifts, grants,
2282 private contributions, repayment of loans, fees and charges imposed relative to the making of
2283 loans, grants, subsidies, credit enhancements and other financial assistance; (iii) any investment
2284 income earned on the fund's assets; and (iv) any other sources. Money remaining in the fund at
2285 the end of a fiscal year shall not revert to the General Fund.

2286 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or
2287 other financial assistance to projects and organizations that shall provide stable housing options
2288 and supportive services to residents of permanent supportive housing, which may include, but
2289 shall not be limited to, staffing, case management, service coordination or other tenancy-related
2290 services provided by a project sponsor or through a third party, or other services or activities that
2291 the executive office has determined are essential to the day-to-day operation of permanent
2292 supportive housing.

2293 Section 4. The executive office may promulgate regulations for the implementation,
2294 administration and enforcement of this chapter and may, in consultation with the executive office
2295 of health and human services, the executive office of elder affairs, the department of children and
2296 families and the office for victim assistance, issue guidelines for the fund.

2297 SECTION 36A. Chapter 183A of the General Laws is hereby amended by striking out
2298 section 16 and inserting in place thereof the following section:-

2299 Section 16. The owners of any land may submit the land under this chapter by the
2300 recording in the registry of deeds of a master deed or, if the title to the land is registered under
2301 chapter 185, by filing the master deed under said chapter 185.

2302 SECTION 36B. Section 14 of chapter 183B of the General Laws, as appearing in the
2303 2022 Official Edition, is hereby amended by striking out, in line 3, the words “subsection (d)”
2304 and inserting in place thereof the following words:- paragraph (3) of subsection (b).

2305 SECTION 36C. Said chapter 183B is hereby further amended by striking out section 15
2306 and inserting in place thereof the following section:-

2307 Section 15. (a) This section shall apply to time-share licenses only to the extent expressly
2308 provided by the time-share instrument.

2309 (b) A time-share may be terminated in accordance with the following:

2310 (1) After the occurrence of a duly noticed and called meeting of the association convened
2311 for the purpose of discussion of the possible termination of the time-share plan, all time-shares in
2312 a time-share property may be terminated by written agreement of the time-share owners having
2313 at least 60 per cent of all eligible beneficial interests.

2314 (2) An agreement to terminate all time-shares in a time-share property shall be evidenced
2315 by the execution, in the same manner as a deed, of a termination agreement, or ratifications
2316 thereof, by the requisite number of time-share owners. The termination agreement shall specify a
2317 date after which it shall be void unless it is recorded on or before said date, and it may provide
2318 for the establishment of a termination trust to carry out its terms and effect a sale as hereinafter
2319 provided. A termination agreement and all ratifications thereof shall be recorded in the registry
2320 of deeds or land registration office in every district in which a portion of the time-share property
2321 is situated and shall be effective only upon such recording.

2322 (3) Unless the termination agreement sets forth the material terms of a contract or
2323 proposed contract under which an estate or interest in each time-share unit, equal to the sum of
2324 the time-shares therein, is to be sold and designates a trustee or board of trustees to effect the
2325 sale, title to an estate or interest in each time-share unit equal to the sum of the time-shares
2326 therein vests upon termination in the time-share owners thereof in proportion to the respective
2327 interests of the time-share owners, as provided in paragraphs (7) and (8), and liens on the time-
2328 shares shall attach to and encumber any interests. Any co-owner of said estate or interest in a unit
2329 may thereafter maintain an action for partition or for allotment or sale in lieu of partition.

2330 (4) If the termination agreement sets forth parameters for the material terms of a contract
2331 or proposed contract under which an estate or interest in each time-share unit, equal to the sum of
2332 the time-shares therein, is to be sold and designates the board of the time-share owners
2333 association as trustees, or other individual or group of individuals as trustees, to effect the sale,
2334 title to the estate or interest vests upon termination in the trustees for the benefit of the time-share
2335 owners, to be transferred pursuant to the contract of sale. Net proceeds of the sale shall be
2336 distributed to time-share owners and lienholders as their interests may appear, as provided in
2337 paragraphs (7) and (8).

2338 (5) The termination of a time-share plan shall not change the status of the underlying
2339 owners' association. Upon termination of the time-share plan, the association shall continue to
2340 exist, but only for the purposes of concluding its affairs, prosecuting and defending actions by or
2341 against it, collecting and discharging obligations, disposing of and conveying its property,
2342 collecting and dividing its assets and otherwise complying with this section.

2343 (6) All reasonable expenses incurred by the termination trustee relating to the
2344 performance of their duties pursuant to this subsection, including the reasonable fees of attorneys
2345 and other professionals, must be paid by the termination trustee.

2346 (7) The termination trustee shall adopt reasonable procedures to implement the timely
2347 sale of the time-share property and comply with the requirements of this section.

2348 (8) Except as otherwise provided in the termination agreement, so long as the time-share
2349 owners or their termination trustee hold title to an estate or interest equal to the sum of the time-
2350 shares, each former time-share owner and their successors in interest shall have the same rights
2351 with respect to occupancy in the time-share unit that they would have had if termination had not
2352 occurred, together with the same liabilities and other obligations imposed by this chapter or the
2353 time-share instrument.

2354 (9) After termination of all time-shares in a time-share property and adequate provision
2355 for the payment of the claims of the creditors for time-share expenses, distribution of: (i) the
2356 proceeds of any sale pursuant to this section; (ii) the proceeds of any personalty held for the use
2357 and benefit of the former time-share owners; and (iii) any other funds held for the use and benefit
2358 of the former time-share owners shall be made to the former time-share owners and their
2359 successors in interest in proportion to their respective interests as provided in paragraph (8).
2360 Following termination, creditors of the association holding liens perfected against the time-share
2361 property prior to the termination may enforce said liens in the same manner as any other lien
2362 holder. All other creditors of the association shall be treated as if they had perfected liens on the
2363 time-share property immediately prior to termination.

2364 (10) The time-share instrument may specify the respective fractional or percentage
2365 interest in the estate or interest in each unit or in the time-share property equal to the sum of the
2366 time-shares therein that will be owned by each former time-share owner upon termination of the
2367 time-shares. If the time-share instrument fails to so specify, then upon termination, each time-
2368 share owner's beneficial interest in the termination trust shall be equal to such owner's prior
2369 beneficial interest in the time-share property as set forth in the time-share instrument and any
2370 underlying condominium master deed.

2371 SECTION 36D. Chapter 184 of the General Laws is hereby amended adding the
2372 following section:-

2373 Section 36. (a) For the purposes of this section, the following words shall, unless the
2374 context clearly requires otherwise, have the following meanings:

2375 "Affiliate", an entity owned or controlled by an owner or under common control with an
2376 owner.

2377 "Auction" or "public auction", the sale of a housing accommodation under power of sale
2378 in a mortgage loan by public bidding.

2379 "Borrower", a mortgagor of a mortgage loan.

2380 "Deed in lieu," a deed for the collateral property or the housing accommodation that the
2381 mortgagee accepts from the borrower in exchange for the release of the borrower's obligation
2382 under the mortgage loan.

2383 "Designee", a nonprofit organization, established pursuant to chapter 180, which is
2384 selected by members of a tenant association.

2385 “Elderly tenant household”, a tenant household in which 1 or more of the residents are
2386 age 65 or older.

2387 “Executive office”, the executive office of housing and livable communities established
2388 in chapter 23B.

2389 “Foreclosure”, a legal proceeding to terminate a borrower’s interest in property instituted by a
2390 mortgagee and regulated under chapter 244.

2391 “Housing accommodation”, a building, structure or part thereof, rented or offered for rent
2392 for living or dwelling purposes, including, but not limited to, a house, apartment, condominium
2393 unit, cooperative unit and other multi-family residential dwelling; provided, that a housing
2394 accommodation shall not include a group residence, homeless shelter, lodging house, orphanage,
2395 temporary dwelling structure or transitional housing; and provided further, that a housing
2396 accommodation shall not include a borrower-occupied housing accommodation if the borrower
2397 is domiciled in the housing accommodation at the initiation of the short-sale, deed in lieu or
2398 foreclosure process.

2399 “Member”, a natural person who is a member of a tenant association.

2400 “Minimum tenant participation percentage”, the minimum percentage of tenants who
2401 shall participate as members of a tenant association as defined by the city or town in a municipal
2402 ordinance or by-law; provided, that the minimum tenant participation percentage shall be not less
2403 than 51 per cent of the tenant-occupied housing units. The percentage shall be calculated based
2404 on the number of tenant-occupied housing units in a property. If more than 1 person is a lessee in
2405 a unit, all of the tenants who are lessees for that unit shall participate as members of the tenant
2406 association for the unit to be counted toward the participating percentage of units.

2407 “Mortgagee”, an entity to whom property is mortgaged, including, but not limited to,
2408 mortgage servicers, lenders in a mortgage agreement and any agent, servant or employee of the
2409 mortgagee or any successor in interest or assignee of the mortgagee's rights, interests or
2410 obligations under the mortgage agreement.

2411 “Mortgage loan”, a loan secured wholly or partially by a mortgage on a housing
2412 accommodation.

2413 “Owner”, a person, firm, partnership, corporation, trust, organization, limited liability
2414 company or other entity, or its successors or assigns that holds title to real property.

2415 “Purchase contract”, a binding written agreement whereby an owner agrees to sell
2416 property, including, but not limited to, a purchase and sale agreement, contract of sale, purchase
2417 option or other similar instrument.

2418 “Purchaser”, a party who has entered into a purchase contract with an owner and who
2419 will, upon performance of the purchase contract, become the new owner of the property.

2420 “Sale”, an act by which an owner conveys, transfers or disposes of property by deed or
2421 otherwise, whether through a single transaction or a series of transactions; provided, that a
2422 disposition of housing by an owner to an affiliate of such owner shall not constitute a sale.

2423 “Short-sale”, a sale approved by the mortgagee to a bona fide purchaser at a price that is
2424 less than the borrower’s existing debt on the housing accommodation.

2425 “Successor”, an entity through which a tenant association may take title to the property,
2426 which may be a corporation with the sole stockholder being the tenant association, a housing
2427 cooperative organized under chapter 157B, a limited liability company in which the tenant

2428 association is the member, a limited partnership in which the tenant association is a general
2429 partner or when permitted by the municipality’s ordinance, a joint venture between any of such
2430 entities and another party with: (i) the requisite experience in acquiring, developing and owning
2431 residential property; and (ii) the financial capacity to guaranty financing of the purchase
2432 transaction.

2433 “Tenant”, a natural person who has: (i) entered into an express written lease or rental
2434 agreement with the owner for exclusive possession of the premises for at least 6 months; or (ii)
2435 paid rent to the owner and the owner has accepted said rent for at least 6 months.

2436 “Tenant association”, an organization with a membership limited to present tenants of a
2437 property that is: (i) registered with the municipality that has adopted an ordinance or by-law
2438 consistent with this section; or (ii) a non-profit organization incorporated under chapter 180.

2439 “Third-party offer”, an offer to purchase the mortgaged property for valuable
2440 consideration by an arm’s length purchaser; provided, that a third-party offer shall not include an
2441 offer by the borrower or tenants.

2442 “Third-party purchaser”, a purchaser who is not a tenant association, a designee or an
2443 affiliate.

2444 (b)(1) A city or town may accept this section, in the manner provided in section 4 of
2445 chapter 4, through ordinance or by-law, to establish a tenant right to purchase property. This
2446 section shall take effect no later than 180 days after such acceptance. A city or town may at any
2447 time revoke its acceptance of this section by vote of the legislative body, subject to the charter of
2448 the municipality. The revocation shall not affect agreements relative to tenants’ right to purchase
2449 that have already been asserted prior to the revocation.

2450 (2) A municipal ordinance or by-law may contain provisions that establish:

2451 (i) tenancy protections for non-elderly tenant households that do not participate in the

2452 tenant association;

2453 (ii) exclusion of applicability to properties with fewer than a designated number of units;

2454 provided, that different exclusion numbers may be adopted for owner-occupied properties and

2455 properties with no owner occupancy;

2456 (iii) criteria for designees;

2457 (iv) a tenant association's ability to exercise rights pursuant to this section through a joint

2458 venture or partnership with another entity with experience in developing, owning or operating

2459 residential real estate or an entity that has the financial capacity to guaranty the financing of the

2460 purchase transaction; and

2461 (v) exclusion of classes of properties in addition to the classes of properties enumerated

2462 in subsection (k).

2463 (c) In any city or town that votes to adopt this section, an owner of a residential building

2464 shall: (i) notify the municipality and each tenant household, in writing by hand delivery and

2465 United States mail, of the owner's intention to sell the property, with copy of the municipality's

2466 prepared summary of the ordinance adopted hereunder; and (ii) provide a tenant association with

2467 the minimum tenant participation percentage an opportunity to make an offer to purchase the

2468 property prior to entering into an agreement to sell such property pursuant to the time periods in

2469 this section; provided, that no owner shall be under any obligation to enter into an agreement to

2470 sell such property to the tenants.

2471 (d) A tenant association with the minimum tenant participation percentage may select a
2472 successor or a designee to act on its behalf as purchaser of the property and shall give the owner
2473 and the municipality notice of its selection.

2474 (e)(1) A tenant association with the minimum tenant participation percentage, or its
2475 successor or designee, may, within 15 days after receipt of the notice of the owner's intention to
2476 sell, submit an offer to the owner to purchase the property.

