

HOUSE No. 57

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 28, 2023.

The committee on Ways and Means, to whom was referred the message from Her Excellency the Governor recommending legislation relative to making appropriations for the fiscal year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 47), reports, in part, that the accompanying bill (House, No. 57) ought to pass. [Total appropriation: \$353,200,000.00] [Bond Issue: General Obligation Bonds: \$585,300,000.00]

For the committee,

AARON MICHLEWITZ.

HOUSE No. 57

The Commonwealth of Massachusetts

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

An Act making appropriations for the Fiscal Year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2023 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

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

9 SECTION 2.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

DISTRICT ATTORNEYS

Cape and Islands District Attorney

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

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-0101 Emergency Assistance Family Shelters and Services; provided, that the department of housing and community development shall coordinate with the division of medical assistance and the department of transitional assistance to verify the eligibility of families applying for entry into the emergency shelter system; and provided further, that the department of housing and community development shall report to the house and senate committees on ways and means monthly: (i) the number of migrant families presenting to field offices; (ii) number of individual persons presenting to field offices; (iii) hours at which said persons and families are presenting at field offices; (iv) the number of persons turned away from said field offices; (v) the length and duration of an intake visit before an individual is moved to a placement, temporary or otherwise; and (vi) which agency, if any, including, but not limited to, the department of transitional assistance and the division of medical assistance, assisted in each intake.....\$44,938,224

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care

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

30 *Department of Elementary and Secondary Education*

31 7053-1925 School Breakfast Program.....\$65,000,000

32 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
33 provide for an alteration of purpose for current appropriations and to meet certain requirements
34 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
35 specifically designated otherwise in this section, for the several purposes and subject to the
36 conditions specified in this section, and subject to the laws regulating the disbursement of public
37 funds for the fiscal year ending June 30, 2023. Except as otherwise stated, these sums shall be
38 made available through the fiscal year ending June 30, 2024.

39 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

40 *Reserves*

41 1599-0924 For a reserve to address the needs of homeless families and individuals;
42 provided, that funds may be expended to supplement school district costs associated with
43 additional student enrollments; provided further, that any such funds distributed to a city, town or
44 regional school district to supplement school district costs associated with additional student
45 enrollments shall be deposited with the treasurer of such city, town or regional school district and
46 held in a separate account and shall be expended by the school committee of such city, town or
47 regional school district without further appropriation, notwithstanding any general or special law
48 to the contrary; provided further, that funds in this item shall be distributed in a manner that
49 promotes geographic equity and fairly distributes school burdens and associated funding to
50 communities in which shelter capacity is increased; provided further, that not less than
51 \$1,000,000 shall be expended for a public awareness campaign to educate providers and the

52 public about so-called crisis pregnancy centers and pregnancy resource centers and their lack of
53 medical services; provided further, that said campaign shall include information on the
54 availability of providers across the commonwealth that provide legitimate medical and family
55 planning services; provided further, that said campaign shall be linguistically diverse and
56 culturally competent; and provided further, that the secretary of administration and finance may
57 transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General
58 Laws.....\$41,061,776

59 1599-3068 For emergency allotments to households participating in the federal
60 supplemental nutrition assistance program under the Food and Nutrition Act of 2008, Public Law
61 88-525, to address food needs and increased food costs; provided, that the emergency allotments
62 shall be up to 40 per cent of the amount needed to bring the monthly benefit up to the applicable
63 maximum monthly allotment for the household size or up to 40 per cent of \$95, whichever is
64 greater.....\$130,000,000

65 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

66 *Department of Transitional Assistance*

67 4400-1030 For reimbursement to clients who have had their federal supplemental
68 nutrition assistance program payments stolen through electronic benefit transfer card skimming,
69 card cloning or other similar fraudulent electronically-based method, during the period of April
70 1, 2022 through September 30, 2022; provided, that claims for such reimbursement shall be
71 verified by the department and shall be reported to the department by June 30, 2023; and
72 provided further, that reimbursements shall not exceed the lesser of the amount of benefits stolen

73 from the household or the amount equal to 2 months of the monthly allotment of the household
74 immediately prior to the date on which the benefits were stolen.....\$2,000,000

75 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

76 *Massachusetts Office of Travel and Tourism*

77 7008-1117 For local economic development projects; provided, that not less than
78 \$2,000,000 shall be expended to the NAACP Boston branch for the preparation and execution of
79 the one hundred and fourteenth National NAACP conference in the
80 commonwealth.....\$2,000,000

81 SECTION 3. To provide for a program of housing, community development, economic
82 opportunities, support for local governments, increased innovation and job creation, the sums set
83 forth in sections 3 to 3B, inclusive, for the several purposes and subject to the conditions
84 specified in this act, are hereby made available, subject to the laws regulating the disbursement
85 of public funds; provided, however, that the amounts specified in an item or for a particular
86 project may be adjusted in order to facilitate projects authorized in this act. These sums shall be
87 in addition to any amounts previously authorized and made available for these purposes.

