

# SENATE . . . . . No. 23

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## The Commonwealth of Massachusetts

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

SENATE, March 6, 2023.

The committee on Senate Ways and Means to whom was referred the House Bill making appropriations for the Fiscal Year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 58); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 23. [Total Appropriation: \$366,736,615.00] [\$814.3 million in General Obligation Bonds]

For the committee,  
Michael J. Rodrigues

SENATE . . . . . No. 23

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The Commonwealth of Massachusetts

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

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

SECTION 2.

DISTRICT ATTORNEYS

Cape and Islands District Attorney

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

OFFICE OF THE COMPTROLLER

1599-3384 Judgments, Settlement and Legal Fees \$8,286,615

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

16 Department of Public Health

17 4513-1005 Family and Adolescent Health Services \$1,250,000

18 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

19 Department of Housing and Community Development

20 7004-0101 Emergency Assistance Family Shelters and Services \$44,938,224

21 EXECUTIVE OFFICE OF EDUCATION

22 Department of Early Education and Care

23 3000-1045 C3 Stabilization Grants \$68,000,000

24 Department of Elementary and Secondary Education

25 7053-1925 School Breakfast Program \$65,000,000

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

33 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

34 Reserves

1599-0924 For a reserve to address the needs of homeless families and individuals; provided, that funding may be expended to supplement school district costs associated with additional student enrollments; provided further, that any such funds distributed to a city, town or regional school district to supplement school district costs associated with additional student enrollments shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that funds in this item shall be distributed in a manner that promotes geographic equity and fairly distributes school burdens and associated funding to communities in which shelter capacity is increased; provided further, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; and provided further, that the secretary shall notify the house and senate committees on ways and means of any such transfer \$40,061,776

1599-0925 For a reserve to address the needs of newly-arrived immigrants and refugees to be administered by the executive office of health and human services, in coordination with the office for refugees and immigrants and the department of housing and community development; provided, that funds shall be expended to support refugee resettlement agencies, nonprofit organizations, community-based organizations, family resource centers and local partners supporting immigrants and refugees through case management, legal screenings, benefits assistance, employment services programming and other non-housing-related supports for newly-arrived immigrants and refugees; provided further, that funds may be used for both direct assistance and administrative costs; provided further, that funds shall be made available to the executive office of health and human services for the development, in coordination with the

58 office for refugees and immigrants and the department of housing and community development,  
59 of a new arrivals coordination plan to establish a more coordinated system to address the needs  
60 of newly-arrived immigrants and refugees including, but not limited to: (i) timely triage; (ii)  
61 social workers; (iii) medical screenings; (iv) culturally-appropriate food; (v) legal screenings and  
62 referrals; and (vi) assistance with screening and enrollment for benefits through MassHealth, the  
63 department of transitional assistance, the emergency housing assistance program under section  
64 30 of chapter 23B of the General Laws and other state programs; provided further, that the plan  
65 shall address regional equity to ensure timely intake processes for newly-arrived immigrants and  
66 refugees; provided further, that in developing the plan, the executive office shall collaborate with  
67 and seek input from refugee resettlement agencies, nonprofit organizations, community-based  
68 organizations and local partners; provided further, that the plan shall be developed and submitted  
69 to the house and senate committees on ways and means not later than June 30, 2023; and  
70 provided further, that the executive office of health and human services shall submit monthly  
71 reports to the house and senate committees on ways and means detailing the identified number of  
72 newly-arrived immigrants and refugees entering the commonwealth until the exhaustion of funds  
73 in this item \$7,000,000

74 1599-3068 For emergency allotments to households participating in the supplemental  
75 nutrition assistance program under the federal Food and Nutrition Act of 2008, 7 U.S.C. 2011 et  
76 seq., to address food needs and increased food costs; provided, that the emergency allotments  
77 shall be not more than 40 per cent of the amount needed to bring the monthly benefit up to the  
78 applicable maximum monthly allotment for the household size or not more than 40 per cent of  
79 \$95, whichever is greater..... \$130,000,000

80 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Transitional Assistance

4400-1030 For reimbursement to clients who have had their federal supplemental nutrition assistance program payments stolen through electronic benefit transfer card skimming, card cloning or other similar fraudulent electronically-based method, during the period of April 1, 2022 to September 30, 2022, inclusive; provided, that claims for such reimbursement must be verified by the department of transitional assistance and must be reported to or identified by the department not later than June 30, 2023; provided further, that reimbursements shall not exceed the lesser of the amount of benefits stolen from the household, or the amount equal to 2 months of the monthly allotment of the household immediately prior to the date on which the benefits were stolen; and provided further, that notwithstanding the previous clause, the department may, subject to the availability of funds in this item, make additional reimbursements for stolen benefits available greater than the amount equal to 2 months of the monthly allotment of the household immediately prior to the date on which the benefits were stolen or for the period of October 1, 2022 to June 30, 2023, inclusive, to the extent that federal funds will not cover the cost of reimbursement \$2,000,000