2477 (2) A tenant association, successor or designee's failure to submit a timely offer under
2478 paragraph (1) shall constitute an irrevocable waiver of the tenants' rights under this section. If
2479 the owner and the tenant association, successor or designee, have not entered into an agreement
2480 within 15 days after receipt of the notice of the owner's intent to sell, the owner may enter into
2481 an agreement to sell the property to a third party, subject to subsections (f) to (i), inclusive.

2482 (f) Upon execution of any purchase contract with a third party, the owner shall, within 7
2483 days, submit a copy of the contract along with a proposed purchase contract for execution by the
2484 tenant association, successor or designee. If the tenant association, successor or designee elect to
2485 purchase the property, the tenant association, successor or designee shall within 30 days after the
2486 receipt of the third-party purchase contract and the proposed purchase contract, execute the
2487 proposed purchase contract or such other agreement as is acceptable to both parties. The time
2488 periods set forth in this subsection may be extended by agreement between the owner and the
2489 tenant association, successor or designee. Except as otherwise specified in subsection (h), the
2490 terms and conditions of the proposed purchase contract offered to the tenant association,
2491 successor or designee shall be the same as those of the executed third-party purchase contract.

2492 (g) After receipt of the third-party purchase contract pursuant to subsection (f), the tenant
2493 association, successor or designee may, within the 15-day time period prescribed in said
2494 subsection (f), make a counteroffer by executing and submitting to the owner an amended
2495 proposed purchase contract. Failure by the tenant association, successor or designee to execute
2496 the purchase contract or submit a counteroffer within the 15-day period in subsection (f) shall
2497 constitute a waiver of the tenants' right to purchase. If the tenant association, successor or
2498 designee submits a counteroffer, the owner shall have 15 days from the date it receives the
2499 amended proposed purchase contract to execute the amended proposed purchase contract or
2500 reject, in writing, the counteroffer; provided, however, that if the owner rejects a counteroffer, it
2501 shall not subsequently enter into any purchase contract with a third party on terms that are the
2502 same as, or materially more favorable to the proposed third party purchaser, than the economic
2503 terms and conditions in the counteroffer proposed by the tenant association, successor or
2504 designee, unless the owner first provides a copy of such new third-party purchase contract and a
2505 new proposed purchase contract for execution by the tenant association, successor or designee,
2506 which shall contain the same terms and conditions as the newly executed third party purchase
2507 contract, except as otherwise specified by subsection (h), and the tenant association, successor or
2508 designee shall have 30 days from the date they receive the third-party purchase contract and the
2509 proposed purchase contract to execute the proposed purchase contract or such other agreement as
2510 is acceptable to the owner and the tenant association, successor or designee.

2511 (h) Any purchase contract offered to, or proposed by, the tenant association, successor or
2512 designee shall include at a minimum the following terms:

2513 (i) the earnest money deposit shall not exceed the lesser of: (A) the deposit in the third-
2514 party purchase contract; (B) 5 per cent of the sale price; or (C) \$250,000; provided, however, that

2515 the owner and the tenant association, successor or designee may agree to modify the terms of the
2516 earnest money deposit; and provided, further, that the earnest money deposit shall be held under
2517 commercially-reasonable terms by an escrow agent selected jointly by the owner and the tenant
2518 association, successor or designee;

2519 (ii) the earnest money deposit shall be refundable for not less than 90 days from the date
2520 of execution of the purchase contract or such greater period as provided for in the third-party
2521 purchase contract; provided, however, that if the owner unreasonably delays the buyer's ability
2522 to conduct due diligence during the 90-day period, the earnest money deposit shall continue to be
2523 refundable for a period greater than 90 days. After the expiration of the specified time period, the
2524 earnest money deposit shall be forfeited and the right to purchase of the tenant association,
2525 successor or designee shall be irrevocably waived.

2526 (i) The tenant association, successor or designee shall have 160 days from execution of
2527 the purchase and sale agreement to perform all due diligence, secure financing and close on the
2528 purchase of the property. Failure to exercise the purchase option within 160 days shall constitute
2529 a waiver of the purchase option by the tenant association, successor or designee.

2530 (j) Any notice required by this section shall be deemed to have been provided when
2531 delivered in person or mailed by certified or registered mail, return receipt requested, to the party
2532 to whom notice is required. Notice shall be deemed to have been provided when either: (i) the
2533 notice is delivered in hand to the tenant or an adult member of the tenant's household; or (ii) the
2534 notice is sent by first class mail and a copy is left in, or under the door of, the tenant's dwelling
2535 unit. A notice to the affected municipality shall be sent to the chief executive officer of the
2536 municipality.

2537 (k) This section shall not apply to:

2538 (i) property that is the subject of a government taking by eminent domain or a negotiated
2539 purchase in lieu of eminent domain;

2540 (ii) a proposed sale to a purchaser pursuant to terms and conditions that preserve
2541 affordability, as determined by the executive office;

2542 (iii) any sale of publicly-assisted housing, as defined in section 1 of chapter 40T;

2543 (iv) rental units in any hospital, skilled nursing facility or health facility;

2544 (v) rental units in a nonprofit facility that has the primary purpose of providing short-term
2545 treatment, assistance or therapy for alcohol, drug or other substance abuse; provided, that such
2546 housing is incident to the recovery program; and provided further, that the client has been
2547 informed in writing of the temporary or transitional nature of the housing;

2548 (vi) rental units in a nonprofit facility: (A) that provides a structured living environment
2549 that has the primary purpose of helping homeless persons obtain the skills necessary for
2550 independent living in permanent housing; (B) where occupancy is restricted to a limited and
2551 specific period of time of not more than 24 months; and (C) where the client has been informed
2552 in writing of the temporary or transitional nature of the housing at its inception;

2553 (vii) public housing units managed by the local housing authority;

2554 (viii) federal public housing units that are subsidized and regulated under federal law, to
2555 the extent such applicable federal law expressly preempts this section;

2556 (ix) any residential property where the owner is a natural person who owns not more than
2557 6 residential rental units in the municipality and who resides in the commonwealth;

2558 (x) any unit that is held in trust on behalf of a disabled individual who permanently
2559 occupies the unit, or a unit that is permanently occupied by a disabled parent, sibling, child or
2560 grandparent of the owner of that unit; or

2561 (xi) any rental unit that is owned or managed by a college or university for the express
2562 purpose of housing students.

2563 (l) The tenant association, successor or designee shall ensure that its purchase of the
2564 property will not result in the displacement of any elderly tenant households that choose not to
2565 participate in the purchase of the property.

2566 (m)(1) An owner shall give notice to each tenant household of a housing accommodation
2567 of the intention to sell the housing accommodation by way of short-sale to avoid foreclosure or
2568 its intention of accepting a deed in lieu. Such notice shall be mailed by regular and certified mail,
2569 with a simultaneous copy to the attorney general, the secretary of the executive office and to the
2570 municipality adopting this section, within 2 business days of the owner's submission of a request
2571 or application to the mortgagee for permission to sell the housing accommodation by way of
2572 short-sale or to accept a deed in lieu. This notice shall also include a statement of the rights
2573 provided by this section.

2574 (2) No mortgagee shall accept any third party offers or deem the owner's application for
2575 short-sale submitted for review unless and until the mortgagee receives documentation in a form
2576 approved by the attorney general demonstrating that the tenants of the housing accommodation
2577 have been informed of the owner's intent to seek a short-sale or deed in lieu and the tenants have

2578 expressed their interest in exercising a right of first refusal within 60 days, assigning that right of
2579 first refusal, or the tenants have waived those rights. If the tenants have not affirmatively
2580 expressed their interest in exercising a right of first refusal or in assigning that right within 60
2581 days or have not affirmatively waived that right within 60 days, the tenants' rights shall be
2582 deemed waived.

2583 (3) Before a housing accommodation may be transferred by short-sale or deed in lieu, the
2584 owner shall notify each tenant household, with a simultaneous copy to the attorney general, the
2585 secretary of the executive office and the municipality adopting this section, by regular and
2586 certified mail, of any bona fide offer that the mortgagee intends to accept. Before any short-sale
2587 or transfer by deed in lieu, the owner shall give each tenant household such a notice of the offer
2588 only if households constituting at least 51 per cent of the households occupying the housing
2589 accommodation notify the owner, in writing, that they collectively desire to receive information
2590 relating to the proposed sale. Tenants may indicate this desire within the same notice described
2591 in paragraph (2). Any notice of the offer required to be given under this subsection shall include
2592 the price, calculated as a single lump sum amount, of any promissory notes offered in lieu of
2593 cash payment.

2594 (4) A group of tenants representing at least 51 per cent of the households occupying the
2595 housing accommodation that are entitled to notice under paragraph (3) shall have the collective
2596 right to purchase, in the case of a third party offer that the mortgagee intends to accept, provided
2597 that the group of tenants shall:

2598 (A) submit to the owner reasonable evidence that the tenants of at least 51 per cent of the
2599 occupied units in the housing accommodation have approved the purchase of the housing
2600 accommodation;

2601 (B) submit to the owner a proposed purchase and sale agreement on substantially
2602 equivalent terms and conditions within 60 days of receipt of notice of the offer made under
2603 paragraph (3);

2604 (C) obtain a binding commitment for any necessary financing or guarantees within an
2605 additional 90 days after execution of the purchase and sale agreement; and

2606 (D) close on such purchase within an additional 90 days after the end of the 90-day
2607 period in clause (C).

2608 (5) No owner shall unreasonably refuse to enter into, or unreasonably delay the execution
2609 or closing on a purchase and sale with tenants who have made a bona fide offer to meet the price
2610 and substantially equivalent terms and conditions of an offer for which notice is required to be
2611 given pursuant to paragraph (3). Failure of the tenants to submit such a purchase and sale
2612 agreement within the first 60-day period, to obtain a binding commitment for financing within
2613 the additional 90-day period or to close on the purchase within the second 90-day period, shall
2614 serve to terminate the rights of such tenants to purchase. The time periods provided in this
2615 paragraph may be extended by agreement. Nothing herein shall be construed to require an owner
2616 to provide financing to such tenants. A group or association of tenants that has the right to
2617 purchase pursuant to this subsection, at its election, may assign its purchase right pursuant to this
2618 subsection to the city or town in which the housing accommodation is located, or the housing
2619 authority of the city or town in which the housing accommodation is located, or an agency of the

2620 commonwealth, nonprofit, community development corporation, affordable housing developer,
2621 or land trust, for the purpose of permanently continuing the use of the housing accommodation as
2622 affordable rental housing.

2623 (6) The right of first refusal created in this subsection shall inure to the tenants for the
2624 time periods provided in paragraph (4), beginning on the date of notice to the tenants under
2625 paragraph (1). The effective period for such right of first refusal shall begin anew for each
2626 different offer to purchase that the mortgagee intends to accept. The right of first refusal shall not
2627 apply with respect to any offer received by the owner for which a notice is not required pursuant
2628 to paragraph (3).

2629 (7) In any instance where the tenants are not the successful purchaser of the housing
2630 accommodation, the mortgagee shall provide evidence of compliance with this section by filing
2631 an affidavit of compliance with the attorney general, the secretary of the executive office and the
2632 registry of deeds for the county and district where the property is located within 7 days of the
2633 sale.

2634 (8) An owner shall not evict a tenant to avoid application of this subsection.

2635 (9) An aggrieved tenant may seek damages under chapter 93A and may file a complaint
2636 with the attorney general. A tenant may seek damages, including compensatory relief in the form
2637 of a percentage of the sales price, injunctive relief in the form of specific performance to compel
2638 transfer of the property or both compensatory and injunctive relief. Nothing in this subsection
2639 shall be construed to limit or constrain the rights tenants currently have under applicable laws,
2640 including, but not limited to, chapters 186 and 186A. At all times, all parties shall negotiate in
2641 good faith.

2642 (10) The attorney general shall enforce this subsection and shall promulgate rules and
2643 regulations necessary for enforcement. The attorney general may seek injunctive, declaratory and
2644 compensatory relief on behalf of tenants and the commonwealth in a court of competent
2645 jurisdiction. The attorney general shall post a sample intent to sell notice, sample proof of notice
2646 to tenants, sample notice of offer and other necessary documents.

2647 (n)(1) When a mortgagee seeks judicial determination of the right to foreclose, the
2648 mortgagee shall provide a copy of the complaint by regular and certified mail to the tenants of
2649 the housing accommodation and to the municipality adopting this section. The mortgagee shall
2650 also provide tenants and the municipality, by regular and certified mail, with a copy of any order
2651 of notice issued by the land court, if applicable, within 5 days of issuance.

2652 (2) The mortgagee shall provide each tenant household and the municipality adopting this
2653 section, by regular and certified mail, a copy of all notices of sale published pursuant to section
2654 14 of chapter 244. A copy shall be provided simultaneously with the successive publication
2655 notices.

2656 (3) Not later than 5 business days before the auction of a housing accommodation, the
2657 tenants shall inform the mortgagee, in writing, if a group of tenants representing at least 51 per
2658 cent of the households occupying the housing accommodation or an entity to which they have
2659 assigned their right of first refusal intend to exercise their right of first refusal at auction and
2660 desire to receive information relating to the proposed auction.