88 7002-8042 To provide funds to the Massachusetts Broadband Incentive Fund
89 established in section 6C of chapter 40J of the General Laws for capital repairs and
90 improvements to broadband infrastructure owned by the Massachusetts Technology Park
91 Corporation established by section 3 of said chapter 40J.....\$9,300,000

92 7002-8043 For the Massachusetts Technology Park Corporation established in section
93 3 of chapter 40J of the General Laws for matching grants that support collaboration among

94 manufacturers located in the commonwealth and institutions of higher education, non-profits and
95 other public or quasi-public entities in the commonwealth; provided, that eligible grantees shall
96 include private businesses; provided further, that grants shall be awarded and administered
97 consistent with the strategic goals and priorities of the advanced manufacturing collaborative
98 established in section 10B of chapter 23A of the General Laws; provided further, that grants
99 made for the purchase of equipment to be owned by, leased to or located within the premises of a
100 private businesses shall be made in support of a partnership with an institution of higher
101 education or non-profit corporation with a mission of supporting manufacturing in the
102 commonwealth; provided further, that a private university or business entity shall not be eligible
103 for a grant unless the corporation has made a finding that a grant to such university or entity will
104 result in a significant public benefit and the private benefit is incidental to a legitimate public
105 purpose; and provided further, that grants shall be awarded in a manner that promotes
106 geographic, social, racial and economic equity.....\$14,000,000

107 7002-8047 For matching grants to support advanced manufacturing projects in
108 partnership with institutions of higher education, including state and municipal colleges and
109 universities, non-profits and other public or quasi-public entities; provided, that such projects
110 shall be in alignment with a Manufacturing USA Institute.....\$15,000,000

111 7002-8048 For the MassWorks infrastructure program established by section 63 of
112 chapter 23A of the General Laws\$400,000,000

113 7002-8051 For a program to provide assistance to projects that will improve,
114 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
115 public purposes of eliminating blight, increasing housing production, supporting economic

116 development projects, increasing the number of commercial buildings accessible to persons with
117 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
118 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
119 a loan provided to a municipality or other public entity, a community development corporation,
120 non-profit entity or for-profit entity; provided further, that eligible uses of funding shall include,
121 but not be limited to: (i) improvements and additions to or alterations of structures and other
122 facilities necessary to comply with requirements of building codes; (ii) fire or other life safety
123 codes and regulations pertaining to accessibility for persons with disabilities; (iii) where such
124 code or regulatory compliance is required in connection with a new commercial residential or
125 civic use of such structure or facility; and (iv) the targeted removal of existing underutilized
126 structures or facilities to create or activate publicly-accessible recreational or civic spaces;
127 provided further, that funding shall be awarded on a competitive basis in accordance with
128 guidelines developed by the agency; provided further, that financial assistance offered pursuant
129 to this line item may be administered by the executive office through a contract with the
130 Massachusetts Development Finance Agency established in section 2 of chapter 23G of the
131 General Laws; provided further, that the executive office or the Massachusetts Development
132 Finance Agency may establish additional program requirements through regulations or policy
133 guidelines; provided further, that financial assistance offered pursuant to this item shall be
134 awarded, to the extent feasible, in a manner that reflects geographic and demographic diversity
135 and social, racial and economic equity within the commonwealth; and provided further, that
136 program funds may be used for the reasonable costs of administering the program not to exceed
137 5 per cent of the total assistance made during the fiscal year.....\$34,000,000

138 7002-8052 For grants and technical assistance to be made to municipalities and
139 regional applicants to support planning and locally-driven initiatives related to community
140 development, housing production, workforce training and economic opportunity, child care and
141 early education initiatives and climate resilience initiatives, including, but not limited to, nature-
142 based solutions projects, that incorporate these elements, across the commonwealth within
143 individual communities, regions or a defined subset of communities therein; provided, that funds
144 may be expended for culturally competent and multi-lingual technical assistance and training to
145 small businesses; provided further, that preference for these funds shall be given to businesses
146 located in low- or moderate-income areas and owned by women, veterans, minorities or
147 immigrants; and provided further, that grants shall be awarded in a manner that promotes
148 geographic equity.....\$1,000,000

149 SECTION 3A.

150 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

151 *Department of Housing and Community Development*

152 7004-8026 For the Smart Growth Housing Trust Fund established in section 35AA of
153 chapter 10 of the General Laws.....\$8,000,000

154 SECTION 3B.

155 TREASURER AND RECEIVER GENERAL

156 0640-1006 For the Massachusetts Clean Water Trust established in section 2 of
157 chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
158 established in section 2L of chapter 29 of the General Laws for application by the trust for the

159 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
160 matching grant by the commonwealth to federal capitalization grants received under Title VI of
161 the federal Clean Water Act, Public Law 92-500, or for deposit in the Drinking Water Revolving
162 Fund established in section 2QQ of said chapter 29 for application by the trust for the purposes
163 specified in section 18 of said chapter 29C, any portion of which may be used as a matching
164 grant by the commonwealth to federal capitalization grants received under the federal Safe
165 Drinking Water Act, Public Law 93-523; provided, that funds may be used to assist homeowners
166 in complying with the revised Title 5 of the state environmental code for subsurface disposal of
167 sanitary waste; and provided further, that funds may be expended for the costs of projects and
168 programs included in the Infrastructure and Investment in Jobs Act of 2021, Public Law No.
169 117-58.....\$104,000,000

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

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

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

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

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

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

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

195 “Occupational license”, a license required to be held by the following employees of an
196 operator when the employee performs duties directly related to the operation of sports wagering
197 in the commonwealth in the following, or equivalent, roles: (i) general manager; (ii) assistant
198 general manager; (iii) gaming or sports wagering manager; (iv) chief of security; (v) chief
199 surveillance officer; (vi) chief compliance officer; (vii) principal executive officer; (viii)
200 principal accounting officer; (ix) chief information officer; (x) chief technology officer; (xi)
201 electronic gaming device manager; (xii) information technology manager; (xiii) software

202 development manager; (xiv) shift supervisor of an in-person sports wagering department; or (xv)
203 shift supervisor in the surveillance, cage or player development departments.

