

HOUSE No. 69

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Lipper-Garabedian and Josh S. Cutler

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 establishing a special commission on blockchain and cryptocurrency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>1/19/2023</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/19/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/7/2023</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/22/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/22/2023</i>
<i>Aaron L. Saunders</i>	<i>7th Hampden</i>	<i>3/1/2023</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>4/6/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>4/6/2023</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>4/6/2023</i>

HOUSE No. 69

By Representatives Lipper-Garabedian of Melrose and Cutler of Pembroke, a petition (accompanied by bill, House, No. 69) of Kate Lipper-Garabedian, Josh S. Cutler and others relative to establishing a special commission (including members of the General Court) on blockchain and cryptocurrency. Advanced Information Technology, the Internet and Cybersecurity.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 126 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act establishing a special commission on blockchain and cryptocurrency.

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. A special commission is hereby established for the purposes of making an
2 investigation relative to blockchain technology to develop a master plan of recommendations for
3 fostering the appropriate expansion of blockchain technology in the Commonwealth.

4 SECTION 2. As used in this act, “blockchain” shall have the following meaning: a
5 mathematically secured, chronological and decentralized ledger or database.

6 SECTION 3. The commission shall consist of 25 members: the speaker of the house of
7 representatives or a designee who shall serve as co-chair; the minority leader of the house of
8 representatives or a designee; the president of the senate or a designee who shall serve as co-

9 chair; the minority leader of the senate or a designee; four members of the house of
10 representatives appointed by the speaker; four members of the senate appointed by the president;
11 the attorney general or a designee; the chair of the cannabis control commission or a designee;
12 the commissioner of the department of revenue or a designee; the secretary of the executive
13 office of technology services and security or a designee; the secretary of public safety and
14 security or a designee; three persons to be appointed by the state secretary; provided that, one
15 shall represent an organization focused on consumer protection; and five persons to be appointed
16 by the governor including one appointee from a financial technology company, one appointee of
17 a company with a business model that uses blockchain technology for purposes other than digital
18 assets and two appointees representing institutions of higher education in the commonwealth. All
19 appointments shall be made not later than 45 days after the effective date of this act. The
20 chairpersons shall meet with the commission not later than 90 days after the effective date of this
21 act.

22 SECTION 4. The commission shall be charged with examining the following:

23 (a) The feasibility, validity and admissibility as well as risks, including privacy risks, and
24 benefits of using blockchain technology in state and local government and Massachusetts-based
25 businesses; provided that, for the purposes of government use, the commission's examination
26 shall include but not be limited to consideration of government records and delivery of services;
27 court proceedings; statewide registries including for firearms, marijuana and opiates and election
28 nomination papers, voter records and election results; and provided further that, for the purposes
29 of business use, the commission's examination shall include but not be limited to consideration
30 of the advisability of allowing corporate records to be maintained using blockchain technology,
31 including any security requirements necessary to ensure their accuracy;

(b) The need for modifications to the definition of blockchain in this act and to general law to effect the appropriate deployment of blockchain technology;

(c) The impact of the proliferation of the cryptocurrency industry on state revenues and the need to restructure the commonwealth's tax framework, including the advisability of taxing cryptocurrency transactions as part of the sales tax;

(d) The advisability of government agencies and relevant business enterprises, including but not limited to cannabis retail stores, accepting payment in cryptocurrency;

(e) The feasibility of regulating the energy consumption associated with cryptocurrency;

(f) The consumer protection activities necessary to provide safeguards and offer technological literacy to Massachusetts residents, including but not limited to the advisability of licensure requirements;

(g) The best practices for enabling blockchain technology to benefit the commonwealth, Massachusetts-based businesses, and Massachusetts residents, including an examination of historical barriers to entry and participation in emerging technologies and markets for individuals underrepresented in these industries and markets;

(h) The state agencies best equipped to provide oversight of blockchain technology and the cryptocurrency industry, including with respect to consumer protection; and

(i) Any other related topic which the commission may choose to examine in relation to blockchain technology.

51 The commission shall take input from a broad range of stakeholders with a diverse range
52 of interests affected by state policies governing emerging technologies, privacy, business,
53 finance, the courts, the legal community, and state and local government.

54 SECTION 5. Not later than one year after all appointments to the commission have been
55 made, pursuant to section 3, the commission shall report to the general court the result of its
56 investigation and its master plan of recommendations to foster a positive blockchain technology
57 environment, together with drafts of legislation necessary to effect its recommendations, by
58 filing the same with the clerk of the house of representatives and the clerk of the senate.