2661 (4) A group of tenants representing at least 51 per cent of the households occupying the
2662 housing accommodation or an entity to which they have assigned their right of first refusal may

2663 exercise their collective right to purchase the housing accommodation, in the event of a third
2664 party offer at auction that the mortgagee receives; provided, that the group of tenants shall:

2665 (i) submit to the mortgagee reasonable evidence that the tenants of at least 51 per cent of
2666 the occupied homes in the housing accommodation have approved the purchase of the housing
2667 accommodation;

2668 (ii) submit to the mortgagee a proposed purchase and sale agreement on substantially
2669 equivalent terms and conditions to that received by the mortgagee in the third-party offer within
2670 60 days of receipt of notice of the bid made under paragraph (3);

2671 (iii) obtain a binding commitment for any necessary financing or guarantees within an
2672 additional 90 days after execution of the purchase and sale agreement; and

2673 (iv) close on such purchase within an additional 90 days after the end of the 90-day
2674 period under clause (iii).

2675 No mortgagee shall unreasonably refuse to enter into, or unreasonably delay the
2676 execution or closing on a purchase and sale with tenants who have made a bona fide offer to
2677 meet the price and substantially equivalent terms and conditions of a bid received at auction.
2678 Failure of the tenants to submit such a purchase and sale agreement within the first 60-day
2679 period, to obtain a binding commitment for financing within the additional 90-day period or to
2680 close on the purchase within the second 90-day period, shall serve to terminate the rights of such
2681 tenants to purchase. The time periods provided in this paragraph may be extended by agreement.

2682 Nothing herein shall be construed to require a mortgagee to provide financing to such
2683 tenants. A group or association of tenants that has the right to purchase hereunder, at its election,

2684 may assign its purchase right hereunder to the city, town, housing authority, or agency of the
2685 commonwealth, nonprofit, community development corporation, affordable housing developer,
2686 or land trust for the purpose of permanently continuing the use of the housing accommodation as
2687 affordable rental housing.

2688 If there are no third-party bids at auction for the housing accommodation, the tenants
2689 shall have a right of first refusal whenever the mortgagee seeks to sell the housing
2690 accommodation. The tenants shall be notified of any offers the mortgagee intends to accept and
2691 shall be given an opportunity to meet the price and substantially the terms of a third-party offer
2692 based on the same timeline described in paragraph (4).

2693 (5) The right of first refusal created herein shall inure to the tenants for the time periods
2694 herein before provided, beginning on the date of notice to the tenants under paragraph (1).

2695 (6) In any instance where the tenants are not the successful purchaser of the housing
2696 accommodation, the seller of such unit shall provide evidence of compliance with this section by
2697 filing an affidavit of compliance with the attorney general, the secretary of the executive office
2698 and the registry of deeds for the county and district where the property is located within 7 days of
2699 the sale.

2700 (7) An owner shall not evict a tenant to avoid application of this subsection.

2701 (8) An aggrieved tenant may seek damages under chapter 93A and may file a complaint
2702 with the attorney general. A tenant may seek damages including a percentage of the sales price
2703 or injunctive relief in the form of specific performance to compel transfer of property, or both
2704 compensatory and injunctive relief. Nothing in this subsection shall be construed to limit or

2705 constrain in any way the rights tenants currently have under applicable laws, including, but not
2706 limited to, chapters 186 and 186A. At all times, all parties shall negotiate in good faith.

2707 (9) The attorney general shall enforce this subsection and shall promulgate rules and
2708 regulations necessary for enforcement. The attorney general may seek injunctive, declaratory,
2709 and compensatory relief on behalf of tenants and the commonwealth in a court of competent
2710 jurisdiction. The attorney general shall post a sample intent to sell notice, sample proof of notice
2711 to tenants, sample notice of offer, and other necessary documents.

2712 SECTION 36E. Chapter 185 of the General Laws is hereby amended by striking out
2713 section 52 and inserting in place thereof the following section:-

2714 Section 52. (a) As used in this section, “notice of voluntary withdrawal” shall mean an
2715 instrument in writing signed and acknowledged by all owners of the land to be voluntarily
2716 withdrawn and that contains the following information: (i) names and addresses of all owners;
2717 (ii) the certificate of title number with the registration book and page numbers; (iii) a description
2718 of the land in the form contained in the certificate of title or a description incorporating by
2719 reference the lot numbers, if numbered and the land court plan, together with a reference to the
2720 certificate with which the plan is filed; and (iv) the street address of the land, if any. The notice
2721 of voluntary withdrawal shall include warning to all interest holders entitled to notice that any
2722 objection to the requested withdrawal shall be filed with the court not later than 30 days
2723 following the service of the notice or shall be waived.

2724 (b) A judgment of registration and the entry of a certificate of title shall be
2725 regarded as an agreement running with the land and binding upon the plaintiff and the plaintiff's
2726 successors in title that the land shall be and forever remain registered land and subject to this

2727 chapter unless withdrawn under this section and except as provided in section 26.

2728 (c) If all of a parcel of land, the title to which is registered under this chapter, is acquired
2729 by the commonwealth, any agency, department, board, commission or authority of the
2730 commonwealth, any political subdivision of the commonwealth or any agency, department,
2731 board, commission or authority of any political subdivision of the commonwealth, the
2732 acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter.
2733 The land so acquired shall be withdrawn upon the filing with the land court of a complaint for
2734 voluntary withdrawal by the public entity and the endorsement by a justice of the land court of a
2735 notice of withdrawal by the public entity, which shall be filed in the registry district where the
2736 land is located.

2737 (d) The owners of the fee simple estate in a parcel of land, the title to which has been
2738 registered under this chapter, may voluntarily withdraw the registered land from this chapter by
2739 filing with the land court a complaint for voluntary withdrawal naming themselves as all of the
2740 owners of the fee simple estate in the entire parcel of land, and identifying any mortgagees,
2741 lessees or option holders of record having an interest in the registered land, together with a notice
2742 of voluntary withdrawal. The plaintiff shall file with the complaint documentation sufficient to
2743 establish conclusively their ownership of the fee simple estate in the entire parcel of land that is
2744 the subject of the complaint, including, but not limited to, a last-prepared certificate of title,
2745 deeds, conveyance records or other documents or instruments that demonstrate their ownership
2746 interest. The plaintiff also may file with the court written and signed assents from any interest
2747 holders entitled to notice who have agreed to the withdrawal. Upon the request of the plaintiff or
2748 the court's determination of reasonable need, the court may appoint an examiner of title, whose
2749 fees shall be paid by the plaintiff, to prepare a report sufficient to identify the current owners and

2750 all current mortgagees, lessees, or option holders with interests in the land who are entitled to
2751 notice. The court's order of appointment shall be made not later than 30 days after receipt of the
2752 complaint or request for appointment, if later made, unless the court, for good cause, determines
2753 that appointment at a later time is indicated, and shall direct such report to be prepared and filed
2754 with the court not later than 14 days after the appointment is made, unless the court, for good
2755 cause, then or thereafter allows further time. All interest holders entitled to notice who have not
2756 assented shall be served by certified mail with a file-stamped copy of the complaint and notice of
2757 voluntary withdrawal. The court may order further notice to be given, including by additional
2758 means, if the court determines it necessary or desirable to accomplish effective service. The
2759 plaintiff shall file with the court an affidavit certifying that such notice by certified mail or other
2760 means ordered by the court has been given, together with proof of service. Where the plaintiff is
2761 represented by counsel, the affidavit shall be executed by counsel.

2762 (e) If no objection has been filed by any interest holder entitled to notice not later than 30
2763 days following service, a justice of the court shall approve and endorse the notice of voluntary
2764 withdrawal not later than 30 days following receipt of all required information and
2765 documentation unless the court, for good cause, determines that further time is indicated.
2766 Notwithstanding the filing of an objection not later than 30 days, the notice of voluntary
2767 withdrawal shall be endorsed by a justice of the land court unless the court determines that there
2768 is good cause for the objection. Upon endorsement by a justice of the land court, the notice of
2769 voluntary withdrawal shall be filed for registration and noted on the memorandum of
2770 encumbrances for the certificate of title and may be recorded with the registry of deeds for the
2771 district within which the land lies, whereupon the land shall be withdrawn from this chapter and
2772 shall become unregistered land. The owners shall hold title to the land free of all liens and

2773 encumbrances, including adverse possession and prescriptive rights, existing as of the date the
2774 judicially-endorsed notice of voluntary withdrawal is noted on the memorandum of
2775 encumbrances, as though a judgment of confirmation without registration had been recorded
2776 under section 56A; provided, however, that the owners shall not hold title free of the
2777 encumbrances set forth or referred to in section 46 and those noted on the certificate of title or
2778 filed for registration before the date the endorsed notice of voluntary withdrawal is noted on the
2779 memorandum of encumbrances.

2780 (f) The chief justice of the land court or a designee may promulgate or establish rules,
2781 practices, guidelines, forms or procedures, including an appropriate filing fee for the complaint
2782 and notice of voluntary withdrawal, as necessary to implement this section.

2783 SECTION 36F. Said chapter 185 is hereby further amended by striking out section 114
2784 and inserting in place thereof the following section:-

2785 Section 114. (a) No erasure, alteration or amendment shall be made upon the registration
2786 book after the entry of a certificate of title or of a memorandum thereon and the attestation of the
2787 same by the recorder or an assistant recorder without court order, except in an instance in which
2788 the assistant recorder, upon approval of the chief title examiner of the land court or their
2789 designee, determines that a clerical error or omission has been made in the entry of the certificate
2790 of title or memorandum thereon.

2791 (b) A registered owner or other person in interest may apply by complaint to the court
2792 upon the grounds that: (i) registered interests of any description, whether vested, contingent,
2793 expectant or inchoate, have terminated and ceased; (ii) new interests not appearing upon the
2794 certificate have arisen or been created; (iii) an error or omission was made in entering a

2795 certificate or any memorandum thereon; (iv) the name of any person on the certificate has been
2796 changed; (v) the registered owner has married, or if registered as married, that the marriage has
2797 been terminated; (vi) a corporation which owned registered land and has been dissolved has not
2798 conveyed the same within 3 years after its dissolution; or (vii) upon any other reasonable ground,
2799 and the court may hear and determine the complaint after notice to all parties in interest, and may
2800 order the entry of a new certificate, the entry or cancellation of a memorandum upon a
2801 certificate, or grant any other relief upon such terms, requiring security if necessary, as it may
2802 consider proper; provided, however, that this section shall not authorize the court to open the
2803 original judgment of registration; and provided further, that nothing shall be done by the assistant
2804 recorder or ordered by the court that shall impair the title or other interest of a purchaser holding
2805 a certificate for value and in good faith, or their heirs or assigns, without their written consent.

2806 SECTION 37. Section 1 of chapter 188 of the General Laws, as appearing in the 2022
2807 Official Edition, is hereby amended by striking out, in lines 15, 21, 25, 41 and 47, each time it
2808 appears, the figure “\$500,000” and inserting in place thereof, in each instance, the following
2809 figure:- \$1,000,000.

2810 SECTION 38. Section 3 of chapter 708 of the acts of 1966, as amended by section 43 of
2811 chapter 204 of the acts of 1996, is hereby further amended by striking out, in the first sentence,
2812 the words “department of housing and community development” and inserting in place thereof
2813 the following words:- executive office of housing and livable communities.

2814 SECTION 39. The first paragraph of said section 3 of said chapter 708, as most recently
2815 amended by sections 43 and 44 of said chapter 204, is hereby further amended by striking out the
2816 third sentence and inserting in place thereof the following sentence:- Any law to the contrary

2817 notwithstanding the MHFA shall not be subject to the provisions of chapter 30A, sections 24
2818 through 28, inclusive, of chapter 93, chapter 255E or chapter 255F of the General Laws.

2819 SECTION 40. The first sentence of the second paragraph of said section 3 of said chapter
2820 708, as amended, is hereby further amended by striking out the words “director of housing and
2821 community development” and inserting in place thereof the following words:- secretary of
2822 housing and livable communities.

2823 SECTION 41. Paragraph (b) of section 8 of said chapter 708, is hereby amended by
2824 striking out the sixth sentence, as most recently amended by chapter 34 of the acts of 2003, and
2825 inserting in place thereof the following sentence:- The aggregate principal amount of notes and
2826 bonds of the MHFA issued to make mortgage loans pursuant to section 5 and to make or
2827 purchase loans pursuant to section 5A, outstanding at any 1 time, shall not exceed the sum of
2828 \$10,800,000,000.

2829 SECTION 42. Paragraph (a) of section 35 of chapter 405 of the acts of 1985 is hereby
2830 further amended by striking out the words “department of housing and community
2831 development”, as appearing in section 47 of chapter 204 of the acts of 1996, and inserting in
2832 place thereof the following words:- executive office of housing and livable communities.

2833 SECTION 43. Said paragraph (a) of said section 35 of said chapter 405 is hereby further
2834 amended by striking out the words “communities and development”, as appearing in section 36
2835 of chapter 102 of the acts of 1990, and inserting in place thereof the following words:- housing
2836 and livable communities.