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

103 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

104 Office of the Secretary

105 7002-8041 For the Massachusetts Technology Park Corporation established in

106 section 3 of chapter 40J of the General Laws for a matching grant program that enables academic

107 institutions, nonprofit organizations, industry consortiums, federally funded research and

108 development centers and other technology-based economic development organizations to

109 compete for federal grants in technology and innovation fields including, but not limited to: (i)

110 artificial intelligence and machine learning; (ii) cybersecurity, data storage and data

111 management; (iii) quantum computing and information systems; (iv) robotics and advanced

112 automation; (v) high performance computing, semiconductors and advanced computer hardware;

113 (vi) blockchain; (vii) supply chain; (viii) energy storage and batteries; (ix) food security; and (x)

114 advanced materials; provided, that the matching grant program may also enable participation of

115 these entities in associated workforce development federal grant programs; and provided further,

116 that not more than 15 days after any competitive application is submitted for federal funds

117 proposing the use of state matching funds from this item, the executive office of housing and

118 economic development shall submit a summary of the application to the house and senate

119 committees on ways and means \$200,000,000

120 7002-8042 To provide funds to the Massachusetts Broadband Incentive Fund

121 established in section 6C of chapter 40J of the General Laws for capital repairs and

122 improvements to broadband infrastructure owned by the Massachusetts Technology Park

123 Corporation established by section 3 of said chapter 40J \$9,300,000

124           7002-8043           For the Massachusetts Technology Park Corporation established in  
125 section 3 of chapter 40J of the General Laws for matching grants that support collaboration  
126 among manufacturers located in the commonwealth and institutions of higher education,  
127 nonprofit organizations and other public or quasi-public entities in the commonwealth; provided,  
128 that eligible grantees shall include private businesses; provided further, that grants shall be  
129 awarded and administered consistent with the strategic goals and priorities of the Massachusetts  
130 advanced manufacturing collaborative established in section 10B of chapter 23A of the General  
131 Laws; provided further, that grants made for the purchase of equipment to be owned by, leased to  
132 or located within the premises of a private businesses shall be made in support of a partnership  
133 with an institution of higher education or nonprofit corporation with a mission of supporting  
134 manufacturing in the commonwealth; provided further, that a private university or business  
135 entity shall not be eligible for a grant unless the Massachusetts Technology Park Corporation has  
136 made a finding that a grant to such university or entity will result in a significant public benefit  
137 and the private benefit is incidental to a legitimate public purpose; and provided further, that  
138 grants shall be awarded in a manner that promotes geographic, social, racial and economic equity  
139           \$14,000,000

140           7002-8047           For matching grants to support advanced manufacturing projects in  
141 partnership with institutions of higher education, including state and municipal colleges and  
142 universities, nonprofit organizations and other public or quasi-public entities; provided, that such  
143 projects shall be in alignment with a Manufacturing USA institute   \$15,000,000

144           7002-8048           For the MassWorks infrastructure program established by section  
145 63 of chapter 23A of the General Laws           \$400,000,000



146           7002-8049           To enable public entities and other eligible entities within the  
 147   commonwealth to provide matching funds necessary to receive federal funding for broadband  
 148   infrastructure, equity, access and deployment           \$30,000,000

149           7002-8051           For a program to provide assistance to projects that will improve,  
 150   rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the  
 151   public purposes of eliminating blight, increasing housing production, supporting economic  
 152   development projects, increasing the number of commercial buildings accessible to persons with  
 153   disabilities and conserving natural resources through the targeted rehabilitation and reuse of  
 154   vacant and underutilized property; provided, that such assistance shall take the form of a grant or  
 155   a loan provided to a municipality or other public entity, a community development corporation,  
 156   nonprofit entity or for-profit entity; provided further, that eligible uses of funding shall include,  
 157   but not be limited to: (i) improvements and additions to or alterations of structures and other  
 158   facilities necessary to comply with requirements of building codes; (ii) efforts to comply with  
 159   fire or other life safety codes and regulations pertaining to accessibility for persons with  
 160   disabilities; (iii) efforts to comply with code or regulatory compliance when compliance is  
 161   required in connection with a new commercial residential or civic use of such structure or  
 162   facility; and (iv) the targeted removal of existing underutilized structures or facilities to create or  
 163   activate publicly-accessible recreational or civic spaces; provided further, that funding shall be  
 164   awarded on a competitive basis in accordance with guidelines developed by the Massachusetts  
 165   Development Finance Agency established in section 2 of chapter 23G of the General Laws;  
 166   provided further, that financial assistance offered pursuant to this line item may be administered  
 167   by the executive office of housing and economic development through a contract with the  
 168   Massachusetts Development Finance Agency; provided further, that the executive office or the

169 Massachusetts Development Finance Agency may establish additional program requirements  
170 through regulations or policy guidelines; provided further, that financial assistance offered  
171 pursuant to this item shall be awarded, to the extent feasible, in a manner that reflects geographic  
172 and demographic diversity and social, racial and economic equity within the commonwealth; and  
173 provided further, that program funds, not to exceed 5 per cent of the total assistance made during  
174 the fiscal year, may be used for the reasonable costs of administering the program \$34,000,000