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

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

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

212 (ii) a person who holds a beneficial or proprietary interest of 10 per cent or more of an
213 applicant's business;

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

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

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

220 SECTION 10. Paragraph (1) of subsection (c) of said section 5 of said chapter 23N, as
221 amended by section 36 of chapter 268 of the acts of 2022, is hereby further amended by inserting

222 after the figure “(b)” the following words:- and any applicant for an occupational license as
223 defined in section 3.

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

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

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

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

239 SECTION 13. Said chapter 23N, as so inserted, is hereby amended by striking out section
240 18, the second time it appears, and inserting in place thereof the following section:-

241 Section 19. There shall be established and set up on the books of the commonwealth a
242 fund to be known as the Youth Development and Achievement Fund. The fund shall be credited

243 any monies transferred from the Sports Wagering Fund pursuant to section 17 and all monies
244 credited to or transferred to the fund from any other fund or source. Expenditures from the fund
245 shall be subject to appropriation and shall be expended equally for the following purposes:

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

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

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

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

261 SECTION 15. Section 7.08 of chapter 156D of the General Laws, as appearing in the
262 2020 Official Edition, is hereby amended by striking out the words “, unless the corporation is a
263 public corporation”, in lines 6 and 7.

264 SECTION 16. Subsection (b) of section 7A of chapter 167E of the General Laws, as so
265 appearing, is hereby amended by inserting after the word “person”, in line 14, the following
266 words:- , by synchronous real-time video conference or by telephone.

267 SECTION 17. Section 65C ½ of chapter 171 of the General Laws, as so appearing, is
268 hereby amended by inserting after the word “person”, in line 14, the following words:- , by
269 synchronous real-time video conference or by telephone.

270 SECTION 18. Section 6A of chapter 180 of the General Laws, as so appearing, is hereby
271 amended by adding the following 2 paragraphs:-

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

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

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

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

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

288 SECTION 19. Chapter 221 of the General Laws is hereby amended by inserting after
289 section 46D the following section:-

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

293 “Closing”, the consummation of a transaction between parties for the purpose of granting
294 a mortgage or otherwise transferring title to a 1-family to 4-family residential dwelling, including
295 the execution of documents necessary to accomplish the valid and proper transfer of title and the
296 transfer of the consideration for the conveyance, whether done simultaneously with or
297 subsequent to the execution of documents for the transfer of title; provided, however, that a
298 “closing” shall not include any transaction in which the consideration for the transfer of title is
299 evidenced solely by a home equity loan or line of credit that is secured by a mortgage on a 1-
300 family to 4-family residential dwelling, does not involve the issuance of a lender’s or
301 mortgagee’s policy of title insurance in connection with such transaction and is to be retained by
302 the lender and not sold on the secondary mortgage market.

303 “Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly
304 or in a nominee capacity, a mortgage loan securing real property, including, but not limited to, an

305 originator, holder, investor, assignee, successor, trust, trustee, nominee holder, Mortgage
306 Electronic Registration Systems or mortgage servicer, including the Federal National Mortgage
307 Association or the Federal Home Loan Mortgage Corporation; provided, that “creditor” shall
308 also include any servant, employee, representative or agent of a creditor.

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

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

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

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

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

319 (5) ensuring that the documents necessary for the transfer of title are executed and
320 acknowledged in accordance with the laws of the commonwealth; or

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

322 (c) The attorney general may initiate an action, including a petition for injunctive relief,
323 against any person or creditor whose violation of this section is part of a pattern, or consistent
324 with a practice, of noncompliance. The supreme judicial court and the superior court shall have
325 concurrent jurisdiction in equity. A person having an interest or right that is or may be adversely

326 affected by a violation of this section may initiate an action against the person or creditor for
327 private monetary remedies.

328 SECTION 20. Chapter 222 of the General Laws is hereby amended by striking out
329 section 1, as appearing in the 2020 Official Edition, and inserting in place thereof the following
330 section:-

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

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

340 “Affirmation”, a notarial act, or part thereof, that is legally equivalent to an oath and in
341 which an individual, at a single time appears in person before a notary public, is identified by the
342 notary public through satisfactory evidence of identity and makes a vow of truthfulness or
343 fidelity while appearing before the notary public under the penalties of perjury without invoking
344 a deity.

345 “Appears in person”, “appears personally” or “personally appears”, (i) being in the same
346 physical location as another individual and close enough to see, hear, communicate with and
347 exchange tangible identification credentials with that individual; or (ii) interacting with a

348 remotely-located individual by means of communication technology in compliance with section
349 28.