2837 SECTION 44. Section 2 of chapter 52 of the acts of 1993 is hereby amended by striking
2838 out item 4000-8200, most recently amended by sections 15 to 18, inclusive, of chapter 244 of the
2839 acts of 2002, and inserting in place thereof the following item:-

2840 4000-8200 For state financial assistance to implement the recommendations of the
2841 special commission in the form of loans for the development of community-based housing for
2842 individuals with mental health or intellectual or developmental disabilities; provided, that said
2843 loan program shall be administered by the executive office of housing and livable communities
2844 through contracts with authorities which shall be limited to housing authorities and
2845 redevelopment authorities duly organized and existing in accordance with chapter 121B of the
2846 General Laws, community development corporations duly organized and existing in accordance
2847 with chapter 40F of the General Laws, the Massachusetts Housing Finance Agency, a body
2848 politic and corporate entity established by chapter 708 of the acts of 1966, as amended, the
2849 Massachusetts community economic development assistance corporation (CEDAC), a body
2850 politic and corporate entity established by chapter 40H of the General Laws, and the
2851 Massachusetts Government Land Bank, a body politic and corporate entity established by
2852 chapter 212 of the acts of 1975; provided, that said loan issuing authorities may develop or
2853 finance said community-based housing, or may enter into subcontracts with non-profit
2854 organizations established pursuant to chapter 180 of the General Laws or organizations in which
2855 such non-profit corporations have a controlling financial or managerial interest; provided,
2856 however, that said department shall take due consideration of a balanced geographic plan for
2857 such community-based housing when issuing said loans; provided further, that loans issued
2858 pursuant to this item shall be subject to the following provisions: (1) said loans shall be limited
2859 to not more than 50 per cent of the financing of the total development costs; (2) said loans shall

2860 only be issued for a community-based housing project contingent on the title to said real property
2861 reverting to the commonwealth when said loan becomes due and payable except as provided by
2862 section 3; (3) said loans shall only be issued when any contract or agreement for the use of said
2863 property for the purposes of such community-based housing provides for the recording of a
2864 restriction in the registry of deeds or the registry district of the land court of the county in which
2865 the affected real property is located, for the benefit of the said departments, running with the
2866 land, that the land be used for the purpose of providing community-based housing for eligible
2867 individuals as determined by the departments of mental health; provided, that the property shall
2868 not be released from such restrictions unless: (i) the balance of the principal and interest for the
2869 loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has
2870 been a disposition of the property; provided, that the executive office of housing and livable
2871 communities, in consultation with the department of mental health and the department of
2872 developmental services, determines that relevant clients will be better served at an alternative
2873 property and the proceeds from the disposition of the property will be used, to the extent
2874 necessary for replacement of the housing at the property, for 1 or both of the following purposes:
2875 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property; (4) said
2876 loans shall be issued for a term of up to 30 years during which time repayment may be deferred
2877 by the loan issuing authority unless at the end of any fiscal year, cash collections from all sources
2878 in connection with a community-based housing project, except for contributions, donations, or
2879 grant monies, exceed 105 per cent of cash expenditures on behalf of said project, including debt
2880 service, operating expenses, and capital reserves, in which event such excess cash shall be paid
2881 to the commonwealth within 45 days of the end of said fiscal year, payable first to interest due
2882 hereunder and thereafter to principal advanced pursuant to said loan; provided, that if on the date

2883 said loans become due and payable to the commonwealth an outstanding balance exists and if, on
2884 such date, the executive office of housing and livable communities in consultation with the
2885 executive office of health and human services, determines that there still exists a need for such
2886 housing and that there is continued funding available for the provision of services to such
2887 development, said executive office may, by agreement with the owner of the development,
2888 extend the loans for such periods, each period not to extend beyond 10 years, as the executive
2889 office determines; provided, however, that the project, whether at the original property, or at an
2890 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
2891 loan term, as extended, as set forth in the contract or agreement entered into by the executive
2892 office; and provided, further, that, in the event that the terms of repayment detailed in this item
2893 would cause a project authorized by this item to become ineligible to receive federal funds which
2894 would otherwise assist in the development of that project, the secretary may waive the terms of
2895 repayment which would cause the project to become ineligible; (5) interest rates for said loans
2896 shall be fixed at a rate, to be determined by the secretary for housing and livable communities in
2897 consultation with the treasurer of the commonwealth, that shall be equal to the rate anticipated to
2898 be that paid by the commonwealth for bonds issued pursuant to section 8 of this act; which
2899 financing shall not exceed terms of 30 years; (6) said loans shall be provided only for projects
2900 conforming to the provisions of this act; and (7) said loans shall be issued in accordance with a
2901 facilities consolidation plan prepared by the secretary of health and human services, reviewed
2902 and approved by the secretary of housing and livable communities and filed with the secretary
2903 for administration and finance and the house and senate committees on ways and means;
2904 provided, that no expenditures shall be made pursuant to this item without the prior approval of
2905 the secretary for administration and finance; provided further, that not more than \$10,000,000

2906 shall be expended from this item for a pilot program of community-based housing loans to serve
2907 mentally-ill homeless individuals in the current or former care of said department of mental
2908 health; provided further, that in implementing said pilot program, said executive office shall take
2909 due consideration of a balanced geographic plan when establishing community-based residences;
2910 provided further, that said housing services made available pursuant to such loans shall not be
2911 construed as a right or an entitlement for any individual or class of persons to the benefits of said
2912 pilot program; and provided further, that eligibility for said pilot program shall be established by
2913 regulations promulgated by said executive office. The executive office of housing and livable
2914 communities is hereby authorized and directed to promulgate emergency regulations pursuant to
2915 section 2 of chapter 30A of the General Laws for the implementation of the community-based
2916 housing loan program and the mentally ill homeless pilot loan program authorized by this item,
2917 consistent with the facilities consolidation plan prepared by the secretary of health and human
2918 services and after consultation with said secretary and the commissioner of the division of capital
2919 asset management and maintenance.....\$50,000,000

2920 SECTION 45. Clause (2) of item 3722-8899 of section 2 of chapter 494 of the acts of
2921 1993 is hereby amended by striking out the words “provided, that said property shall not be
2922 released from such restriction unless and until the balance of the principal and interest for said
2923 loan is repaid in full or unless and until a mortgage foreclosure deed is recorded” and inserting in
2924 place thereof the following words:- provided, that said property shall not be released from such
2925 restriction unless and until: (i) the balance of the principal and interest for said loan has been
2926 repaid in full; (ii) a mortgage foreclosure deed has been recorded; or (iii) there has been a
2927 disposition of the property; provided, further that the executive office of housing and livable
2928 communities shall determine that relevant clients will be better served at an alternative property

2929 and the proceeds from the disposition of the property shall be used, to the extent necessary for
2930 replacement of the housing at the property, for 1 or both of the following purposes: (A) to
2931 acquire such alternative property; or (B) to rehabilitate such alternative property.

2932 SECTION 46. Clause (4) of said item 3722-8899 of said section 2 of said chapter 494 is
2933 hereby amended by striking out the words “provided, that the project continues to remain
2934 affordable housing as set forth in the contract or agreement entered into for the duration of the
2935 project by the department” and inserting in place thereof the following words:- provided, that
2936 that the project, whether at the original property, or at an alternative property pursuant to clause
2937 (2), continues to remain affordable housing as set forth in the contract or agreement entered into
2938 for the duration of the project by the executive office.

2939 SECTION 47. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further
2940 amended by striking out clauses (6) to (8), inclusive, and inserting in place thereof the following
2941 clause:- and (6) the executive office shall take due consideration of a balanced geographic plan
2942 for such alternative forms of housing when issuing said loans;.

2943 SECTION 48. The first paragraph of section 16 of chapter 179 of the acts of 1995 is
2944 hereby amended by striking out the words “in the form of mobile vouchers” and inserting in
2945 place thereof the following words:- in the form of either mobile vouchers or project-based
2946 vouchers.

2947 SECTION 49. The second paragraph of section 12 of chapter 257 of the acts of 1998, as
2948 amended by section 52 of chapter 235 of the acts of 2000, is hereby further amended by striking
2949 out clause (2) and inserting in place thereof the following clause:-

2950 (2) such loans shall only be issued when a contract or agreement for the use of the
2951 property for the purposes of such housing provides for the recording of a restriction in the
2952 registry of deeds or the registry district of the land court in the county in which the affected real
2953 property is located, for the benefit of the executive office of housing and livable communities,
2954 running with the land, that the land be used for the purpose of providing alternative forms of
2955 rental and ownership housing. Such property shall not be released from such restriction until: (i)
2956 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage
2957 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;
2958 provided, that the executive office shall determine that relevant clients will be better served at an
2959 alternative property and the proceeds from the disposition of the property will be used, to the
2960 extent necessary for replacement of the housing at the property, for 1 or both of the following
2961 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
2962 property;.

2963 SECTION 50. Clause (3) of said section 12 of said chapter 257 , as so amended, is hereby
2964 further amended by striking out the words “, provided that the project continues to remain
2965 affordable housing as set forth in the contract or agreement entered into for the duration of the
2966 project by the department” and inserting in place thereof the following words:- ; provided, that
2967 the project, whether at the original property, or at an alternative property pursuant to clause (2),
2968 continues to remain affordable housing as set forth in the contract or agreement entered into for
2969 the duration of the project by the executive office.

2970 SECTION 51. Said section 12 of said chapter 257, as so amended, is hereby further
2971 amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following

2972 clause:- and (5) said executive office shall take due consideration of a balanced geographic plan
2973 for such alternative forms of housing when issuing such loans.

2974 SECTION 52. The second paragraph of section 5 of chapter 244 of the acts of 2002 is
2975 hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

2976 (2) such loans shall only be issued when a contract or agreement for the use of the
2977 property for the purposes of such housing provides for the recording of a restriction in the
2978 registry of deeds or the registry district of the land court in the county in which the affected real
2979 property is located, for the benefit of the executive office of housing and livable communities,
2980 running with the land, that the land be used for the purpose of providing alternative forms of
2981 rental and ownership housing. Such property shall not be released from such restriction until: (i)
2982 the balance of the principal and interest for any such loan has been repaid in full; (ii) a mortgage
2983 foreclosure deed has been recorded; or (iii) there has been a disposition of the property;
2984 provided, that the executive office shall determine that relevant clients will be better served at an
2985 alternative property and the proceeds from the disposition of the property will be used, to the
2986 extent necessary for replacement of the housing at the property, for 1 or both of the following
2987 purposes: (A) to acquire such alternative property; or (B) to rehabilitate such alternative
2988 property;.

2989 SECTION 53. Said second paragraph of said section 5 of said chapter 244 is hereby
2990 further amended by striking out, in clause (3), the words “provided that the project continues to
2991 remain affordable housing as set forth in the contract or agreement entered into for the duration
2992 of the project by the department” and inserting in place thereof the following words:- ; provided,
2993 that the project, whether at the original property, or at an alternative property pursuant to clause

2994 (2), continues to remain affordable housing as set forth in the contract or agreement entered into
2995 for the duration of the project by the executive office.

2996 SECTION 54. Said second paragraph of said section 5 of said chapter 244 is hereby
2997 further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the
2998 following clause:- and (5) said executive office shall take due consideration of a balanced
2999 geographic plan for such alternative forms of housing when issuing such loans.

3000 SECTION 55. Item 4000-8200 of section 2E of chapter 290 of the acts of 2004, as
3001 amended by section 20 of chapter 6 of the acts of 2005, is hereby further amended by striking out
3002 clause (2) and inserting in place thereof the following clause:-

3003 (2) said loans shall be issued only when any contract or agreement for the use of said
3004 property for the purposes of such housing provides for repayment to the commonwealth at the
3005 time of disposition of the property if such property will no longer be subject to a recorded deed
3006 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount
3007 equal to the commonwealth's proportional contribution from the Facilities Consolidation Fund to
3008 the cost of the development through payments made by the state agency making the contract;
3009 provided, further, that such repayment shall not be required if the executive office of housing and
3010 livable communities, in consultation with the department of mental health and the department of
3011 developmental services, determines that relevant clients will be better served at an alternative
3012 property and the proceeds from the disposition of the property will be used, to the extent
3013 necessary for replacement of the housing at the property, for 1 or both of the following purposes:
3014 (A) to acquire such alternative property; or (B) to rehabilitate such alternative property;.

3015 SECTION 56. Clause (3) of said item 4000-8200 of said section 2E of said chapter 290,
3016 as so amended, is hereby amended by striking out the words “provided, that the property shall
3017 not be released from such restrictions until the balance of the principal and interest for the loan is
3018 repaid in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
3019 following words:- provided, that the property shall not be released from such restrictions unless:
3020 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage
3021 foreclosure deed has been recorded; or (iii) the executive office of housing and livable
3022 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
3023 required.

3024 SECTION 57. Clause (4) of said item 4000-8200 of said section 2E of said chapter 290,
3025 as so amended, is hereby amended by striking out the words “provided, however, that the project
3026 shall continue to remain affordable housing for the duration of the loan term, as extended, as set
3027 forth in the contract or agreement entered into by the department” and inserting in place thereof
3028 the following words:- provided, however, that the project, whether at the original property, or at
3029 an alternative property pursuant to clause (3), shall continue to remain affordable housing for the
3030 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
3031 the executive office.

3032 SECTION 58. Said item 4000-8200 of said section 2E of said chapter 290, as so
3033 amended, is hereby further amended by striking out clauses (6) and (7).

3034 SECTION 59. Said item 4000-8200 of said section 2E of said chapter 290, as so
3035 amended, is hereby further amended by striking out the figure “(8)” and inserting in place thereof
3036 the following figure:- (6).

