

# SENATE . . . . . No. 2850

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Senate, June 27, 2024 -- Text of the Senate amendment to the House Bill relative to the Affordable Homes Act (House, No. 4726) (being the text of Senate, No. 2834, printed as amended)

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## The Commonwealth of Massachusetts

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

1           SECTION 1. To provide for a capital outlay program to rehabilitate, produce and  
2 modernize state-aided public housing developments, to preserve the affordability and the income  
3 mix of state-assisted multifamily developments, to support home ownership and rental housing  
4 opportunities for low- and moderate-income citizens, to stem urban blight through the  
5 implementation of housing stabilization programs, to support housing production for the elderly,  
6 disabled and homeless, to preserve housing for the elderly, homeless, low- and moderate-income  
7 citizens and persons with disabilities, to develop facilities for licensed early care and education  
8 and out of school time programs; and to promote economic reinvestment through the funding of  
9 infrastructure improvements, the sums set forth in sections 2 to 2B, inclusive, for the several  
10 purposes and subject to the conditions specified in this act, are hereby made available subject to  
11 the laws regulating the disbursement of public funds.

12           SECTION 2.

13           EXECUTIVE OFFICE OF EDUCATION

14           Department of Early Education and Care

15           3000-0411   For state financial assistance in the form of grants for the Early Education  
16 and Out of School Time Capital Fund for the development of eligible facilities for licensed early  
17 care and education and out of school time programs established in section 18 of chapter 15D of  
18 the General Laws; provided, that the department of early education and care may contract with  
19 quasi-public or nonprofit entities to administer the program including, but not limited to, the  
20 Community Economic Development Assistance Corporation established in chapter 40H of the  
21 General Laws; provided further, that the department may develop or finance eligible facilities  
22 and may enter into subcontracts with nonprofit organizations established pursuant to chapter 180  
23 of the General Laws or organizations in which such nonprofit corporations have a controlling  
24 financial or managerial interest; provided further, that the department shall consider: (i) a  
25 balanced geographic plan for such eligible facilities when issuing the funding commitments; and  
26 (ii) funding large group and school age child care centers as defined by the department; provided  
27 further, that the services made available pursuant to such grants shall not be construed as a right  
28 or entitlement for any individual or class of persons to the benefits financing; provided further,  
29 that no expenditure shall be made from this item without the prior approval of the secretary of  
30 administration and finance; and provided further, that eligibility shall be established by  
31 regulations promulgated by the department pursuant to chapter 30A of the General Laws for the  
32 implementation, administration and enforcement of this item..... \$50,000,000

33           EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

34           7004-0069   For a program of loans or grants to assist homeowners or tenants with a  
35 household member with blindness or severe disabilities in making modifications to their primary  
36 residence for the purpose of improving accessibility or to allow such individuals to live  
37 independently in the community or for construction costs to allow for the building of an

38 accessory unit, which shall mean a unit constructed as an additional dwelling unit separate from  
39 the primary dwelling unit, for a person with disabilities or an elder needing assistance with  
40 activities of daily living; provided, that not more than 10 per cent shall be used for grants to  
41 assist landlords seeking to make modifications for a current or prospective tenant with  
42 disabilities, who but for such a grant would be unable to maintain or secure permanent housing;  
43 provided further, that the secretary of housing and livable communities and the secretary of  
44 health and human services shall take all steps necessary to minimize the program's  
45 administrative costs; provided further, that the secretary of health and human services may  
46 contract with quasi-public or nonprofit entities to administer the program, including, but not  
47 limited to, the Community Economic Development Assistance Corporation established in  
48 chapter 40H of the General Laws; provided further, that the program shall be available pursuant  
49 to income eligibility standards approved by the secretary of health and human services; provided  
50 further, that the repayment of the loans may be delayed until the sale of the principal residence  
51 by the homeowner; provided further, that persons residing in a development covered by section 4  
52 of chapter 151B of the General Laws shall not be eligible for the program unless the owner can  
53 show that the modification is an undue financial burden or that the landlord is participating in the  
54 grant program to maintain or secure housing for a tenant with disabilities; provided further, that  
55 the secretary of health and human services shall consult with the Massachusetts commission for  
56 the blind and the Massachusetts rehabilitation commission to develop rules, regulations and  
57 guidelines for the program; provided further, that nothing in this item shall give rise to  
58 enforceable legal rights in any party or an enforceable entitlement to services; provided further,  
59 that funds expended from this item shall, to the maximum extent feasible, be prioritized for  
60 projects that comply with decarbonization and sustainability standards; and provided further, that

61 the secretary of housing and livable communities shall submit quarterly reports to the house and  
62 senate committees on ways and means, the joint committee on bonding, capital expenditures and  
63 state assets and the joint committee on housing detailing the status of the program established in  
64 this item..... \$60,000,000

65           7004-0070   For state financial assistance in the form of loans for the development of  
66 community-based housing or supportive housing for individuals with mental illness and  
67 individuals with intellectual disabilities; provided, that the loan program shall be administered by  
68 the executive office of housing and livable communities through contracts with 1 or more of the  
69 following agencies: the Massachusetts Development Finance Agency established under chapter  
70 23G of the General Laws, the Community Economic Development Assistance Corporation  
71 established under chapter 40H of the General Laws, operating agencies established under chapter  
72 121B of the General Laws and the Massachusetts Housing Finance Agency established under  
73 chapter 708 of the acts of 1966; provided further, that those agencies may develop or finance  
74 community-based housing or supportive housing or may enter into subcontracts with nonprofit  
75 organizations, established under chapter 180 of the General Laws, or organizations in which such  
76 nonprofit corporations have a controlling financial or managerial interest or for-profit  
77 organizations; provided further, that preference for subcontracts shall be given to nonprofit  
78 organizations; provided further, that the executive office shall consider a balanced geographic  
79 plan for such community-based housing or supportive housing when issuing the loans; provided  
80 further, that the executive office shall consider development of a balanced range of housing  
81 models by prioritizing funds for integrated housing as defined by the appropriate housing and  
82 service agencies, including, but not limited to, the executive office of housing and livable  
83 communities, the department of mental health and the department of developmental services, in

84 consultation with relevant and interested clients, clients' families, advocates and other parties as  
85 necessary; provided further, that loans issued pursuant to this item shall: (i) not exceed 50 per  
86 cent of the financing of the total development costs; (ii) not be issued unless a contract or  
87 agreement for the use of the property for such housing provides for repayment to the  
88 commonwealth at the time of disposition of the property if such property will no longer be  
89 subject to a recorded deed restriction pursuant to clause (iii) of this item; provided further, that  
90 such repayment shall: (1) be in an amount equal to the commonwealth's proportional  
91 contribution from the Facilities Consolidation Fund to the cost of the development through  
92 payments made by the state agency making the contract; and (2) not be required if the executive  
93 office of housing and livable communities, in consultation with the department of mental health  
94 and the department of developmental services, determines that relevant clients will be better  
95 served at an alternative property and the proceeds from the disposition of the property will be  
96 used, to the extent necessary for replacement of the housing at the property, to: (A) acquire such  
97 alternative property; or (B) rehabilitate such alternative property; (iii) not be issued unless the  
98 contract or agreement for the use of the property for the purposes of such housing provides for  
99 the recording of a deed restriction in the registry of deeds or the registry district of the land court  
100 of the county in which the real property is located, for the benefit of the executive office and the  
101 departments, running with the land, that the land shall be used to provide community-based  
102 housing or supportive housing for eligible individuals as determined by the department of mental  
103 health and the department of developmental services; provided further, that the property shall not  
104 be released from such restriction unless: (1) the balance of the principal and interest for the loan  
105 has been repaid in full; (2) a mortgage foreclosure deed has been recorded; or (3) the executive  
106 office of housing and livable communities has determined, pursuant to subclause (2) of clause

107 (ii) of this item, that repayment to the commonwealth is not required; (iv) be issued for a term  
108 not to exceed 30 years, during which time repayment may be deferred by the loan issuing  
109 authority; provided further, that if on the date the loans become due and payable to the  
110 commonwealth, an outstanding balance exists and if, on such date, the executive office of  
111 housing and livable communities, in consultation with the executive office of health and human  
112 services, determines that there still exists a need for such housing and that there is continued  
113 funding available for the provision of services to such development, the executive office of  
114 housing and livable communities may, by agreement with the owner of the development, extend  
115 the loans for such periods not to exceed 10 years, as the executive office shall determine;  
116 provided further, that the project, whether at the original property, or at an alternative property  
117 pursuant to subclause (2) of clause (ii) of this item, shall remain affordable housing for the  
118 duration of the loan term, including any extension thereof, as set forth in the contract or  
119 agreement entered into by the executive office; provided further, that in the event the terms of  
120 repayment detailed in this item would cause a project authorized by this item to become  
121 ineligible to receive federal financial assistance which would otherwise assist in the development  
122 of that project, the executive office may waive the terms of repayment which would cause the  
123 project to become ineligible; and (v) have interest rates fixed at a rate, to be determined by the  
124 executive office, in consultation with the state treasurer; provided further, that the loans shall be  
125 provided only for projects conforming to this item; provided further, that the loans shall be  
126 issued in accordance with a facilities consolidation plan prepared by the secretary of health and  
127 human services, reviewed and approved by the executive office of housing and livable  
128 communities and filed with the secretary of administration and finance, the house and senate  
129 committees on ways and means, the joint committee on bonding, capital expenditures and state

130 assets and the joint committee on housing; provided further, that no expenditure shall be made  
131 from this item without the prior approval of the secretary of administration and finance; provided  
132 further, that the executive office of housing and livable communities, the department of mental  
133 health and the Community Economic Development Assistance Corporation may identify  
134 appropriate financing mechanisms and guidelines for grants or loans from this item to promote  
135 private development to produce housing, provide for independent integrated living opportunities,  
136 write down building and operating costs and serve households at or below 15 per cent of the area  
137 median income for the benefit of department of mental health clients; provided further, that  
138 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects  
139 that comply with decarbonization and sustainability standards; provided further, that  
140 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
141 Plan developed by the executive office of housing and livable communities; provided further,  
142 that for new construction projects, the standards set forth in the Municipal Opt-in Specialized  
143 Stretch Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities  
144 standards shall be the applicable standards for prioritization; provided further, that any project  
145 proposing less than full compliance with said standards shall provide detailed analysis  
146 demonstrating why full compliance would render the project infeasible notwithstanding  
147 utilization of all available federal and state incentives, including rebates and tax credits; provided  
148 further, that for retrofits of existing units, prioritization shall be given to projects that include  
149 energy efficiency and electrification decarbonization measures, including, but not limited to,  
150 electric or ground source heat pumps, net-zero developments, Passive House Institute  
151 certification or an equivalent energy efficiency certification, and all-electric buildings and  
152 projects that incorporate green, sustainable and climate-resilient elements; provided further, that

153 projects that include lower embodied carbon construction materials and methods shall be further  
154 prioritized; provided further, that not more than \$10,000,000 may be expended from this item for  
155 a pilot program of community-based housing or supportive housing loans to serve mentally ill  
156 homeless individuals in the current or former care of the department of mental health; provided  
157 further, that in implementing the pilot program, the executive office shall consider a balanced  
158 geographic plan when establishing community-based residences; provided further, that the  
159 housing services made available pursuant to such loans shall not be construed as a right or an  
160 entitlement for any individual or class of persons to the benefits of the pilot program; provided  
161 further, that eligibility for the pilot program shall be established by regulations promulgated by  
162 the executive office; and provided further, that the executive office shall promulgate regulations  
163 under chapter 30A of the General Laws to implement, administer and enforce this item,  
164 consistent with the facilities consolidation plan prepared by the secretary of health and human  
165 services and after consultation with the secretary and the commissioner of capital asset  
166 management and maintenance.....\$70,000,000

167           7004-0071     For state financial assistance in the form of loans for the development and  
168 redevelopment of community-based housing or supportive housing for persons with disabilities  
169 who are institutionalized or at risk of being institutionalized and who are not eligible for housing  
170 developed pursuant to item 7004-0070; provided, that the loan program shall be administered by  
171 the executive office of housing and livable communities, through contracts with the  
172 Massachusetts Development Finance Agency established under chapter 23G of the General  
173 Laws, the Community Economic Development Assistance Corporation established under chapter  
174 40H of the General Laws, operating agencies established under chapter 121B of the General  
175 Laws and the Massachusetts Housing Finance Agency established under chapter 708 of the acts



176 of 1966; provided further, that the agencies may develop or finance community-based housing or  
177 supportive housing or may enter into subcontracts with nonprofit organizations established under  
178 chapter 180 of the General Laws or organizations in which such nonprofit corporations have a  
179 controlling financial or managerial interest or for-profit organizations; provided further, that  
180 preference for such subcontracts shall be given to nonprofit organizations; provided further, that  
181 the executive office shall consider a balanced geographic plan for such community-based  
182 housing or supportive housing when issuing the loans; provided further, that all housing  
183 developed with these funds shall be integrated housing as defined by the appropriate state  
184 housing and service agencies, including, but not limited to, the executive office of housing and  
185 livable communities, the executive office of health and human services and the Massachusetts  
186 rehabilitation commission, in consultation with relevant and interested clients, clients' families,  
187 advocates and other parties as necessary; provided further, that loans issued pursuant to this item  
188 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued  
189 unless a contract or agreement for the use of the property for the purposes of such housing  
190 provides for repayment to the commonwealth at the time of disposition of the property if such  
191 property will no longer be subject to a recorded deed restriction pursuant to clause (iii) of this  
192 item; provided further, that such repayment shall: (1) be in an amount equal to the  
193 commonwealth's proportional contribution from community-based housing to the cost of the  
194 development through payments made by the state agency making the contract; and (2) not be  
195 required if the executive office of housing and livable communities, in consultation with the  
196 Massachusetts rehabilitation commission, determines that relevant clients will be better served at  
197 an alternative property and the proceeds from the disposition of the property will be used, to the  
198 extent necessary for replacement of the housing at the property, to: (A) acquire such alternative

199 property; or (B) rehabilitate such alternative property; (iii) not be issued unless a contract or  
200 agreement for the use of the property for the purposes of such community-based housing or  
201 supportive housing provides for the recording of a deed restriction in the registry of deeds or the  
202 registry district of the land court of the county in which the real property is located, for the  
203 benefit of the executive office, running with the land, that the land shall be used to provide  
204 community-based housing or supportive housing for eligible individuals as determined by the  
205 Massachusetts rehabilitation commission or other agency of the executive office of health and  
206 human services; provided further, that the property shall not be released from such restrictions  
207 unless: (1) the balance of the principal and interest for the loan has been repaid in full; (2) a  
208 mortgage foreclosure deed has been recorded; or (3) the executive office of housing and livable  
209 communities has determined, pursuant to subclause (2) of clause (ii) of this item, that repayment  
210 to the commonwealth is not required; (iv) be issued for a term not to exceed 30 years during  
211 which time repayment may be deferred by the loan issuing authority; provided further, that if, on  
212 the date the loans become due and payable to the commonwealth, an outstanding balance exists  
213 and if, on that date, the executive office of housing and livable communities, in consultation with  
214 the executive office of health and human services, determines that there still exists a need for  
215 such housing, the executive office may, by agreement with the owner of the development, extend  
216 the loans for such periods not to exceed 10 years, as the executive office shall determine;  
217 provided further, that the project, whether at the original property or at an alternative property  
218 pursuant to clause subclause (2) of (ii) of this item, shall continue to remain affordable housing  
219 for the duration of the loan term, including any extensions thereof, as set forth in the contract or  
220 agreement entered into by the executive office; provided further, that in the event the terms of  
221 repayment detailed in this item would cause a project authorized by this item to become

222 ineligible to receive federal financial assistance, which would otherwise assist in the  
223 development of that project, the executive office may waive the terms of repayment which would  
224 cause the project to become ineligible; and (v) have interest rates fixed at a rate, to be determined  
225 by the executive office, in consultation with the state treasurer; provided further, the loans shall  
226 be provided only for projects conforming to this item; provided further, that the loans shall be  
227 issued in accordance with an enhancing community-based services plan prepared by the  
228 secretary of health and human services, in consultation with the executive office of housing and  
229 livable communities and filed with the secretary of administration and finance, the house and  
230 senate committees on ways and means, the joint committee on bonding, capital expenditures and  
231 state assets and the joint committee on housing; provided further, that funds expended from this  
232 item shall, to the maximum extent feasible, be prioritized for projects that comply with  
233 decarbonization and sustainability standards; provided further, that prioritization shall be  
234 determined through objective scoring criteria in the Qualified Allocation Plan developed by the  
235 executive office of housing and livable communities; provided further, that for new construction  
236 projects, the standards set forth in the Municipal Opt-in Stretch Specialized Energy Code under  
237 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
238 applicable standards for prioritization; provided further, that any project proposing less than full  
239 compliance with said standards shall provide detailed analysis demonstrating why full  
240 compliance would render the project infeasible notwithstanding utilization of all available  
241 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
242 of existing units, prioritization shall be given to projects that include energy efficiency and  
243 electrification decarbonization measures, including, but not limited to, electric or ground source  
244 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy

245 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
246 and climate-resilient elements; provided further, that projects that include lower embodied  
247 carbon construction materials and methods shall be further prioritized; provided further, that no  
248 expenditure shall be made from this item without the prior approval of the secretary of  
249 administration and finance; and provided further, that the executive office shall promulgate  
250 regulations pursuant to chapter 30A of the General Laws for the implementation, administration  
251 and enforcement of this item, consistent with the enhancing community-based services plan  
252 prepared by the secretary of health and human services after consultation with the secretary and  
253 the commissioner of capital asset management and  
254 maintenance.....\$55,000,000

255           7004-0072   For the capitalization of the Affordable Housing Trust Fund established in  
256 section 2 of chapter 121D of the General Laws; provided, that funds expended from this item  
257 shall, to the maximum extent feasible, be prioritized for projects that comply with  
258 decarbonization and sustainability standards; provided further, that prioritization shall be  
259 determined through objective scoring criteria in the Qualified Allocation Plan developed by the  
260 executive office of housing and livable communities; provided further, that the executive office  
261 shall consider geographic equity in awarding funds from this item; provided further, that for new  
262 construction projects, the standards set forth in the Municipal Opt-in Specialized Stretch Energy  
263 Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be  
264 the applicable standards for prioritization; provided further, that any project proposing less than  
265 full compliance with said standards shall provide detailed analysis demonstrating why full  
266 compliance would render the project infeasible notwithstanding utilization of all available  
267 federal and state incentives, including rebates and tax credits; provided further, that for retrofits

268 of existing units, prioritization shall be given to projects that include energy efficiency and  
269 electrification decarbonization measures, including, but not limited to, electric or ground source  
270 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy  
271 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
272 and climate-resilient elements; provided further, that projects that include lower embodied  
273 carbon construction materials and methods shall be further prioritized; provided further, that not  
274 more than \$50,000,000 of the funds made available in this item may be used to create and  
275 maintain opportunities for homeownership for first-time homebuyers; provided further, that  
276 funds shall be expended to create and enhance access to homeownership in order to foster long-  
277 term benefits for housing security, health and economic outcomes and to address a systemic  
278 homeownership gap in socially disadvantaged communities and among targeted populations;  
279 provided further, that funds may be expended for down payment assistance programs, mortgage  
280 insurance programs and mortgage interest subsidy programs administered by the Massachusetts  
281 Housing Finance Agency and the Massachusetts Housing Partnership; and provided further, that  
282 funds may be expended to first-time homebuyer counseling and financial literacy  
283 programs.....\$800,000,000

284           7004-0073     For state financial assistance in the form of grants or loans for the Housing  
285 Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General  
286 Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F;  
287 provided, that not less than 25 per cent shall be used to fund projects that preserve and produce  
288 housing for families and individuals with incomes of not more than 30 per cent of the area  
289 median income, as defined by the United States Department of Housing and Urban  
290 Development; provided further, that if the executive office of housing and livable communities

291 has not spent the amount authorized under the bond cap for this program, at the end of each  
292 fiscal year following the effective date of this act, the executive office may award the remaining  
293 funds to projects that serve households earning more than 30 per cent of the area median income,  
294 as defined by the United States Department of Housing and Urban Development; provided  
295 further, that funds expended from this item shall, to the maximum extent feasible, be prioritized  
296 for projects that comply with decarbonization and sustainability standards; provided further, that  
297 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
298 Plan developed by the executive office of housing and livable communities; provided further,  
299 that the executive office shall consider geographic equity in awarding funds from this item;  
300 provided further, that for new construction projects, the standards set forth in the Municipal Opt-  
301 in Specialized Stretch Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green  
302 Communities standards shall be the applicable standards for prioritization; provided further, that  
303 any project proposing less than full compliance with said standards shall provide detailed  
304 analysis demonstrating why full compliance would render the project infeasible notwithstanding  
305 utilization of all available federal and state incentives, including rebates and tax credits; provided  
306 further, that for retrofits of existing units, prioritization shall be given to projects that include  
307 energy efficiency and electrification decarbonization measures, including, but not limited to,  
308 electric or ground source heat pumps, net-zero developments, Passive House Institute  
309 certification or an equivalent energy efficiency certification, and all-electric buildings and  
310 projects that incorporate green, sustainable and climate-resilient elements; provided further, that  
311 projects that include lower embodied carbon construction materials and methods shall be further  
312 prioritized; provided further, that not less than \$10,000,000 shall be expended for the Small  
313 Properties State Acquisition Funding Pilot established in item 1599-6084 of section 2A of