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

354 “Copy certification”, a notarial act in which a notary public is presented with a document
355 that the notary public copies, or supervises the copying thereof, by a photographic or electronic
356 copying process, compares the original document to the copy and determines that the copy is
357 accurate and complete.

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

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

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

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

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

371 “Electronic signature”, an electronic sound, symbol or process, attached to or logically
372 associated with a contract or other record and executed or adopted by a person with the intent to
373 sign the record.

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

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

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

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

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

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

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

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

400 “Oath”, a notarial act, or part thereof, that is legally equivalent to an affirmation and in
401 which an individual, at a single time, appears in person before a notary public, is identified by
402 the notary public through satisfactory evidence of identity and takes a vow of truthfulness or
403 fidelity under the penalties of perjury by invoking a deity.

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

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

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

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

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

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

418 “Satisfactory evidence of identity”, identification of an individual based on: (i) at least 1
419 current document issued by a United States or state government agency bearing the photographic
420 image of the individual’s face and signature; (ii) the oath or affirmation of a credible witness
421 unaffected by the document or transaction who is personally known to the notary public and who
422 personally knows the individual; or (iii) identification of an individual based on the notary
423 public’s personal knowledge of the identity of the principal; provided, however, that for a person
424 who is not a United States citizen, “satisfactory evidence of identity” shall mean identification of
425 an individual based on a valid passport or other government-issued document evidencing the
426 individual’s nationality or residence and which bears a photographic image of the individual’s
427 face and signature. For purposes of a notarial act performed using communication technology for
428 a remotely-located individual, “satisfactory evidence of identity” shall be determined pursuant to
429 section 28.

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

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

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

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

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

442 SECTION 21. Section 1A of said chapter 222, as so appearing, is hereby amended by
443 striking out, in line 6, the figure “26” and inserting in place thereof the following figure:- 29.

444 SECTION 22. Section 8 of said chapter 222, as so appearing, is hereby amended by
445 striking out subsection (b) and inserting in place thereof the following subsection:-

446 (b)(1) A notary public shall keep an official notarial seal that shall be the exclusive
447 property of the notary public. A notary public shall not permit another to use such notarial seal.
448 A notary public shall obtain a new seal upon renewal of the commission, upon receipt of a new
449 commission or if the name of the notary public has changed. The notarial seal shall include: (i)
450 the notary public’s name exactly as indicated on the commission; (ii) the words “notary public”
451 and “Commonwealth of Massachusetts” or “Massachusetts”; (iii) the expiration date of the

452 commission in the following words: “My commission expires ___”; and (iv) a facsimile of the
453 seal of the commonwealth.

454 (2) If a notarial seal that requires ink is employed, black ink shall be used. The seal of a
455 notary public may be a digital image that appears in the likeness or representation of a traditional
456 physical notary public seal. Only the notary public whose name and registration number appear
457 on an electronic seal shall affix that seal. If the seal is electronically generated, it shall include
458 the words “Electronically affixed”. The requirements of this subsection shall be satisfied by
459 using a seal that includes all of the information required by this section. Failure to comply with
460 this section shall not affect the validity of any instrument or the record thereof.

461 SECTION 23. Section 16 of said chapter 222, as so appearing, is hereby amended by
462 inserting after the word “notarization”, in line 3, the following words:- , except as specifically
463 provided in this chapter.

464 SECTION 24. Said section 16 of said chapter 222, as so appearing, is hereby further
465 amended by inserting after the word “services”, in line 27, the following words:- ; provided
466 further, that a notary public shall not be precluded from receiving an additional technology
467 services fee that has been clearly disclosed in advance to the person requesting the service and
468 that technology services fee reflects the actual reasonable cost to the notary public of utilizing a
469 third-party technology service provider.

470 SECTION 25. Section 18 of said chapter 222, as so appearing, is hereby amended by
471 adding the following subsection:-

472 (e)(1) Whenever the state secretary has cause to believe that a notary public registered
473 pursuant to section 28 has engaged in a pattern of conduct, or a standard, practice or procedure

474 that the state secretary determines is contrary to section 46E of chapter 221, the state secretary
475 may order the notary public to comply with the law. The state secretary may adopt regulations
476 governing administrative proceedings under this section.

477 (2) The attorney general may enforce the order by civil action as provided in said section
478 46E of said chapter 221.

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

481 SECTION 26. Subsection (b) of section 20 of said chapter 222, as so appearing, is
482 hereby amended by striking out clause (iii) and inserting in place thereof the following clause:-

483 (iii) failure of a document to contain an acknowledgment that the instrument was the
484 voluntary or free act and deed of the principal or, if executed in a representative capacity, the
485 party on whose behalf the principal is signing shall not affect the validity of the underlying
486 document or the recording of the document.

487 SECTION 27. Subsection (a) of section 22 of said chapter 222, as so appearing, is hereby
488 amended by striking out the second sentence and inserting in place thereof the following 3
489 sentences:- A journal may be created on a fixed tangible medium or in an electronic format. If
490 the journal is maintained on a tangible medium, it shall be a permanent, bound register with
491 numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent,
492 tamper-evident electronic format complying with the rules of the state secretary.