3037 SECTION 60. Said item 4000-8200 of said section 2E of said chapter 290, as so
3038 amended, is hereby further amended by striking out the figure “(9)” and inserting in place thereof
3039 the following figure:- (7).

3040 SECTION 61. Said item 4000-8200 of said section 2E of said chapter 290, as so
3041 amended, is hereby further amended by striking out the figure “(10)” and inserting in place
3042 thereof the following figure:- (8).

3043 SECTION 62. Item 4000-8201 of said section 2E of said chapter 290 is hereby amended
3044 by striking out clause (2) and inserting in place thereof the following clause:-

3045 (2) said loans shall be issued only when any contract or agreement for the use of said
3046 property for the purposes of such housing provides for repayment to the commonwealth at the
3047 time of disposition of the property if such property will no longer be subject to a recorded deed
3048 restriction pursuant to clause (3); provided, however, that such repayment shall be an amount
3049 equal to the commonwealth’s proportional contribution from this item to the cost of the
3050 development through payments made by the state agency making the contract; provided, further,
3051 that such repayment shall not be required if the executive office of housing and livable
3052 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3053 relevant clients will be better served at an alternative property and the proceeds from the
3054 disposition of the property will be used, to the extent necessary for replacement of the housing at
3055 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3056 (B) to rehabilitate such alternative property.

3057 SECTION 63. Clause (3) of said item 4000-8201 of said section 2E of said chapter 290 is
3058 hereby amended by striking out the words “provided further, that the property shall not be

3059 released from such restrictions until the balance of the principal and interest for the loan is repaid
3060 in full or until a mortgage foreclosure deed is recorded” and inserting in place thereof the
3061 following words:- provided further, that the property shall not be released from such restrictions
3062 unless: (A) the balance of the principal and interest for the loan has been repaid in full; (B) a
3063 mortgage foreclosure deed has been recorded; or (C) the executive office of housing and livable
3064 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
3065 required.

3066 SECTION 64. Clause (4) of said item 4000-8201 of said section 2E of said chapter 290 is
3067 hereby amended by striking out the words “provided, however, that the project shall continue to
3068 remain affordable housing for the duration of the loan term, as extended, as set forth in the
3069 contract or agreement entered into by the department” and inserting in place thereof the
3070 following words:- provided, however, that the project, whether at the original property, or at an
3071 alternative property pursuant to clause (2), shall continue to remain affordable housing for the
3072 duration of the loan term, as extended, as set forth in the contract or agreement entered into by
3073 the executive office.

3074 SECTION 65. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3075 further amended by striking out clauses (6) and (7).

3076 SECTION 66. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3077 further amended by striking out the figure “(8)” and inserting in place thereof the following
3078 figure:- (6).

3079 SECTION 67. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3080 further amended by striking out the figure “(9)” and inserting in place thereof the following
3081 figure:- (7).

3082 SECTION 68. Said item 4000-8201 of said section 2E of said chapter 290 is hereby
3083 further amended by striking out the figure “(10)” and inserting in place thereof the following
3084 figure:- (8).

3085 SECTION 69. Item 7004-7013 of said section 2E of said chapter 290, as amended by
3086 section 21 of chapter 6 of the acts of 2005, is hereby further amended by inserting after the figure
3087 “2002” the following words:- , as amended.

3088 SECTION 70. Section 5 of chapter 293 of the acts of 2006 is hereby amended by inserting
3089 after the definition of “Economic development project” the following definition:-

3090 “Eligible housing increment”, a new residential unit that may either be a single-family
3091 house or 1 dwelling unit in a building or development containing 2 or more dwelling units,
3092 which dwelling units may be rental units or units in a condominium or cooperative, or a
3093 combination of any of the foregoing, and that is created as part of an economic development
3094 project and pursuant to an infrastructure development assistance agreement approved by the
3095 secretary under this act.

3096 SECTION 71. Said section 5 of said chapter 293 is hereby further amended by striking
3097 out the definition of “New revenue” and inserting in place thereof the following definition:-

3098 “New revenue”, revenue derived from a commercial or residential component of an
3099 economic development project by the creation of any eligible new jobs or eligible housing

3100 increments or by new economic activity that would otherwise not have taken place in the
3101 commonwealth on said commercial component or on, or as a result of, said residential
3102 component, as each may be more fully defined by any rules, regulations or guidelines
3103 promulgated by the secretary or the commissioner.

3104 SECTION 72. The definition of “New state tax revenues” in said section 5 of said chapter
3105 293 is hereby amended by inserting after the word “components” the following words:- or on
3106 account of the residential components.

3107 SECTION 73. Said section 5 of said chapter 293, is hereby further amended by inserting
3108 after the definition of “Public infrastructure improvements” the following definition:-

3109 “Residential component”, any component of an economic development project
3110 comprising 1 or more eligible housing increments, as more fully described in, or determined in
3111 accordance with, a certified economic development project.

3112 SECTION 74. Clause (iv) of subsection (a) of section 7 of said chapter 293 is hereby
3113 amended by inserting after the words “each commercial” the following words:- or residential.

3114 SECTION 75. Said clause (iv) of said subsection (a) of said section 7 of said chapter 293
3115 is hereby further amended by inserting after the words “all commercial” the following words:-
3116 and residential.

3117 SECTION 76. Clause (i) of subsection (c) of said section 7 of said chapter 293 is hereby
3118 amended by inserting after the word “commercial” the following words:- and residential.

3119 SECTION 77. Subsection (e) of said section 7 of said chapter 293, inserted by section 7
3120 of chapter 129 of the acts of 2008, is hereby amended by inserting after the word “met” the

3121 following words:- , and with respect to projects which include a residential component, shall give
3122 priority to projects within any MBTA community as defined in section 1A of chapter 40A of the
3123 General Laws; provided, that such MBTA community is in compliance with the requirements of
3124 section 3A of said chapter 40A.

3125 SECTION 78. Subsection (a) of section 10 of said chapter 293, as amended by section 10
3126 of said chapter 129, is hereby further amended by inserting after the words “the commercial” the
3127 following words:- or residential.

3128 SECTION 79. Said subsection (a) of said section 10 of said chapter 293, as so amended,
3129 is hereby further amended by inserting after the words “each commercial”, each time they
3130 appear, the following words:- or residential.

3131 SECTION 80. Subsection (b) of said section 10 of said chapter 293, as amended by
3132 section 11 of said chapter 129, is hereby further amended by inserting after the word
3133 “commercial”, each time it appears, the following words:- or residential.

3134 SECTION 81. Subsection (c) of said section 10 of said chapter 293 is hereby amended by
3135 inserting after the words “commercial components”, each time they appear, the following
3136 words:- or residential components.

3137 SECTION 82. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby
3138 amended by striking out clause (2) and inserting in place thereof the following clause:-

3139 (2) be issued only when a contract or agreement for the use of the property for such
3140 housing provides for repayment to the commonwealth at the time of disposition of the property if
3141 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);

3142 provided, however, that such repayment shall be in an amount equal to the commonwealth's
3143 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3144 through payments made by the state agency making the contract; provided, further, that such
3145 repayment shall not be required if the executive office of housing and livable communities, in
3146 consultation with the department of mental health and the department of developmental services,
3147 determines that relevant clients will be better served at an alternative property and the proceeds
3148 from the disposition of the property will be used, to the extent necessary for replacement of the
3149 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3150 property; or (B) to rehabilitate such alternative property.

3151 SECTION 83. Clause (3) of said item 7004-0029 of said section 2 of said chapter 119 is
3152 hereby amended by striking out the words "provided, that the property shall not be released from
3153 such restriction until the balance of the principal and interest for the loan has been repaid in full
3154 or until a mortgage foreclosure deed has been recorded" and inserting in place thereof the
3155 following words:- provided, that the property shall not be released from such restriction unless:
3156 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage
3157 foreclosure deed has been recorded; or (iii) the executive office of housing and livable
3158 communities has determined, pursuant to clause (2), that repayment to the commonwealth is not
3159 required.

3160 SECTION 84. Clause (4) of said item 7004-0029 of said section 2 of said chapter 119 is
3161 hereby amended by striking out the words "provided, however, that the project shall remain
3162 affordable housing for the duration of the loan term, including any extension thereof, as set forth
3163 in the contract or agreement entered into by the department" and inserting in place thereof the
3164 following words:- provided, however, that the project, whether at the original property, or at an

3165 alternative property pursuant to clause (3), shall remain affordable housing for the duration of the
3166 loan term, including any extension thereof, as set forth in the contract or agreement entered into
3167 by the executive office.

3168 SECTION 85. Clause (5) of said item 7004-0029 of said section 2 of said chapter 119 is
3169 hereby amended by striking out the following words:- provided further, that expenditures from
3170 this item shall not be made for the purpose of refinancing outstanding mortgage loans for
3171 community-based housing in existence prior to the effective date of this act; provided further,
3172 that community-based housing projects developed pursuant to this item shall not be refinanced
3173 during the term of any loan issued pursuant to this item unless the balance of the principal and
3174 interest for such loan has been repaid in full at the time of such refinancing; provided further,
3175 that the community-based housing projects may be refinanced if the refinancing would result in a
3176 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be
3177 due and payable on a date not later than the date on which the original loan was due and payable,
3178 except in accordance with clause (4) when necessary to effect extraordinary repairs or
3179 maintenance which shall be approved by the commissioner of mental retardation or the
3180 commissioner of mental health, as the case may be, and the department;.

3181 SECTION 86. Item 7004-0030 of said section 2 of said chapter 119 is hereby amended
3182 by striking out clause (2) and inserting in place thereof the following clause:-

3183 (2) be issued only when a contract or agreement for the use of the property for the
3184 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3185 of the property if such property will no longer be subject to a recorded deed restriction pursuant
3186 to clause (3); provided, however, that such repayment shall be in an amount equal to the

3187 commonwealth’s proportional contribution from community-based housing to the cost of the
3188 development through payments made by the state agency making the contract; provided, further,
3189 that such repayment shall not be required if the executive office of housing and livable
3190 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3191 relevant clients will be better served at an alternative property and the proceeds from the
3192 disposition of the property will be used, to the extent necessary for replacement of the housing at
3193 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3194 (B) to rehabilitate such alternative property;.

3195 SECTION 87. Clause (3) of said item 7004-0030 of said section 2 of said chapter 119 is
3196 hereby amended by striking out the words “provided further, that the property shall not be
3197 released from such restrictions until the balance of the principal and interest for the loan has been
3198 repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
3199 thereof the following words:- provided further, that the property shall not be released from such
3200 restrictions unless: (A) the balance of the principal and interest for the loan has been repaid in
3201 full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3202 and livable communities has determined, pursuant to clause (2), that repayment to the
3203 commonwealth is not required.

3204 SECTION 88. Clause (4) of said item 7004-0030 of said section 2 of said chapter 119 is
3205 hereby amended by striking out the words “provided, however, that the project shall continue to
3206 remain affordable housing for the duration of the loan term, including any extensions thereof, as
3207 set forth in the contract or agreement entered into by the department” and inserting place thereof
3208 the following words:- provided, however, that the project, whether at the original property, or at
3209 an alternative property pursuant to clause (2), shall continue to remain affordable housing for the

3210 duration of the loan term, including any extensions thereof, as set forth in the contract or
3211 agreement entered into by the executive office.

3212 SECTION 89. Said item 7004-0030 of said section 2 of said chapter 119 is hereby further
3213 amended by striking out clause (5) and inserting in place thereof the following clause:-

3214 (5) have interest rates fixed at a rate, to be determined by the executive office, in
3215 consultation with the state treasurer; provided, that the loans shall be issued in accordance with
3216 an enhancing community-based services plan prepared by the secretary of health and human
3217 services, in consultation with the executive office and filed with the secretary for administration
3218 and finance and the house and senate committees on ways and means and the joint committee on
3219 housing; provided further, that no expenditure shall be made from this item without the prior
3220 approval of the secretary for administration and finance; provided further, that the executive
3221 office shall promulgate regulations pursuant to chapter 30A of the General Laws for the
3222 implementation, administration and enforcement of this item, consistent with the enhancing
3223 community-based services plan prepared by the secretary of health and human services after
3224 consultation with the secretary and the commissioner of capital asset management and
3225 maintenance.

3226 SECTION 90. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby
3227 repealed.

3228 SECTION 91. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby
3229 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3230 (ii) be issued only when a contract or agreement for the use of the property for such
3231 housing provides for repayment to the commonwealth at the time of disposition of the property if

3232 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);
3233 provided, however, that such repayment shall be in an amount equal to the commonwealth's
3234 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3235 through payments made by the state agency making the contract; provided, further, that such
3236 repayment shall not be required if the executive office of housing and livable communities, in
3237 consultation with the department of mental health and the department of developmental services,
3238 determines that relevant clients will be better served at an alternative property and the proceeds
3239 from the disposition of the property will be used, to the extent necessary for replacement of the
3240 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3241 property; or (B) to rehabilitate such alternative property;.

3242 SECTION 92. Clause (iii) of said item 7004-0040 of said section 2 of said chapter 129 is
3243 hereby amended by striking out the words "provided, however, that the property shall not be
3244 released from such restriction until the balance of the principal and interest for the loan has been
3245 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
3246 thereof the following words:- provided, however, that the property shall not be released from
3247 such restriction unless: (A) the balance of the principal and interest for the loan has been repaid
3248 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3249 and livable communities has determined, pursuant to clause (ii), that repayment to the
3250 commonwealth is not required.