314 chapter 268 of the acts of 2022; provided further, that the fund shall issue soft loans to  
315 supplement other acquisition soft loans administered by municipal or other affordable housing  
316 acquisition lenders on a rolling basis; provided further, that acquisitions pursuant to this pilot  
317 shall follow the affordability restrictions of the affordable housing acquisition lenders; and  
318 provided further, that loans under this program shall be used for the acquisition of: (i) buildings  
319 of 1 to 8 units, inclusive, of residential housing for rental or ownership; or (ii) mixed-use  
320 buildings for a term of not less than 30 years.....\$435,000,000

321           7004-0074     For state financial assistance in the form of grants for projects undertaken  
322 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts  
323 entered into by the executive office of housing and livable communities for those projects may  
324 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,  
325 redevelopment and hazardous material abatement, including asbestos and lead paint, and for  
326 compliance with state codes and laws and for adaptations necessary for compliance with the  
327 Americans with Disabilities Act of 1990, the provision of day care facilities, learning centers and  
328 teen service centers and the adaptation of units for families and persons with disabilities;  
329 provided further, that priority shall be given to projects undertaken for the purpose of compliance  
330 with state codes and laws or for other purposes related to the health and safety of residents;  
331 provided further, that funds may be expended from this item to make such modifications to  
332 congregate housing units as may be necessary to increase the occupancy rate of such units;  
333 provided further, that the executive office shall continue to fund a program to provide predictable  
334 funds to be used flexibly by housing authorities for capital improvements to extend the useful  
335 life of state-assisted public housing; provided further, that not less than 25 per cent of the funds  
336 made available in this item shall be used to fund projects that preserve or produce housing for

337 families and individuals with incomes of not more than 30 per cent of the area median income, as  
338 defined by the United States Department of Housing and Urban Development; provided further,  
339 that not less than \$15,000,000 of the funds made available in this item shall be used to increase  
340 accessibility of state-aided public housing for persons with disabilities; provided further, that not  
341 more than \$150,000,000 of the funds made available in this item may be used to fund projects  
342 that include sustainability initiatives to reduce greenhouse gas emissions and make progress  
343 towards decarbonization through energy efficiency and electrification decarbonization measures,  
344 including, but not limited to, electric or ground source heat pumps, net-zero developments,  
345 Passive House Institute certification or an equivalent energy efficiency certification, and all-  
346 electric buildings and projects that incorporate green, sustainable and climate-resilient elements;  
347 provided further, that projects that include lower embodied carbon construction materials and  
348 methods shall be further prioritized; and provided further, that funds made available in this item  
349 shall, to the extent feasible, be used in accordance with the Massachusetts state hazard mitigation  
350 and climate adaptation plan.....\$2,000,000,000

351           7004-0075     For state financial assistance in the form of grants for a demonstration  
352 program, administered by the executive office of housing and livable communities, to  
353 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled  
354 public housing that seek to reduce the need for future state modernization funding; provided, that  
355 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of  
356 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of  
357 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration  
358 program; provided further, that the executive office may exempt a recipient of demonstration  
359 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by



360 the recipient that such exemptions are necessary to accomplish the effective revitalization of  
361 public housing and shall not adversely affect public housing residents or applicants of any  
362 income who are otherwise eligible; provided further, that the executive office may provide to  
363 recipients of demonstration grants such additional regulatory relief as may be required to further  
364 the objectives of the demonstration program; provided further, that funds may be made available  
365 for technical assistance provided by the Community Economic Development Assistance  
366 Corporation established under chapter 40H of the General Laws or the Massachusetts Housing  
367 Partnership Fund established under section 35 of chapter 405 of the acts of 1985 to recipients of  
368 demonstration grants and for evaluation of the demonstration; provided further, that the  
369 executive office's regulations for the implementation, administration and enforcement of this  
370 item shall: (i) require that selected housing authorities demonstrate innovative and replicable  
371 solutions to the management, marketing or capital needs of state-aided family and elderly-  
372 disabled public housing developments and contribute to the continued viability of the housing as  
373 a resource for public housing eligible residents; (ii) encourage proposals that demonstrate  
374 regional collaborations among housing authorities; and (iii) encourage proposals for new  
375 affordable housing units on municipally-owned land, underutilized public housing sites or other  
376 land owned by the housing authority; provided further, that funds expended from this item shall,  
377 to the maximum extent feasible, be prioritized for projects that comply with decarbonization and  
378 sustainability standards; provided further, that prioritization shall be determined through  
379 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
380 housing and livable communities; provided further, that the executive office shall consider  
381 geographic equity in awarding funds from this item; provided further, that for new construction  
382 projects, the standards set forth in the Municipal Opt-in Specialized Stretch Energy Code under

383 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
384 applicable standards for prioritization; provided further, that any project proposing less than full  
385 compliance with said standards shall provide detailed analysis demonstrating why full  
386 compliance would render the project infeasible notwithstanding utilization of all available  
387 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
388 of existing units, prioritization shall be given to projects that include energy efficiency and  
389 electrification decarbonization measures, including, but not limited to, electric or ground source  
390 heat pumps, net-zero developments, Passive House Institute certification or equivalent energy  
391 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
392 and climate-resilient elements; and provided further, that projects that include lower embodied  
393 carbon construction materials and methods shall be further prioritized

394 .....\$200,000,000

395           7004-0076   For state financial assistance in the form of grants or loans for the Housing  
396 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,  
397 that not less than 25 per cent of the funds made available in this item shall be used to fund  
398 projects that preserve and produce housing for families and individuals with incomes of not more  
399 than 30 per cent of the area median income, as defined by the United States Department of  
400 Housing and Urban Development; provided further, that funds expended from this item shall, to  
401 the maximum extent feasible, be prioritized for projects that comply with decarbonization and  
402 sustainability standards; provided further, that prioritization shall be determined through  
403 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
404 housing and livable communities; provided further, that the executive office shall consider  
405 geographic equity in awarding funds from this item; provided further, that for new construction

406 projects, the standards set forth in the Municipal Opt-in Specialized Stretch Energy Code under  
407 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the  
408 applicable standards for prioritization; provided further, that any project proposing less than full  
409 compliance with said standards shall provide detailed analysis demonstrating why full  
410 compliance would render the project infeasible notwithstanding utilization of all available  
411 federal and state incentives, including rebates and tax credits; provided further, that for retrofits  
412 of existing units, prioritization shall be given to projects that include energy efficiency and  
413 electrification decarbonization measures, including, but not limited to, electric or ground source  
414 heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy  
415 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
416 and climate-resilient elements; and provided further, that projects that include lower embodied  
417 carbon construction materials and methods shall be further prioritized. ....\$200,000,000

418           7004-0078   For state financial assistance in the form of no interest loans, grants,  
419 subsidies, credit enhancements and other financial assistance for innovative, sustainable and  
420 green housing initiatives; provided, that entities eligible to receive financial assistance under this  
421 item shall include qualified for-profit or nonprofit developers, community development  
422 corporations, local housing authorities, community action agencies, community-based or  
423 neighborhood-based nonprofit housing organizations, other nonprofit organizations and for-  
424 profit entities, and governmental bodies; provided further, that funds may be used to assist units  
425 occupied by and affordable to persons with incomes not more than 110 per cent of the area  
426 median income, as defined by the United States Department of Housing and Urban Development  
427 with priority given to projects that provide higher and deeper levels of affordability; provided  
428 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item

429 shall be persons whose income is not more than 60 per cent of the area median income, as  
430 defined by the United States Department of Housing and Urban Development; provided further,  
431 that financial assistance shall be awarded in a manner that promotes geographic, social, racial  
432 and economic equity; provided further, that funds expended from this item shall, to the  
433 maximum extent feasible, be prioritized for projects that comply with decarbonization and  
434 sustainability standards; provided further, that prioritization shall be determined through  
435 objective scoring criteria in the Qualified Allocation Plan developed by the executive office of  
436 housing and livable communities; provided further, that funds from this item shall not be  
437 expended in communities deemed by the secretary of housing and livable communities not in  
438 compliance with the multi-family zoning requirement established in section 3A of chapter 40A  
439 of the General Laws; provided further, that for new construction projects, the standards set forth  
440 in the Municipal Opt-in Specialized Stretch Energy Code under 225 CMR 22.00 and 23.00 and  
441 the Enterprise Green Communities standards shall be the applicable standards for prioritization;  
442 provided further, that any project proposing less than full compliance with said standards shall  
443 provide detailed analysis demonstrating why full compliance would render the project infeasible  
444 notwithstanding utilization of all available federal and state incentives, including rebates and tax  
445 credits; provided further, that for retrofits of existing units, prioritization shall be given to  
446 projects that include energy efficiency and electrification decarbonization measures, including,  
447 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House  
448 Institute certification or an equivalent energy efficiency certification, and all-electric buildings  
449 and projects that incorporate green, sustainable and climate-resilient elements; provided further,  
450 that projects that include lower embodied carbon construction materials and methods shall be  
451 further prioritized; provided further, that financial assistance under this item shall be to

452 accelerate and support: (i) innovative strategies for the production of affordable and mixed-  
453 income housing developments and other market transformation activities, including but not  
454 limited to: (a) re-use of commercial space, office space, and underutilized state- or locally-  
455 controlled land or assets, including, but not limited to, brownfield or greyfield sites, or other  
456 property that the secretary of housing and livable communities has determined is suitable for  
457 sustainable residential or mixed-use development; (b) modular construction, manufactured  
458 housing, and other innovative housing models that offer development or operating cost savings,  
459 utilize advanced and applied technologies, provide efficiencies to help accelerate production and  
460 incorporate energy efficiency or energy conservation into their design, construction or  
461 rehabilitation; (c) accessory dwelling units and co-housing models; and (d) other market  
462 transformation efforts to be determined by the executive office of housing and livable  
463 communities, which may include, but shall not be limited to, any pilot program or demonstration  
464 program that is consistent with the purposes of this item; provided further, that such strategies  
465 may include a mixed income social housing pilot program in which a local or regional housing  
466 authority or other public or quasi-public entity maintains majority ownership or control of such  
467 housing; (ii) the creation of low-income and moderate-income residential housing units and  
468 mixed use developments that include both residential housing units and commercial or retail  
469 space in close proximity to transit nodes or within neighborhood commercial areas including, but  
470 not limited to, those areas designated as main street areas and rural villages; provided further,  
471 that the program shall be administered to: (a) maximize the amount of affordable residential and  
472 mixed-use space in close proximity to transit nodes or within neighborhood commercial areas,  
473 resulting in higher density, compact development and pedestrian-friendly, inclusive and  
474 connected neighborhoods; (b) increase mass transit ridership; (c) decrease traffic congestion and

475 reduce greenhouse gas emissions; and (d) increase economic opportunity for disadvantaged  
476 populations by making it easier for residents of affordable housing to access public  
477 transportation, including transportation supporting commutes to employment centers; provided  
478 further, that the program may be administered to include projects that have residential units  
479 above commercial space located in areas characterized by a predominance of commercial land  
480 uses, a high daytime or business population or a high concentration of daytime traffic and  
481 parking; provided further, that the financial subsidy for the commercial portion of a project shall  
482 not exceed 25 per cent of the total development cost of the commercial portion of the project or  
483 \$1,000,000, whichever is lesser; provided further, that the executive office may provide financial  
484 support to nonprofit and for-profit developers that enter into binding agreements to set aside  
485 residential units in existing market-rate, transit-oriented housing, over and above any units  
486 required to be set aside under local zoning or approvals, for rent or sale to income-qualified  
487 households at affordable rents or sale prices, as applicable; and (iii) the creation and preservation  
488 of sustainable and climate resilient affordable multifamily housing; provided further, that such  
489 financial assistance shall be made to: (a) incorporate efficient, sustainable and climate resilient  
490 design practices in affordable residential development to support positive climate mitigation  
491 outcomes; (b) reduce greenhouse gas emissions and reliance on fossil fuels; (c) increase  
492 resiliency of existing housing developments to mitigate impacts of climate change, including  
493 flooding and extreme temperatures; and (d) enhance emergency preparedness, including  
494 sustainable means of power generation to allow for sheltering vulnerable populations in place;  
495 provided further, that financial assistance provided pursuant to clause (i) or clause (iii) may be  
496 administered by the executive office of housing and livable communities through contracts with  
497 the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts

498 of 1985, or the Massachusetts Housing Finance Agency, established in chapter 708 of the acts of  
499 1966, or both, which may, as the case may be, directly offer financial assistance for the purposes  
500 set forth herein or may enter into subcontracts with nonprofit organizations, established pursuant  
501 to chapter 180 of the General Laws for those purposes; provided further, that financial assistance  
502 provided pursuant to clause (ii) may be administered by the executive office through contracts  
503 with said Massachusetts Housing Partnership Fund; provided further, that the executive office of  
504 housing and livable communities or an administering agency under contract with the executive  
505 office may establish additional program requirements through regulations or policy guidelines;  
506 and provided further, that funds may be made available under this item to fund, finance or  
507 refinance limited equity housing cooperatives pursuant to chapter 157B of the General Laws,  
508 including assisting first-time buyers to purchase shares of stock in such cooperatives  
509 .....\$275,000,000

510           7004-0080   For the Middle-Income Housing Fund administered by the Massachusetts  
511 Housing Finance Agency.....\$100,000,000

512           SECTION 2A.

513           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

514           Office of the Secretary

515           1100-2518   For costs associated with planning and studies, the preparation of plans  
516 and specifications, demolition, remediation, construction and relocation of utilities, construction  
517 and reconstruction of infrastructure, predevelopment, and site preparation; provided, that any  
518 funds received by a state agency in connection with projects funded from this item may be  
519 retained by the executive office for administration and finance and expended for the purposes of

520 the project, without further appropriation, in addition to the amounts appropriated in this item;  
521 provided further, that where appropriate, the commissioner of capital asset management and  
522 maintenance may transfer funds authorized herein in accordance with a delegation of project  
523 control and supervision process pursuant to section 5 of chapter 7C of the General Laws or for  
524 the capitalization of the Surplus Real Property Disposition Fund established in section 119; and  
525 provided further, that funds from this item shall be distributed in furtherance of affordable  
526 housing production goals and availability of sites suitable for construction or expansion of  
527 housing opportunities in the commonwealth in consultation with the secretary of housing and  
528 livable communities..... \$30,000,000

529           1599-1953     For local housing initiatives; provided, that not less than \$1,000,000 shall  
530 be expended to the Belmont Housing Authority for capital improvements to the Sherman  
531 Gardens public housing development in the town of Belmont; provided further, that not less than  
532 \$500,000 shall be expended to the Watertown Housing Authority for construction of a group  
533 home at 103 Nichols avenue in the city of Watertown; provided further, that not less than  
534 \$6,500,000 shall be allocated to the comprehensive modernization and redevelopment of the  
535 federally-assisted Patricia White apartments in the Brighton section of the city of Boston;  
536 provided further, that not less than \$25,000 shall be expended to the town of Hubbardston for the  
537 redevelopment of the sand pit sites in the town of Hubbardston; provided further, that not less  
538 than \$100,000 shall be expended for improvements to the Holden Housing Authority; provided  
539 further, that not less than \$100,000 shall be expended for improvements to the Leicester Housing  
540 Authority; provided further, that not less than \$500,000 shall be expended to the West Brookfield  
541 Housing Authority for building upgrades and general improvements; provided further, that not  
542 less than \$1,000,000 shall be expended to the Spencer Housing Authority for facility upgrades;



543 provided further, that not less than \$2,000,000 shall be expended to the Barre Housing Authority  
544 for building expansions; provided further, that not less than \$5,000,000 shall be expended to the  
545 Fitchburg Redevelopment Authority for downtown housing development; provided further, that  
546 not less than \$500,000 shall be expended to the Bellingham Housing Authority; provided further,  
547 that not less than \$250,000 shall be expended to the Dover Housing Partnership Committee;  
548 provided further, that not less than \$1,000,000 shall be expended to the Franklin Housing  
549 Authority; provided further, that not less than \$500,000 shall be expended to the Medfield  
550 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
551 Milford Housing Authority; provided further, than not less than \$500,000 shall be expended to the  
552 Millis Housing Authority; provided further, that not less than \$1,000,000 shall be expended to  
553 the Needham Housing Authority; provided further, than not less than \$500,000 shall be  
554 expended to the Norfolk Housing Authority; provided further, than not less than \$500,000 shall  
555 be expended to the Plainville Housing Authority; provided further, than not less than \$250,000  
556 shall be expended to the Sherborn Housing Trust; provided further, than not less than \$500,000  
557 shall be expended to the Wrentham Housing Authority; provided further, that not less than  
558 \$2,500,000 shall be expended to the Boston Housing Authority for housing modernization, water  
559 and sewer improvements and retrofitting the Fairmount public housing projects in the Hyde Park  
560 section of the city of Boston; provided further, that not less than \$8,000,000 shall be expended to  
561 the Lowell Housing Authority for the development of new affordable housing units and new  
562 veterans supportive housing units; provided further, that not less than \$1,000,000 shall be  
563 expended to the Brockton Housing Authority for the planning, design, renovation, maintenance  
564 or construction of housing; provided further, that not less than \$4,500,000 shall be expended to  
565 Westmass Area Development Corporation to support the predevelopment, demolition and

566 stabilization of properties and expenses associated with the preparation of affordable housing at  
567 the Ludlow Mills in the town of Ludlow; provided further, that not less than \$15,000,000 shall  
568 be expended to the Disabled American Veterans Department of Massachusetts Service Fund, Inc.  
569 for the renovation, rehabilitation, construction and establishment of housing for veterans and  
570 their families; provided further, that not less than \$1,000,000 shall be expended to Double Edge  
571 Theatre Productions Incorporated in the town of Ashfield for the development of affordable  
572 housing and workforce housing with a community space on a currently underutilized property;  
573 provided further, that not less than \$1,000,000 shall be expended to Berkshire Natural Resources  
574 Council, Inc. for the construction of new workforce housing and conservation of land and natural  
575 resources in the town of Egremont on the 225-acre former Egremont Golf Club property;  
576 provided further, that not less than \$1,000,000 shall be expended to the Community  
577 Development Corporation of South Berkshire, Inc. for the redevelopment and remediation costs  
578 of new housing projects at the former Thornewood Inn and 100 Bridge street in the town of  
579 Great Barrington; provided further, that not less than \$500,000 shall be expended to Central  
580 Berkshire Habitat for Humanity, Inc. for the creation of affordable housing projects in Berkshire  
581 county in collaboration with local communities; provided further, that not less than \$1,000,000  
582 shall be expended to Hilltown Community Development Corporation for the creation of new  
583 housing and redevelopment of vacant properties in the rural hill towns of Berkshire, Hampden  
584 and Hampshire counties; provided further, that not less than \$500,000 shall be expended to the  
585 North Adams Housing Authority; provided further, that not less than \$500,000 shall be expended  
586 to Westside Legends, Inc. in the city of Pittsfield for the construction of new affordable  
587 homeownership units in 5 multifamily residential buildings constructed on a currently vacant lot;  
588 provided further, that not less than \$500,000 shall be expended to the Southwick Housing

589 Authority; provided further, that not less than \$1,000,000 shall be expended to the Massachusetts  
590 Housing Finance Agency to be administered as grants to certified sober homes for sprinklers  
591 installed in accordance with the state building code; provided further, that not less than  
592 \$1,000,000 shall be expended for the town of Harvard to purchase, rehabilitate and make  
593 improvements to the Bromfield House located at 39 Massachusetts avenue in the town of  
594 Harvard to provide public housing to immigrant families; provided further, that not less than  
595 \$1,000,000 shall be expended for the Marlborough Housing Authority; provided further, that not  
596 less than \$500,000 shall be expended for the Haverhill Housing Authority for construction of a  
597 34-unit affordable rental multi-family development at 230 Hilldale avenue in the city of  
598 Haverhill; provided further, that not less than \$500,000 shall be expended for the Hudson  
599 Housing Authority; provided further, that not less than \$1,500,000 shall be expended to the  
600 Methuen Housing Authority for capital improvements; provided further, that not less than  
601 \$1,500,000 shall be expended to Way Finders, Inc. for a multi-phase housing development on  
602 South High street in the city of Holyoke; provided further, that not less than \$500,000 shall be  
603 expended for the Acton Housing Authority; provided further, that not less than \$500,000 shall be  
604 expended to the Easthampton Housing Authority for capital improvement projects and upgrades;  
605 provided further, that not less than \$500,000 shall be expended for the Ayer Housing Authority;  
606 provided further, that not less than \$1,500,000 shall be expended to the Melrose Housing  
607 Authority for critical infrastructure repairs to the CJ McCarthy and Julian Steele elderly-disabled  
608 public housing facilities; provided further, that not less than \$5,000,000 shall be expended for the  
609 Arlington Housing Authority for envelope repairs and improvements at Menotomy Manor in the  
610 town of Arlington; provided further, that not less than \$1,200,000 shall be expended to the  
611 Holyoke Housing Authority for capital improvement projects and upgrades; provided further,

