

SENATE No. 1284

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 authorizing the establishment of a betterment loan program for the funding of electrification initiatives in the town of Brookline.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cynthia Stone Creem</i>	<i>Norfolk and Middlesex</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>

SENATE No. 1284

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1284) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to authorize the establishment of a betterment loan program for the funding of electrification initiatives in the town of Brookline. Municipalities and Regional Government. [Local approval received]

The Commonwealth of Massachusetts

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

An Act authorizing the establishment of a betterment loan program for the funding of electrification initiatives in the town of Brookline.

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. As used in this act, the term “electrification” shall mean the installation or
2 removal of structures or equipment for the purpose of powering a residential home or structure
3 by means of electricity or removing a fossil-fuel energy system, including, but not limited to,
4 energy efficiency measures, the installation of solar panels or electric appliances, the removal of
5 fossil fuel heating equipment or appliances and the related equipment, structures and labor and
6 other costs associated with such activities.

7 SECTION 2. Notwithstanding any general or special laws to the contrary, the town of
8 Brookline may create and administer a loan program, using municipal betterments, to provide
9 low-interest loans to qualifying households for the electrification of residential households.

10 SECTION 3. The town of Brookline may enter into a written agreement with any
11 property owner to finance the payment of expenses for the installation or removal of equipment

12 or structures, including related labor and other costs and expenses, for the electrification of a
13 residential structure. A property owner who enters into such an agreement with the town shall be
14 responsible for all expenses incurred by the town for such installation.

15 SECTION 4. A notice of an agreement entered into pursuant to this act shall be recorded
16 as a betterment and be subject to the provisions of chapter 80 of the General Laws relative to the
17 apportionment, division, reassessment, abatement and collections of assessments and to interest;
18 provided, however, that for purposes of this section, a lien shall take effect by operation of law
19 on the day immediately following the due date of such assessment or apportioned part of such
20 assessment and such assessment may bear interest at a rate determined by the treasurer of the
21 town of Brookline by agreement with the owner at the time such agreement is entered into
22 between the town and the property owner. In addition to remedies available under said chapter
23 80, the property owner shall be personally liable for the repayment of the total costs incurred by
24 the town under this section; provided, however, that upon the conveyance of such property, the
25 obligations of this act shall be assumed by the transferee and the owner shall be relieved of such
26 personal liability; provided further, that the owner remains responsible for any unpaid
27 obligations that accrued prior to the transfer of the property.

28 SECTION 5. Any costs incurred under this act may be funded by an appropriation or
29 issuance of debt by the town of Brookline; provided, however, that any debt incurred shall be
30 subject to chapter 44 of the General Laws and shall not exceed 20 years. Any appropriation or
31 borrowing by the town for purposes contained within this section shall not be included in the
32 computation of the levy or borrowing limits otherwise imposed upon the town by the General
33 Laws.

34 SECTION 6. An agreement between a property owner and the town of Brookline
35 pursuant to this act shall not be considered a breach of limitation or prohibition contained in a
36 note, mortgage or contract on the transfer of an interest in property.

37 SECTION 7. The town of Brookline shall implement the program under this act through
38 the adoption of regulations by the select board of the town following a public hearing.

39 SECTION 8. A decision by the town of Brookline to extend or deny a loan pursuant to a
40 program established under this act shall be discretionary. Any legislative determination by the
41 town shall be final and conclusive and shall not be reviewable in any court.