175 SECTION 3A.

176 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

177 Department of Housing and Community Development

178 7004-8026 For the Smart Growth Housing Trust Fund established in section  
179 35AA of chapter 10 of the General Laws \$8,000,000

180 SECTION 3B.

181 TREASURER AND RECEIVER GENERAL

182 0640-1006 For the Massachusetts Clean Water Trust established in section 2  
183 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving  
184 Fund established in section 2L of chapter 29 of the General Laws for application by the trust for  
185 the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a  
186 matching grant by the commonwealth to federal capitalization grants received under Title VI of  
187 the federal Clean Water Act, Public Law 92-500, or for deposit in the Drinking Water Revolving  
188 Fund established in section 2QQ of said chapter 29 for application by the trust for the purposes  
189 specified in section 18 of said chapter 29C, any portion of which may be used as a matching

grant by the commonwealth to federal capitalization grants received under the federal Safe Drinking Water Act, Public Law 93-523; provided, that funds may be used to assist homeowners in complying with the revised Title 5 of the state environmental code for subsurface disposal of sanitary waste; and provided further, that funds may be expended for the costs of projects and programs included in the federal Infrastructure Investment and Jobs Act of 2021, Public Law No. 117-58 \$104,000,000

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

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

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

(e) The director shall submit a report of the unit's activities for the preceding calendar year, including, but not limited to, findings referred to the inspector general for investigation, to the inspector general for inclusion in the annual report pursuant to section 12 of chapter 12A. The inspector general shall submit the annual report to the joint committee on public safety and

homeland security not later than April 30 of each year. The department shall make the annual report and all such reports from previous years publicly available on the department's website.

SECTION 6. Section 3 of chapter 23N of the General Laws, as inserted by section 5 of chapter 173 of the acts of 2022, is hereby amended by striking out the definition of "Occupational license" and inserting in place thereof the following definition:-

"Occupational license", a license required to be held by an employee of an operator when the employee performs duties directly related to the operation of sports wagering in the commonwealth and performs one of the following, or equivalent, roles: (i) general manager; (ii) assistant general manager; (iii) gaming or sports wagering manager; (iv) chief of security; (v) chief surveillance officer; (vi) chief compliance officer; (vii) principal executive officer; (viii) principal accounting officer; (ix) chief information officer; (x) chief technology officer; (xi) electronic gaming device manager; (xii) information technology manager; (xiii) software development manager; (xiv) shift supervisor of an in-person sports wagering department; or (xv) shift supervisor in the surveillance, cage or player development departments.

SECTION 7. Section 5 of said chapter 23N, as so inserted, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

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

(i) a person who owns not less than 10 per cent of a corporate applicant; provided, however, that a bank or other licensed lending institution that holds a mortgage or other lien

232 acquired in the ordinary course of business shall not be considered to have control of an  
233 applicant;

234 (ii) a person who holds a beneficial or proprietary interest of not less than 10 per cent of  
235 an applicant's business;

236 (iii) if the applicant is a corporation, a person with the following relationship to the  
237 corporation: (A) president; (B) chief executive officer; (C) chief operating officer; (D) chief  
238 financial officer; (E) treasurer; (F) secretary; (G) each inside director; or (H) chair of the board of  
239 directors;

240 (iv) if the applicant is a limited liability corporation, a person with the following  
241 relationship to the limited liability corporation: (A) each member; (B) each manager; or (C) any  
242 transferee of a member's interest; or

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

244 SECTION 8. Paragraph (1) of subsection (c) of said section 5 of said chapter 23N, as  
245 amended by section 36 of chapter 268 of the acts of 2022, is hereby further amended by inserting  
246 after the figure "(b)" the following words:- or any applicant for an occupational license as  
247 defined in section 3.

248 SECTION 9. Section 8 of said chapter 23N, as inserted by section 5 of chapter 173 of the  
249 acts of 2022, is hereby amended by striking out subsection (d) and inserting in place thereof the  
250 following 2 subsections:-

251 (d) Upon receipt of an application for an occupational license, the commission shall  
252 investigate each applicant, including, but not limited to: (i) obtaining criminal offender record

information from the department of criminal justice information services; and (ii) exchanging fingerprint data and criminal history with the department of state police and the United States Federal Bureau of Investigation pursuant to subsection (c) of section 5.

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

SECTION 10. Section 8K of chapter 26 of the General Laws, as inserted by section 22 of chapter 177 of the acts of 2022, is hereby amended by striking out the words “42 U.S.C. 18031(j)”, each time they appear, and inserting in place thereof, in each instance, the following words:- 42 U.S.C. 300gg-26.

SECTION 11. Section 2LLLLL of chapter 29 of the General Laws, as amended by section 21 of chapter 126 of the acts of 2022, is hereby further amended by striking out the word “subject” and inserting in place thereof the following words:- not subject.