612 that not less than \$1,550,000 shall be expended to the Chicopee Housing Authority for capital  
613 improvement projects and upgrades; provided further, that not less than \$5,000,000 shall be  
614 expended to the Springfield Housing Authority for capital improvements; provided further, that  
615 not less than \$2,250,000 shall be expended to New North Citizens Council, Inc. for pre-  
616 development and construction activities related to the redevelopment of the former Brightwood  
617 School at 471 Plainfield street in the city of Springfield; provided further, that not less than  
618 \$275,000 shall be expended to Way Finders, Inc. for capital improvement projects and upgrades  
619 to the Southampton Meadows apartments; provided further, that not less than \$1,000,000 shall be  
620 expended to the Wakefield Housing Authority for the development of the former Hurd school  
621 into affordable housing for individuals with disabilities; provided further, that not less than  
622 \$500,000 shall be expended to the Westfield Housing Authority for capital improvement projects  
623 and upgrades; provided further, that not less than \$1,000,000 shall be expended to the Agawam  
624 Housing Authority for capital improvement projects and upgrades; provided further, that not less  
625 than \$500,000 shall be expended to the Valley Community Development Corporation for design  
626 and construction of solar energy systems and development at the Amherst Community Homes  
627 project in the city known as the town of Amherst; provided further, that not less than \$1,000,000  
628 shall be expended to the West Springfield Housing Authority for capital improvement projects  
629 and upgrades; provided further, that not less than \$500,000 shall be expended for the Littleton  
630 Housing Authority; provided further, that not less than \$2,000,000 shall be expended to Way  
631 Finders, Inc. for the East Street and the Belchertown Road affordable housing projects in the city  
632 known as the town of Amherst; provided further, that not less than \$1,000,000 shall be expended  
633 to the Avon Housing Authority to make necessary capital and accessibility improvements to the  
634 resident community center; provided further, that not less than \$1,000,000 shall be expended for

635 the town of Leverett for housing development or redevelopment efforts in accordance with the  
636 town's comprehensive plan, existing town needs and coordination with neighboring  
637 municipalities on housing developments that impact both municipalities; provided further, that  
638 not less than \$500,000 shall be expended for the Maynard Housing Authority; provided further,  
639 that not less than \$50,000 shall be expended to the Dedham Housing Authority for maintenance  
640 and improvements; provided further, that not less than \$50,000 shall be expended to the  
641 Norwood Housing Authority for maintenance and improvements; provided further, that not less  
642 than \$50,000 shall be expended to the Walpole Housing Authority for maintenance and  
643 improvements; provided further, that not less than \$50,000 shall be expended to the Westwood  
644 Housing Authority for maintenance and improvements; provided further, that not less than  
645 \$2,000,000 shall be expended to the city of Worcester for a lead abatement program; provided  
646 further, that not less than \$500,000 shall be expended to Worcester Common Ground Inc., to  
647 renovate 9 May street, a nonprofit affordable housing property; provided further, that not less  
648 than \$2,000,000 shall be expended to the city of Worcester for an affordable housing  
649 preservation program; provided further, that not less than \$2,500,000 shall be expended to the  
650 Main South Community Development Corporation for the development of 100 new affordable  
651 housing units; provided further, that not less than \$500,000 shall be expended for the  
652 Southborough Housing Authority; provided further, that not less than \$2,500,000 shall be  
653 expended to the Newton Housing Authority for window replacement, energy efficiency upgrades  
654 to deteriorating existing units and the addition of new affordable units; provided further, that not  
655 less than \$1,000,000 shall be expended to the Wellesley Housing Authority for infrastructure  
656 updates, maintenance and accessibility projects; provided further, that not less than \$500,000  
657 shall be expended for the Sudbury Housing Authority; provided further, that not less than

658 \$5,000,000 shall be expended for the development of affordable housing in the city of Lawrence  
659 for unhoused families, families impacted by domestic violence, veterans and victims of human  
660 trafficking; provided further, that not less than \$500,000 shall be expended for the Wayland  
661 Housing Authority; provided further, that not less than \$500,000 shall be expended to the Dalton  
662 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
663 Quincy Housing Authority for purposes including, but not limited to, planning, design,  
664 engineering and construction of public housing units, site and building infrastructure repairs and  
665 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
666 Abington Housing Authority for purposes including, but not limited to, planning, design,  
667 engineering and construction of public housing units, site and building infrastructure repairs and  
668 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
669 Hanover Housing Authority for purposes including, but not limited to, planning, design,  
670 engineering and construction of public housing units, site and building infrastructure repairs and  
671 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
672 Holbrook Housing Authority for purposes including, but not limited to, planning, design,  
673 engineering and construction of public housing units, site and building infrastructure repairs and  
674 property acquisition; provided further, that not less than \$500,000 shall be expended to the  
675 Rockland Housing Authority for purposes including, but not limited to, planning, design,  
676 engineering and construction of public housing units, site and building infrastructure repairs and  
677 property acquisition; provided further, that not less than \$600,000 shall be expended for People  
678 Acting in Community Endeavors, Inc. in the city of New Bedford for the rehabilitation of  
679 residential units into affordable housing for renters and first-time homebuyers; provided further,  
680 that not less than \$1,000,000 shall be expended for the demolition of the existing building and

681 construction of a parking deck at 1204 Purchase street in the city of New Bedford to enable local  
682 housing development; provided further, that not less than \$5,000,000 shall be expended to the  
683 New Bedford Housing Authority for renovations, repairs and remodeling projects to preserve  
684 housing stock and improve tenant quality of living; provided further, that not less than \$500,000  
685 shall be expended for Partners in Housing, Inc. for affordable senior housing at the Mendes-  
686 Monteiro House in the town of Dartmouth; provided further, that not less than \$2,000,000 shall  
687 be expended for the Brookline Housing Authority; provided further, that not less than \$2,500,000  
688 shall be expended to the city of Salem for the redevelopment of the former historic Salem  
689 superior court and county commissioner's building for mixed; provided further, that not less than  
690 \$1,000,000 shall be expended to the Salem Housing Authority for purposes, including, but not  
691 limited to, housing-related infrastructure improvements, unit modernization and maintenance;  
692 provided further, that not less than \$1,000,000 shall be expended to the Danvers Housing  
693 Authority for purposes, including, but not limited to, housing-related infrastructure  
694 improvements, unit modernization and maintenance; provided further, that not less than  
695 \$1,000,000 shall be expended to the Peabody Housing Authority for purposes, including, but not  
696 limited to, housing-related infrastructure improvements, unit modernization and maintenance;  
697 provided further, that not less than \$1,000,000 shall be expended to the Beverly Housing  
698 Authority for purposes, including, but not limited to, housing-related infrastructure  
699 improvements, unit modernization and maintenance; provided further, that not less than  
700 \$4,500,000 shall be expended to the Malden Housing Authority for critical infrastructure repairs  
701 to public housing units for seniors and individuals with disabilities; provided further, that not less  
702 than \$500,000 shall be expended to the Braintree Housing Authority; provided further, that not  
703 less than \$500,000 shall be expended to the Bridgewater Housing Authority; provided further,

704 that not less than \$500,000 shall be expended to the Easton Housing Authority; provided further,  
705 that not less than \$500,000 shall be expended to the Milton Housing Authority; provided further,  
706 that not less than \$500,000 shall be expended to the Randolph Housing Authority; provided  
707 further, that not less than \$500,000 shall be expended to the Stoughton Housing Authority;  
708 provided further, that not less than \$500,000 shall be expended to the West Bridgewater Housing  
709 Authority; provided further, that not less than \$1,000,000 shall be expended to the Bridgewater  
710 Housing Authority to support a sewer line replacement project; provided further, that not less  
711 than \$1,470,000 shall be expended to Valley Community Land Trust, Incorporated for land  
712 acquisition and construction and development of affordable housing in Franklin county; provided  
713 further, that not less than \$1,000,000 shall be expended to the city of Gloucester for workforce  
714 development and affordable housing purposes; provided further, that not less than \$250,000 shall  
715 be expended for public housing redevelopment at the Monson Developmental Center in the town  
716 of Monson; provided further, that not less than \$1,000,000 shall be expended for the creation of  
717 affordable housing units in the Stevens Linen Mill public housing development project in the  
718 town of Dudley; provided further, that not less than \$500,000 shall be expended to the town of  
719 Northbridge for housing redevelopment projects; provided further, that not less than \$500,000  
720 shall be expended to the town of Upton for housing infrastructure improvements; provided  
721 further, that not less than \$1,000,000 shall be expended for sewer, septic, water, storm water  
722 management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and  
723 expansions that advance projects that support housing development, preservation or  
724 rehabilitation in the town of Auburn; provided further, that not less than \$1,000,000 shall be  
725 expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls  
726 and public safety infrastructure upgrades and expansions that advance projects that support



727 housing development, preservation or rehabilitation in the town of Grafton; provided further, that  
728 not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management,  
729 roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that  
730 advance projects that support housing development, preservation or rehabilitation in the town of  
731 Millbury; provided further, that not less than \$1,000,000 shall be expended for sewer, septic,  
732 water, storm water management, roads, sidewalks, traffic controls and public safety  
733 infrastructure upgrades and expansions that advance projects that support housing development,  
734 preservation or rehabilitation in the town of Shrewsbury; provided further, that not less than  
735 \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads,  
736 sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance  
737 projects that support housing development, preservation or rehabilitation in the town of  
738 Westborough; provided further, that not less than \$2,000,000 shall be expended for sewer, septic,  
739 water, storm water management, roads, sidewalks, traffic controls and public safety  
740 infrastructure upgrades and expansions that advance projects that support housing development,  
741 preservation or rehabilitation in the city of Worcester; provided further, that not less than  
742 \$500,000 shall be expended to the town of Middleton for infrastructure improvements to support  
743 housing and public safety; provided further, that not less than \$2,000,000 shall be expended for  
744 infrastructure improvement to facilitate housing production along the United States highway  
745 route 1 corridor between the town of Topsfield and the town of Salisbury; provided further, that  
746 not less than \$500,000 shall be expended to the city of Newburyport for the development of  
747 housing at the former Brown school located at 40 Milk street in the city of Newburyport;  
748 provided further, that not less than \$250,000 shall be expended to the town of North Reading for  
749 infrastructure improvements to support housing production; provided further, that not less than

750 \$250,000 shall be expended to the Rockport Affordable Housing Trust for the production of  
751 affordable housing; provided further, that not less than \$500,000 shall be expended to Housing  
752 Support Inc. in the city of Newburyport for the creation of housing to support populations, which  
753 may include, but shall not be limited to, low-income individuals, homeless individuals, people  
754 with disabilities, veterans and individuals in recovery in the Merrimack valley; provided further,  
755 that not less than \$1,000,000 shall be expended to the Greater Boston Community Land Trust for  
756 the acquisition, development and rehabilitation of property to be preserved for long-term  
757 affordable housing; provided further, that not less than \$7,000,000 shall be expended to  
758 Children’s Services of Roxbury, Inc. to develop affordable, supportive housing for transition-  
759 aged youth facing homelessness or aging out of systems and for homeless families coping with  
760 trauma and mental health needs; provided further, that not less than \$500,000 shall be expended  
761 to the Winchester Housing Authority; provided further, that not less than \$500,000 shall be  
762 expended to the Cape Cod Chamber of Commerce for the construction of new accessory  
763 dwelling units to increase affordable workforce housing through an employer housing  
764 partnership program; provided further, that not less than \$1,000,000 shall be expended to the  
765 Housing Assistance Corporation for the construction and build-out of a regional housing  
766 resource center; provided further, that not less than \$500,000 shall be expended to the Stoneham  
767 Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the  
768 Canton Housing Authority; provided further, that not less than \$1,000,000 shall be expended to  
769 the Foxborough Housing Authority; provided further, that not less than \$1,000,000 shall be  
770 expended to the Sharon Housing Authority; provided further, that not less than \$1,000,000 shall  
771 be expended to the Norton Housing Authority; provided further, that not less than \$1,000,000  
772 shall be expended to the North Attleboro Housing Authority; provided further, that not less than

773 \$3,000,000 shall be expended to Northern Bristol County Assistance Collaborative, Inc. for  
774 development costs for the Attleboro affordable senior housing project; provided further, that not  
775 less than \$500,000 shall be expended to the Rehoboth Housing Authority for the design and  
776 construction of new senior housing units; provided further, that not less than \$500,000 shall be  
777 expended to the Carver Housing Authority for housing improvements, including, but not limited  
778 to, modernization, energy efficiencies and sustainability; provided further, that not less than  
779 \$500,000 shall be expended to the Dighton Housing Authority for housing improvements,  
780 including, but not limited to, modernization, energy efficiencies and sustainability; provided  
781 further, that not less than \$1,000,000 shall be expended to the Middleborough Housing Authority  
782 for housing improvements, including, but not limited to, modernization, energy efficiencies and  
783 sustainability; provided further, that not less than \$500,000 shall be expended to the Raynham  
784 Housing Authority for housing improvements, including, but not limited to, modernization,  
785 energy efficiencies and sustainability; provided further, that not less than \$3,500,000 shall be  
786 expended to the Taunton Housing Authority for housing improvements, including, but not  
787 limited to, modernization, energy efficiencies and sustainability; provided further, that not less  
788 than \$500,000 shall be expended to the Wareham Housing Authority for new senior housing  
789 construction and housing improvements, including, but not limited to, modernization, energy  
790 efficiencies and sustainability; provided further, that not less than \$3,000,000 shall be expended  
791 for planning and design of water infrastructure interconnections between municipalities and  
792 other public water suppliers affected by the Ipswich river watershed to support current and future  
793 housing stock; provided further, that not less than \$750,000 shall be expended for the Simonelli  
794 Innovation Center at the Hamilton Mills building for an affordable housing development project  
795 in the town of Southbridge; provided further, that not less than \$1,000,000 shall be expended for

796 the modernization of elevators at the Ruth Lillian Barkley development in the South End section  
797 of the city of Boston; provided further, that not less than \$1,000,000 shall be expended to the  
798 Boston Housing Authority for the modernization of the St. Botolph apartments in the city of  
799 Boston; provided further, that not less than \$1,000,000 shall be expended to Codman Square  
800 Neighborhood Development Corporation for design, construction and maintenance of affordable  
801 housing; provided further, that not less than \$1,000,000 shall be expended to South Boston  
802 Neighborhood Development Corporation for design, construction and maintenance of affordable  
803 housing; provided further, that not less than \$1,000,000 shall be expended to Caribbean  
804 Integration Community Development, Inc. for design, construction and maintenance of  
805 affordable housing; provided further, that not less \$1,000,000 shall be expended to St. Mary's  
806 Center for Women and Children, Inc. for renovation and construction of supportive housing  
807 units; provided further, that not less than \$2,000,000 shall be expended to the Boston Housing  
808 Authority for the modernization and maintenance of the Monsignor Powers apartments, West  
809 Ninth Street apartments and Foley apartments in the South Boston section of the city of Boston;  
810 provided further, that not less than \$15,000,000 shall be expended to the Boston Housing  
811 Authority for the creation of federally-assisted housing in the city of Boston pursuant to the  
812 United States Department of Housing and Urban Development's Rental Assistance  
813 Demonstration program or related federal housing programs; provided further, that not less than  
814 \$5,000,000 shall be expended to the town of Truro to complete water main extension and road  
815 work improvements related to the construction of housing at the Walsh Property project;  
816 provided further, that not less than \$1,000,000 shall be expended to the Somerset Housing  
817 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
818 provided further, that not less than \$1,000,000 shall be expended to the Swansea Housing

819 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
820 provided further, that not less than \$1,000,000 shall be expended to the Westport Housing  
821 Authority for critical infrastructure repairs, maintenance and capital improvement projects;  
822 provided further, that not less than \$5,000,000 shall be expended to the Fall River Housing  
823 Authority for facility renovations and security improvements; provided further, that not less than  
824 \$5,000,000 shall be expended to the city of Boston to automate the ground water monitoring  
825 system; provided further, that not less than \$2,000,000 shall be expended to the city known as  
826 the town of Winthrop for infrastructure and demolition of the former middle school located at  
827 141 Pauline street; and provided further, that not less than \$1,000,000 shall be expended to the  
828 city of Revere for senior housing upgrades and improvements to Revere Housing Authority  
829 properties.....\$228,770,000

830 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

831 7004-0077 For a local capital projects grant program to support and encourage  
832 implementation of the housing choice designation for communities that have demonstrated  
833 housing production and adoption of housing best practices; provided, that not less than  
834 \$25,000,000 shall be expended for a grant program to assist MBTA communities in complying  
835 with the multi-family zoning requirement in section 3A of chapter 40A of the General  
836 Laws.....\$60,000,000

837 7004-0079 For the Smart Growth Housing Trust Fund established in section 35AA of  
838 chapter 10 of the General Laws.....\$20,000,000

839 7004-0081 For a reserve to support the production of for-sale, below market housing  
840 to expand homeownership opportunities for first-time homebuyers and socially and economically

841 disadvantaged individuals; provided, that grants and loans to developers shall be used to  
842 facilitate production of affordable homeownership units for households earning not more than  
843 120 per cent of the area median income; provided further, that projects with units restricted to  
844 households with incomes of not more than 80 per cent of the area median income shall receive  
845 preference; provided further, that funds expended from this item shall, to the maximum extent  
846 feasible, be prioritized for projects that comply with decarbonization and sustainability  
847 standards; provided further, that prioritization shall be determined through objective scoring  
848 criteria in the Qualified Allocation Plan developed by the executive office of housing and livable  
849 communities; provided further, that for new construction projects, the standards set forth in the  
850 Municipal Opt-in Specialized Stretch Energy Code under 225 CMR 22.00 and 23.00 and the  
851 Enterprise Green Communities standards shall be the applicable standards for prioritization;  
852 provided further, that any project proposing less than full compliance with said standards shall  
853 provide detailed analysis demonstrating why full compliance would render the project infeasible  
854 notwithstanding utilization of all available federal and state incentives, including rebates and tax  
855 credits; provided further, that for retrofits of existing units, prioritization shall be given to  
856 projects that include energy efficiency and electrification decarbonization measures, including,  
857 but not limited to, electric or ground source heat pumps, net-zero developments, Passive House  
858 Institute certification or an equivalent energy efficiency certification, and all-electric buildings  
859 and projects that incorporate green, sustainable and climate-resilient elements; provided further,  
860 that projects that include lower embodied carbon construction materials and methods shall be  
861 further prioritized; provided further, that the minimum number of units for qualifying projects  
862 under the program shall be 10 units unless otherwise approved by the secretary of housing and  
863 livable communities; provided further, that funds in this item shall be distributed in a manner that

864 promotes geographic equity; provided further, that grants may include a requirement for  
865 matching funds; provided further, that the executive office of housing and livable communities  
866 may enter into such contracts and agreements with the Massachusetts Housing Finance Agency,  
867 or such other public agencies and instrumentalities as it may determine, for the administration of  
868 such program; and provided further, that not more than 5 per cent of this item shall be used for  
869 the reasonable costs of administering the program.....\$200,000,000

870           7004-0082   For grants and technical assistance for municipalities and regional  
871 applicants to support planning and locally-driven initiatives related to community development,  
872 housing production, workforce training and economic opportunity, childcare and early education  
873 initiatives and climate resilience initiatives, including nature-based solutions projects, that  
874 incorporate these elements, across the commonwealth within individual communities, regions or  
875 a defined subset of communities therein; provided, that funds may be expended for culturally  
876 competent and multi-lingual technical assistance and training to small businesses; provided  
877 further, that preference for such funds shall be given to businesses located in low- or moderate-  
878 income areas and owned by socially and economically disadvantaged individuals; provided  
879 further, that grants shall be awarded in a manner that promotes geographic equity; and provided  
880 further, that funds from this item shall not be expended in communities deemed by the executive  
881 office of housing and livable communities not in compliance with the multi-family zoning  
882 requirement established in section 3A of chapter 40A of the General Laws.....\$25,000,000

883           7004-0083   For the HousingWorks infrastructure program established in section 27½  
884 of chapter 23B of the General Laws; provided, that not less than \$100,000,000 shall be expended  
885 as grants to cities and towns for sewer, septic and water infrastructure upgrades that advance  
886 projects that support housing development, preservation or rehabilitation; provided further, that

887 the executive office shall consider geographic equity in awarding funds from this item; provided  
888 further, that not less than \$50,000,000 shall be expended as grants to cities and towns that (i) are  
889 compliant with the multi-family zoning requirement under section 3A of chapter 40A of the  
890 General Laws; and (ii) have demonstrated continued effort to advance housing production  
891 beyond the minimum multi-family zoning requirement in said section 3A of said chapter 40A, as  
892 determined by the secretary of housing and livable communities; provided further, that not less  
893 than \$50,000,000 shall be expended as grants to cities and towns that have: (a) accepted  
894 sections 3 to 7, inclusive, of chapter 44B of the General Laws; and (b) expended an amount of  
895 not less than 10 per cent of revenues available to the city or town under said sections 3 to 7,  
896 inclusive, of said chapter 44B on community housing; and provided further, that the executive  
897 office of housing and livable communities shall prioritize the awarding of grants to cities and  
898 towns with higher percentages of total revenues available to the city or town under said sections  
899 3 to 7, inclusive, of said chapter 44B expended on community housing  
900 .....\$375,000,000

901           7004-0085     For state financial assistance to cities and towns or agencies, boards,  
902 commissions, authorities, departments or instrumentalities thereof or community development  
903 corporations or nonprofit organizations to assist in the revitalization of neighborhoods and  
904 communities with properties in blighted or substandard conditions by subsidizing the purchase  
905 price, borrowing costs or costs of demolition or renovation projects of not more than 50 units of  
906 residential rental housing or 1 to 4 units, inclusive, of home ownership residential housing that  
907 have been cited for building or sanitary code violations or that are subject to cancellation of  
908 commercial property insurance due to substandard property conditions or are otherwise blighted  
909 or substandard; provided, that contracts entered into by the executive office of housing and



