

HOUSE No. 803

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey and Simon Cataldo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to funding water infrastructure and addressing economic target areas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/17/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>1/19/2023</i>

HOUSE No. 803

By Representatives Garballey of Arlington and Cataldo of Concord, a petition (accompanied by bill, House, No. 803) of Sean Garballey and Simon Cataldo relative to funding water infrastructure and addressing economic target areas. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 920 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to funding water infrastructure and addressing economic target areas.

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. Chapter 29 of the general laws, as appearing in the 2020 Official Edition,
2 shall be amended after section 2VVVV, by inserting the following new section:-

3 Section 2WWWW. There shall be a Commonwealth Water Infrastructure Trust Fund.
4 The commissioner of the department of revenue shall be the trustee of the fund and shall expend
5 money in the fund to address the Commonwealth’s water infrastructure needs. There shall be
6 credited to the fund: (i) any fee assessment collected pursuant to section two of this act; and (ii)
7 any interest earned on money in the fund. Amounts credited to the fund shall be expended by the
8 commissioner pursuant to subsection (a) without further appropriation. Money remaining in the
9 fund at the end of a fiscal year shall not revert to the General Fund.

10 (a) The department of revenue shall: (i) proportionately distribute, for the improvement
11 of water infrastructure within that city or town, fifty percent (50%), of the amount received from
12 the fund to a city or town based on the amount of the additional fees collected in accordance with
13 section 2 of this act by a city or town from the previous calendar year; (ii) distribute forty percent
14 (40%) of the amount collected to the Massachusetts Clean Water Trust established in chapter
15 29C of the General Laws to provide financial assistance in the funding of water infrastructure
16 projects or any other purpose authorized under chapter 29C; (iii) distribute five percent (5%) of
17 the amount collected to the department of environmental protection to implement an economic
18 target area water infrastructure initiative in accordance with section 3 of this act and (iv)
19 distribute five percent (5%) of the amount collected to the department of revenue for
20 administration and enforcement of this act.

21 (b) Annually, a city or town receiving funds from the Commonwealth Water
22 Infrastructure Trust Fund shall submit a report to the commissioner of the department of revenue
23 not later than December 31 detailing the water infrastructure-related projects and the amount of
24 funds used, or planned to be used, for water infrastructure-related projects funded, in whole or
25 part, from the Commonwealth Water Infrastructure Trust Fund. The commissioner shall compile
26 the reports and post the projects and amounts of money used on the website of the department
27 and forward a copy of the same to the Massachusetts Clean Water Trust.

28 SECTION 2. Section 22F of the Chapter 40 of the general laws, as appearing in the 2020
29 official edition, is hereby amended by inserting at the end thereof the following paragraph:-

30 Each city or town that charges a fee for a permit to connect to the municipality's water or
31 sewer services shall collect an additional \$250 for a residential property connection and an

32 additional \$1,000 for a commercial or industrial property connection, apart from the
33 municipality’s established fee for such service, to be deposited in the Commonwealth Water
34 Infrastructure Fund.

35 SECTION 3. Notwithstanding any general or special law to the contrary, the department
36 of environmental protection, in consultation with the executive office of housing and economic
37 development, shall create an initiative to specifically work with municipalities with economic
38 target areas in addressing their water infrastructure needs. The initiative shall include direct
39 outreach to municipalities for purposes of assisting with the development of strategies to
40 coordinate and plan for the upgrading of water infrastructure resources. As used in this section,
41 “economic target area” shall be used in the same manner as applied in Mass. Gen. Laws ch. 23A,
42 3G.