SECTION 12. Subsection (a) of section 22B of chapter 32A of the General Laws, as inserted by section 26 of chapter 177 of the acts of 2022, is hereby amended by striking out the words “42 U.S.C. 18031 (j)” and inserting in place thereof the following words:- 42 U.S.C. 300gg-26.

SECTION 13. Subsection (a) of section 14A of chapter 94G of the General Laws, as inserted by section 18 of chapter 180 of the acts of 2022, is hereby amended by adding the following sentence:- Expenditures from the fund shall not be subject to appropriation.

SECTION 14. Subsection (a) of section 65G of chapter 112 of the General Laws, as inserted by section 36 of chapter 177 of the acts, is hereby amended by striking out the definition of “Board of registration” and inserting in place thereof the following definition: -

“Board of registration”, a board of registration: (i) serving in the department pursuant to section 9 of chapter 13; provided, however, that this shall not include the board of registration as established under section 10 of said chapter 13; (ii) serving pursuant to section 76 of said chapter 13; (iii) serving pursuant to section 80 of said chapter 13; (iv) serving pursuant to section 88 of said chapter 13; or (v) serving under the supervision of the commissioner pursuant to section 1 of this chapter.

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

SECTION 16. Subsection (g) of section 14 of chapter 176O of the General Laws, as added by section 70 of chapter 177 of the acts of 2022, is hereby amended by striking out the words “42 U.S.C. 18031(j)” and inserting in place thereof the following words:- 42 U.S.C. 300gg-26.

SECTION 17. Section 6A of chapter 180 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following 2 paragraphs:-

The board of directors may, unless otherwise provided in the articles of organization or by-laws, authorize any annual, regular or special meeting of members to be held in person at a physical location, by means of remote communication or by a hybrid model with both a physical location and a means of remote communication. Subject to the articles of organization, by-laws,

guidelines or procedures as the board of directors may adopt, members not physically present at the designated location of a meeting of the members may, by means of remote communication: (i) participate in a meeting of members; and (ii) be deemed, to the same extent as members physically present at a designated location, to be: (A) present; and (B) authorized to vote.

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

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

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

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

SECTION 18. Chapter 221 of the General Laws is hereby amended by inserting after section 46D the following section:-

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

“Closing”, the consummation of a transaction between parties for the purpose of granting a mortgage or otherwise transferring title to a 1 to 4, inclusive, family residential dwelling, including the execution of documents necessary to accomplish the valid and proper transfer of title and the transfer of the consideration for the conveyance, whether done simultaneously with



or subsequent to the execution of documents for the transfer of title; provided, however, that a “closing” shall not include any transaction in which the consideration for the transfer of title is evidenced solely by a home equity loan or line of credit that is: (i) secured by a mortgage on a 1 to 4, inclusive, family residential dwelling; (ii) does not involve the issuance of a lender’s or mortgagee’s policy of title insurance in connection with such transaction; and (iii) is to be retained by the lender and not sold on the secondary mortgage market.

“Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly or in a nominee capacity, a mortgage loan securing real property, including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee, nominee holder, Mortgage Electronic Registration System or mortgage servicer, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation; provided, however, that “creditor” shall also include any servant, employee, representative or agent of a creditor.

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

(1) give or furnish legal advice as to the legal status of title;

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

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

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

(5) ensure that the documents necessary for the transfer of title are executed and acknowledged in accordance with the laws of the commonwealth; provided, however, a non-attorney may take such action under the direction or supervision of an attorney; or

(6) disburse, or manage the disbursement of, consideration for the conveyance.

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

SECTION 19. Chapter 222 of the General Laws is hereby amended by striking out section 1, as appearing in the 2020 Official Edition, and inserting in place thereof the following section:-

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

“Acknowledgment”, a notarial act in which an individual, at a single time appears in person before a notary public, is identified by the notary public through satisfactory evidence of identity and presents a document or electronic record to the notary public and indicates to the notary public that the signature on the document or record before the notary was voluntarily

affixed by the individual for the purposes stated within the document or electronic record or that the signature on the document or electronic record was the individual's free act and deed and, if applicable, that the individual was authorized to sign in a particular representative capacity.

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

"Appears in person", "appears personally" or "personally appears", (i) being in the same physical location as another individual and close enough to see, hear, communicate with and exchange tangible identification credentials with that individual; or (ii) interacting with a remotely-located individual by means of communication technology in compliance with section 28.

"Capable of independent verification", the ability to confirm the validity of an electronic notarial act, including the electronic signature and seal, through a publicly accessible system, in compliance with industry standard technology as approved by the secretary of the commonwealth.

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

380           “Copy certification”, a notarial act in which a notary public is presented with a document  
381   that the notary public copies, or that the notary supervises someone else copying, by a  
382   photographic or electronic copying process and compares the original document to the copy and  
383   determines that the copy is accurate and complete.

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

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

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

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

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

397           “Electronic signature”, an electronic sound, symbol or process that is attached to or  
398   logically associated with a contract or other record and executed or adopted by a person with the  
399   intent to sign the record.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Secretary”, the secretary of the commonwealth.