910 livable communities for those projects may include, but shall not be limited to, projects  
911 providing for demolition, renovation, remodeling, reconstruction, redevelopment and hazardous  
912 material abatement, including asbestos and lead paint, and for compliance with state codes and  
913 laws and for adaptations necessary for compliance with the Americans with Disabilities Act of  
914 1990; provided further, that preference shall be given to community development corporations  
915 and local non-profit organizations, organizations sponsoring projects that secure private funds  
916 and projects with the greatest impact on community stabilization in weak markets, including, but  
917 not limited to, rural communities and communities that have been disproportionately affected by  
918 disinvestment, foreclosure and abandonment; provided further, that financial assistance shall be  
919 awarded in a manner that promotes geographic, social, racial, and economic equity; provided  
920 further, that funds from this item shall not be expended in communities deemed by the secretary  
921 of housing and livable communities not in compliance with the multi-family zoning requirement  
922 established in section 3A of chapter 40A of the General Laws; provided further, that funds  
923 expended from this item shall, to the maximum extent feasible, be prioritized for projects that  
924 comply with decarbonization and sustainability standards; provided further, that prioritization  
925 shall be determined through objective scoring criteria in the Qualified Allocation Plan developed  
926 by the executive office of housing and livable communities; provided further, that for new  
927 construction projects, the standards set forth in the Municipal Opt-in Specialized Stretch Energy  
928 Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be  
929 the applicable standards for prioritization; provided further, that any project proposing less than  
930 full compliance with said standards shall provide detailed analysis demonstrating why full  
931 compliance would render the project infeasible notwithstanding utilization of all available  
932 federal and state incentives, including rebates and tax credits; provided further, that for retrofits

933 of existing units, prioritization shall be given to projects that include energy efficiency and  
934 electrification decarbonization measures, including, but not limited to, electric or ground source  
935 heat pumps, net-zero developments, Passive House Institute compliance or an equivalent energy  
936 efficiency certification, and all-electric buildings and projects that incorporate green, sustainable  
937 and climate-resilient elements; provided further, that projects that include lower embodied  
938 carbon construction materials and methods shall be further prioritized; provided further, that  
939 such rehabilitated housing shall remain affordable for such period as shall be established by the  
940 executive office through guidance taking into account differences in market conditions and the  
941 type of restrictions best suited to promoting community stabilization in different markets; and  
942 provided further, that an amount not to exceed 2 per cent of the amount expended may be used  
943 for administrative costs directly attributable to the purposes of this program, including costs of  
944 support personnel.....\$50,000,000

945           7004-0096     For a rural and small town housing program; provided, that funds shall be  
946 expended as state financial assistance in the form of no interest loans, grants, subsidies, credit  
947 enhancements and other financial assistance for the development and redevelopment of rental  
948 and homeownership housing in rural areas; provided further, that entities eligible to receive  
949 financial assistance under this item shall include qualified for-profit or nonprofit developers,  
950 community development corporations, local housing authorities, community action agencies,  
951 community-based or neighborhood-based nonprofit housing organizations, other nonprofit  
952 organizations and for-profit entities, cities and towns and other governmental entities; provided  
953 further, that state financial assistance shall be awarded for projects in municipalities m that have:  
954 (i) a total population of not more than 7,000 persons; or (ii) a population density of not more than  
955 500 persons per square mile; provided further, that preference shall be given to projects in

956 communities designated as a housing choice community by the executive office of housing and  
957 livable communities or that have otherwise demonstrated housing best practices; provided  
958 further, that funds shall be expended in a manner that promotes geographic equity and meets the  
959 needs of all types of rural communities as identified in the 2019 rural policy plan; provided  
960 further, that funds from this item shall not be expended in communities deemed by the secretary  
961 of housing and livable communities to not be in compliance with the multi-family zoning  
962 requirement established in section 3A of chapter 40A of the General Laws; provided further, that  
963 financial assistance to eligible entities shall be used for housing production, preservation or  
964 rehabilitation for households with income of not more than 110 per cent of the area median  
965 income; provided further, that projects with units restricted to households with income of not  
966 more than 60 per cent of the area median income shall receive preference; provided further, that  
967 projects awarded financial assistance under this item shall not be subject to a minimum unit  
968 threshold determined by the executive office of housing and livable communities; provided  
969 further, that funds may be expended to construct or repair non-publicly-owned septic systems  
970 within a housing development or redevelopment project that has been awarded financial  
971 assistance under this item; and provided further, that any septic system and drinking water wells  
972 construction or repair completed under this item shall be compliant with 310 CMR 15.00; and  
973 provided further, that the executive office may contract with a public agency, quasi-public  
974 agency or nonprofit entity for the administration of this  
975 program.....\$50,000,000

976           7004-0097     For a seasonal community housing innovation program; provided, that  
977 funds shall be expended as state financial assistance in the form of no interest loans, grants,  
978 subsidies, credit enhancements and other financial assistance for the development and

979 redevelopment of housing in seasonal communities, as defined by the executive office of housing  
980 and livable communities and as informed by the recommendations of the advisory council  
981 established under section 32 of chapter 23B of the General Laws; provided further, that entities  
982 eligible to receive financial assistance under this item shall include qualified for-profit or  
983 nonprofit developers, community development corporations, local housing authorities,  
984 community action agencies, community-based or neighborhood-based nonprofit housing  
985 organizations, other nonprofit organizations and for-profit entities, cities and towns and other  
986 governmental entities; provided further, that state financial assistance to eligible entities shall be  
987 used to facilitate production, preservation or rehabilitation of affordable and attainable housing  
988 in seasonal communities for year-round residents with incomes at or below a level to be set by  
989 the executive office; provided further, that projects with units restricted to households with  
990 income of not more than 60 per cent of the area median income shall receive preference;  
991 provided further, that projects that receive financial assistance under this item may include but  
992 shall not be limited to: (i) affordable housing restricted to individuals who maintain primary  
993 residence in a seasonal community for a period not less than 10 months during any 12-month  
994 period; (ii) housing for individuals holding an office, position or employment for municipal or  
995 county government or agency within a municipality designated as a seasonal community, which  
996 shall include but not be limited to, teachers, public works employees, public safety employees,  
997 first responders, town administrators and other municipal employees; and (iii) housing for  
998 individuals who, by vocation, produce or support artistic and literary activities; provided further,  
999 that preference shall be given to projects in seasonal communities that have a zoning ordinance  
1000 or by-law that provides for at least 1 district of reasonable size in which small scale, year-round  
1001 housing is permitted as of right; provided further, that such multi-family housing shall be without

1002 age restrictions and shall be suitable for families with children; and provided further, that the  
1003 executive office may contract with a public agency, quasi-public agency, or nonprofit entity for  
1004 the administration of this program.....\$50,000,000

1005           7004-0098     For state financial assistance in the form of no interest loans, grants,  
1006 subsidies, credit enhancements and other financial assistance for the development and  
1007 redevelopment of housing in midsized and suburban communities; provided, that entities eligible  
1008 to receive financial assistance under this item shall include qualified for-profit or nonprofit  
1009 developers, community development corporations, local housing authorities, community action  
1010 agencies, community-based or neighborhood-based nonprofit housing organizations, other  
1011 nonprofit organizations and for-profit entities, and governmental entities; provided further, that  
1012 state financial assistance shall be awarded for projects in cities and town with a total population  
1013 of not more than 40,000 persons; provided further, that projects eligible for financial assistance  
1014 under item 7004-0096 shall not be eligible for financial assistance under this item; provided  
1015 further, that financial assistance to eligible entities shall be used for housing production,  
1016 preservation or rehabilitation for households with income of not more than 110 per cent of the  
1017 area median income; provided further, that projects with units restricted to households with  
1018 income of not more than 60 per cent of the area median income shall receive preference;  
1019 provided further, that the executive office shall consider geographic equity in awarding funds  
1020 from this item; provided further, that funds from this item shall not be expended for projects in  
1021 communities deemed by the secretary of housing and livable communities not in compliance  
1022 with the multi-family zoning requirement established in section 3A of chapter 40A of the  
1023 General Laws; and provided further, that the executive office may contract with a public agency,

1024 quasi-public agency, or nonprofit entity for the administration of this  
1025 program.....\$50,000,000

1026 SECTION 2B.

1027 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

1028 7004-4784 For the Massachusetts Housing Finance Agency established in section 3 of  
1029 chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production  
1030 Momentum Fund for the purpose of accelerating the development of mixed-income and  
1031 workforce multifamily housing production projects by providing financial assistance in the form  
1032 of innovative, low-cost, and flexible capital funding, which may be in the form of debt, equity, or  
1033 other instruments, depending on individual underwriting needs of the project; provided, that not  
1034 less than 20 per cent of the units in a project that receives financial assistance under this item  
1035 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,  
1036 of the area median income; provided further, that, notwithstanding paragraph (f) of section 5 of  
1037 said chapter 708, the Agency may in its discretion set the term and prepayment options for any  
1038 mortgage or other loan or instrument issued to any project receiving such financial assistance  
1039 based on the individual underwriting needs of the project; provided further, that such financial  
1040 assistance shall be awarded in a manner that promotes geographic equity; provided further, that  
1041 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects  
1042 that comply with decarbonization and sustainability standards; provided further, that  
1043 prioritization shall be determined through objective scoring criteria in the Qualified Allocation  
1044 Plan developed by the executive office of housing and livable communities; provided further,  
1045 that for new construction projects, the standards set forth in the Municipal Opt-in Specialized

1046 Stretch Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities  
1047 standards shall be the applicable standards for prioritization; provided further, that any project  
1048 proposing less than full compliance with said standards shall provide detailed analysis  
1049 demonstrating why full compliance would render the project infeasible notwithstanding  
1050 utilization of all available federal and state incentives, including rebates and tax credits; provided  
1051 further, that for retrofits of existing units, prioritization shall be given to projects that include  
1052 energy efficiency and electrification decarbonization measures, including, but not limited to,  
1053 electric or ground source heat pumps, net-zero developments, Passive House Institute  
1054 certification or an equivalent energy efficiency certification, and all-electric buildings and  
1055 projects that incorporate green, sustainable and climate-resilient elements; and provided further,  
1056 that projects that include lower embodied carbon construction materials and methods shall be  
1057 further prioritized.....\$50,000,000

1058 SECTION 3. Section 20 of chapter 6C of the General Laws, as appearing in the 2022  
1059 Official Edition, is hereby amended by inserting after the second paragraph the following  
1060 paragraph:-

1061 Any agreement related to any sale or lease of property may require that a developer  
1062 construct, design, build, finance, operate or maintain, or any combination thereof, transportation  
1063 facilities in the state highway system, including land and air rights or any related facility or  
1064 component thereof controlled by the department; provided, however, that the department shall  
1065 state in its bid documentation that such transportation facilities or related facility will be accepted  
1066 or required as a part of any such development agreement. There shall not be any further  
1067 procurement or advertising requirements except for the requirements set forth in this section.

1068 SECTION 4. Section 46 of said chapter 6C, as so appearing, is hereby amended by  
1069 inserting after the first paragraph the following paragraph:-

1070 An agreement related to any lease of property may require that a developer construct,  
1071 design, build, finance, operate or maintain, or any combination thereof, transportation facilities  
1072 in the state highway system, including land and air rights or any related facility or component  
1073 thereof controlled by the department; provided, however, that the department shall state in its bid  
1074 documentation that such transportation facilities or related facility will be accepted or required as  
1075 a part of any such development agreement. There shall not be any further procurement or  
1076 advertising requirements except for the requirements set forth in section 20.

1077 SECTION 5. The first paragraph of subsection (b) of section 1 of chapter 23B of the  
1078 General Laws, as appearing in section 102 of chapter 7 of the acts of 2023, is hereby amended by  
1079 adding the following clause:-

1080 (xviii) develop and implement, not less than once every 5 years, a written comprehensive  
1081 housing plan for the commonwealth, which shall include, but not be limited to, housing supply  
1082 and demand data, affordability and affordability gaps, identification of housing affordability  
1083 challenges and needs by region, an analysis of local zoning and strategies to address such  
1084 housing needs.

1085 SECTION 6. Section 5A of said chapter 23B, as appearing in section 104 of said chapter  
1086 7, is hereby amended by striking out the first paragraph and inserting in place thereof the  
1087 following paragraph:-

1088 There shall be within the executive office a housing appeals committee consisting of: 5  
1089 members to be appointed by the secretary, 1 of whom shall be an officer or employee of the



1090 executive office or any agency or division within the executive office or a designee; and 2  
1091 members to be appointed by the governor, 1 of whom shall be a sitting or former member of a  
1092 select board and 1 of whom shall be a sitting or former member of a city council or other  
1093 governing body of a city. Each member shall serve a term of 2 years and the secretary shall  
1094 designate the chair. A member of the committee shall not receive compensation for such service  
1095 but shall be reimbursed by the commonwealth for all reasonable expenses actually and  
1096 necessarily incurred in the performance of the member's official duties. The committee shall  
1097 hear all petitions for review filed under section 22 of chapter 40B and shall conduct such  
1098 hearings in accordance with rules and regulations established by the secretary; provided,  
1099 however, that the committee may hear multiple petitions concurrently if the petitions are heard  
1100 by not less than 3 members as assigned by the chair, of which 2 of whom shall have been  
1101 appointed by the secretary and 1 of whom shall have been appointed by the governor.

1102 SECTION 7. Section 27½ of said chapter 23B, inserted by section 117 of said chapter 7,  
1103 is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the  
1104 following 2 subsections:-

1105 (a) There shall be in the executive office of housing and livable communities a  
1106 HousingWorks infrastructure program to: (i) issue infrastructure grants that support housing to  
1107 municipalities and other public entities for design, construction, building, rehabilitation, repair  
1108 and other improvements to infrastructure that support the objectives of the secretariat including,  
1109 but not limited to, sewers, utility extensions, streets, roads, curb-cuts, parking, water treatment  
1110 systems, telecommunications systems, transit improvements, public parks and spaces that  
1111 support planned or proposed housing improvements and pedestrian and bicycle ways; and (ii)  
1112 assist municipalities to advance projects that support housing development, preservation or

1113 rehabilitation. Preference for grants or assistance under this section shall be given to: (i)  
1114 infrastructure serving locations within 0.5 miles of a transit station or transit route; (ii) other  
1115 eligible locations as defined in section 1A of chapter 40A; (iii) multi-family zoning districts that  
1116 comply with section 3A of said chapter 40A; provided, however, that no funds shall be awarded  
1117 to a community deemed by the secretary to be not in compliance with said section 3A of said  
1118 chapter 40A; (iv) communities that: (1) have accepted sections 3 to 7, inclusive, of chapter 44B;  
1119 and (2) have expended not be less than 10 per cent of revenues available to the city or town  
1120 under said sections 3 to 7, inclusive, of said chapter 44B for community housing; and (v) projects  
1121 that support regional equity.

1122 (b) A project that uses grants to municipalities for public infrastructure provided by this  
1123 section shall be procured by a municipality in accordance with chapter 7, section 39M of chapter  
1124 30, chapter 30B and chapter 149.

1125 SECTION 8. Said chapter 23B is hereby further amended by adding the following 3  
1126 sections:-

1127 Section 31. (a) There shall be within the executive office of housing and livable  
1128 communities an office of fair housing. The secretary of housing and livable communities shall  
1129 appoint a director of the office who shall serve at the pleasure of the secretary.

1130 (b) The office shall:

1131 (i) collaborate with state agencies on policies and strategies to: (a) advance the  
1132 elimination of housing discrimination and increase access to fair housing; (b) overcome patterns  
1133 of segregation; (c) foster inclusive communities without barriers that restrict access for  
1134 individuals or groups protected from unlawful practices pursuant to chapter 151B; and (d)

1135 support enforcement of and compliance with all fair housing laws, including, but not limited to,  
1136 said chapter 151B and the Fair Housing Act, 42 U.S.C. 3601 et seq.;

1137 (ii) facilitate communication and partnership among state agencies and municipalities to  
1138 identify the intersections between activities of state agencies, activities of municipalities and fair  
1139 housing;

1140 (iii) facilitate the development of interagency initiatives to examine and address the social  
1141 and economic determinants of housing disparities, including, but not limited to: (a) equal access  
1142 to quality housing; (b) housing affordability; (c) access and proximity to multimodal  
1143 transportation options, including cost of such transportation; (d) air, water and land usage and  
1144 quality, including, but not limited to, consideration of environmental justice principles as defined  
1145 in section 62 of chapter 30; (e) employment and workforce development; (f) access to healthcare;  
1146 (g) access to and quality of education; and (h) language access; and

1147 (iv) administer the Fair Housing Trust Fund established under section 2EEEEEE of  
1148 chapter 29.

1149 (c)(1) Not less than every 3 years, the office shall prepare a report evaluating the progress  
1150 of the commonwealth toward eliminating housing discrimination and increasing access to fair  
1151 housing. The report shall comply with applicable federal requirements for analysis and reporting.  
1152 Where possible, the report shall include quantifiable measures and comparative benchmarks and  
1153 shall detail progress on a regional basis. The office shall hold public hearings in geographically  
1154 diverse regions of the commonwealth to gather public information on the topics of the report.

1155 (2) Annually, the office shall prepare a supplemental report describing the activities and  
1156 outcomes of the Fair Housing Trust Fund established under section 2EEEEEE of chapter 29.

1157 (3) Reports pursuant to this subsection shall be filed with the clerks of the house of  
1158 representatives and senate and the joint committee on housing not later than July 1 in the year in  
1159 which the report is due. Each report shall be posted publicly on the office's website.

1160 Section 32. (a) There shall be within the executive office of housing and livable  
1161 communities an office of livable communities and community services, which shall be under the  
1162 charge of an undersecretary, who shall be appointed and may be removed by the secretary and  
1163 who shall be subject to the direction, control and supervision of the secretary.

1164 (b) The office shall: (i) seek to enrich housing opportunities across the commonwealth  
1165 and carry out its duties in a regionally equitable manner; (ii) provide technical assistance  
1166 regarding housing needs to cities and towns, including rural communities, as defined in section  
1167 66 of chapter 23A and seasonal communities, as designated by the secretary pursuant to section  
1168 33, to address preservation and production of affordable and attainable year-round housing  
1169 specific to the needs of the community or region; and (iii) ensure that all programs administered  
1170 by the office comply with federal, state and fair housing laws.

1171 (c) The office may: (i) administer grants and programs specifically designated for urban,  
1172 suburban, rural or seasonal communities; and (ii) pilot innovative housing programs to address a  
1173 communities' unique housing needs.

1174 (d) The office shall prepare an annual report on geographic equity in the  
1175 commonwealth's housing assistance programs. The report shall include, but not be limited to: (i)  
1176 the number of housing units created with assistance from the commonwealth organized by  
1177 municipality and county; and (ii) data on the types of housing units produced, including  
1178 affordability, housing type, total state assistance amount and the total cost per unit. The report

1179 shall be posted publicly on the office’s website and shall be filed with the clerks of the house of  
1180 representatives and senate and the joint committee on housing not later than July 1 in the year in  
1181 which the report is due.

1182           Section 33. (a) For the purposes of this section “year-round housing”, shall mean housing  
1183 for occupancy by persons or families who occupy either rental or other housing as their principal  
1184 residence for not less than 10 months a year and “attainable housing” shall mean housing that is  
1185 affordable for year-round residents with incomes under a level set by the undersecretary in  
1186 consultation with the seasonal communities advisory council.

1187           (b) The secretary may designate a municipality as a seasonal community; provided,  
1188 however, that all municipalities in the counties of Dukes County and Nantucket and all  
1189 municipalities with over 35 per cent seasonal housing units in the county of Barnstable, as  
1190 determined by the executive office in consultation with the Cape Cod commission established in  
1191 chapter 716 of the acts of 1989 and all municipalities with more than 40 per cent seasonal  
1192 housing units in the county of Berkshire, as determined by the executive office in consultation  
1193 with the Berkshire regional planning commission, shall receive such designation. The executive  
1194 office may designate additional municipalities as seasonal communities based on consideration  
1195 of the following factors: (i) a high rate of short-term rentals in relation to the overall housing  
1196 inventory; (ii) a significant population increase in seasonal visitors; (iii) an excessive disparity  
1197 between the area median income and the income required to purchase the municipality’s median  
1198 home price; (iv) the percentage of housing stock that is used for seasonal, occasional or  
1199 recreational use or is otherwise not used as a primary residence by the property’s owner; and (v)  
1200 high variations in the average monthly variation of employment in the sector over the full year,  
1201 in relation to the municipality’s minimum employment threshold. A municipality designated by

1202 the executive office as a seasonal community pursuant to this section shall accept or deny the  
1203 designation by vote of its chief executive officers. The secretary shall consult with the advisory  
1204 council established in subsection (c) to review additional municipalities under consideration to  
1205 receive the seasonal community designation.

1206 (c) The executive office shall convene an advisory council to offer expertise in issues  
1207 pertaining to municipal government, the hospitality industry, the tourism industry, housing law  
1208 and housing development and finance in seasonal communities. The council shall consist of: the  
1209 secretary or a designee, who shall serve as chair; 1 member of the senate appointed by the senate  
1210 president, who represents a district in which at least 1 municipality is designated as a seasonal  
1211 community; 1 member of the house of representatives appointed by the speaker of the house of  
1212 representatives, who represents a district in which at least 1 municipality is designated as a  
1213 seasonal community; 1 person appointed by the Massachusetts Municipal Association, Inc.; and  
1214 the following persons to be appointed by the secretary: 1 person who shall be a representative of  
1215 the developer community and is a resident of a municipality designated as a seasonal  
1216 community; 1 person who shall be a licensed real estate agent with the board of registration of  
1217 real estate brokers and salespersons and is a resident of a municipality designated as a seasonal  
1218 community; 1 person to represent each regional planning agency whose jurisdiction encompasses  
1219 at least 1 municipality designated as a seasonal community; 1 licensed attorney who practices in  
1220 the area of land use and who is a resident of a municipality designated as a seasonal community;  
1221 and 1 person who shall be a representative of the lending and banking community and who is a  
1222 resident of a municipality designated as a seasonal community. The secretary may appoint  
1223 additional members with knowledge and with expertise in land use law, fair housing law,  
1224 municipal law and operations or the housing needs of seasonal communities. The council shall

1225 adopt by-laws to govern its affairs. The council shall provide advice and recommendations to the  
1226 executive office regarding policies or programs necessary to serve the distinct needs of seasonal  
1227 communities, including, but not limited to, accessing specialized or general application grant  
1228 programs and best practices on incentivizing the production of attainable year-round housing in  
1229 seasonal communities. Annually, not later than December 31, the council shall submit a report of  
1230 any recommendations to the executive office, the clerks of the house of representatives and the  
1231 senate and the joint committee on housing.