3251 SECTION 93. Clause (iv) of said item 7004-0040 of said section 2 of said chapter 129 is
3252 hereby amended by striking out, in clause (iv), the words "provided further, that the project shall
3253 remain affordable housing for the duration of the loan term, including any extension thereof, as
3254 set forth in the contract or agreement entered into by the department" and inserting in place

3255 thereof the following words:- provided further, that the project, whether at the original property,
3256 or at an alternative property pursuant to clause (iii), shall remain affordable housing for the
3257 duration of the loan term, including any extension thereof, as set forth in the contract or
3258 agreement entered into by the executive office.

3259 SECTION 94. Item 7004-0041 of said section 2 of said chapter 129 is hereby amended
3260 by striking out clause (ii) and inserting in place thereof the following clause:-

3261 (ii) be issued only when a contract or agreement for the use of the property for the
3262 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3263 of the property if such property will no longer be subject to a recorded deed restriction pursuant
3264 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
3265 commonwealth's proportional contribution from community-based housing to the cost of the
3266 development through payments made by the state agency making the contract; provided, further,
3267 that such repayment shall not be required if the executive office of housing and livable
3268 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3269 relevant clients will be better served at an alternative property and the proceeds from the
3270 disposition of the property will be used, to the extent necessary for replacement of the housing at
3271 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3272 (B) to rehabilitate such alternative property;.

3273 SECTION 95. Clause (iii) of said item 7004-0041 of said section 2 of said chapter 129 is
3274 hereby amended by striking out the words "provided, however, that the property shall not be
3275 released from such restrictions until the balance of the principal and interest for the loan has been
3276 repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place

3277 thereof the following words:- provided however, that the property shall not be released from
3278 such restrictions unless: (A) the balance of the principal and interest for the loan has been repaid
3279 in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive office of housing
3280 and livable communities has determined, pursuant to clause (ii), that repayment to the
3281 commonwealth is not required.

3282 SECTION 96. Clause (iv) of said item 7004-0041 of said section 2 of said chapter 129 is
3283 hereby amended by striking out the words “provided, however, that the project shall continue to
3284 remain affordable housing for the duration of the loan term, including any extensions thereof, as
3285 set forth in the contract or agreement entered into by the department” and inserting place thereof
3286 the following words:- provided, however, that the project, whether at the original property, or at
3287 an alternative property pursuant to clause (ii), shall continue to remain affordable housing for the
3288 duration of the loan term, including any extensions thereof, as set forth in the contract or
3289 agreement entered into by the executive office.

3290 SECTION 97. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby
3291 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3292 (ii) not be issued unless a contract or agreement for the use of the property for such
3293 housing provides for repayment to the commonwealth at the time of disposition of the property if
3294 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);
3295 provided, however, that such repayment shall be in an amount equal to the commonwealth’s
3296 proportional contribution from the Facilities Consolidation Fund to the cost of the development
3297 through payments made by the state agency making the contract; provided, further, that such
3298 repayment shall not be required if the executive office of housing and livable communities, in

3299 consultation with the department of mental health and the department of developmental services,
3300 determines that relevant clients will be better served at an alternative property and the proceeds
3301 from the disposition of the property will be used, to the extent necessary for replacement of the
3302 housing at the property, for 1 or both of the following purposes: (A) to acquire such alternative
3303 property; or (B) to rehabilitate such alternative property.

3304 SECTION 98. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
3305 amended by striking out the words “until the balance of the principal and interest for the loan has
3306 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place
3307 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
3308 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
3309 office of housing and livable communities has determined, pursuant to clause (ii) of this item,
3310 that repayment to the commonwealth is not required.

3311 SECTION 99. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further
3312 amended by striking out the words “shall remain affordable housing for the duration of the loan
3313 term, including any extension thereof, as set forth in the contract or agreement entered into by
3314 the department” and inserting in place thereof the following words:-, whether at the original
3315 property, or at an alternative property pursuant to clause (iii), shall remain affordable housing for
3316 the duration of the loan term, including any extension thereof, as set forth in the contract or
3317 agreement entered into by the executive office.

3318 SECTION 100. Item 7004-0051 of said section 2 of said chapter 99 is hereby amended
3319 by striking out clause (ii) and inserting in place thereof the following clause:-

3320 (ii) not be issued unless a contract or agreement for the use of the property for the
3321 purposes of such housing provides for repayment to the commonwealth at the time of disposition
3322 of the property if such property will no longer be subject to a recorded deed restriction pursuant
3323 to clause (iii); provided, however, that such repayment shall be in an amount equal to the
3324 commonwealth's proportional contribution from community-based housing to the cost of the
3325 development through payments made by the state agency making the contract; provided, further,
3326 that such repayment shall not be required if the executive office of housing and livable
3327 communities, in consultation with the Massachusetts rehabilitation commission, determines that
3328 relevant clients will be better served at an alternative property and the proceeds from the
3329 disposition of the property will be used, to the extent necessary for replacement of the housing at
3330 the property, for 1 or both of the following purposes: (A) to acquire such alternative property; or
3331 (B) to rehabilitate such alternative property;.

3332 SECTION 101. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
3333 amended by striking out the words "until the balance of the principal and interest for the loan has
3334 been repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place
3335 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has
3336 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive
3337 office of housing and livable communities has determined, pursuant to clause (ii), that repayment
3338 to the commonwealth is not required.

3339 SECTION 102. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further
3340 amended by striking out the words "shall continue to remain affordable housing for the duration
3341 of the loan term, including any extensions thereof, as set forth in the contract or agreement
3342 entered into by the department" and inserting place thereof the following words:-, whether at the

3343 original property, or at an alternative property pursuant to clause (ii), shall continue to remain
3344 affordable housing for the duration of the loan term, including any extensions thereof, as set
3345 forth in the contract or agreement entered into by the executive office.

3346 SECTION 103. (a) For the purposes of this section, the following words shall, unless the
3347 context clearly requires otherwise, have the following meanings:

3348 “Development cost”, an expenditure directly related to the construction or substantial
3349 rehabilitation of a municipal conversion project, including the cost of site assessment and
3350 remediation of hazardous materials, but excluding the purchase of the property.

3351 “Executive office”, the executive office of housing and livable communities.

3352 “Substantial rehabilitation”, the necessary major redevelopment, repair and renovation of
3353 a property, including, but not limited to, site assessment and remediation of hazardous materials,
3354 but excluding the purchase of the property, as determined by the executive office.

3355 (b) The executive office shall establish a municipal conversion project competitive grant
3356 program for municipalities to apply for grants to assist with the development costs of converting
3357 commercial property into residential housing, including, but not limited to, commercial buildings
3358 located on main streets or in downtown municipal areas, commercial centers and office parks.

3359 (c)(1) A municipality may apply to the executive office for funds for the development
3360 costs of capital projects to convert commercial properties.

3361 (2) The executive office shall determine the criteria for the award of grants to
3362 municipalities pursuant to subsection (b), including, but not limited to, criteria for: (i) the
3363 substantial rehabilitation to convert a building for primary multi-unit residential use; (ii) the

3364 amount of market rate units, upon completion of the conversion, to be sold or leased; and (iii)
3365 additional factors to be considered, including, but not limited to: (A) proximity to transportation
3366 and transit; and (B) parking, if applicable.

3367 (3) The executive office shall review applications from a municipality for a grant for the
3368 development costs of municipal conversion projects, on a form prescribed by the executive
3369 office.

3370 (d) The executive office shall promulgate rules or regulations for administering the grant
3371 program, including, but not limited to, regulations pertaining to: (i) criteria pursuant to paragraph
3372 (2) of subsection (c); (ii) the amounts of each award of funds to a municipality; (iii) the use of
3373 funds for conversion projects; (iv) the eligibility of developers to conduct such projects; and (v)
3374 the revocation of a grant for an uncompleted project.

3375 (e) Annually, not later than December 1, the executive office shall report to the clerks of
3376 the house of representatives and the senate, the house and senate committees on ways and means,
3377 the joint committee on housing and the joint committee on bonding, capital expenditures and
3378 state assets on amounts awarded to municipalities for qualified projects pursuant to subsection
3379 (b), delineated by municipality and including for each qualified project, the total grant amount, a
3380 description of the project and the status of the project.

3381 SECTION 104. Notwithstanding any general or special law, or any rule or regulation to
3382 the contrary, the architectural access board, established pursuant to section 13A of chapter 22 of
3383 the General Laws, shall determine the value of any multiple dwelling, as defined in 521 CMR
3384 5.00, that is owned, constructed or renovated by a housing authority, as defined in section 1 of
3385 chapter 121B of the General Laws, by a replacement cost that is determined by and reflected in

3386 the executive office of housing and livable communities' Capital Planning System survey and
3387 database for state-funded public housing. For such buildings that are not included in the survey
3388 and database, the replacement cost shall be calculated by the executive office based on the
3389 replacement cost for comparable facilities that are included in the survey and database. The
3390 executive office shall supplement the survey and database on file with the architectural access
3391 board for any such building by preparing and filing documentation identifying the replacement
3392 cost for the building and the method by which it was calculated.

3393 SECTION 105. (a) As used in this section and sections 106 and 107, the following words
3394 shall, unless the context clearly requires otherwise, have the following meanings:

3395 "Affordable housing purposes", development of multi-family housing, of which either: (i)
3396 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent
3397 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be
3398 affordable to households with incomes at or below 50 per cent of the area median income,
3399 adjusted for household size; provided, that affordable housing purposes may include subsequent
3400 conveyance by a public agency, other than a state agency, with a restriction for affordable
3401 housing purposes.

3402 "Commissioner", the commissioner of capital asset management and maintenance.

3403 "Housing purposes", development of housing for use as the primary residence of the
3404 occupant, including, but not limited to, market rate housing, affordable housing and public
3405 housing; provided, that housing purposes may include subsequent conveyance by a public
3406 agency, other than a state agency, with a restriction for housing purposes; and provided further,
3407 that housing purposes shall include affordable housing purposes.

3408 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,
3409 that “public agency” shall include the Massachusetts Department of Transportation, the
3410 Massachusetts Bay Transportation Authority and the University of Massachusetts Building
3411 Authority; provided, however, that public agency shall not include cities, towns or counties, or
3412 any boards, committees, commissions or other instrumentalities thereof; and provided further,
3413 that public agency shall not include any agency that is a state agency.

3414 “Public institution of higher education”, as set forth in section 5 of chapter 15A of the
3415 General Laws.

3416 “Real property”, as defined in said section 1 of said chapter 7C.

3417 “Real property of the commonwealth”, real property of a state agency consistent with
3418 chapter 7C.

3419 “Real property of a public agency”, as defined in section 32 of chapter 7C.

3420 “Secretary”, the secretary of administration and finance.

3421 “State agency”, as defined in said section 1 of said chapter 7C; provided, however, that
3422 state agency shall not include counties.

3423 “Surplus real property”, (i) real property of the commonwealth that has been determined
3424 by the commissioner: (A) to be surplus to the current and foreseeable needs of the
3425 commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to be surplus to
3426 the current and foreseeable needs of any state agency pursuant to section 33 or 34 of said chapter
3427 7C; or (ii) real property of a public agency determined by the commissioner to be surplus to the
3428 current and foreseeable needs of the public agency, as determined by the public agency;

3429 provided, however, that surplus real property shall not include property subject to Article XCVII
3430 of the Amendments to the Constitution of the Commonwealth.

3431 (b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
3432 or any other general or special law to the contrary, the commissioner may sell, lease for a term
3433 not to exceed 99 years, transfer or otherwise dispose of surplus real property of the
3434 commonwealth or surplus real property of a public agency for housing purposes.

3435 (2)(i) The commissioner may, in consultation with the secretary and the secretary of
3436 housing and livable communities, determine that real property of the commonwealth is surplus
3437 real property and shall be disposed of for housing purposes; provided, that prior to determining
3438 that the real property is surplus real property, the commissioner shall provide a suitable written
3439 notice and inquiry to the state agency with care and control of the real property, with a date
3440 certain required for any response. If no written response is timely received from the state agency
3441 specifying a current or foreseeable need for the real property, the commissioner shall declare
3442 such real property as surplus real property and dispose of such real property for housing
3443 purposes. If a written response is timely received from the state agency specifying a current or
3444 foreseeable need for the real property, the commissioner shall, in consultation with the secretary,
3445 the secretary of housing and livable communities and such state agency, determine whether the
3446 real property shall be declared surplus real property and disposed of for housing purposes.

3447 (ii) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
3448 any other general or special law to the contrary, if real property of the commonwealth is
3449 determined to be surplus to the current needs, but not to the foreseeable needs, of any state
3450 agency, the commissioner shall take such necessary action to ensure that any disposition of the

3451 real property is temporary and maintains the commissioner's ability to make such real property
3452 available to a state agency, as needed.

3453 (iii) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
3454 any other general or special law to the contrary, the commissioner may, in consultation with the
3455 secretary and the secretary of housing and livable communities, make real property of the
3456 commonwealth that has been determined to be surplus to the current needs, but not the
3457 foreseeable needs, of any state agency available for a period of time not to extend beyond the
3458 foreseeable need of any state agency for housing and related purposes to municipalities, public
3459 agencies and non-profit organizations for nominal consideration.