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

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

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

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

SECTION 20. Section 1A of said chapter 222, as so appearing, is hereby amended by striking out, in line 6, the figure “26” and inserting in place thereof the following figure:- 29.

SECTION 21. Section 8 of said chapter 222, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

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

(2) If a notarial seal that requires ink is employed, black ink shall be used. The seal of a notary public may be a digital image that appears in the likeness or representation of a traditional physical notary public seal. Only the notary public whose name and registration number appear on an electronic seal shall affix said seal. If the seal is electronically generated, it shall include the words “Electronically affixed”. The requirements of this subsection shall be satisfied by



485 using a seal that includes all of the information required by this section. Failure to comply with  
486 this section shall not affect the validity of any instrument or the record thereof.

487 (3) A notary public shall attach or logically associate the notary public's electronic  
488 signature and electronic seal to an electronic record that is the subject of a notarial act by use of  
489 the digital certificate in a manner that is capable of independent verification and renders any  
490 subsequent change or modification to the electronic document tamper evident.

491 SECTION 22. Section 16 of said chapter 222, as so appearing, is hereby amended by  
492 inserting after the word "notarization", in line 3, the following words:- , except as specifically  
493 provided in this chapter.

494 SECTION 23. Said section 16 of said chapter 222, as so appearing, is hereby further  
495 amended by inserting after the word "services", in line 27, the following words:- ; provided  
496 further, that a notary public shall not be precluded from receiving a technology services fee that  
497 has been clearly disclosed in advance to the person requesting the service and that technology  
498 services fee reflects the actual reasonable cost to the notary public of utilizing a third-party  
499 technology service provider; and provided further, that the secretary may set reasonable limits on  
500 such technology services fee.

501 SECTION 24. Section 18 of said chapter 222, as so appearing, is hereby amended by  
502 adding the following subsection:-

503 (e)(1) Whenever the secretary has cause to believe that a notary public registered  
504 pursuant to section 28 has engaged in a pattern of conduct or a standard, practice or procedure  
505 that the secretary determines is contrary to section 46E of chapter 221, the secretary may order

506 the notary public to comply with the law. The secretary may adopt regulations governing  
507 administrative proceedings under this section.

508 (2) The attorney general may enforce an order issued by the secretary pursuant to this  
509 section by civil action as provided in section 46E of chapter 221.

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

512 SECTION 25. Subsection (a) of section 22 of said chapter 222, as so appearing, is hereby  
513 amended by striking out the second sentence and inserting in place thereof the following 3  
514 sentences:- A journal may be created on a fixed tangible medium or in an electronic format. If  
515 the journal is maintained on a tangible medium, it shall be a permanent, bound register with  
516 numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent,  
517 tamper-evident electronic format complying with the rules of the secretary.

518 SECTION 26. Said section 22 of said chapter 222, as so appearing, is hereby further  
519 amended by striking out, in lines 6 and 7, the words “active journal at the same time” and  
520 inserting in place thereof the following words:- tangible journal at any time. A notary may keep  
521 more than 1 electronic journal; provided, however, that each electronic journal shall conform to  
522 the requirements of subsection (a).

523 SECTION 27. Clause (v) of subsection (c) of said section 22 of said chapter 222, as so  
524 appearing, is hereby amended by striking out subclauses (3) and (4) and inserting in place thereof  
525 the following 3 subclauses:- (3) a notation indicating whether the notarial act was conducted in  
526 person or remotely; (4) the fee, if any, charged for the notarial act; and (5) the address where the

notarization was performed; provided, however, that if the notarial act was performed remotely, the notary shall include the address of the notary and each principal and witness.

SECTION 28. Said section 22 of said chapter 222, as so appearing, is hereby further amended by striking out, in lines 51 and 57, in each instance, the word “state”.

SECTION 29. Said section 22 of said chapter 222, as so appearing, is hereby further amended by striking out subsection (i) and inserting in place thereof the following subsection:-

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

SECTION 30. Said chapter 222 is hereby further amended by adding the following 3 sections:-

Section 27. (a) A notary public may select 1 or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person shall not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected. Any technology approved by the secretary pursuant to subsection (h) of section 28 and selected by a notary public shall require the notary public’s electronic signature and electronic seal to be: (i) unique to the notary public; (ii) capable of independent verification; (iii) retained under the sole control of the notary public; and (iv) attached to or logically associated with the electronic record in a tamper-evident manner.