1232           The executive office shall review, on an as-needed basis, the ongoing needs of  
1233 municipalities designated as seasonal communities and may deny a municipality's continued  
1234 seasonal community designation based on the municipality's ongoing needs and eligibility.

1235           (d) A seasonal community may: (i) acquire year-round housing occupancy restrictions for  
1236 rental or other housing; provided, however, that any such year-round housing occupancy  
1237 restriction held by a city or town shall be construed as a restriction held by a governmental body  
1238 with the benefit of section 26 of chapter 184; (ii) acquire and develop housing units with  
1239 preference for for housing seasonal community public employees that are necessary to the health  
1240 and safety of maintaining a year-round community, including teachers, public works employees,  
1241 public safety employees, first responders, town administrators and other employees essential for  
1242 municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii)  
1243 expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv)  
1244 establish a Year-Round Housing Trust Fund, individually or with other seasonal communities,  
1245 to provide for the creation and preservation of affordable and attainable housing in seasonal  
1246 communities for the benefit of year-round residents; provided, however, that the executive office  
1247 of housing and livable communities, in consultation with the seasonal communities advisory

1248 council established in subsection (c), shall promulgate regulations pertaining to the membership,  
1249 powers and duties of the trust; and (v) expend funds designated for the creation and preservation  
1250 of year-round affordable and attainable housing for individuals who, by vocation, produce or  
1251 support artistic and literary activities.

1252 (e) For the purposes of this section, “tiny house” shall mean a detached structure  
1253 containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts. A  
1254 seasonal community shall: (i) adopt by-laws or zoning ordinances to permit undersized lots to be  
1255 used for the creation of attainable year-round housing; provided, however, that the lot, at the time  
1256 of recording or endorsement, shall be located in a zoning district that allows for single-family  
1257 residential use; provided further, that any single-family residential structure constructed on said  
1258 lot shall adhere to the municipality’s floor area ratio by-laws and shall comply with all laws  
1259 governing wastewater and sewer systems; and provided further, that any residential housing built  
1260 upon undersized lots shall not be used as a seasonal home or short-term rental of less than 6  
1261 months and shall be used as year-round housing; and (ii) adopt by-laws to permit the  
1262 construction of tiny houses provided that such tiny houses are designated for use as year-round  
1263 housing units and meet all requirements of the state building code and local building code. A  
1264 movable tiny house shall be registered with the registry of motor vehicles, as applicable.

1265 (f) A seasonal community may increase the exemption established in section 5C of  
1266 chapter 59, at the option of the board of selectmen in a town or the mayor, with the approval of  
1267 the city council, in a city 50 per cent of the average assessed value of all Class One, residential  
1268 parcels within such city or town; provided, however, that the exemption shall be applied only to  
1269 the principal residence of the taxpayer as used by the taxpayer for income tax purposes.



1270 (g) A seasonal community designated pursuant to this section may apply to the executive  
1271 office of housing and livable communities for a waiver from any of the requirements of this  
1272 section. In deciding whether to grant the municipal's request for a waiver, the executive office  
1273 may consider whether the requirements of this section can reasonably be carried out by existing  
1274 town staff or a regional staff person performing equivalent duties.

1275 (h) The executive office shall promulgate regulations or guidance to carry out this  
1276 section.

1277 SECTION 9. Chapter 29 of the General Laws is hereby amended by inserting after  
1278 section 2DDDDDD the following 2 sections:-

1279 Section 2EEEEEE. (a) There shall be a Fair Housing Trust Fund which shall be credited  
1280 with revenue from appropriations or other money authorized by the general court and  
1281 specifically designated for the fund and any gifts, grants, private contributions and investment  
1282 income earned on the fund's assets and any other sources.

1283 (b) The fund shall be administered by the office of fair housing established in section 31  
1284 of chapter 23B and funds shall be expended from the fund for the purpose of eliminating housing  
1285 discrimination and affirmatively furthering fair housing, overcoming patterns of segregation,  
1286 fostering inclusive communities free from barriers that restrict access to opportunity for  
1287 individuals or groups of individuals that are protected from unlawful practices pursuant to  
1288 chapter 151B and supporting enforcement of and compliance with all fair housing laws,  
1289 including, but not limited to, said chapter 151B and the Fair Housing Act, 42 U.S.C. 3601 et seq.  
1290 Activities eligible for assistance from the trust fund shall include, but not be limited to, private

1291 enforcement initiatives, education and outreach initiatives, fair housing testing, lending  
1292 discrimination, affirmatively furthering fair housing and special projects.

1293 (c) Amounts credited to the fund shall be expended without further appropriation. Any  
1294 balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent  
1295 fiscal years and shall not be transferred to any other fund or revert to the General Fund; provided,  
1296 however, that the comptroller shall report the amount remaining in the fund at the end of each  
1297 fiscal year to the house and senate committees on ways and means. Annually, not later than July  
1298 1, the office of fair housing shall report on the activities of the fund as required in section 31 of  
1299 chapter 23B.

1300 (d) Grantees eligible for assistance shall include, but not be limited to, fair housing  
1301 assistance programs and fair housing initiative programs, as defined by the United States  
1302 Department of Housing and Urban Development, any private or nonprofit agency or any state-  
1303 funded public housing authority.

1304 Section 2FFFFF. (a) There shall be a Crumbling Concrete Assistance Fund which shall  
1305 be administered by the secretary of housing and livable communities. The fund shall be  
1306 expended, without further appropriation, to: (i) provide financial assistance to owners of  
1307 residential real property for the repair or replacement of concrete foundations of such residential  
1308 real property that have deteriorated due to the presence of pyrite or pyrrhotite; (ii) minimize  
1309 negative fiscal impacts on municipalities in which such property is located; and (iii) reimburse  
1310 the owner of a residential real property that presents satisfactory evidence, as determined by the  
1311 secretary, that the owner has paid for and replaced their concrete foundation that deteriorated due  
1312 to the presence of pyrite or pyrrhotite prior to the establishment of the fund; provided, however,

1313 that the reimbursement shall not exceed the funding the owner would have received had they  
1314 applied for financial assistance through the fund. The secretary shall seek to maximize available  
1315 federal reimbursements for money spent from the fund.

1316 The fund shall be credited with: (i) appropriations or other money authorized by the  
1317 general court and specifically designated to be credited to the fund; (ii) funds from public and  
1318 private sources including, but not limited to, gifts, grants, donations and settlements received by  
1319 the commonwealth that are specifically designated to be credited to the fund; (iii) federal funds  
1320 received under subsection (b); and (iv) interest earned on the assets of the fund. Any balance in  
1321 the fund at the close of a fiscal year shall remain in the fund and be available for expenditure in  
1322 subsequent fiscal years.

1323 (b) The secretary of housing and livable communities may apply for, receive and deposit  
1324 any federal funds, including, but not limited to, funds made available by the United States  
1325 Department of Housing and Urban Development Section 108 Loan Guarantee program, into the  
1326 fund.

1327 (c) Amounts issued from the fund to impacted homeowners for the repair or replacement  
1328 of concrete foundations that have deteriorated due to the presence of pyrrhotite shall be exempt  
1329 from taxation under chapter 62.

1330 (d) Annually, not later than June 1, the secretary of housing and livable communities  
1331 shall report on the activities of the fund from the previous calendar year to the clerks of the  
1332 senate and house of representatives, the senate and house committees on ways and means, the  
1333 joint committee on environment and natural resources and the joint committee on housing.

1334 (e) The secretary of housing and livable communities shall promulgate regulations or  
1335 issue guidance to set rules for the expenditure of the funds under this section.

1336 SECTION 10. Section 1A of chapter 40A of the General Laws, as appearing in the 2022  
1337 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and  
1338 inserting in place thereof the following definition:-

1339 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking  
1340 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable  
1341 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly  
1342 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient  
1343 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor  
1344 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is  
1345 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,  
1346 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-  
1347 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall  
1348 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term  
1349 rental.

1350 SECTION 11. Section 3 of said chapter 40A, as so appearing, is hereby amended by  
1351 adding the following paragraph:-

1352 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special  
1353 permit or other discretionary zoning approval for the use of land or structures for a single  
1354 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;  
1355 provided, however, that the use of land or structures for such accessory dwelling unit under this

1356 paragraph may be subject to reasonable regulations and guidance, including, but not limited to,  
1357 310 CMR 15.000 et seq., if applicable, site plan review, regulations concerning dimensional  
1358 setbacks and the bulk and height of structures and may be subject to restrictions and prohibitions  
1359 on short-term rental, as defined in section 1 of chapter 64G. The use of land or structures for an  
1360 accessory dwelling unit under this paragraph shall not require owner occupancy of either the  
1361 accessory dwelling unit or the principal dwelling; provided, however, that not more than 1  
1362 additional parking space shall be required for an accessory dwelling unit; and provided further,  
1363 that no additional parking space shall be required for an accessory dwelling located not more  
1364 than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station. For  
1365 more than 1 accessory dwelling unit, or rental thereof, in a single-family residential zoning  
1366 district there shall be a special permit for the use of land or structures for an accessory dwelling  
1367 unit. The executive office of housing and livable communities may issue guidelines or  
1368 promulgate regulations to administer this paragraph.

1369 SECTION 12. Clause (iii) of section 3A of said chapter 40A, as appearing in section 152  
1370 of chapter 7 of the acts of 2023, is hereby amended by striking out the figure “27” and inserting  
1371 in place thereof the following words:- 27½.

1372 SECTION 13. The fifth paragraph of section 5 of said chapter 40A, as appearing in the  
1373 2022 Official Edition, is hereby amended by adding the following clause:- (5) an inclusionary  
1374 zoning ordinance or by-law that requires not more than 13 per cent of units be affordable;  
1375 provided, however, that such zoning ordinance or by-law shall not unduly constrain the  
1376 production of housing in the area impacted by the inclusionary zoning ordinance or by-law;  
1377 provided further, that such ordinance or by-law shall require a density bonus; and provided

1378 further, that the executive office of housing and livable communities may issue guidelines or  
1379 promulgate regulations consistent with this clause.

1380 SECTION 14. Section 6 of said chapter 40A, as so appearing, is hereby amended by  
1381 inserting after the fourth paragraph the following paragraph:–

1382 Adjacent lots under common ownership shall not be treated as a single lot for local  
1383 zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then  
1384 existing requirements of area, frontage, width, yard or depth, where each such lot has not less  
1385 than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district  
1386 that allows for single-family residential use. Any single-family residential structure constructed  
1387 on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3  
1388 bedrooms and shall not be used as a seasonal home or short-term rental.

1389 SECTION 15. Section 9 of said chapter 40A, as so appearing, is hereby amended by  
1390 striking out the eleventh paragraph.

1391 SECTION 16. The first paragraph of section 17 of said chapter 40A, as so appearing, is  
1392 hereby amended by inserting after the fourth sentence the following sentence:– If the complaint is  
1393 filed by someone other than the original applicant, appellant or petitioner, then each plaintiff,  
1394 whether or not previously constituting parties in interest for notice purposes, shall also  
1395 sufficiently allege and must plausibly demonstrate that measurable injury, which is special and  
1396 different to such plaintiff, to a private legal interest will likely flow from the decision through  
1397 credible evidence.

1398 SECTION 17. Said section 17 of said chapter 40A, as so appearing, is hereby further  
1399 amended by striking out the third paragraph and inserting in place thereof the following  
1400 paragraph:-

1401 The court, in its discretion, may require a plaintiff in an action under this section  
1402 appealing a decision to approve a special permit, variance or site plan to post a surety or cash  
1403 bond in an amount of not more than \$250,000 to secure the payment of and to indemnify and  
1404 reimburse damages and costs and expenses incurred in such an action if the court finds that the  
1405 harm to the defendant or to the public interest resulting from delays caused by the appeal  
1406 outweighs the financial burden of the surety or cash bond on the plaintiffs. The court shall  
1407 consider the relative merits of the appeal and the relative financial means of the plaintiff and the  
1408 defendant. Nothing in this section shall require bad faith or malice of a plaintiff for the court to  
1409 issue a bond under this section.

1410 SECTION 18. Said section 17 of said chapter 40A, as so appearing, is hereby further  
1411 amended by striking out the sixth paragraph and inserting in place thereof the following  
1412 paragraph:-

1413 Costs, including reasonable attorneys' fees, in an amount to be fixed by the court may be  
1414 allowed against the party appealing from the decision of the board or special permit granting  
1415 authority if the court finds that the appellant or appellants acted in bad faith or with malice in  
1416 making the appeal to court.

1417 SECTION 19. Section 22 of chapter 40B of the General Laws is hereby amended by  
1418 inserting after the word "applicant", in line 20, as so appearing, the following words:- ;  
1419 provided, however, that the committee shall provide notice to the secretary of any such extension

1420 or other failure to perform action by the deadlines set forth in this section and the reason for such  
1421 delay; provided further, that the secretary shall annually, not later than November 1, submit to  
1422 the governor and the joint committee on housing a summary of such delays including, but not  
1423 limited to: (i) any deadlines missed pursuant to this section for each applicable appeal; (ii) the  
1424 reason for any such delay; (iii) the total number of days, from the date of the committee's receipt  
1425 of the applicant's statement of the prior proceedings, in which the committee ultimately issued a  
1426 written decision or, if such appeal is in progress at the time the report is submitted, the projected  
1427 number of days beyond the deadlines listed herein as may be necessary for the committee to issue  
1428 a decision; and (iv) the board that issued the denial or conditions and requirements being  
1429 appealed by the applicant.

1430 SECTION 20. Chapter 40H of the General Laws is hereby amended by striking out  
1431 section 9, as so appearing, and inserting in place thereof the following section:-

1432 Section 9. CEDAC shall be subject to section 16G½ of chapter 6A.

1433 SECTION 21. Section 9 of chapter 40R of the General Laws, as so appearing, is hereby  
1434 amended by striking out subsections (a) and (b) and inserting in place thereof the following 2  
1435 subsections:-

1436 (a) The commonwealth shall pay from the trust fund or other funds from appropriations  
1437 or other money authorized by the general court a zoning incentive payment, according to the  
1438 following schedule:

1439 Projected Units of New Construction Payment

1440 Up to 20 \$20,000



1441	21 to 100	\$150,000
1442	101 to 200	\$400,000
1443	201 to 500	\$740,000
1444	501 or more	\$1,200,000

1445           Subject to any conditions imposed by the department as a condition of approving a smart  
1446 growth zoning district or starter home zoning district, the zoning incentive payment shall be  
1447 payable upon confirmation of approval of the district by the department. The projected number  
1448 of units shall be based upon the zoning adopted in the smart growth zoning district or starter  
1449 home zoning district.

1450           (b) The commonwealth shall pay from the trust fund or other funds from appropriations  
1451 or other money authorized by the general court a 1-time density bonus payment to each city or  
1452 town with an approved smart growth zoning district and a 1-time production bonus payment to  
1453 each city or town with an approved starter home zoning district. Such payment shall be \$6,000  
1454 for each housing unit of new construction created in the smart growth zoning district and \$6,000  
1455 for each housing unit of new construction created in the starter home zoning district. The amount  
1456 due shall be paid on a unit-by-unit basis in accordance with department regulations, upon  
1457 submission by a city or town of proof of issuance of a building permit for any such particular  
1458 housing unit within the district.

1459           SECTION 22. Section 1 of chapter 40S of the General Laws is hereby amended by  
1460 striking out the definitions of “New smart growth development” and “Smart growth zoning

1461 district”, as amended by section 186 of chapter 7 of the acts of 2023, and inserting in place  
1462 thereof the following 2 definitions:-

1463 "New smart growth development", any new residential or commercial development,  
1464 including the substantial redevelopment of existing buildings subject to the payment of local  
1465 property taxes that: (i) occurs in a smart growth or starter home zoning district after the adoption  
1466 of such zoning by the community; and (ii) is permitted under the smart growth or starter home  
1467 zoning district; provided, however, that a redevelopment shall be considered substantial if its  
1468 cost exceeds 50 per cent of the building's pre-renovation assessed value or if it constitutes a  
1469 change in use from nonresidential to residential.

1470 "Smart growth zoning district", a zoning district adopted by a community and approved  
1471 by the executive office of housing and livable communities which is eligible, and which remains  
1472 eligible, for density bonus payments under chapter 40R including, but not limited to, smart  
1473 growth zoning districts as defined in section 1 of said chapter 40R and starter home zoning  
1474 districts as defined in section 1 of chapter 40Y.

1475 SECTION 23. Section 81A of chapter 41 of the General Laws, as appearing in the 2022  
1476 Official Edition, is hereby amended by inserting after the first paragraph the following  
1477 paragraph:-

1478 Zoning ordinances or by-laws may provide for associate members of a planning board.  
1479 One associate member may be authorized when the planning board consists of not more than 5  
1480 members and 2 associate members may be authorized when the planning board consists of more  
1481 than 5 members. A city or town that establishes the position of associate member shall determine  
1482 the procedure for filling such position. If provision for filling the position of associate member

1483 has been made, in the case of absence, inability to act or conflict of interest on the part of any  
1484 member of the planning board or in the case of a vacancy on the board, the chair of the planning  
1485 board may designate an associate member to sit on the board for the purposes of acting on any  
1486 matter under its jurisdiction including, but not limited to, matters under this chapter or chapter  
1487 40A or under its home rule powers.

1488 SECTION 24. Chapter 62 of the General Laws is hereby amended by inserting after  
1489 section 5D the following 2 sections:-

1490 Section 5E. (a) For the purposes of this section, the following words shall have the  
1491 following meanings unless the context clearly requires otherwise:

1492 “Account holder”, an individual who establishes, individually or jointly with any other  
1493 individual, a rental savings account.

1494 “Allowable costs”, fees paid for renting a unit as a permanent residence which shall be  
1495 limited to, the amount of: (i) first and last month's rent; (ii) a security deposit equal to 1 month's  
1496 rent; and (iii) the purchase and installation costs of a lock and key.

1497 “Eligible costs”, fees paid for renting a unit as a permanent residence which shall be  
1498 limited to the amount of: (i) first and last month's rent; (ii) a security deposit equal to 1 month's  
1499 rent; and (iii) the purchase and installation costs of a lock and key.

1500 “Financial institution”, any bank, trust company, savings institution, industrial loan  
1501 association, consumer finance company, credit union, benefit association, insurance company,  
1502 safe deposit company, money market mutual fund or similar entity authorized to do business in  
1503 the commonwealth.

1504 “Qualified beneficiary”, an individual seeking to rent a unit as a permanent residence.

1505 (b) An individual may open an account with a financial institution and designate the  
1506 account as a rental savings account to pay or reimburse a qualified beneficiary’s eligible costs.

1507 (c) An account holder shall designate, not later than April 15 of the year following the tax  
1508 year during which the account is established, a resident as the qualified beneficiary of the rental  
1509 savings account. The account holder may designate themselves as the qualified beneficiary and  
1510 may change the designated qualified beneficiary at any time; provided, however, that there shall  
1511 not be more than 1 qualified beneficiary at any 1 time.

1512 (d) An account holder may jointly own a rental savings account with another individual if  
1513 the joint account holders file a joint income tax return; provided, however, that this requirement  
1514 shall not apply if any of the joint account holders would not otherwise be required to make a  
1515 return because such account holder’s Massachusetts gross income did not exceed \$8,000.

1516 (e) An individual may be the account holder of more than 1 rental savings account;  
1517 provided, however, that the account holder shall not have multiple accounts that designate the  
1518 same qualified beneficiary.

1519 (f) An individual may be designated as the qualified beneficiary on more than 1 rental  
1520 savings account.

1521 (g) Only cash and marketable securities shall comprise a rental savings account. Subject  
1522 to the limitations of this section, persons other than the account holder may contribute funds to a  
1523 rental savings account. There shall be no limitation on the amount of contributions that may be  
1524 made to or retained in a rental savings account.

1525 (h) The funds held in a rental savings account shall not be used to pay expenses of  
1526 administering the account; provided, however, that a service fee may be deducted from the  
1527 account by the financial institution.

1528 (i) The account holder shall submit to the department of revenue: (i) detailed information  
1529 regarding the rental savings account, including a list of transactions for the account during the  
1530 tax year and the Form 1099 under the Internal Revenue Service requirements issued by the  
1531 financial institution for such account with the account holder's Massachusetts income tax return  
1532 on forms prepared by the department of revenue; and (ii) a detailed account of the eligible costs  
1533 toward which the account funds were applied, if there was a withdrawal from the account, and a  
1534 statement of the amount of funds remaining in the account, if any.

1535 (j) A financial institution shall not be required to: (i) designate an account as a rental  
1536 savings account or designate the qualified beneficiaries of an account in the financial  
1537 institution's account contracts or systems; (ii) track the use of funds withdrawn from a rental  
1538 savings account; (iii) allocate funds in a rental savings account among joint account holders or  
1539 multiple qualified beneficiaries; or (iv) report any information to the department of revenue or  
1540 other government agency that is not otherwise required by law.

1541 (k) A financial institution shall not be liable for: (i) determining or ensuring that an  
1542 account satisfies the requirements to be a rental savings account; (ii) determining or ensuring that  
1543 funds in a rental savings account are used for eligible costs; or (iii) reporting or remitting taxes or  
1544 penalties related to the use of a rental savings account.