493 SECTION 28. Said section 22 of said chapter 222, as so appearing, is hereby further
494 amended by striking out, in lines 6 and 7, the words “active journal at the same time” and

495 inserting in place thereof the following words:- tangible journal at any time. A notary may keep
496 more than 1 electronic journal; provided, that each electronic journal shall conform to the
497 requirements of subsection (a).

498 SECTION 29. Clause (v) of subsection (c) of said section 22 of said chapter 222, as so
499 appearing, is hereby amended by striking out subclauses (3) and (4) and inserting in place thereof
500 the following 3 subclauses:- (3) a notation indicating whether the notarial act was conducted in
501 person or remotely; (4) the fee, if any, charged for the notarial act; and (5) the address where the
502 notarization was performed; provided, that if the notarial act was performed remotely, the notary
503 shall include the address of the notary and each principal and witness.

504 SECTION 30. Said section 22 of said chapter 222, as so appearing, is hereby further
505 amended by striking out subsection (i) and inserting in place thereof the following subsection:-

506 (i) If not in use, a journal shall be kept under the exclusive control of the notary public or
507 a third-party technology service provider designated by the notary public, provided there is a
508 mutual agreement by both the notary public and the third-party service provider, and shall not be
509 used by any other notary public or surrendered to an employer upon termination of employment.

510 SECTION 31. Said chapter 222 is hereby further amended by adding the following 3
511 sections:-

512 Section 27. (a) A notary public may select 1 or more tamper-evident technologies to
513 perform notarial acts with respect to electronic records. A person may not require a notary public
514 to perform a notarial act with respect to an electronic record with a technology that the notary
515 public has not selected. Any technology approved by the state secretary pursuant to subsection

516 (b) and selected by a notary public shall require the notary public's electronic signature and
517 electronic seal to be:

518 (i) unique to the notary public;

519 (ii) capable of independent verification;

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

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

523 (b) The state secretary shall establish standards for approval of technologies for use by
524 notaries public commissioned by the commonwealth.

525 (c) A tangible copy of an electronic record shall be accepted as the equivalent of an
526 original document for purposes of recording said copy; provided, that: (i) the copy contains a
527 notarial certificate that satisfies all requirements for an original document to be accepted for
528 recording; (ii) the copy satisfies all requirements for recording an original document set forth in
529 chapters 183 and 185, as applicable; and (iii) the notary public executing the notarial certificate
530 certifies that the tangible copy is an accurate copy of the electronic record.

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

534 (i) (A) has personal knowledge of the identity of the remotely-located individual; (B) has
535 identified the remotely-located individual by means of an oath or affirmation of a credible
536 witness unaffected by the document or transaction who is personally known to the notary public

537 and who personally knows the remotely-located individual; or (C) reasonably can identify the
538 remotely-located individual by at least 2 different types of identity proofing processes or
539 services;

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

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

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

546 (b) A notary public physically located in the commonwealth may perform a notarial act
547 using communication technology for a remotely-located individual who is the principal in a
548 notarial act and is located outside the United States if: (i) the record: (A) is to be filed with or
549 relates to a matter before a public official or court, governmental entity or other entity subject to
550 the jurisdiction of the United States; or (B) involves property located in the territorial jurisdiction
551 of the United States or a transaction substantially connected with the United States; and (ii) the
552 act of making the statement or signing the record is not prohibited by the foreign state in which
553 the remotely-located individual is located.

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

556 (d) Before a notary public performs the notary public's initial notarization using
557 communication technology, the notary public shall: (i) register as a remote notary with the state

558 secretary; (ii) inform the state secretary that the notary public intends to perform remote
559 notarizations; and (iii) identify the communication technology that the notary public intends to
560 use. The communication technology shall conform to the requirements of this chapter and any
561 rules adopted by the state secretary. The notice shall be submitted in the form required by the
562 state secretary and shall: (A) include an affirmation that the notary public has read and will
563 comply with this section and all rules adopted by the state secretary; (B) be accompanied by
564 proof that the notary public has successfully completed any training and examination required by
565 this section or that may be required by the state secretary; and (C) identify a usual place of
566 business in this state or, if a foreign entity, identify a registered agent, and in either case identify
567 an address for service of process in connection with a civil action or other proceeding.

568 (e) If a notarial act is performed pursuant to this section, the certificate of notarial act
569 required by section 15 shall indicate that the notarial act was performed remotely using
570 communication technology and identify the venue for the notarial act as the county within the
571 commonwealth where the notary public was physically located while performing the notarial act.

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

577 (g) Upon request, the notary public shall make available electronic copies of the pertinent
578 entries in the electronic journal and provide access to any related audio-video communication
579 recording to the following persons: (i) the parties to an electronic record notarized by the notary

580 public; (ii) the title insurer reviewing an insured transaction in the context of an audit of its agent,
581 if the agent conducted the electronic notarial act as an element of the insured transaction; and
582 (iii) any other persons pursuant to a subpoena, court order, law enforcement investigation or
583 other lawful inspection demand.

584 (h) The state secretary shall establish standards for the use of communication technology
585 and identity proofing. The state secretary shall create and maintain a registry of communication
586 technology service providers who meet the established standards as certified by the
587 communication technology service provider. A notary public who uses communication
588 technology shall utilize communication technology and identity proofing from communication
589 technology service providers included on the state secretary's registry.