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

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

(i)(A) has personal knowledge of the identity of the remotely-located individual; (B) has identified the remotely-located individual by means of an oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the notary public and who personally knows the remotely-located individual; or (C) can reasonably identify the remotely-located individual by not less than 2 different types of identity proofing processes or services;

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

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

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

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

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

(d) Before a notary public performs the notary public's initial notarization using communication technology, the notary public shall: (i) register as a remote notary with the secretary; (ii) inform the secretary that the notary public will perform remote notarizations; and (iii) identify the communication technology that the notary public intends to use. The communication technology shall conform to the requirements of this chapter and any rules adopted by the secretary. The notice shall be submitted in the form prescribed by the secretary and shall: (A) include an affirmation that the notary public has read and will comply with this section and all rules adopted by the secretary; (B) be accompanied by proof that the notary public has successfully completed any training and examination that the secretary may require; and (C) identify a usual place of business in the commonwealth or, if a foreign entity, identify a registered agent, and in either case identify an address for service of process in connection with a civil action or other proceeding.

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

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

(g) Upon request, the notary public shall make available electronic copies of the pertinent entries in the electronic journal and provide access to any related audio-video communication recording to the following persons: (i) the parties to an electronic record notarized by the notary public; (ii) the title insurer reviewing an insured transaction in the context of an audit of its agent, if the agent conducted the electronic notarial act as an element of the insured transaction; and (iii) any other persons pursuant to a subpoena, court order, law enforcement investigation or other lawful inspection demand.

(h) (1) The secretary shall establish standards for the communication technologies and approval of said technologies for use by notaries public commissioned by the commonwealth. The standards shall conform with national standards, including, but not limited to, standards pertaining to identity proofing and the use of audio-video communication technology.

611 (2) The communication technology shall have satisfied tamper-evident technology  
612 requirements by use of technology that renders any subsequent change or modification to the  
613 electronic record evident.

614 (i) With respect to notarial acts conducted during a closing, as defined in section 46E of  
615 chapter 221, the communication technology shall be engaged by the closing attorney with the  
616 approval of the lender. Upon successful verification of the identity of the remotely-located  
617 individual by the notary as required by clause (i) of subsection (a), such attorney, or the attorney  
618 directing or managing the closing who is directly supervising a non-attorney notary public, shall  
619 enter and affirm the attorney's board of bar overseers registration number prior to the conduct of  
620 the first notarial act. The communication technology shall record such information in a manner  
621 that is logically associated with the transaction and shall retain such information for the same  
622 length of time and in the same manner as it retains all other information regarding the notarial  
623 act.

624 (j) In addition to any coverage it elects to provide for individual notaries public,  
625 maintenance of errors and omissions insurance coverage by a communication technology service  
626 provider shall be provided in a total amount of not less than \$250,000 in the annual aggregate  
627 with respect to potential errors or omissions in or relating to the technology or processes  
628 provided by the communication technology service provider. A notary public shall not be  
629 responsible for the security of the systems used by the remotely-located individual or others to  
630 access the notarization session.

631 (k) Prior to a notary public's initial notarization using communication technology, the  
632 secretary may require a notary public to complete a course, either in-person or online, addressing

the duties, obligations and technology requirements for conducting remote notarizations offered by the secretary or a vendor approved by the secretary; provided, however, that if such a course is required the required course shall not exceed 2 hours. Each such provider of communication technology shall make the in-person or online course generally available to all applicants. Regardless of membership in the provider's organization, the provider shall charge each attendee the same cost for the course unless the course is provided in conjunction with a regularly scheduled meeting of the provider's membership.

(1)(1) The secretary may adopt rules regarding performance of the notarial act that: (i) prescribe the means of performing a notarial act involving a remotely-located individual using communication technology; (ii) establish requirements or procedures to approve providers of communication technology and the process of identity proofing; and (iii) establish standards for the retention of an audio-visual recording created under clause (iv) of subsection (a).

(2) The secretary shall assess each communication technology service provider approved by the secretary a proportional annual fee not to exceed, in the aggregate, the actual and reasonable costs incurred by administering the requirements imposed under this section, including but not limited to acquiring additional software and other such costs and expenses as determined by the secretary as reasonable and necessary to meet such requirements.

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



(n) Notwithstanding any general or special law to the contrary, with respect to any document executed in the course of a closing, as defined in section 46E of chapter 221, involving a mortgage or other conveyance of title to residential real property, only a notary public appointed pursuant to this chapter who is an attorney licensed to practice law in the commonwealth, or a non-attorney who is under the direct supervision of or acting pursuant to a direct request by the attorney directing or managing the closing, shall perform an acknowledgment, affirmation or other notarial act utilizing communication technology. The notarial certificate affixed to any such document shall recite the board of bar overseers registration number of the attorney notary or of the supervising attorney for a document notarized by a non-attorney. Failure to comply with this subsection shall not affect the validity of the document or the recording thereof.

(o) The chief justice of the land court department may promulgate rules, orders, guidelines and directives to implement this section and section 27 as they pertain to the execution, acknowledgment and registration of documents affecting title to land whose title has been registered and confirmed by the land court department pursuant to chapter 185.

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

678           SECTION 31. Section 19 of chapter 20 of the acts of 2021 is hereby amended by striking  
679 out the words “April 1, 2023”, inserted by section 27 of chapter 42 of the acts of 2022, each time  
680 they appear, and inserting in place thereof, in each instance, the following words:- April 1, 2024.