1545 (l) Except as otherwise provided in this section and subject to the limitations in this  
1546 subsection, there shall be deducted from the taxable income of an account holder, for

1547 Massachusetts income tax purposes, the amount: (i) contributed to a rental savings account  
1548 during each tax year, not to exceed \$15,000 for an account holder who files an individual tax  
1549 return or \$30,000 for joint account holders; and (ii) of earnings, including interest and other  
1550 income on the principal, from the rental savings account during the tax year.

1551 (m) An account holder may claim the deduction and exclusion under subsection (l): (i)  
1552 for a period not to exceed 15 years; (ii) for an aggregate total amount of principal and earnings  
1553 not to exceed \$50,000 during said 15-year period; and (iii) only if the principal and earnings of  
1554 the account remain in the account until a withdrawal is made for eligible costs related to the  
1555 securing a rental intended as a permanent residence.

1556 (n) Any funds in a rental savings account not expended on eligible costs by December 31  
1557 of the last year of the 15-year period shall thereafter be included in the account holder's taxable  
1558 income.

1559 (o) A person other than the account holder who deposits funds in a rental savings account  
1560 shall not be entitled to the deduction and exclusion provided for under this section.

1561 (p) The deduction and exclusion from taxable income under subsection (l) shall apply to  
1562 any alternative bases for calculating taxable income for Massachusetts income tax purposes.

1563 (q) Except as otherwise authorized in this section, if the account holder withdraws any  
1564 funds from a rental savings account for a purpose other than eligible costs for securing a rental  
1565 property to be used as a permanent residence: (i) such funds shall be included in the account  
1566 holder's taxable income; and (ii) the account holder shall pay a penalty to the department of  
1567 revenue equal to the tax that would have been collected had the withdrawn funds been subject to  
1568 income tax. Such penalty shall not apply to funds withdrawn from an account that were: (i)

1569 withdrawn by reason of the account holder’s death or disability; (ii) a disbursement of assets of  
1570 the account pursuant to a filing for protection under the United States Bankruptcy Code, 11  
1571 U.S.C. § 101, et seq.; or (iii) a transfer of the funds from a rental savings account to a new rental  
1572 savings account held by the same or a different financial institution.

1573 (r) The department of revenue shall prepare forms for: (i) the designation of an account  
1574 with a financial institution to serve as a first-time home buyer savings account; (ii) the  
1575 designation of a qualified beneficiary of a rental savings account; and (iii) an account holder to  
1576 annually submit to the department of revenue detailed information regarding the rental savings  
1577 account including, but not limited to, a list of transactions for the account during the tax year and  
1578 identifying any supporting documentation that is required to be maintained by the account  
1579 holder.

1580 Section 5F. (a) For the purposes of this section, the following words shall have the  
1581 following meanings unless the context clearly requires otherwise:

1582 “Account holder”, an individual who establishes, individually or jointly with any other  
1583 individual, a first-time homebuyer savings account.

1584 “Allowable closing costs”, a disbursement listed on a settlement statement for the  
1585 purchase of a single-family residence by a qualified beneficiary.

1586 “Eligible costs”, the down payment and allowable closing costs for the purchase of a  
1587 single-family residence by a qualified beneficiary.

1588 “Financial institution”, any bank, trust company, savings institution, industrial loan  
1589 association, consumer finance company, credit union, benefit association, insurance company,

1590 safe deposit company, money market mutual fund or similar entity authorized to do business in  
1591 the commonwealth.

1592 “First-time homebuyer”, an individual who resides in the commonwealth and has not  
1593 owned or purchased, either individually or jointly, a single-family residence.

1594 “First-time home buyer savings account”, an account with a financial institution that an  
1595 account holder designates as a first-time home buyer savings account on the account holder’s  
1596 Massachusetts income tax return for pursuant to this section for the purpose of paying or  
1597 reimbursing eligible costs for the purchase of a single-family residence in the commonwealth by  
1598 a qualified beneficiary.

1599 “Qualified beneficiary”, a first-time home buyer who is designated as the qualified  
1600 beneficiary of an account designated by the account holder as a first-time home buyer savings  
1601 account.

1602 “Settlement statement”, the statement of receipts and disbursements for a transaction  
1603 related to real estate, including a statement prescribed under the Real Estate Settlement  
1604 Procedures Act of 1974, 12 U.S.C. 2601, et seq., as amended, and regulations thereunder.

1605 “Single-family residence”, a single-family residence owned and occupied by a qualified  
1606 beneficiary as the qualified beneficiary’s principal residence, which may include a manufactured  
1607 home, trailer, mobile home, condominium unit or cooperative.

1608 (b) An individual may open an account with a financial institution and designate the  
1609 account as a first-time home buyer savings account to pay or reimburse a qualified beneficiary’s  
1610 eligible costs for the purchase of a single-family residence in the commonwealth.



1611 (c) An account holder shall designate, not later than April 15 of the year following the tax  
1612 year during which the account is established, a first-time home buyer as the qualified beneficiary  
1613 of the first-time home buyer savings account. The account holder may designate themselves as  
1614 the qualified beneficiary and may change the designated qualified beneficiary at any time;  
1615 provided, however, that there shall not be more than 1 qualified beneficiary at any 1 time.

1616 (d) An account holder may jointly own a first-time home buyer savings account with  
1617 another individual if the joint account holders file a joint income tax return; provided, however,  
1618 that this requirement shall not apply if any of the joint account holders would not otherwise be  
1619 required to make a return because such account holder's Massachusetts gross income did not  
1620 exceed \$8,000.

1621 (e) An individual may be the account holder of more than 1 first-time home buyer  
1622 savings account; provided, however, that the account holder shall not have multiple accounts that  
1623 designate the same qualified beneficiary.

1624 (f) An individual may be designated as the qualified beneficiary on more than 1 first-time  
1625 home buyer savings account.

1626 (g) Only cash and marketable securities shall comprise a first-time home buyer savings  
1627 account. Subject to the limitations of this section, persons other than the account holder may  
1628 contribute funds to a first-time home buyer savings account. There shall be no limitation on the  
1629 amount of contributions that may be made to or retained in a first-time home buyer savings  
1630 account.

1631 (h) The funds held in a first-time home buyer savings account shall not be used to pay  
1632 expenses of administering the account; provided, however, that a service fee may be deducted  
1633 from the account by the financial institution.

1634 (i) The account holder shall submit to the department of revenue: (i) detailed information  
1635 regarding the first-time home buyer savings account, including a list of transactions for the  
1636 account during the tax year and the Form 1099 under the Internal Revenue Service requirements  
1637 issued by the financial institution for such account with the account holder's Massachusetts  
1638 income tax return on forms prepared by the department of revenue; and (ii) a detailed account of  
1639 the eligible costs toward which the account funds were applied, if there was a withdrawal from  
1640 the account, and a statement of the amount of funds remaining in the account, if any.

1641 (j) A financial institution shall not be required to: (i) designate an account as a first-time  
1642 home buyer savings account or designate the qualified beneficiaries of an account in the financial  
1643 institution's account contracts or systems; (ii) track the use of funds withdrawn from a first-time  
1644 home buyer savings account; (iii) allocate funds in a first-time home buyer savings account  
1645 among joint account holders or multiple qualified beneficiaries; or (iv) report any information to  
1646 the department of revenue or other government agency that is not otherwise required by law.

1647 (k) A financial institution shall not be liable for: (i) determining or ensuring that an  
1648 account satisfies the requirements to be a first-time home buyer savings account; (ii) determining  
1649 or ensuring that funds in a first-time home buyer savings account are used for eligible costs; or  
1650 (iii) reporting or remitting taxes or penalties related to the use of a first-time home buyer savings  
1651 account.

1652 (l) Except as otherwise provided in this section and subject to the limitations in this  
1653 subsection, there shall be deducted from the taxable income of an account holder, for  
1654 Massachusetts income tax purposes the amount: (i) contributed to a first-time home buyer  
1655 savings account during each tax year, not to exceed \$25,000 for an account holder who files an  
1656 individual tax return or \$50,000 for joint account holders; and (ii) of earnings, including interest  
1657 and other income on the principal, from the first-time home buyer savings account during the tax  
1658 year.

1659 (m) An account holder may claim the deduction and exclusion under subsection (l): (i)  
1660 for a period not to exceed 15 years; (ii) for an aggregate total amount of principal and earnings,  
1661 not to exceed \$250,000 during said 15-year period; and (iii) only if the principal and earnings of  
1662 the account remain in the account until a withdrawal is made for eligible costs related to the  
1663 purchase of a single-family residence by a qualified beneficiary, except as otherwise provided in  
1664 this section.

1665 (n) Any funds in a first-time home buyer savings account not expended on eligible costs  
1666 by December 31 of the last year of the 15-year period shall thereafter be included in the account  
1667 holder's taxable income.

1668 (o) A person other than the account holder who deposits funds in a first-time home buyer  
1669 savings account shall not be entitled to the deduction and exclusion provided for under this  
1670 section.

1671 (p) The deduction and exclusion from taxable income under subsection (l) shall apply to  
1672 any alternative bases for calculating taxable income for Massachusetts income tax purposes.

1673           (q) Except as otherwise authorized in this section, if the account holder withdraws any  
1674 funds from a first-time home buyer savings account for a purpose other than eligible costs for the  
1675 purchase of a single-family residence: (i) such funds shall be included in the account holder’s  
1676 taxable income; and (ii) the account holder shall pay a penalty to the department of revenue  
1677 equal to the tax that would have been collected had the withdrawn funds been subject to income  
1678 tax. Such penalty shall not apply to funds withdrawn from an account that were: (i) withdrawn  
1679 by reason of the account holder’s death or disability; (ii) a disbursement of assets of the account  
1680 pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. § 101, et  
1681 seq.; or (iii) a transfer of the funds from a first-time home buyer savings account to a new first-  
1682 time home buyer savings account held by the same or a different financial institution.

1683           (r) The department of revenue shall prepare forms for: (i) the designation of an account  
1684 with a financial institution to serve as a first-time home buyer savings account; (ii) the  
1685 designation of a qualified beneficiary of a first-time home buyer savings account; and (iii) an  
1686 account holder to annually submit to the department of revenue detailed information regarding  
1687 the first-time home buyer savings account including, but not limited to, a list of transactions for  
1688 the account during the tax year, and identifying any supporting documentation that is required to  
1689 be maintained by the account holder.

1690           SECTION 25. Section 6M of said chapter 62, as appearing in the 2022 Official Edition, is  
1691 hereby amended by striking out, in lines 226 and 227, the words “\$12,000,000 in each of taxable  
1692 years 2023 to 2025, inclusive” and inserting in place thereof the following words:- \$15,000,000  
1693 in taxable years beginning on or after January 1, 2025.

1694 SECTION 26. Said chapter 62 is hereby further amended by inserting after section 6M  
1695 the following section:-

1696 Section 6O. (a) For the purposes of this section, the following words shall have the  
1697 following meanings unless the context clearly requires otherwise:

1698 “Affordability period”, the 10-year period that commences on the date of the initial sale  
1699 of a single-family dwelling constructed as part of a qualified homeownership development  
1700 project.

1701 “Affordability restriction”, a restriction in a form and substance approved by the director  
1702 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of  
1703 a qualified homeownership development project during the affordability period.

1704 “Commissioner”, the commissioner of revenue.

1705 “Credit amount”, the amount computed by the director pursuant to subsection (d) before  
1706 issuing an eligibility certificate.

1707 “Credit award amount”, the amount determined by the director and stipulated in the  
1708 notice sent pursuant to paragraph (2) of subsection (c).

1709 “Director”, the executive director of the Massachusetts Housing Finance Agency  
1710 established in chapter 708 of the acts of 1966.

1711 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1712 “Eligible location”, a geographic area in which a qualified homeownership development  
1713 project may be located, based on criteria established in the qualified homeownership allocation  
1714 plan.

1715 “Maximum credit amount”, an amount equal to 35 per cent of the lesser of: (i) the total  
1716 qualified project expenditures calculated on a per single-family-dwelling basis; or (ii) 80 per cent  
1717 of the area median new single-family dwelling sales price, subject to such further limitations as  
1718 may be established under the qualified homeownership credit allocation plan.

1719 “Project development team”, the group of entities that develops, constructs, reports,  
1720 appraises, finances and services the associated properties of a qualified homeownership  
1721 development project in partnership with the project development owner.

1722 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not  
1723 exceeding 120 per cent of the area median income as determined by the United States  
1724 Department of Housing and Urban Development for the location in which the single-family  
1725 dwelling being purchased is located and who satisfies any additional qualifications established  
1726 by the director under the qualified homeownership credit allocation plan.

1727 “Qualified homeownership credit allocation plan”, a plan adopted by the director, with  
1728 the approval of the secretary, establishing: (i) criteria and metrics under which homeownership  
1729 development projects shall be assessed for qualification and the geographic areas in which  
1730 qualified homeownership development projects may be located; (ii) criteria for approving and  
1731 ranking applications for credits; (iii) a methodology to determine applicable median new single-  
1732 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to  
1733 maintain affordability of each single-family dwelling that is created as part of a qualified

1734 homeownership development project and restricted for sale to qualified buyers throughout the  
1735 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)  
1736 criteria governing the purchase, ownership and sale of completed qualified homeownership  
1737 development project single-family dwellings; and (vii) the manner of determining qualified  
1738 project expenditures.

1739 “Qualified homeownership development project”, a project to develop for sale single-  
1740 family dwellings the commonwealth that satisfies any qualifications established by the director,  
1741 with the approval of the secretary, in the qualified homeownership credit allocation plan;  
1742 provided, however, that the proposed project shall: (i) involve the new construction of not less  
1743 than 10 single-family dwellings unless otherwise approved by the secretary; (ii) be located in an  
1744 eligible location; and (iii) result in not less than 20 per cent of the single-family dwellings being  
1745 sold to qualified buyers, subject to an affordability restriction in accordance with the qualified  
1746 homeownership credit allocation plan.

1747 “Qualified project expenditure”, an expenditure directly related to the construction of a  
1748 qualified homeownership development project including, but not limited to, the cost of acquiring  
1749 land, site assessment and remediation of hazardous materials and as further provided in the  
1750 qualified homeownership credit allocation plan; provided, however, that: (i) the director shall  
1751 have certified that the proposed project meets the definition of a qualified homeownership  
1752 development project; (ii) prior to construction, the director certified that all or a portion of the  
1753 project costs are for new construction; and (iii) after the construction of the project has been  
1754 completed, the director shall have certified that the project has been completed in compliance  
1755 with this section and the requirements and conditions of any prior certifications.

1756 “Secretary”, the secretary of housing and livable communities.

1757 “Single-family dwelling”, (i) a residential property containing not more than 4 residential  
1758 units; provided, however, that all units shall comprise a single property to be sold to and owned  
1759 by a single homeowner; or (ii) a condominium unit in a professionally managed condominium  
1760 development.

1761 “Sponsor”, a sponsor as defined in section 25 of chapter 23B of a qualified  
1762 homeownership development project or owner of a qualified homeownership development  
1763 project.

1764 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1765 (b)(1) There shall be a homeownership tax credit. The director, in consultation with the  
1766 secretary, may authorize annually under this section and section 3800 of chapter 63 a total sum  
1767 not exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in the preceding taxable  
1768 year; and (iii) any homeownership tax credits returned to the director by a sponsor.

1769 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified  
1770 homeownership development project under this section equal to the credit amount listed on the  
1771 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is  
1772 unused by the taxpayer or exceeds the taxpayer’s tax liability under this chapter for the taxable  
1773 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as  
1774 reduced from year to year, of the credit that exceeds the tax for the taxable year; provided,  
1775 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
1776 beginning after the affordability period.



1777 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an  
1778 application to the director on a form and in a manner prescribed by the director, in consultation  
1779 with the secretary; provided, however, that the application shall include, but not be limited to: (i)  
1780 the name and address of the sponsor; (ii) the names and addresses of all members of the project  
1781 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other  
1782 information as the director, in consultation with the secretary, may require pursuant to the  
1783 qualified homeownership credit allocation plan.

1784 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and  
1785 approve applications and award tax credits under this section for a qualified homeownership  
1786 development project in accordance with the qualified homeownership credit allocation plan. The  
1787 director, in consultation with the secretary, shall determine the credit amount awarded for each  
1788 qualified homeownership development project, which shall not exceed the maximum credit  
1789 amount.

1790 (2) The director shall send written notice of the tax credit award to the sponsor of a  
1791 qualified homeownership development project. The notice shall stipulate that receipt of the tax  
1792 credit is contingent upon the sale of all single-family dwellings that are required to be sold to  
1793 qualified buyers and issuance of an eligibility certificate.

1794 (d)(1) Upon completion of a qualified homeownership development project for which a  
1795 tax credit was awarded under this section and the sale of all single-family dwellings that are  
1796 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified  
1797 project expenditures certification for approval. Immediately after approving the final cost  
1798 certification, the director shall compute the credit amount and issue an eligibility certificate to

1799 the project development owner. The credit amount, which shall be stated on the certificate, shall  
1800 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),  
1801 subject to any reduction or increase as the result of the approval of the final qualified project  
1802 expenditures certification; provided, however, that such amount shall not exceed the maximum  
1803 credit amount.

1804 (2) Each eligibility certificate shall state the credit amount, the years that comprise the  
1805 affordability period, the name, address and taxpayer identification number of the sponsor and all  
1806 members of the project development team, the date the certificate is issued, a unique identifying  
1807 number and any additional information the director, in consultation with the secretary and the  
1808 commissioner, may require. The director shall certify a copy of each eligibility certificate to the  
1809 secretary and the commissioner.

1810 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development  
1811 project and all single-family dwellings that are required to be sold to qualified buyers until such  
1812 dwellings are sold to qualified buyers.

1813 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified  
1814 homeownership development project for which a tax credit was issued under this section shall  
1815 occupy such single-family dwelling as the qualified buyer's primary residence during the  
1816 affordability period; provided, however, that a qualified buyer of a single-family dwelling that  
1817 includes more than 1 residential unit need only occupy a single residential unit within the single-  
1818 family dwelling as the qualified buyer's primary residence during the affordability period and  
1819 may lease any additional units to third-party lessees.

1820 (3) If a single-family dwelling constructed as part of a qualified homeownership  
1821 development project is sold during the affordability period, the seller shall transfer to the director  
1822 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year  
1823 of the affordability period which ended before the date of such sale, subject to such additional  
1824 criteria as may be established under the qualified homeownership credit allocation plan. The  
1825 director shall use any amount received pursuant to a repayment under this paragraph to provide  
1826 financial assistance to first-time homebuyers and to offset the costs of administering this section.  
1827 The director may place a lien on each single-family dwelling constructed as part of a qualified  
1828 homeownership development project for such amount as the director deems necessary to ensure  
1829 repayment pursuant to this paragraph.

1830 (4) During the affordability period, a qualified buyer of a single-family dwelling that  
1831 includes more than 1 residential unit shall not separate the ownership of individual residential  
1832 units within the single-family dwelling.

1833 (f)(1) All or a portion of a tax credit issued in accordance with this section may be  
1834 transferred, sold or assigned to any individual or entity and the transferee may claim the credit  
1835 pursuant to paragraph (2) of subsection (b) with the same effect as if the transferee had  
1836 personally incurred the qualified project expenditures.

1837 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in  
1838 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax  
1839 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall  
1840 provide to the commissioner appropriate information for proper allocation of the tax credit.

1841 (3) If the recapture of a tax credit is required pursuant to subsection (g), any statement  
1842 submitted to the commissioner pursuant to paragraph (2) shall include the proportion of the tax  
1843 credit required to be recaptured, the identity of each transferee subject to recapture and the  
1844 amount of the tax credit previously transferred to such transferee.

1845 (g) The director, in consultation with the secretary, shall determine whether a sponsor or  
1846 qualified homeownership development project: (i) does not qualify for the credit; (ii) ceases to  
1847 qualify for the credit; or (iii) did not qualify for the credit at the time the credit was claimed. If  
1848 such a determination is made, notwithstanding the time limitations on assessments pursuant to  
1849 chapter 62C, the commissioner shall determine any taxpayers that claimed the credit, the tax  
1850 against which the credit was claimed and the amount to be recaptured and shall make an  
1851 assessment against any such taxpayer for the amount to be recaptured under this section.

1852 (h) The director may assess application, processing and reporting fees to cover the cost of  
1853 administering this section.

1854 (i) The credit under this section shall be attributed on a pro rata basis to the owners,  
1855 partners or members of the legal entity entitled to the credit and shall be allowed as a credit  
1856 against the tax due under this chapter from such owners, partners or members in a manner  
1857 determined by the commissioner.

1858 (j) The secretary, in consultation with the commissioner and director, shall adopt any  
1859 rules and promulgate any regulations necessary to administer this section.

1860 SECTION 27. Subsection (b) of section 60 of said chapter 62, inserted by section 26, is  
1861 hereby amended by striking out paragraph (1) and inserting in place thereof the following  
1862 paragraph:-

1863 (1) There shall be a homeownership tax credit. The director, in consultation with the  
1864 secretary, may authorize annually under this section and section 38OO of chapter 63 a total sum  
1865 not exceeding: (i) the amount, if any, not authorized in the preceding taxable year; and (ii) any  
1866 homeownership tax credits returned to the director by a sponsor.

1867 SECTION 28. Section 38EE of said chapter 63, as appearing in the 2022 Official Edition,  
1868 is hereby amended by striking out, in lines 213 and 214, the words “\$12,000,000 in each of  
1869 taxable years 2023 to 2025, inclusive” and inserting in place thereof the following words:-  
1870 \$15,000,000 in taxable years beginning on or after January 1, 2025.