590 (i) In addition to the authority set forth in subsection (h), the state secretary may adopt
591 rules under this section regarding performance of the notarial act. The rules may: (i) prescribe the
592 means of performing a notarial act involving a remotely-located individual using communication
593 technology; and (ii) establish standards for the retention of an audio-visual recording created
594 under clause (iv) of subsection (a).

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

600 (k) The following minimum standards shall apply to notarizations utilizing
601 communication technology performed by a notary public in the commonwealth; provided, that
602 the state secretary may adopt rule-setting standards that are equally or more protective:

603 (i) Identity proofing by means of dynamic knowledge-based authentication that shall
604 have, at a minimum, the following security characteristics:

605 (A) the remotely-located individual shall be presented with 5 or more questions with a
606 minimum of 5 possible answer choices per question;

607 (B) each question shall be drawn from a third-party provider of public and proprietary
608 data sources and shall be identifiable to the social security number or other identification
609 information of the remotely-located individual, or such individual's identity and historical events
610 records;

611 (C) responses to all questions shall be made within a 2-minute time constraint;

612 (D) the remotely-located individual shall answer a minimum of 80 per cent of the
613 questions correctly;

614 (E) if the remotely-located individual fails the first attempt, the individual may be offered
615 1 additional attempt within 24 hours of the initial failed attempt; and

616 (F) during the second attempt, the remotely-located individual may not be presented with
617 more than 3 questions from the prior attempt.

618 (ii) Identity proofing by means of credential analysis using 1 or more commercially
619 available automated software or hardware processes that, consistent with sound commercial
620 practices: (A) aid the notary public in verifying the authenticity of the credential by analyzing the

621 integrity of visual, physical or cryptographic security features to indicate that the credential is not
622 fraudulent or inappropriately modified; and (B) use information held or published by the issuing
623 source or authoritative source to confirm the validity of credential details. The results of the
624 credential analysis process shall be provided to the notary public performing the notarial act.

625 (iii) Use of audio-video communication technology in completing notarizations that shall
626 meet the following requirements: (A) the signal transmission shall be reasonably secure from
627 interception, access or viewing by anyone other than the participants communicating; and (B) the
628 technology shall provide sufficient audio clarity and video resolution to enable the notary to
629 communicate with the remotely-located individual and any witness and to confirm the identity of
630 the remotely-located individual and any witness, as required, using identity proofing.

631 (iv) The communication technology shall have satisfied tamper-evident technology
632 requirements by use of technology that renders any subsequent change or modification to the
633 electronic record evident.

634 (v) With respect to notarial acts conducted during a closing, as defined in section 46E of
635 chapter 221, the communication technology shall be engaged by the closing attorney with the
636 approval of the lender. Upon successful verification of the identity of the remotely-located
637 individual by the notary as required by clause (i) of subsection (a), the closing attorney shall
638 enter and affirm the attorney's board of bar overseers registration number prior to the conduct of
639 the first notarial act. The communication technology shall be responsible for recording such
640 information in a manner that is logically associated with the transaction and shall retain such
641 information for the same length of time and in the same manner as it retains all other information
642 regarding the notarial act.

643 (vi) In addition to any coverage it elects to provide for individual notaries public, a
644 communication technology service provider shall provide maintenance of errors and omissions
645 insurance coverage in a total amount of at least \$250,000 in the annual aggregate with respect to
646 potential errors or omissions in or relating to the technology or processes provided by the
647 communication technology service provider. A notary public shall not be responsible for the
648 security of the systems used by the remotely-located individual or others to access the
649 notarization session.

650 (vii) Prior to a notary public's initial notarization using communication technology, the
651 notary public shall complete a 2-hour in-person or online course addressing the duties,
652 obligations and technology requirements for conducting remote notarizations offered by the state
653 secretary or a vendor approved by the state secretary. Each such provider of communication
654 technology shall make the in-person or online course generally available to all applicants.
655 Regardless of membership in the provider's organization, the provider shall charge each attendee
656 the same cost for the course unless the course is provided in conjunction with a regularly
657 scheduled meeting of the provider's membership.

658 (l) Notwithstanding any general or special law to the contrary, with respect to any
659 document executed in the course of a closing, as defined in section 46E of chapter 221, involving
660 a mortgage or other conveyance of title to residential real property, only a notary public
661 appointed pursuant to this chapter who is an attorney licensed to practice law in the
662 commonwealth, or a non-attorney who is under the direct supervision of, or acting pursuant to a
663 direct request by, the attorney directing or managing the closing, shall perform an
664 acknowledgment, affirmation or other notarial act utilizing communication technology. The
665 notarial certificate affixed to any such document shall recite the board of bar overseers

666 registration number of the attorney notary, or of the supervising attorney for a document
667 notarized by a non-attorney. Failure to comply with this subsection shall not affect the validity of
668 the document or the recording thereof.

669 (m) The chief justice of the land court may promulgate rules, orders, guidelines and
670 directives concerning this section and section 27 as said sections pertain to the execution,
671 acknowledgment and registration of documents affecting title to land whose title has been
672 registered and confirmed by the land court pursuant to chapter 185.