681           SECTION 32. Section 23 of said chapter 20 is hereby amended by striking out the words  
682 “March 31, 2023”, inserted by section 3 of chapter 107 of the acts of 2022, and inserting in place  
683 thereof the following words:- March 31, 2024.

684           SECTION 33. Section 30A of said chapter 20 is hereby further amended by striking out  
685 the words “March 31, 2023”, inserted by section 4 of chapter 107 of the acts of 2022, and  
686 inserting in place thereof the following words:- March 31, 2025.

687           SECTION 34. Said chapter 20 is hereby further amended by striking out section 31A,  
688 inserted by section 31 of chapter 42 of the acts of 2022, and inserting in place thereof the  
689 following section:-

690           Section 31A. Section 27A shall take effect March 31, 2024.

691           SECTION 35. Subsection (a) of section 132 of chapter 24 of the acts of 2021 is hereby  
692 amended by striking out the words “2 members of the house of representatives, 1 of whom shall  
693 be appointed by the house minority leader; 2 members of the senate” and inserting in place  
694 thereof the following words:- 3 members of the house of representatives, 1 of whom shall be  
695 appointed by the house minority leader; 3 members of the senate.

696           SECTION 36. Item 1599-2051 of section 2A of chapter 102 of the acts of 2021 is hereby  
697 amended by striking out the words “December 31, 2022” and inserting in place thereof the  
698 following words:- June 30, 2023.

699           SECTION 37. Section 89 of said chapter 102 is hereby amended by striking out the  
700 words “December 31, 2022”, inserted by section 11 of chapter 22 of the acts of 2022, each time  
701 they appear, and inserting in place thereof, in each instance, the following words:- November 15,  
702 2023.

703           SECTION 38. The first paragraph of subsection (a) of section 26 of chapter 22 of the acts  
704 of 2022 is hereby amended by inserting after the first sentence the following 2 sentences:- For  
705 the purposes of this section, “remote participation” shall mean participation that is: (i) fully  
706 remote in which only remote participation is authorized; or (ii) hybrid in which both in-person  
707 participation and remote participation are authorized. Any request submitted by a town  
708 moderator for a remote town meeting under this section shall state if the proposed remote  
709 participation will be fully remote or hybrid.

710           SECTION 39. Said chapter 22 is hereby further amended by striking out section 41 and  
711 inserting in place thereof the following section:-

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

713           SECTION 40. Said chapter 22 is hereby further amended by inserting after section 41 the  
714 following section:-

715           SECTION 41A. Sections 12, 15 and 26 are hereby repealed.

716           SECTION 41. Said chapter 22 is hereby further amended by inserting after section 44 the  
717 following section:-

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

SECTION 42. Subsection (d) of section 2 of chapter 76 of the acts of 2022 is hereby amended by striking out the words “March 1, 2023” and inserting in place thereof the following words:- December 31, 2023.

SECTION 43. Paragraph (3) of subsection (b) of section 1 of chapter 77 of the acts of 2022 is hereby amended by striking out the words “June 1, 2022” and inserting in place thereof the following words:- June 1, 2023.

SECTION 44. Item 4513-1005 of section 2 of chapter 126 of the acts of 2022 is hereby amended by adding the following words:- ; provided further, that not less than \$1,000,000 shall be expended for a public awareness campaign to educate providers and the public about crisis pregnancy centers and pregnancy resource centers and the centers’ lack of medical services; provided further, that the campaign shall include information on the availability of providers across the commonwealth that provide legitimate medical and family planning services; provided further, that the campaign shall be linguistically diverse and culturally competent; provided further, that not less than \$250,000 shall be expended for Reproductive Equity Now, Inc.’s free abortion legal hotline.

SECTION 45. Item 7004-0108 of said section 2 of said chapter 126 is hereby amended by adding the following words:- ; provided further, that the secretary of housing and economic development may transfer funds between this item and item 7004-0101; and provided further, that the secretary of housing and economic development shall notify the house and senate committees on ways and means not less than 14 days in advance of any such transfer.

739           SECTION 46. Item 7010-1192 of said section 2 of said chapter 126 is hereby amended  
740 by striking out the words “improvements at the Wildwood school” and inserting in place thereof  
741 the following words:- school improvements.

742           SECTION 47. Subsection (b) of section 165 of said chapter 126 is hereby amended by  
743 striking out the words “April 15, 2023” and inserting in place thereof the following words:-  
744 September 30, 2023.

745           SECTION 48. Section 168 of said chapter 126 is hereby amended by striking out the  
746 words “March 31, 2023r” and inserting in place thereof the following words:- December 31,  
747 2023.

748           SECTION 49. Subsection (h) of section 60 of chapter 176 of the acts of 2022 is hereby  
749 amended by striking the words “March 31, 2023” and inserting in place thereof the following  
750 words:- June 30, 2023.

751           SECTION 50. Section 87 of chapter 177 of the acts of 2022 is hereby amended by  
752 striking out the figure “23” and inserting in place thereof the following figure:- 32.