1871 SECTION 29. Said chapter 63 is hereby further amended by inserting after section 38NN  
1872 the following section:-

1873 Section 38OO. (a) For the purposes of this section, the following words shall have the  
1874 following meanings unless the context clearly requires otherwise:

1875 “Affordability period”, the 10-year period that commences on the date of the initial sale  
1876 of a single-family dwelling constructed as part of a qualified homeownership development  
1877 project.

1878 “Affordability restriction”, a restriction in form and substance approved by the director  
1879 and the secretary, imposing resale restrictions on a single-family dwelling constructed as part of  
1880 a qualified homeownership development project during the affordability period.

1881 “Commissioner”, the commissioner of revenue.

1882 “Credit amount”, the amount computed by the director pursuant to subsection (d) before  
1883 issuing an eligibility certificate.

1884 “Credit award amount”, the amount determined by the director and stipulated in the  
1885 notice sent pursuant to paragraph (2) of subsection (c).

1886 “Director”, the executive director of the Massachusetts Housing Finance Agency  
1887 established pursuant to chapter 708 of the acts of 1966.

1888 “Eligibility certificate”, a certificate issued to a sponsor pursuant to subsection (d).

1889 “Eligible location”, a geographic area in which a qualified homeownership development  
1890 project may be located, based on criteria established in the qualified homeownership allocation  
1891 plan.

1892 “Maximum credit amount”, an amount equal to 35 per cent of the lesser of: (i) the total  
1893 qualified project expenditures calculated on a per single-family dwelling basis; or (ii) 80 per cent  
1894 of the area median new single-family dwelling sales price, subject to such further limitations as  
1895 may be established under the qualified homeownership credit allocation plan.

1896 “Project development team”, the group of entities that develops, constructs, reports,  
1897 appraises, finances and services the associated properties of a qualified homeownership  
1898 development project in partnership with the project development owner.

1899 “Qualified buyer”, an individual that is a first-time homebuyer with an annual income not  
1900 exceeding 120 per cent of the area median income, as determined by the United States  
1901 Department of Housing and Urban Development, for the location in which the single-family  
1902 dwelling being purchased is located and who satisfies any additional qualifications established  
1903 by the director under the qualified homeownership credit allocation plan.

1904 “Qualified homeownership credit allocation plan”, a plan adopted by the director with the  
1905 approval of the secretary, establishing: (i) criteria and metrics under which homeownership  
1906 development projects shall be assessed for qualification and the geographic areas in which  
1907 qualified homeownership development projects may be located; (ii) criteria for approving and  
1908 ranking applications for credits; (iii) a methodology to determine applicable median new single-  
1909 family dwelling sales prices for the area in which the project is located; (iv) mechanisms to  
1910 maintain affordability of each single-family dwelling that is created as part of a qualified  
1911 homeownership development project and restricted for sale to qualified buyers, throughout the  
1912 affordability period; (v) criteria to be used in determining qualification as a qualified buyer; (vi)  
1913 criteria governing the purchase, ownership and sale of completed qualified homeownership  
1914 development project single-family dwellings; and (vii) the manner of determining qualified  
1915 project expenditures.

1916 “Qualified homeownership development project”, a project to develop for sale single-  
1917 family dwellings that satisfies any qualifications established by the director, with the approval of  
1918 the secretary, in the qualified homeownership credit allocation plan; provided, however, that the  
1919 proposed project shall: (i) involve the new construction of not less than 10 single-family  
1920 dwellings; (ii) be located in an eligible location; and (iii) result in not less than 20 per cent of the  
1921 single-family dwellings being sold to qualified buyers, subject to an affordability restriction in  
1922 accordance with the qualified homeownership credit allocation plan.

1923 “Qualified project expenditure”, an expenditure directly related to the construction of a  
1924 qualified homeownership development project including, but not limited to, the cost of acquiring  
1925 land, site assessment and remediation of hazardous materials and as further provided in the  
1926 qualified homeownership credit allocation plan; provided, however, that: (i) the director shall

1927 have certified that the proposed project meets the definition of a qualified homeownership  
1928 development project; (ii) prior to construction, the director certified that all or a portion of the  
1929 project costs are for new construction; and (iii) after the construction of the project has been  
1930 completed, the director shall have certified that the project has been completed in compliance  
1931 with this section and the requirements and conditions of any prior certifications.

1932 “Secretary”, the secretary of housing and livable communities.

1933 “Single-family dwelling”, (i) a residential property containing not more than 4 residential  
1934 units; provided, that all units shall comprise a single property, to be sold to and owned by a  
1935 single homeowner; or (ii) a condominium unit in a professionally managed condominium  
1936 development.

1937 “Sponsor”, a sponsor, as defined in section 25 of chapter 23B, of a qualified  
1938 homeownership development project or owner of a qualified homeownership development  
1939 project.

1940 “Taxpayer”, a taxpayer subject to the income tax under this chapter.

1941 (b)(1) There shall be a homeownership tax credit. The director, in consultation with the  
1942 secretary, may authorize annually under this section and section 6O of chapter 62 a total sum not  
1943 exceeding: (i) \$10,000,000; (ii) the amount, if any, not authorized in the preceding taxable year;  
1944 and (iii) any homeownership tax credits returned to the director by a sponsor.

1945 (2) A taxpayer may be allowed a nonrefundable tax credit with respect to a qualified  
1946 homeownership development project under this section equal to the credit amount listed on the  
1947 eligibility certificate pursuant to subsection (d). If the credit allowable for any taxable year is



1948 unused by the taxpayer or exceeds the taxpayer's tax liability under this chapter for the taxable  
1949 year, the taxpayer may carry forward and apply in any subsequent taxable year, the portion, as  
1950 reduced from year to year, of the credit which exceeds the tax for the taxable year; provided,  
1951 however, that in no event shall the taxpayer apply the credit to the tax due for any taxable year  
1952 beginning after the affordability period.

1953 (3) To be eligible to receive a credit pursuant to this section, a sponsor shall submit an  
1954 application to the director on a form and in a manner prescribed by the director, in consultation  
1955 with the secretary; provided, that the application shall include, but not be limited to: (i) the name  
1956 and address of the sponsor; (ii) the names and addresses of all members of the project  
1957 development team; (iii) an estimate of the total qualified project expenditures; and (iv) any other  
1958 information as the director, in consultation with the secretary, may require pursuant to the  
1959 qualified homeownership credit allocation plan.

1960 (c)(1) The director, in consultation with the secretary, shall competitively evaluate and  
1961 approve applications and award tax credits under this section for a qualified homeownership  
1962 development project in accordance with the qualified homeownership credit allocation plan. The  
1963 director, in consultation with the secretary, shall determine the credit amount awarded for each  
1964 qualified homeownership development project, which shall not exceed the maximum credit  
1965 amount.

1966 (2) The director shall send written notice of the tax credit award to the sponsor of a  
1967 qualified homeownership development project. The notice shall stipulate that receipt of the tax  
1968 credit is contingent upon the sale of all single-family dwellings that are required to be sold to  
1969 qualified buyers and issuance of an eligibility certificate.

1970 (d)(1) Upon completion of a qualified homeownership development project for which a  
1971 tax credit was awarded under this section and the sale of all single-family dwellings that are  
1972 required to be sold to qualified buyers, the sponsor shall provide the director a final qualified  
1973 project expenditures certification for approval. Immediately after approving the final cost  
1974 certification, the director shall compute the credit amount and issue an eligibility certificate to  
1975 the project development owner. The credit amount, which shall be stated on the certificate, shall  
1976 equal the credit award amount stated in the notice issued under paragraph (2) of subsection (c),  
1977 subject to any reduction or increase as the result of the approval of the final qualified project  
1978 expenditures certification; provided, that such amount shall not exceed the maximum credit  
1979 amount.

1980 (2) Each eligibility certificate shall state the credit amount, the years that comprise the  
1981 affordability period, the name, address and taxpayer identification number of the sponsor and all  
1982 members of the project development team, the date the certificate is issued, a unique identifying  
1983 number and any additional information the director, in consultation with the secretary and the  
1984 commissioner, may require. The director shall certify a copy of each eligibility certificate to the  
1985 secretary and the commissioner.

1986 (e)(1) The sponsor shall maintain ownership of a qualified homeownership development  
1987 project and associated single-family dwellings that are required to be sold to qualified buyers  
1988 until such dwellings are sold to qualified buyers.

1989 (2) The qualified buyer of a single-family dwelling constructed as part of a qualified  
1990 homeownership development project for which a tax credit was issued under this section shall  
1991 occupy such single-family dwelling as the qualified buyer's primary residence during the

1992 affordability period. If a single-family dwelling constructed as part of a qualified homeownership  
1993 development project is sold during the affordability period, the seller shall transfer to the director  
1994 an amount equal to 90 per cent of the gain from such resale, reduced by 10 per cent for each year  
1995 of the affordability period that ended before the date of such sale, subject to such additional  
1996 criteria as may be established under the qualified homeownership credit allocation plan. The  
1997 director shall use any amount received pursuant to a repayment under this paragraph for the  
1998 purposes of providing financial assistance to first-time homebuyers and offsetting the costs of  
1999 administering this section; provided, however, that a qualified buyer of a single-family dwelling  
2000 that includes more than 1 residential unit need only occupy a single residential unit within the  
2001 single-family dwelling as the qualified buyer's primary residence during the affordability period  
2002 and may lease any additional units to third-party lessees.

2003 (3) The director may place a lien on each single-family dwelling constructed as part of a  
2004 qualified homeownership development project for such amount as the director deems necessary  
2005 to ensure repayment pursuant to this paragraph.

2006 (4) During the affordability period, a qualified buyer of a single-family dwelling that  
2007 includes more than 1 residential unit shall not separate the ownership of individual residential  
2008 units within the single-family dwelling.

2009 (f)(1) All or any portion of a tax credit issued in accordance with this section may be  
2010 transferred, sold or assigned to any individual or entity and the transferee shall be entitled to  
2011 claim the credit pursuant to paragraph (2) of subsection (b) with the same effect as if the  
2012 transferee had personally incurred the qualified project expenditures.

2013 (2) A sponsor or transferee desiring to make a transfer, sale or assignment as described in  
2014 paragraph (1) shall submit to the commissioner a statement that describes the amount of the tax  
2015 credit for which such transfer, sale or assignment of the tax credit is eligible. The sponsor shall  
2016 provide to the commissioner appropriate information for the proper allocation of the  
2017 homeownership tax credit.

2018 (3) In the event that recapture of a tax credit is required pursuant to subsection (g), any  
2019 statement submitted to the commissioner pursuant to paragraph (2) shall include the proportion  
2020 of the tax credit required to be recaptured, the identity of each transferee subject to recapture and  
2021 the amount of the tax credit previously transferred to such transferee.

2022 (g) The director, in consultation with the secretary, may request that the commissioner  
2023 disallow or recapture any portion of a tax credit if the director determines that: (i) a sponsor or  
2024 the qualified homeownership development project does not qualify for the credit or ceases to  
2025 qualify for the credit; or (ii) the qualified project did not qualify for the credit at the time when  
2026 the credit was claimed. Notwithstanding the time limitations on assessments pursuant to chapter  
2027 62C, the commissioner shall determine any taxpayers that claimed the credit, the tax against  
2028 which the credit was claimed and the amount to be recaptured and shall make an assessment  
2029 against any such taxpayer taxpayers for the amount to be recaptured under this section.

2030 (h) The director may assess application, processing and reporting fees to cover the cost of  
2031 administering this section.

2032 (i) The tax credit under this section shall be attributed on a pro rata basis to the owners,  
2033 partners or members of the legal entity entitled to the credit under this section and shall be

2034 allowed as a credit against the tax due under this chapter from such owners, partners or members  
2035 in a manner determined by the commissioner.

2036 (j) The secretary, in consultation with the commissioner and director, shall adopt any  
2037 rules and promulgate any regulations necessary to administer this section.

2038 SECTION 30. Subsection (b) of section 3800 of said chapter 63, as appearing in section  
2039 29, is hereby amended by striking out paragraph (1) and inserting in place thereof the following  
2040 paragraph:-

2041 (1) There shall be a homeownership tax credit. The director, in consultation with the  
2042 secretary, may authorize annually under this section and section 6O of chapter 62 a total sum not  
2043 exceeding: (i) the amount, if any, not authorized in the preceding taxable year; and (ii) any  
2044 homeownership tax credits returned to the director by a sponsor.

2045 SECTION 31. Said section 3800 of said chapter 63 is hereby repealed.

2046 SECTION 32. Subsection (c) of section 10 of chapter 70B of the General Laws, as  
2047 appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:- At  
2048 least 1 incentive percentage point shall be provided for a project in a district that has adopted an  
2049 overlay zoning district under chapter 40R; provided, however, that no incentive points shall be  
2050 awarded for a project in a district determined to be noncompliant by the executive office of  
2051 housing and livable communities under section 3A of chapter 40A.

2052 SECTION 33. Subsection (a) of section 52 of chapter 93 of the General Laws, as so  
2053 appearing, is hereby amended by adding the following clause:- (7) eviction records sealed  
2054 pursuant to section 16 of chapter 239.

2055 SECTION 34. Section 127I of chapter 111 of the General Laws, as so appearing, is  
2056 hereby amended by adding the following paragraph:-

2057 Notwithstanding the fourth paragraph, following the appointment of a receiver for a  
2058 vacant residential property, the court, upon motion by the receiver with notice to the owner,  
2059 mortgagee and all interested parties, may allow the sale of the property to a nonprofit entity for  
2060 fair market value in its then current condition. Any such sale shall be conditioned upon the court  
2061 finding that the nonprofit entity agrees to correct all outstanding state sanitary code violations  
2062 and rehabilitate the property for sale to a first-time homebuyer whose income is not more than  
2063 120 per cent of the area median income as determined by the United States Department of  
2064 Housing and Urban Development; provided, however, that a nonprofit entity shall demonstrate to  
2065 the court adequate expertise and resources necessary to rehabilitate the property and correct  
2066 outstanding state sanitary code violations. Any such motion filed by a receiver pursuant to this  
2067 paragraph shall be heard by the court not less than 30 days following the filing date, during  
2068 which period the owner, mortgagee and any other interested parties may join a motion for leave  
2069 to correct all outstanding state sanitary code violations at the property. Upon a finding by the  
2070 court that the owner, mortgagee or other interested party has the intention and ability to correct  
2071 all outstanding state sanitary code violations, the court shall stay the hearing on the receiver's  
2072 motion for a reasonable period of time to allow the owner, mortgagee or other interested party to  
2073 correct such outstanding sanitary code violations.

2074 SECTION 35. The second paragraph of section 87SS of chapter 112 of the General Laws,  
2075 as so appearing, is hereby amended by striking out the first sentence and inserting in place  
2076 thereof the following sentence:- Every individual applicant for a license as a salesman who is  
2077 required to take an examination shall, as a prerequisite to taking such examination, submit proof

2078 satisfactory to the board that the applicant has completed courses in real estate subjects approved  
2079 by the board; provided, however, that such courses shall total 40 classroom hours of instruction,  
2080 not less than 4 hours of which shall be on state and federal fair housing laws; provided further,  
2081 that applicants having successfully completed a course in real property while enrolled in an  
2082 accredited law school in the commonwealth may also take such examination.

2083 SECTION 36. Section 87XX1/2 of said chapter 112, as so appearing, is hereby amended  
2084 by striking out the first paragraph and inserting in place thereof the following paragraph:-

2085 Any person holding a license as a real estate broker or salesman shall, within the renewal  
2086 period, satisfactorily complete courses or programs of instruction approved by the board;  
2087 provided, however, that such courses or programs of instruction shall total not less than 10 hours  
2088 and not more than 16 hours as determined by the board. The course or program curriculum shall  
2089 contain not less than 6 hours of instruction relative to compliance with: (i) equal employment  
2090 opportunities; (ii) accessibility for individuals with disabilities; (iii) agency law; (iv)  
2091 environmental issues in real estate; (v) zoning and building codes; (vi) real estate appraisal and  
2092 financing; (vii) property tax assessments and valuation; and (viii) real estate board regulations.  
2093 Additionally, the curriculum shall include not less than 3 hours of instruction on alternative  
2094 dispute resolution methods and not less than 4 hours on state and federal fair housing law. The  
2095 board shall certify in advance the curriculum forming the basis of such courses or programs  
2096 which satisfy the provisions of this section.

2097 SECTION 37. Section 87DDD1/2 of said chapter 112, as so appearing, is hereby  
2098 amended by adding the following 2 sentences: - Such licensed broker or salesperson may solely  
2099 contract with a prospective tenant to find for rent residential or commercial real property for a

2100 tenant and present an offer to lease to the landlord or landlord's agent and negotiate on behalf of  
2101 the tenant or may solely contract with a landlord or landlord's agent to find a tenant for a  
2102 property. Any fee shall only be paid by the party, lessor or tenant who originally engaged and  
2103 entered into a contract with the licensed broker or salesperson.

2104 SECTION 38. Chapter 121B of the General Laws is hereby amended by striking out  
2105 section 3A, as so appearing, and inserting in place thereof the following section:-

2106 Section 3A. (a) Any number of cities or towns may, with the approval of their respective  
2107 municipal officers and the department, create or disband by a contract subject to the approval of  
2108 the department a regional housing authority with all of the powers and obligations of the  
2109 constituent authorities to act in the place of the several housing authorities, if any, theretofore  
2110 existing. Such contract shall set forth the rights, powers and obligations of the regional housing  
2111 authority within the several cities or towns in which it is to operate. Any unresolved dispute that  
2112 may arise as to the rights, powers or obligations conferred by such contract shall be referred to  
2113 the department for resolution.

2114 (b) Notwithstanding the foregoing and notwithstanding any other general or special law  
2115 to the contrary, not less than 2 local housing authorities may, with the approval of their  
2116 respective boards and the department, merge to create a regional housing authority with all the  
2117 powers and obligations of the constituent authorities theretofore existing. Such creation of a  
2118 regional housing authority by merger of not less than 2 local housing authorities shall not require  
2119 special legislation pursuant to chapter 268A. The department shall issue guidelines for approving  
2120 mergers of not less than 2 local housing authorities pursuant to this subsection; provided,  
2121 however, that such guidelines shall include, but not be limited to, provisions for approving board



2122 structures of regional housing authorities created pursuant to this subsection and provisions for  
2123 the creation and operation of a regional local preference to apply to residents of the cities or  
2124 towns in which a regional housing authority created pursuant to this subsection is to operate.

2125 SECTION 39. Section 11 of said chapter 121B, as so appearing, is hereby amended by  
2126 striking out clauses (n) and (o) and inserting in place thereof the following 3 clauses:-

2127 (n) to join or cooperate with any other operating agencies in the exercise, either jointly or  
2128 otherwise, of any of their powers for the purpose of financing, including the issuance of bonds,  
2129 notes or other obligations and the giving of security therefor, planning, undertaking, owning,  
2130 constructing, operating or contracting with respect to any project authorized by this chapter  
2131 located within the area within which at least 1 of such authorities are authorized to exercise its  
2132 powers and for such purpose to prescribe and authorize, by resolution, any operating agency so  
2133 joining and cooperating with it to act on its behalf in the exercise of any of such powers;

2134 (o) to lease energy saving systems that replace nonrenewable fuels with renewable  
2135 energy, including solar powered systems; and

2136 (p) to secure, with the approval of the department, in consultation with the executive  
2137 office for administration and finance, indebtedness incurred for the preservation, modernization  
2138 and maintenance of any of its low rent housing developments assisted under section 32 or 34 by  
2139 a pledge of a portion of capital funds awarded to it for improvements to be carried out pursuant  
2140 to a capital improvement plan, approved by the department and in accordance with department  
2141 regulations governing capital projects. The department, in consultation with the executive office  
2142 for administration and finance, shall promulgate regulations to establish limitations on the  
2143 percentage of awarded capital funds that may be pledged to secure indebtedness, describe

2144 permitted terms for borrowing and repayment and establish criteria for operating agencies  
2145 permitted to incur indebtedness secured by a pledge of capital funds. Any pledge of future year  
2146 capital funds pursuant to this section shall be subject to the availability of funds under the  
2147 department’s capital spending plan. All financing documents related to future year capital fund  
2148 amounts shall include a statement that the credit of the commonwealth is not pledged and that the  
2149 pledging of funds shall be subject to the availability of funds under the department’s capital  
2150 spending plan.

2151 SECTION 40. Section 26C of said chapter 121B is hereby amended by striking out, in  
2152 lines 20 and 21, as so appearing, the words “the housing authority without requiring payment for  
2153 the services by the housing authority” and inserting in place thereof the following words:- a  
2154 housing authority with not more than 500 state-aided units without requiring payment for  
2155 services by the housing authority; and provided further, that the capital assistance team may  
2156 require payment for services provided to a housing authority with more than 500 state-aided  
2157 units and for additional services not covered by this section that are approved by the department.

2158 SECTION 41. Said section 26C of said chapter 121B is hereby further amended by  
2159 striking out subsection (e), as amended by section 256 of chapter 7 of the acts of 2023, and  
2160 inserting in place thereof the following subsection:-

2161 (e) There shall be a capital assistance advisory board consisting of 2 members appointed  
2162 by each of the 3 capital assistance teams and 1 member appointed by the department, who shall  
2163 have not less than 5 years of experience as the manager of not less than 200 units of privately-  
2164 owned housing. Only members of participating housing authorities in the region shall be eligible  
2165 for appointment to the advisory board. The advisory board shall meet on an annual basis with the

2166 capital assistance team directors, host housing authority directors and the secretary of housing  
2167 and livable communities, or a designee, and shall discuss issues of program performance and  
2168 coordination.