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

681 SECTION 32. Item 7008-1116 of section 2 of chapter 41 of the acts of 2019, as most
682 recently amended by section 119 of chapter 126 of the acts of 2022, is hereby further amended
683 by striking out the figure “2023” and inserting in place thereof the following figure:- 2024.

684 SECTION 33. Said item 7008-1116 of said section 2 of said chapter 41, as most recently
685 amended by section 120 of said chapter 126, is hereby further amended by striking out the figure
686 “2023” and inserting in place thereof the following figure:- 2024.

687 SECTION 34. Section 13 of chapter 53 of the acts of 2020, as most recently amended by
688 section 15 of chapter 42 of the acts of 2022, is hereby further amended by striking out the words
689 “April 1, 2023” and inserting in place thereof the following words:- April 1, 2024.

690 SECTION 35. Subsection (b) of section 2 of chapter 118 of the acts of 2020, as most
691 recently amended by section 19 of chapter 42 of the acts of 2022, is hereby further amended by
692 striking out the words “April 1, 2023” and inserting in place thereof the following words:- April
693 1, 2024.

694 SECTION 36. Subsection (b) of section 103 of chapter 253 of the acts of 2020 is hereby
695 amended by striking out the words “by the chief justice of the supreme judicial court” and
696 inserting in place thereof the following words:- jointly by the governor and attorney general.

697 SECTION 37. Section 19 of chapter 20 of the acts of 2021, as amended by section 27 of
698 chapter 42 of the acts of 2022, is hereby further amended by striking out the words “April 1,
699 2023”, each time they appear, and inserting in place thereof, in each instance, the following
700 words:- April 1, 2024.

701 SECTION 38. Section 30A of said chapter 20, as amended by section 4 of chapter 107 of
702 the acts of 2022, is hereby further amended by striking out the words “March 31, 2023” and
703 inserting in place thereof the following words:- March 31, 2025.

704 SECTION 39. Section 22 of chapter 76 of the acts of 2021 is hereby amended by striking
705 out the words “December 31, 2021”, both times they appear, and inserting in place thereof, in
706 each instance, the following words:- April 30, 2023.

707 SECTION 40. Item 1599-2051 of section 2A of chapter 102 of the acts of 2021 is hereby
708 amended by striking out the words “December 31, 2022” and inserting in place thereof the
709 following words:- June 30, 2023.

710 SECTION 41. Section 89 of said chapter 102, as amended by section 11 of chapter 22 of
711 the acts of 2022, is hereby further amended by striking out the words “December 31, 2022”, both
712 times they appear, and inserting in place thereof, in each instance, the following words:-
713 November 15, 2023.

714 SECTION 42. Chapter 22 of the acts of 2022 is hereby amended by striking out section
715 41 and inserting in place thereof the following section:-

716 SECTION 41. Sections 12, 24, 25 and 27 are hereby repealed.

717 SECTION 43. Said chapter 22 is hereby further amended by inserting after section 41 the
718 following section:-

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

720 SECTION 44. Said chapter 22 is hereby further amended by inserting after section 44 the
721 following section:-

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

723 SECTION 45. Subsection (d) of section 2 of chapter 76 of the acts of 2022 is hereby
724 amended by striking out the words “March 1, 2023” and inserting in place thereof the following
725 words:- December 31, 2023.

726 SECTION 46. Item 7004-0108 of section 2 of chapter 126 of the acts of 2022 is hereby
727 amended by striking out the word “annually” and inserting in place thereof the following words:-
728 annually; and provided further, that the secretary of housing and economic development may
729 transfer funds between items 7004-0108 and 7004-0101; and provided further, that the secretary
730 of housing and economic development shall notify the house and senate committees on ways and
731 means not less than 14 days in advance of any such transfer.

732 SECTION 47. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby
733 amended by striking out the words “provided further, that not less than \$150,000 shall be
734 expended for improvements to Charlesgate Park in Boston” and inserting in place thereof the
735 following words:- provided further, that not less than \$150,000 shall be expended to the
736 Charlesgate Alliance for the purpose of making improvements to Charlesgate park in Boston.

737 SECTION 48. Item 1599-6077 of said section 2A of said chapter 268 is hereby amended
738 by striking out the words “provided further, that not less than \$50,000 shall be expended for the
739 Fenway Cares Mutual Aid Initiative, including administrative costs, to distribute fresh food and
740 personal protective equipment to food-insecure residents in Boston” and inserting in place
741 thereof the following words:- provided further, that not less than \$50,000 shall be expended to
742 Fenway Civic Association for the purpose of funding the Fenway Cares Mutual Aid Initiative,
743 including administrative costs, to distribute fresh food and personal protective equipment to
744 food-insecure residents of the Fenway neighborhood in the city of Boston.