753           SECTION 51. Item 4403-2001 of section 2A of chapter 268 of the acts of 2022 is hereby  
754 amended by striking out the words “for not more than 12 consecutive months”.

755           SECTION 52. Notwithstanding any general or special law to the contrary, the special  
756 legislative commission established in chapter 74 of the acts of 2021 is hereby revived and  
757 continued to December 31, 2024. The special commission shall file its findings and  
758 recommendations pursuant to said chapter 74 with the clerks of the senate and the house of  
759 representatives, the joint committee on children, families and persons with disabilities, the joint

committee on housing, the joint committee on education, the joint committee on community development and small businesses, the joint committee on economic development and emerging technologies, the joint committee on public health, the joint committee on racial equity, civil rights, and inclusion and the senate and house committees on ways and means not later than December 31, 2024.

SECTION 53. (a) There shall be a special commission to examine the potential negative environmental and economic impacts caused by the discharge of spent fuel pool water and any materials created as a waste product of nuclear energy from spent fuel pools, including, but not limited to, processed water or any other liquid with elevated levels of radioactivity including, but not limited to, tritium or boron, associated with the decommissioning of any nuclear power plant, into the waters of the commonwealth. For the purposes of this section, “waters of the commonwealth” shall include all waters under the jurisdiction of the division of marine fisheries including, but not limited to, bays, coastal waters, canals, rivers and streams.

(b) The commission shall consist of: the governor or a designee; the attorney general or a designee, who shall serve as co-chair; the secretary of energy and environmental affairs or a designee, who shall serve as co-chair; the senate president or a designee; the speaker of the house of representatives or a designee; the minority leader of the senate or a designee; the minority leader of the house of representatives or a designee; the chairs of the joint committee on environment and natural resources or their designees; the commissioner of environmental protection or a designee; the commissioner of public health or a designee; the executive director of travel and tourism or a designee; and the director of marine fisheries or a designee.

(c) The commission shall: (i) examine and investigate the potential environmental and economic impacts, including impacts to consumer perception of the discharge of spent fuel wastewater on the fishing, aquaculture, tourism and restaurant industries and any other sectors deemed appropriate by the commission; and (ii) make recommendations on measures to mitigate or avoid potential negative impacts on such industries.

(d) The commission shall hold not less than 4 listening sessions, with at least 1 listening session in each of the following counties: Dukes County, Plymouth, Bristol and Barnstable; provided, however, that upon the completion of its report under this section, the commission shall provide a public presentation in those counties. Not later than November 1, 2024, the commission shall file a report on the results of its study with the clerks of the house of representatives and the senate, the joint committee on environment and natural resources, the joint committee on public health, the joint committee on tourism, arts and cultural development, the joint committee on economic development and emerging technologies and the senate and house committees on ways and means.

(e) There shall be no discharge of spent fuel pool water or any materials created as a waste product of nuclear energy from spent fuel pools, including, but not limited to, processed water or any other liquid with elevated levels of radioactivity including, but not limited to, tritium or boron, into the waters of the commonwealth until 90 days after the commission's report.

SECTION 54. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified

by the governor from time to time but not exceeding, in the aggregate, \$702,300,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face “Commonwealth Economic Revitalization, Community Development and Housing, Act of 2023”, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth. All such bonds shall be payable not later than June 30, 2058. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 55. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$8,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face “Commonwealth Economic Revitalization, Community Development and Housing, Act of 2023”, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth. All such bonds shall be payable not later than June 30, 2058. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 56. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a



826 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified  
827 by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds  
828 issued by the commonwealth as aforesaid shall be designated on their face “Commonwealth  
829 Economic Revitalization, Community Development and Housing, Act of 2023”, and shall be  
830 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
831 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of  
832 the Commonwealth. All such bonds shall be payable not later than June 30, 2058. All interest  
833 and payments on account of principal on such obligations shall be payable from the General  
834 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding  
835 any other provision of this act, be general obligations of the commonwealth.

836 SECTION 57. Sections 15 and 17 shall take effect as of March 31, 2023.

837 SECTION 58. Sections 18 to 29, inclusive, shall take effect 90 days after the effective  
838 date of this act.

839 SECTION 59. Sections 27 to 29, inclusive, of chapter 222 of the General Laws, as  
840 inserted by section 30, shall take effect January 1, 2024.

841 SECTION 60. Sections 37 shall take effect as of December 31, 2022.

842 SECTION 61. Section 42 shall take effect as of March 1, 2023.

843 SECTION 62. Section 43 shall take effect as of June 1, 2022.

844 SECTION 63. Not later than January 1, 2024: (i) the secretary of the commonwealth shall  
845 implement the regulations required by subsections (d), (h) and (l) of section 28 of chapter 222 of  
846 the General Laws, as inserted by section 30; and (ii) the chief justice of the land court shall

847 promulgate any rules, orders, guidelines and directives as permitted by subsection (o) of said  
848 section 28 of said chapter 22 as inserted by said section 30.