3460 (3) The chancellor or president of any public institution of higher education may, with the
3461 approval of the commissioner of higher education, determine that property of any public
3462 institution of higher education is surplus to the current and foreseeable needs of such institution
3463 and the commissioner may dispose of such property for housing purposes without approval by
3464 the institution's board of trustees.

3465 (4)(i) The governor may identify parcels of land owned or controlled by a public agency,
3466 and any buildings or improvements thereon, as potentially surplus real property by submitting a
3467 written notice to the public agency. Within 30 days of receipt of the notice, the public agency
3468 shall determine whether such real property is surplus to its current and foreseeable needs. If the
3469 public agency determines that the real property is not surplus to its current and foreseeable needs,
3470 such public agency shall respond in writing not later than 30 days after receipt of a request by the
3471 governor, specifying the reason for its determination.

3472 (ii) The commissioner may, in consultation with the secretary and the secretary of
3473 housing and livable communities, enter into agreements with a public agency to dispose of
3474 surplus real property of the public agency for housing purposes; provided, that the commissioner
3475 shall not be required to determine if the real property of the public agency is surplus to the
3476 current and foreseeable needs of the commonwealth and shall not be required to provide written
3477 notice and inquiry to any public agency.

3478 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
3479 any other general or special law to the contrary, the commissioner may amend a use restriction
3480 held by the commonwealth for general municipal purposes or any other purpose, except those
3481 purposes subject to Article XCVII of the Amendments to the Constitution of the Commonwealth,
3482 to include housing purposes.

3483 (d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
3484 or any other general or special law to the contrary, if the commissioner, in consultation with the
3485 secretary and the secretary of housing and livable communities, determines that real property is
3486 surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the
3487 commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph
3488 (4) of subsection (b), the commissioner shall: (i) provide written notice, for each city or town in
3489 which the property is located, to the city manager in the case of a city under Plan E form of
3490 government, the mayor and city council in the case of all other cities, the chair of the board of
3491 selectmen or the select board in the case of a town, the county commissioners, the chair of the
3492 zoning board of appeals, the chair of the planning board, the regional planning agency and the
3493 members of the general court representing the city or town in which the property is located;
3494 provided, that such notice shall include a statement that the proposed reuse of the property is for

3495 housing purposes, with a date certain for any response that shall be not less than 30 days from
3496 the date of such notice; (ii) following the date certain set forth in such notice, declare said real
3497 property available for disposition and identify all reuse restrictions, including, but not limited to,
3498 a restriction for housing purposes; and (iii) ensure that any deed, lease or other disposition
3499 agreement shall set forth all reuse restrictions, including, but not limited to, a restriction for
3500 housing purposes, provide for effective remedies on behalf of the commonwealth and provide, in
3501 the event of a failure to comply with the reuse restrictions by the grantee, lessee or other
3502 recipient, that title or such lesser interest as may have been conveyed, may revert to the
3503 commonwealth. The commissioner shall, in identifying reuse restrictions for such property,
3504 consider in good faith any comments presented by local officials and members of the general
3505 court representing each city or town in which the property is located.

3506 (2) The commissioner shall, in consultation with the secretary of housing and livable
3507 communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes
3508 and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said
3509 real property is located; provided, that the sales-partnership agreement shall require the
3510 municipality to utilize appropriate competitive processes and procedures; provided, further, that
3511 the sales-partnership agreement may require the municipality to conduct said competitive
3512 processes and select a developer prior to disposition of the real property; provided, further, that
3513 the commissioner may transfer the real property directly to the selected developer pursuant to the
3514 sale-partnership agreement; and provided, further, that the sales-partnership agreement may
3515 provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales
3516 price paid to the commonwealth, as determined by the commissioner. A competitive process
3517 pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and

3518 requests for price and development proposals. The commissioner may accept any consideration
3519 for surplus real property disposed of pursuant to this section deemed appropriate by the
3520 commissioner and the secretary of housing and livable communities. The commissioner shall
3521 prioritize disposition of surplus real property for affordable housing purposes.

3522 (3) Not less than 30 days before the date of an auction or the date on which bids or
3523 proposals or other offers to purchase or lease surplus real property are due, the commissioner
3524 shall place a notice in the central register published by the state secretary pursuant to section 20A
3525 of chapter 9 of the General Laws stating the availability of such property, the nature of the
3526 competitive process and other information deemed relevant, including the time and location of
3527 the auction, the submission of bids or proposals and the opening thereof. The commissioner shall
3528 not be required to place said notice if the property is conveyed: (i) to a municipality or developer
3529 selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in
3530 accordance with clause (ii) of paragraph (2) of subsection (e).

3531 (4) All surplus real property shall be conveyed with a restriction for housing purposes.
3532 The deed or other instrument conveying the surplus real property shall provide that said real
3533 property shall be used solely for housing purposes.

3534 (5) The commissioner shall place a notice in the central register identifying the
3535 municipality, public agency, individual or firm selected as party to such real property transaction,
3536 along with the amount of such transaction. If the commissioner accepts an amount below the
3537 value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the
3538 justification therefore, specifying the difference between the calculated value and the price
3539 received.

3540 (e)(1) The commissioner shall establish the value of surplus real property using
3541 customarily accepted appraisal methodologies. The value shall be calculated both for: (i) the
3542 highest and best use of the property as may be encumbered; and (ii) subject to uses, restrictions
3543 and encumbrances defined by the commissioner. In no instance in which the commonwealth
3544 retains responsibility for maintaining the property shall the terms provide for payment of less
3545 than the annual maintenance costs.

3546 (2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the
3547 secretary and the secretary of housing and livable communities, dispose of surplus real property
3548 for nominal consideration; provided, that the surplus real property shall be conveyed with a
3549 restriction for affordable housing purposes. The deed or other instrument conveying the surplus
3550 real property shall provide that said property shall be used solely for affordable housing purposes
3551 and may include a reversionary clause that stipulates that if the parcel ceases at any time to be
3552 used for affordable housing purposes, title and the parcel shall, at the election of the
3553 commonwealth, revert to the commonwealth.

3554 (ii) Notwithstanding any time limit established pursuant to section 7 of chapter 184A of
3555 the General Laws, or any general or special law to the contrary, the reversionary clause may be
3556 enforceable.

3557 (iii) The commissioner may, in consultation with the secretary and the secretary of
3558 housing and livable communities, amend a use restriction held by the commonwealth to include
3559 housing purposes.

3560 (f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, or
3561 any other general or special law to the contrary, the commissioner may, in consultation with the

3562 secretary, the secretary of housing and livable communities and the state agency with care and
3563 control of the real property, transfer care and control of real property between state agencies for
3564 housing purposes.

3565 (g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real
3566 property and no deed, executed by or on behalf of the commonwealth, shall be valid unless such
3567 agreement or deed contains the following certification, signed by the commissioner:

3568 “The undersigned certifies under penalties of perjury that I have fully complied with
3569 requirements of law related to any real property described.”

3570 (2) No agreement for the sale, lease, transfer or other disposition of surplus real property
3571 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the
3572 statement required by section 38 of chapter 7C of the General Laws.

3573 (h) The grantee or lessee of any surplus real property shall be responsible for all costs
3574 relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings
3575 and any other expenses, as shall be deemed necessary by the commissioner.

3576 (i) The commissioner shall deposit the proceeds from any disposition of real property
3577 pursuant to this section into the surplus real property disposition fund established in section 107.

3578 (j) The commissioner may, in consultation with the secretary of housing and livable
3579 communities, promulgate regulations to implement this section.

3580 SECTION 106. (a) Notwithstanding chapter 40A of the General Laws, or any other
3581 general or special law, or any local zoning ordinance or by-law or any municipal ordinance or
3582 by-law to the contrary, a city or town shall permit the residential use of real property conveyed

3583 by the commissioner pursuant to section 105 for housing purposes as of right, as defined in
3584 section 1A of said chapter 40A, notwithstanding any use limitations otherwise applicable in the
3585 zoning district in which the real property is located, including, but not limited to, commercial,
3586 mixed-use development or industrial uses; provided, however, that the city or town may impose
3587 reasonable regulations concerning the bulk and height of structures and determining yard sizes,
3588 lot area, setbacks, open space and building coverage requirements; provided, further, that the city
3589 or town may require site plan review; and provided, further, that the city or town shall permit no
3590 fewer than 4 units of housing per acre.

3591 (b) Real property conveyed by the commissioner pursuant to section 105 shall include,
3592 but shall not be limited to, the amendment of use restrictions held by the commonwealth to allow
3593 for the use of such real property for housing purposes.

3594 (c) The secretary of housing and livable communities may promulgate regulations to
3595 implement this section.

3596 SECTION 107. (a) There is hereby established a surplus real property disposition fund
3597 for the proceeds from property dispositions pursuant to section 105, to be administered by the
3598 secretary of administration and finance.

3599 (b) The fund shall be credited with: (i) the proceeds realized from the disposition of
3600 surplus real property and the amendment of use restrictions pursuant to section 105; (ii) any
3601 appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on
3602 money in the fund. Amounts credited to the fund shall not be subject to further appropriation and
3603 money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and
3604 shall be available for expenditure in the subsequent fiscal year.

3605 (c) Amounts credited to the fund may be: (i) transferred by the secretary to the state
3606 agency that had care and control of the land conveyed pursuant to section 105 if the real property
3607 was conveyed for fair market value consideration in an amount equal to the net proceeds of the
3608 disposition; (ii) transferred by the secretary to the state agency that had care and control of the
3609 real property conveyed pursuant to section 105 if the real property was conveyed for
3610 consideration less than fair market value in an amount equal to \$10,000 per unit of housing
3611 permitted by the city or town in which the real property is located or the net proceeds of the
3612 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance
3613 with a sales partnership agreement pursuant to section 105; or (iv) expended for costs associated
3614 with the disposition of real property pursuant to section 105, including, but not limited to,
3615 demolition, site preparation and environmental remediation; provided, that all money transferred
3616 to a state agency pursuant to clauses (i) and (ii) shall be expended by the agency for capital
3617 facility projects, as defined in section 1 of chapter 7C of the General Laws; and provided,
3618 further, that all net proceeds from the disposition of surplus real property of a public agency
3619 other than a state agency, as determined by the commissioner of capital asset management and
3620 maintenance, shall be transferred to such public agency.

3621 SECTION 108. (a) Notwithstanding any general or special law to the contrary, not later
3622 than 120 days after the expiration of affordability restrictions on housing units assisted under
3623 items 7004-0070 and 7004-0071 of section 2, the executive office of housing and livable
3624 communities or its assignee, who shall be a qualified developer selected pursuant to the terms of
3625 said items 7004-0700 and 7004-0071 under the guidelines of the executive office, shall have an
3626 option to purchase any such housing units at their current appraised value, reduced by any
3627 remaining obligation of the owner, upon the expiration of the affordability restrictions. The

3628 executive office or its assignee shall only purchase or acquire such housing units to preserve or
3629 provide affordable housing. The executive office or its assignee shall hold such purchase option
3630 for the first 120 days after the expiration of the affordability restrictions. Failure to exercise the
3631 purchase option within 120 days after the expiration of the affordability restriction shall
3632 constitute a waiver of the purchase option by the executive office or its assignee.

3633 (b) Not later than 30 days after the expiration of an affordability restriction pursuant to
3634 subsection (a), the owner and the executive office shall each designate a professional in the field
3635 of multi-unit residential housing. Each professional shall select an impartial appraiser. Not later
3636 than 60 days after the expiration of the affordability restriction, the 2 impartial appraisers shall
3637 determine the current appraised value in accordance with recognized professional standards. If
3638 there is a difference in the valuations, the valuations shall be added together and divided by 2 to
3639 determine the current appraised value of the units.

3640 (c) No sale, transfer or other disposition of the property shall be completed until either the
3641 purchase option period has expired or the owner has been notified, in writing, by the executive
3642 office or its assignee that the option will not be exercised. The option shall be exercised only by
3643 written notice signed by a designated representative of the executive office or its assignee, sent to
3644 the owner by certified mail at the address specified in the notice of intention and recorded with
3645 the registry of deeds or the registry district of the land court of the county in which the affected
3646 real property is located, within the option period. If the purchase option has been assigned to a
3647 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,
3648 the written notice shall state the name and address of the developer and the terms and conditions
3649 of the assignment.

3650 (d) Before any sale, transfer or other disposition of property for which the executive
3651 office has not previously exercised an option to purchase, an owner shall offer the executive
3652 office or its assignee, who shall be a qualified developer selected pursuant to said items 7004-
3653 0070 and 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase
3654 the units. The owner shall provide to the executive office or its assignee written notice by regular
3655 and certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise
3656 dispose of the property. The executive office or its assignee shall hold the first refusal option for
3657 the first 120 days after receipt of the owner's written notice of intent to transfer the property.
3658 Failure to respond to the written notice of intent to sell, transfer or otherwise dispose of the
3659 property within the 120-day period shall constitute a waiver of the right of first refusal by the
3660 executive office. No sale, transfer or other disposition of the property shall be completed until
3661 either the first refusal option period has expired or the owner has been notified in writing by the
3662 executive office or its assignee that the option will not be exercised. The option shall be
3663 exercised only by written notice signed by a designated representative of the executive office or
3664 its assignee, sent to the owner by certified mail at the address specified in the notice of intention
3665 and recorded with the registry of deeds or the registry district of the land court of the county in
3666 which the affected real property is located, within the option period. If the first refusal option has
3667 been assigned to a qualified developer selected pursuant to said items 7004-0070 and 7004-0071
3668 of said section 2, the written notice shall state the name and address of the developer and the
3669 terms and conditions of the assignment.