745 SECTION 49. Item 1599-6089 of said section 2A of said chapter 268 is hereby amended
746 by striking out the words “provided, that if the Boston Landmarks Commission designates the
747 Nazzaro Community Center as a historical building then not less than \$25,000,000 shall be

748 expended for Boston Centers & Families within the city of Boston for the construction of a new
749 community center within the North End section of Boston and not less than \$5,000,000 of said
750 \$25,000,000 shall be expended for the rehabilitation of Nazzaro Community Center in the North
751 End section of Boston for the future use by a non-profit” and inserting in place thereof the
752 following words:- provided, that not less than \$20,000,000 shall be expended for Boston Centers
753 for Youth & Families in the city of Boston for the construction of a new community center in the
754 North End section of the city of Boston; provided further, that not less than \$5,000,000 shall be
755 expended for the rehabilitation of the Nazzaro Community Center in the North End section of the
756 city of Boston for the future use by a non-profit, if the Boston Landmarks Commission
757 designates said Nazzaro Community Center as a historical building.

758 SECTION 50. Item 1599-6090 of said section 2A of said chapter 268 is hereby amended
759 by striking out the words “provided further, that not less than \$150,000 shall be a expended for
760 the establishment of regional transportation shuttle service between the town of Great Barrington
761 and Wassaic station in the town of Amenia, New York; provided further, that not less than
762 \$100,000 shall be expended for Housatonic river water remediation efforts in the town of Great
763 Barrington” and inserting in place thereof the following words:- provided further, that not less
764 than \$250,000 shall be expended for Housatonic river water remediation efforts in the town of
765 Great Barrington.

766 SECTION 51. Item 4403-2001 of said section 2A of said chapter 268 is hereby amended
767 by striking out the words “for not more than 12 consecutive months”.

768 SECTION 52. Notwithstanding any general or special law to the contrary, the
769 commission established in section 103 of chapter 253 of the acts of 2020 is hereby revived and

770 continued to March 31, 2024. The commission shall report and file its findings and
771 recommendations pursuant to subsection (d) of said section 103 of said chapter 253 with the
772 clerks of the house of representatives and senate and the joint committee on public safety and
773 security not later than March 31, 2024.

774 SECTION 53. Notwithstanding any general or special law to the contrary, the special
775 legislative commission established in section 105 of chapter 253 of the acts of 2020 is hereby
776 revived and continued to April 30, 2023. The special legislative commission shall file its findings
777 and recommendations pursuant to subsection (c) of said section 105 of said chapter 253 with the
778 clerks of the house of representatives and senate and the governor not later than April 30, 2023.

779 SECTION 54. Notwithstanding any general or special law to the contrary, the special
780 legislative commission established in section 108 of chapter 253 of the acts of 2020 is hereby
781 revived and continued to April 30, 2023. The special legislative commission shall file its findings
782 and recommendations pursuant to subsection (d) of said section 108 of said chapter 253 with the
783 clerks of the house of representatives and senate and the governor not later than April 30, 2023.

784 SECTION 55. (a) Notwithstanding any general or special law to the contrary, the special
785 legislative commission established in section 107 of chapter 253 of the acts of 2020 is hereby
786 revived and continued to May 31, 2024. The commission shall supplement its report dated March
787 30, 2022 with further recommendations, together with any draft legislation necessary to carry
788 those recommendations into effect, by filing the same with the governor, the speaker of the
789 house of representatives and the president of the senate and the clerks of the house of
790 representatives and the senate not later than May 31, 2024.

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

793 SECTION 56. Notwithstanding any general or special law to the contrary, the executive
794 office of administration and finance shall transfer \$250,000 from the startup costs for Revolution
795 250 related to the planning and celebration of the commonwealth’s 250th anniversary of the
796 American Revolution established in item 1599-6077 of section 2A of chapter 268 of the acts of
797 2022 to the Massachusetts Tourism Trust Fund established in section 13T of chapter 23A of the
798 General Laws.

799 SECTION 57. Notwithstanding any general or special law to the contrary, to meet the
800 expenditures necessary in carrying out section 3, the state treasurer shall, upon receipt of a
801 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
802 by the governor from time to time but not exceeding, in the aggregate, \$473,300,000. All bonds
803 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
804 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
805 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
806 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
807 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
808 and payments on account of principal on such obligations shall be payable from the General
809 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
810 any other provision of this act, be general obligations of the commonwealth.

811 SECTION 58. Notwithstanding any general or special law to the contrary, to meet the
812 expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a

813 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
814 by the governor from time to time but not exceeding, in the aggregate, \$8,000,000. All bonds
815 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
816 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
817 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
818 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
819 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
820 and payments on account of principal on such obligations shall be payable from the General
821 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
822 any other provision of this act, be general obligations of the commonwealth.

823 SECTION 59. Notwithstanding any general or special law to the contrary, to meet the
824 expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a
825 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
826 by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds
827 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
828 Economic Revitalization, Community Development, and Housing Act of 2023”, and shall be
829 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
830 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
831 provided, however, that all such bonds shall be payable not later than June 30, 2058. All interest
832 and payments on account of principal on such obligations shall be payable from the General
833 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
834 any other provision of this act, be general obligations of the commonwealth.

835 SECTION 60. Sections 15 through 18, inclusive, shall take effect as of March 31, 2023.

836 SECTION 61. Sections 19 through 30, inclusive, shall take effect 90 days after the
837 effective date of this act.

838 SECTION 62. Sections 27 to 29 of chapter 222 of the General Laws, as inserted by
839 section 31, shall take effect 180 days after the effective date of this act.