3670 (e) An affidavit before a notary public that the notice of intent was mailed on behalf of an
3671 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or
3672 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised

3673 shall be recorded with the registry of deeds or the registry district of the land court in the county
3674 in which the affected real property is located. Each notice of intention, notice of exercise of the
3675 purchase option or first refusal option and notice that the purchase option or first refusal option
3676 shall not be exercised shall contain the name of the recorded owner of the property and a
3677 reasonable description of the property to be sold or converted. Each affidavit signed before a
3678 notary public shall have attached to it a copy of the notice of intention to which it relates. The
3679 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records
3680 for the party in question. Upon notifying the owner in writing of its intention to exercise its
3681 purchase option or first refusal option during the 120-day period, the executive office or its
3682 assignee shall have an additional 120 days, beginning on the date the purchase option period or
3683 first refusal option period expires, to purchase the units. The time periods may be extended by
3684 mutual agreement between the executive office or its assignee and the owner of the property.
3685 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the
3686 land court of the county in which the affected real property is located. Within a reasonable time
3687 after requesting an extension, the owner shall make available to the executive office or its
3688 assignee any information that is reasonably necessary for the executive office to exercise its
3689 option.

3690 SECTION 109. Notwithstanding any general or special law to the contrary, a private
3691 entity engaged in a construction, development, renovation, remodeling, reconstruction,
3692 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify
3693 individuals employed on the project and shall comply with all laws concerning workers'
3694 compensation insurance coverage, unemployment insurance, social security taxes and income
3695 taxes with respect to all such employees. All construction contractors engaged by a private entity

3696 on any such project shall furnish documentation to the appointing authority showing that all
3697 employees employed on the project have hospitalization and medical benefits that meet the
3698 minimum requirements of the commonwealth health insurance connector established in chapter
3699 176Q of the General Laws.

3700 SECTION 109A. (a) Notwithstanding any general or special law to the contrary, there
3701 shall be a special commission to study and make recommendations on accessibility in housing
3702 for persons with disabilities and seniors to increase the ability of individuals to live in a safe,
3703 dignified and healthy environment in their residences. The special commission shall consider the
3704 scope and positive impacts of longstanding accessibility standards.

3705 (b) The commission shall consist of: the secretary of housing and livable communities, or
3706 a designee, who shall serve as chair; the executive director of the architectural access board
3707 established in section 13A of chapter 22 of the General Laws, or a designee; the chairs of the
3708 joint committee on housing; the executive director of the Massachusetts office on disability
3709 established in section 185 of chapter 6 of the General Laws, or a designees; a representative
3710 appointed by the statewide Independent Living Council; a representative of the Institute for
3711 Human Centered Design, Inc.; a representative of NAIOP Massachusetts, Inc.; a representative
3712 of the Disability Law Center, Inc.; a representative of the Arc Massachusetts, Inc.; and a
3713 representative of the Massachusetts Association for Mental Health, Inc.

3714 (c) The commission shall: (i) examine accessibility features in residential housing that
3715 benefit persons with disabilities and seniors, including, but not limited to, features for individuals
3716 with physical, sensory, intellectual, mental health and neurodivergent disabilities; and (ii) review
3717 the definition of accessibility in housing for persons with disabilities and seniors. The

3718 commission shall review and consider the potential financial barriers and any impacts on
3719 programs and consider the impact of climate change on housing for people with disabilities The
3720 commission shall make recommendations, if any, including any recommendations related to 780
3721 CMR.

3722 (d) Not later than June 30, 2025, the commission shall file a report and recommendations,
3723 if any, with the clerks of the house of representatives and the senate and the joint committee on
3724 housing.

3725 SECTION 109B. (a) There is hereby established a special commission to study and make
3726 recommendations on expanding the supply of housing available and affordable to tenants with a
3727 household income of not more than 30 per cent of the area median income, adjusted for
3728 household size, as periodically determined by the United States Department of Housing and
3729 Urban Development. The commission shall review and evaluate federal, state and local subsidies
3730 that support the creation of housing for such tenants and make recommendations to increase the
3731 supply of housing that is available and affordable to households earning not more than 30 per
3732 cent of the area median income.

3733 (b) The commission shall review and consider the following: (i) the number of deeply
3734 subsidized rental units targeted at families with incomes at or below 30 per cent of the area
3735 median income and the percentage of those units that are accessible to persons with disabilities;
3736 (ii) the number of families with such incomes per deeply subsidized rental unit; (iii) the gap
3737 between median rents and the rent affordable to families with such incomes and an analysis of
3738 whether existing housing subsidies are sufficient to bridge such gap; (iv) the ratio of households
3739 with such incomes to unsubsidized units available at rents up to 50 per cent of such income; (v)

3740 housing market factors such as vacancy rates, rate of rent increases and conversion of rental
3741 housing to homeownership units; (vi) the impact of non-housing subsidies, including, but not
3742 limited to, the earned income tax credit on cost burdens for working families; (vii) barriers to
3743 accessing available housing, including racial and ethnic disparities in housing access; and (viii)
3744 any other factors that the commission deems relevant.

3745 (c) The commission shall consist of the secretary of housing and livable communities, or
3746 their designee, who shall serve as chair; the chairs of the joint committee on housing, or their
3747 designees; the minority leader of the house of representatives, or a designee; the minority leader
3748 of the senate, or a designee; the secretary of administration and finance, or a designee; the
3749 secretary of health and human services, or a designee; a representative of the Citizens' Housing
3750 and Planning Association, Inc.; a representative of the Massachusetts Housing Partnership; a
3751 representative of the Massachusetts Housing Finance Agency; a representative of the
3752 Community Economic Development Assistance Corporation; a representative of the
3753 Massachusetts Law Reform Institute; a representative of the Massachusetts Association of
3754 Community Development Corporations; a representative of the Regional Housing Network; and
3755 5 members appointed by the governor, 1 of whom shall be a representative of a local housing
3756 authority, 1 of whom shall be a representative of an advocacy organization representing tenants,
3757 1 of whom shall have expertise in affordable housing finance, 1 of whom shall have expertise in
3758 nonprofit affordable housing development and 1 of whom shall have expertise in development of
3759 permanent supportive housing.

3760 (d) Not later than June 30, 2025, the commission shall file its recommendations with the
3761 clerks of the house of representatives and the senate and the joint committee on housing.

3762 SECTION 109C. Notwithstanding any general or special law to the contrary, all
3763 contractors and subcontractors at any level engaged in a construction, development, renovation,
3764 remodeling, reconstruction, rehabilitation or redevelopment project receiving funds pursuant to
3765 items 7004-0074 and 7004-0075 of this act shall, at the time of bidding for the project, maintain
3766 or participate in a bona fide apprentice program, as defined in section 11H of chapter 23 of the
3767 General Laws and described in section 11I of said chapter 23, for each eligible apprenticeship
3768 trade or occupation represented in their workforce that is approved by the division of apprentice
3769 standards within the executive office of labor and workforce development, and shall register all
3770 apprentices with the division and abide by the apprentice to journeyman ratio for each trade
3771 prescribed therein in the performance of any work on the project. This provision does not require
3772 the program to qualify as an employee welfare benefit plan under the federal Employee
3773 Retirement Income Security Act of 1974, 29 U.S.C. §§1001-1461.

3774 SECTION 110. Notwithstanding any general or special law to the contrary, the
3775 unexpended and unencumbered balances of the bond-funded authorizations in the following
3776 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
3777 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,
3778 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,
3779 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

3780 SECTION 111. To meet the expenditures necessary in carrying out sections 2 and 2A,
3781 inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
3782 commonwealth in an amount to be specified by the governor from time to time but not
3783 exceeding, in the aggregate, \$6,251,986,900. All bonds issued by the commonwealth as aforesaid
3784 shall be designated on their face, The Affordable Homes Act of 2024, and shall be issued for a

3785 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
3786 court under section 3 of Article LXII of the Amendments to the Constitution; provided, however,
3787 that all such bonds shall be payable not later than June 30, 2059. All interest and payments on
3788 account of principal on such obligations shall be payable from the General Fund. Bonds and
3789 interest thereon issued under the authority of this section shall, notwithstanding any other
3790 provision of this act, be general obligations of the commonwealth. An amount not to exceed 2
3791 per cent of the authorizations may be expended by the executive office of housing and livable
3792 communities for administrative costs directly attributable to the purposes of this act, including
3793 costs of clerical and support personnel. The secretary of housing and livable communities shall
3794 file an annual spending plan detailing, by subsidiary, all personnel costs and any administrative
3795 costs charged to expenditures made pursuant to this act with the fiscal affairs division within the
3796 executive office for administration and finance, the house and senate committees on ways and
3797 means, the joint committee on bonding, capital expenditures and state assets and the joint
3798 committee on housing.

3799 SECTION 112. To meet the expenditures necessary in carrying out section 2B, the state
3800 treasurer shall, upon request of the governor, issue and sell bonds in an amount to be specified by
3801 the governor from time to time but not exceeding, in the aggregate, \$250,000,000. All bonds
3802 issued by the commonwealth as aforesaid shall be designated on their face The Affordable
3803 Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding 30 years, as
3804 the governor may recommend to the general court pursuant to section 3 of Article LXII of the
3805 Amendments to the Constitution; provided, however, that all such bonds shall be payable not
3806 later than June 30, 2059. All interest and payments on account of principal on such obligations
3807 shall be payable from the General Fund. Bonds and interest thereon issued under the authority of

3808 this section shall, notwithstanding any other provision of this act, be general obligations of the
3809 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by
3810 the executive office of housing and livable communities for administrative costs directly
3811 attributable to the purposes of this act, including costs of clerical and support personnel. The
3812 secretary of housing and livable communities shall file an annual spending plan with the fiscal
3813 affairs division, the house and senate committees on ways and means, the house and senate
3814 committees on bonding, capital expenditures and states assets and the joint committee on
3815 housing which details, by subsidiary, all personnel costs and any administrative costs charged to
3816 expenditures made pursuant to this act.

3817 SECTION 113. The rural and seasonal communities coordinating council, established in
3818 section 32 of chapter 23B of the General Laws, inserted by section 5, shall submit an initial
3819 report to the executive office of housing and livable communities and the joint committee on
3820 housing not later than 180 days following appointment of its members.

3821 SECTION 114. Not later than 90 days after the effective date of this act, the secretary of
3822 housing and livable communities, in consultation with the secretary of veterans' services, shall
3823 promulgate rules or regulations pursuant to subsection (e) of section 36 of chapter 23B of the
3824 General Laws, inserted by section 5.

3825 SECTION 115. The executive office of housing and livable communities shall report on
3826 all expenditures from the Massachusetts healthy homes program established pursuant to section
3827 34 of chapter 23B of the General Laws, inserted by section 5, and the Massachusetts healthy
3828 homes program fund established pursuant to section 35 of said chapter 23B, inserted by section
3829 5, to the clerks of the house of representatives and the senate, the joint committee on housing and

3830 the house and senate committees on ways and means not later than 18 months after the effective
3831 date of this act. The report shall include: (i) the number of projects completed through the
3832 Massachusetts healthy homes program addressing habitability concerns; (ii) the locations
3833 throughout the commonwealth; (iii) the total amount of grants or loans authorized; (iv) the
3834 number of projects using existing home repair programs; and (v) the breakdown of landlord-
3835 owned properties and owner-occupied properties. The executive office shall make the report
3836 publicly available on its website.

3837 SECTION 116. Not later than 180 days after the effective date of this act, the executive
3838 office of housing and livable communities shall promulgate guidance or regulations pursuant to
3839 subsection (g) of section 34 of chapter 23B of the General Laws, as inserted by section 5.

3840 SECTION 117. Section 37 of chapter 23B of the General Laws, inserted by section 5,
3841 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 14, sections
3842 15, 16, and 18 and sections 38OO and 38PP of chapter 63 of the General Laws, inserted by
3843 section 19, shall take effect for tax years beginning on or after January 1, 2025.

3844 SECTION 118. Section 37 of chapter 23B of the General Laws, inserted by section 5,
3845 subsection (ee) of section 6 of chapter 62 of the General Laws, inserted by section 14, and
3846 section 38OO of chapter 63 of the General Laws, inserted by section 19 are hereby repealed.

3847 SECTION 119. Section 103 is hereby repealed.

3848 SECTION 120. Section 105 is hereby repealed.

3849 SECTION 120A. Sections 36B and 36C shall apply to all time-share plans in the
3850 commonwealth existing before and subsequent to the effective date of this act.

3851 SECTION 121. Sections 8 and 10 shall take effect 180 days after the effective date of this
3852 act.

3853 SECTION 121A. Sections 14B and 17B shall be effective for tax years beginning on or
3854 after January 1, 2024.

3855 SECTION 122. Sections 17, 20, 118 and 119 shall take effect on January 1, 2030.

3856 SECTION 123. Section 120 shall take effect on June 30, 2030; provided, however, that
3857 the commissioner of capital asset management and maintenance may complete any transaction
3858 for which agreements have been signed and delivered on or before June 30, 2030.