2169 SECTION 42. The first paragraph of section 29 of said chapter 121B, as appearing in the  
2170 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place  
2171 thereof the following sentence:- The members of a housing authority shall biennially, or more  
2172 frequently as required by the department and at a time to be determined by the department, file  
2173 with the department a written report for its preceding fiscal years since its last previously filed  
2174 written report.

2175 SECTION 43. Said first paragraph of said section 29 of said chapter 121B, as so  
2176 appearing, is hereby further amended by adding the following sentence:-Notwithstanding the  
2177 foregoing, nothing in this section shall exempt a housing authority from submitting an annual  
2178 plan pursuant to this section and section 28A.

2179 SECTION 44. Section 34 of said chapter 121B, as so appearing, is hereby amended by  
2180 adding the following paragraph:-

2181 Notwithstanding any general or special law to the contrary, the tenants of a state-aided or  
2182 federally-aided public housing project transferred or conveyed pursuant to the preceding  
2183 paragraph shall maintain all rights pursuant to federal, state and local subsidy programs  
2184 originally applicable to the project, including tenant contribution, lease terms, eviction, right to  
2185 return, grievance, resident participation, preference in hiring and privacy rights, except as may be  
2186 required to secure financing necessary for the feasibility of the project or to meet associated  
2187 programmatic eligibility requirements after notice to affected tenants with an opportunity to

2188 comment. The redevelopment of such public housing project shall not be the basis for the: (i)  
2189 termination of assistance or eviction of any tenant; (ii) reduction of assistance or eviction of any  
2190 tenant; or (iii) re-screening any existing tenant; provided, however, that no existing tenant shall  
2191 be considered a new admission for any purpose, including, but not limited to, compliance with  
2192 any income targeting requirements. Any such project shall have at least the same number of low  
2193 rent housing units as the number of low rent housing units in the existing project. The  
2194 requirements of this paragraph shall be implemented through contracts, use agreements,  
2195 regulations or other means, as determined by the department; provided, however, that such  
2196 contracts, use agreements, regulations or other means shall be in compliance with all local, state  
2197 and federal subsidy programs applicable and shall delineate: (i) the roles of the housing authority  
2198 and other agencies in monitoring and enforcing compliance, including tracking temporary and  
2199 permanent displacement; (ii) how the housing authority shall rehouse tenants so there shall be no  
2200 displacement from affordable housing programs operated by the housing authority; and (iii) how  
2201 tenants shall be provided with technical assistance to facilitate meaningful input related to the  
2202 redevelopment of the proposed project. The benefits of such contracts, use agreements,  
2203 regulations or other means shall inure to any tenant who occupied a unit within the project at the  
2204 time of the transfer or conveyance of the project. Protections relating to tenant contribution, lease  
2205 terms, eviction, grievance, resident participation, preference in hiring and privacy rights, except  
2206 as may be required to secure financing necessary for the feasibility of the project or to meet  
2207 associated programmatic eligibility requirements, shall inure to both present or future tenants or  
2208 applicants of the project, who shall have the right to enforce the same as third-party  
2209 beneficiaries. Nothing in this section shall create a separate or new administrative process of  
2210 appeal or review for any grievance governed by the lease of any tenant. Tenants shall have an

2211 opportunity for comment on a project proposed under the fourteenth paragraph and an  
2212 opportunity for public comment to be organized by the owners, controlled entities, designated  
2213 private entities or public housing authorities responsible for such projects with adequate notice.

2214 SECTION 45. The third sentence of subsection (b) of section 3 of chapter 121E of the  
2215 General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in  
2216 place thereof the following clause:- (3) issued only if a contract or agreement for the use of the  
2217 property for housing purposes provides for the recording of a restriction in the registry of deeds  
2218 or in the registry district of the land court in the county in which the affected real property is  
2219 located, for the benefit of the department, running with the land, that the land be used for  
2220 providing alternative forms of rental and ownership housing; provided, however, that the  
2221 property shall not be released from the restriction until: (i) the balance of the principal and  
2222 interest for the loan has been repaid in full; (ii) a mortgage foreclosure deed has been recorded;  
2223 or (iii) there has been a disposition of the property and the department determines that relevant  
2224 clients will be better served at an alternative property and the proceeds from the disposition of  
2225 the property will be used, to the extent necessary, for the replacement of the housing at the  
2226 property to: (A) acquire such alternative property; or (B) rehabilitate such alternative property.

2227 SECTION 46. Said section 3 of said chapter 121E, as so appearing, is hereby further  
2228 amended by striking out, in line 42, the words “project continues” and inserting in place thereof  
2229 the following words:- project, whether at the original property or at an alternative property  
2230 pursuant to clause (3), continues.

2231 SECTION 47. Section 2 of chapter 121F of the General Laws, as so appearing, is hereby  
2232 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

2233 (a) There shall be within the executive office of housing and livable communities a  
2234 Housing Stabilization and Investment Trust Fund. The executive office shall administer the fund  
2235 and shall ensure that funds are distributed among urban, suburban and rural areas with a  
2236 particular emphasis on the development of alternative forms of housing and local and regional  
2237 needs. Such funds shall be used for the purpose of undertaking projects to develop and support  
2238 affordable housing developments and homeownership affordability through the acquisition,  
2239 preservation, new construction and rehabilitation of affordable housing including, but not limited  
2240 to, the preservation and improvement of existing privately-owned and state or federally-assisted  
2241 housing. The fund may be used to provide assistance for: (i) projects to stabilize and promote  
2242 reinvestment in cities and towns including, but not limited to, preserving and improving existing  
2243 privately-owned and state or federally-assisted housing and any other techniques necessary to  
2244 achieve reinvestment; provided, however, that funds may be expended for energy audits and  
2245 housing modifications to achieve energy efficiency and conservation; and (ii) housing where the  
2246 expiration of federal or state low-income housing tax credits or other federal or state subsidies  
2247 would lead or has led to the termination of a use agreement for low-income housing or in which  
2248 a project-based rental assistance contract is expiring or has expired. The fund shall be an  
2249 expendable trust fund and shall not be subject to appropriation.

2250 SECTION 48. Said section 2 of said chapter 121F, as so appearing, is hereby further  
2251 amended by striking out, in line 28, the words “nonprofit or for-profit organizations” and  
2252 inserting in place thereof the following words:- eligible entities pursuant to subsection (a) of  
2253 section 3.

2254 SECTION 49. Said section 2 of said chapter 121F, as so appearing, is hereby further  
2255 amended by striking out, in lines 35 to 38, inclusive, the words “or the Community Economic

2256 Development Assistance Corporation established in chapter 40H to provide assistance from the  
2257 fund for projects owned or sponsored by nonprofit organizations” and inserting in place thereof  
2258 the following words:- to provide assistance from the fund.

2259 SECTION 50. Section 3 of said chapter 121F, as so appearing, is hereby amended by  
2260 striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

2261 (a) The fund shall finance low and no-interest loans, grants, subsidies, credit  
2262 enhancements and other financial assistance for rental and ownership housing; provided,  
2263 however, that any assistance provided shall be the minimum amount necessary to make a project  
2264 feasible; provided further, that loans, grants, subsidies, credit enhancements and other financial  
2265 assistance pursuant to this chapter may be provided to qualified for-profit or nonprofit  
2266 developers, community development corporations, local housing authorities, community action  
2267 agencies, community-based or neighborhood-based nonprofit housing organizations, other  
2268 nonprofit organizations and for-profit entities and governmental entities; provided further, that  
2269 recipients may enter into subcontracts to administer the contracts with other for-profit or  
2270 nonprofit organizations; provided further, that loans, grants, subsidies, credit enhancements and  
2271 other financial assistance pursuant to this chapter may be provided for the acquisition of property  
2272 to provide or preserve affordable housing; provided further, that the loan program may be  
2273 administered by the department through contracts with the Massachusetts Housing Partnership  
2274 Fund established in section 35 of chapter 405 of the acts of 1985; provided further, that the  
2275 program may include acquisition, financing and other holding costs, interim management costs  
2276 and operating costs and may be used by the Massachusetts Housing Partnership Fund to secure,  
2277 collateralize or reserve against other financing obtained by the Massachusetts Housing  
2278 Partnership Fund to support such costs; and provided further, that not less than 75 per cent of the

2279 beneficiaries of the housing shall be persons whose income is not more than 60 per cent of the  
2280 area median income as determined by the United States Department of Housing and Urban  
2281 Development and not less than 13 per cent of the beneficiaries of the housing shall be persons  
2282 whose income is not more than 30 per cent of the area median income as determined by the  
2283 United States Department of Housing and Urban Development.

2284 (b)(1) Activities eligible for assistance from the fund shall include, but not be limited to:

2285 (i) projects to develop and support affordable housing developments and homeownership  
2286 affordability through the acquisition, preservation, new construction and rehabilitation of  
2287 affordable housing; and (ii) the preservation of affordable housing developments that: (A) are  
2288 currently, or were previously, subject to prepayment or payment of a state or federally-assisted  
2289 mortgage; (B) are receiving project-based rental assistance under section 8 of the United States  
2290 Housing Act of 1937, 42 U.S.C. 1437f, and the rental assistance is expiring; or (C) have received  
2291 other project-based federal or state subsidies that are terminating or have terminated.

2292 (2) Property eligible for assistance shall include, but not be limited to, housing where the  
2293 prepayment or payment of a state or federally-assisted mortgage or the expiration of federal low  
2294 income housing tax credits or other federal or state subsidies would lead or has led to the  
2295 termination of a use agreement for low income housing or in which a project-based rental  
2296 assistance contract is expiring or has expired; provided, however,, that a property eligible for  
2297 assistance that has been acquired for the purpose of preserving or improving the property shall  
2298 not lose eligibility due to actions by the purchaser to renew or extend state or federal contracts or  
2299 subsidies.



2300 (3) The department, in consultation with nonprofit organizations, the Community  
2301 Economic Development Assistance Corporation, the Massachusetts Housing Finance Agency  
2302 and the Massachusetts Housing Partnership Fund, shall identify projects at the greatest risk of  
2303 prepayment, payment, termination of subsidies and use restrictions or nonrenewal of rental  
2304 assistance. Funding priority shall be based on at-risk criteria to be determined by the department  
2305 and set forth in regulations promulgated by the department.

2306 SECTION 51. Said section 3 of said chapter 121F, as so appearing, is hereby further  
2307 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

2308 (d) Prior to providing assistance pursuant to this section, the department shall determine  
2309 that the: (i) housing would not, by private enterprise alone and without government assistance, be  
2310 available to lower income families and individuals; and (ii) amount of assistance is the minimum  
2311 amount necessary to make the housing development feasible. The department shall require, as a  
2312 condition of receiving assistance, that: (i) the housing remain affordable for its useful life as  
2313 determined by the department; and (ii) with respect to rental housing, the operations of the owner  
2314 and its articles of organization and by-laws, and any changes thereto, shall be subject to  
2315 regulation by the department.

2316 SECTION 52. Said chapter 121F if hereby further amended by striking out section 5, as  
2317 so appearing, and inserting in place thereof the following section:-

2318 Section 5. The executive office of housing and livable communities shall promulgate  
2319 regulations for the implementation, administration and enforcement of this chapter.

2320 SECTION 53. The General Laws are hereby amended by inserting after chapter 121G the  
2321 following chapter:-

2322 CHAPTER 121H

2323 SUPPORTIVE HOUSING POOL TRUST FUND

2324 Section 1. As used in this chapter, the following words shall have the following meanings  
2325 unless the context clearly requires otherwise:

2326 “Chronically homeless”, a person who has been homeless for at least 1 year or has been  
2327 repeatedly homeless.

2328 “Executive office”, the executive office of housing and livable communities.

2329 “Fund”, the Supportive Housing Pool Trust Fund established in section 2.

2330 “Permanent supportive housing”, rental housing that includes supportive services for  
2331 individuals and families who may be homeless or chronically homeless, individuals and families  
2332 with behavioral health needs or substance addiction needs, survivors of domestic violence,  
2333 survivors of human trafficking, survivors of sexual violence, individuals and families at risk of  
2334 entering or transitioning out of the foster care system, youth and young adults, seniors and  
2335 veterans or other individuals with similar needs, as determined by the executive office.

2336 Section 2. (a) There shall be a Supportive Housing Pool Trust Fund to support the  
2337 production of permanent supportive housing. The fund shall be administered by the executive  
2338 office, directly or through contracts with any of the following administering agencies: (i) the  
2339 Community Economic Development Assistance Corporation established in section 3 of chapter  
2340 40H; (ii) the Massachusetts Housing Partnership Fund established in section 35 of chapter 405 of  
2341 the acts of 1985; or (iii) the Massachusetts Housing Finance Agency established in section 3 of  
2342 chapter 708 of the acts of 1966; provided, however, that an administering agency may directly

2343 offer financial assistance for the purposes pursuant to this section or may enter into subcontracts  
2344 with nonprofit organizations established under chapter 180 for those purposes; and provided  
2345 further, that the administering agency may establish additional program requirements through  
2346 regulations or policy guidelines.

2347 (b) There shall be credited to the fund: (i) revenue from appropriations or other money  
2348 authorized by the general court and specifically designated for the fund; (ii) any gifts, grants,  
2349 private contributions, repayment of loans, fees and charges imposed relative to the making of  
2350 loans, grants, subsidies, credit enhancements and other financial assistance; (iii) any investment  
2351 income earned on the fund's assets; and (iv) any other sources. Money remaining in the fund at  
2352 the end of a fiscal year shall not revert to the General Fund.

2353 Section 3. Funds expended pursuant to this chapter shall be in the form of grants, loans or  
2354 other financial assistance to projects and organizations that shall provide stable housing options  
2355 and supportive services to residents of permanent supportive housing, which may include, but  
2356 shall not be limited to, staffing, case management, service coordination or other tenancy-related  
2357 services provided by a project sponsor or through a third party, or other services or activities that  
2358 the executive office has determined are essential to the day-to-day operation of permanent  
2359 supportive housing.

2360 Section 4. The executive office may promulgate regulations for the implementation,  
2361 administration and enforcement of this chapter and may, in consultation with the executive office  
2362 of health and human services, the executive office of elder affairs, the department of children and  
2363 families and the Massachusetts office of victim assistance, issue guidelines for the fund.

2364 SECTION 54. Chapter 143 of the General Laws is hereby amended by adding the  
2365 following section:-

2366 Section 101. The executive office of housing and livable communities shall promulgate  
2367 regulations to ensure that no seller of a residential structure or a residential condominium unit, or  
2368 an agent thereof, shall: (i) condition the acceptance of an offer to purchase on the prospective  
2369 purchaser's agreement to waive, limit, restrict or otherwise forego any prospective purchaser's  
2370 right to have the structure or unit inspected, except when the sale of the structure or unit is to  
2371 occur at an auction conducted by an auctioneer licensed under chapter 100; or (ii) accept an offer  
2372 to purchase from a prospective purchaser, or an agent thereof who, in advance of the seller's  
2373 acceptance of an offer, informs the seller, either directly or indirectly, that the prospective  
2374 purchaser intends to waive, in whole or in part, the prospective purchaser's right to inspection;  
2375 provided, however, that the seller may accept such an offer without violating this section if the  
2376 prospective purchaser is: (A) the spouse, sibling, child, parent, grandparent, grandchild, great-  
2377 grandchild or great-grandparent of the seller; or (B) the former spouse of the seller and the sale  
2378 of the structure or unit is being made pursuant to a judgment or order under chapter 208;  
2379 provided further, that other limited exceptions may be provided for by regulation.

2380 SECTION 55. Chapter 175 of the General Laws is hereby amended by inserting after  
2381 section 4G the following section:-

2382 Section 4H. Notwithstanding any general or special law to the contrary, an insurance  
2383 company shall not take into account any homeowner affordability issues when setting insurance  
2384 rates. The division of insurance shall promulgate rules and regulations necessary to implement  
2385 and enforce this section.

2386 SECTION 56. Chapter 183A of the General Laws is hereby amended by striking out  
2387 section 16, as appearing in the 2022 Official Edition, and inserting in place thereof the following  
2388 section:-

2389 Section 16. The owners of any land may submit the land under this chapter by the  
2390 recording in the registry of deeds of a master deed or, if the title to the land is registered under  
2391 chapter 185, by filing the master deed under said chapter 185.

2392 SECTION 57. Said chapter 183A is hereby further amended by adding the following  
2393 section:-

2394 Section 24. (a) Notwithstanding any provisions in a master deed, declaration of trust or  
2395 by-laws of a condominium submitted pursuant to this chapter to the contrary, the governing body  
2396 of the organization of unit owners may conduct regularly scheduled or special meetings by  
2397 telephonic or video conference call or other interactive electronic communication process;  
2398 provided, however, that all participants shall be able to simultaneously communicate with each  
2399 other during the meeting. Presence by such electronic means shall satisfy any quorum  
2400 requirements. The governing body may vote on any action properly before the body and approve  
2401 meeting minutes by electronic means including, but not limited to, email and video conferencing.

2402 (b) The governing body may conduct annual or special meetings of the unit owners where  
2403 physical presence is not required. Such meetings may be held by telephonic or video conference  
2404 call or other interactive electronic communication process as determined by the governing body.  
2405 The governing body shall notify all unit owners of such meetings and provide access information  
2406 for participation in such meetings. Participation by electronic means shall satisfy quorum  
2407 requirements. The governing body shall take reasonable measures to ensure that unit owners can

2408 participate fully, including by reading or hearing the proceedings and posing questions or  
2409 comments.

2410 (c) The governing body may allow unit owners to vote on any matter by mail-in ballot or  
2411 electronic means; provided, however, that a quorum of unit owners shall be present for the vote.  
2412 The governing body may promulgate and amend policies related to electronic meetings and  
2413 voting, pursuant to its rule-making authority as set forth in the governing documents of the  
2414 organization of unit owners. If a master deed, declaration of trust, by-law or other document of  
2415 the organization of unit owners requires the signature or written consent of unit owners, unit  
2416 owners may electronically submit their signatures or written consent as determined by the  
2417 governing body.

2418 SECTION 58. Chapter 184 of the General Laws is hereby amended by inserting after  
2419 section 23D the following section:-

2420 Section 23E. (a) For the purposes of this section, the following words shall have the  
2421 following meanings unless the context clearly requires otherwise:-

2422 “Portable cooling device”, air conditioners and evaporative coolers, including devices  
2423 designed to be mounted in a window or placed on the floor but not including devices which  
2424 require alteration to the dwelling unit for its installation or use.

2425 (b) A provision in a condominium’s governing document that restricts or prohibits the  
2426 installation or use of a portable cooling device shall be void and unenforceable unless the: (i)  
2427 installation or use of the device would: (A) violate building codes or state or federal law; (B)  
2428 violate the device manufacturer’s written safety guidelines for the device; (C) interfere with the  
2429 common areas and facilities of the condominium; or (D) require amperage to power the device

2430 that cannot be accommodated by the power service to the building, unit or circuit; (ii) device is  
2431 designed to be mounted in a window and: (A) the window is a necessary egress from the unit;  
2432 (B) the device would interfere with the unit owner’s ability to lock a window that is accessible  
2433 from outside; (C) the device requires the use of brackets or other hardware that would damage or  
2434 void the warranty of the window or frame, puncture the envelope of the building or otherwise  
2435 cause significant damages; (D) the restrictions require that the device be adequately drained to  
2436 prevent damage to the dwelling unit or building; or (E) the restrictions require that the device be  
2437 installed in a manner that prevents risk of falling; (iii) building is cooled through a central air  
2438 conditioning system; or (iv) restrictions only require that the device be: (A) installed by building  
2439 maintenance or a licensed contractor; or (B) removed from October 1 to April 30, inclusive.

2440 SECTION 59. Chapter 185 of the General Laws is hereby amended by striking out  
2441 section 52, as appearing in the 2022 Official Edition, and inserting in place thereof the following  
2442 section:-

2443 Section 52. (a) As used in this section, “notice of voluntary withdrawal” shall mean an  
2444 instrument in writing, signed and acknowledged by all owners of the land to be voluntarily  
2445 withdrawn, that contains the following information: (i) names and addresses of all owners; (ii)  
2446 the certificate of title number with the registration book and page number; (iii) a description of  
2447 the land in the form contained in the certificate of title or a description, incorporating by  
2448 reference the lot numbers, if numbered, and the land court plan, together with a reference to the  
2449 certificate with which the plan is filed; and (iv) the street address of the land, if any. The notice  
2450 of voluntary withdrawal shall include a notification to all interest holders entitled to notice that  
2451 any objection to the requested withdrawal shall be filed with the court not later than 30 days  
2452 following the service of the notice or the right to file an objection shall be waived.

2453 (b) A judgment of registration and the entry of a certificate of title shall be  
2454 regarded as an agreement running with the land and binding upon the plaintiff and the  
2455 plaintiff's successors in title that the land shall be and forever remain registered land and subject  
2456 to this chapter unless withdrawn under this section and except as provided in section 26.

2457 (c) If all of a parcel of land, the title to which is registered under this chapter, is acquired  
2458 by the commonwealth, any agency, department, board, commission or authority of the  
2459 commonwealth, any political subdivision of the commonwealth or any agency, department,  
2460 board, commission or authority of any political subdivision of the commonwealth, the  
2461 acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter.  
2462 Such land shall be withdrawn upon the filing with the land court of a complaint for voluntary  
2463 withdrawal by the public entity and the endorsement by a justice of the land court of such notice  
2464 of withdrawal, which shall be filed in the registry district where the land is located.

2465 (d) The owners of the fee simple estate in a parcel of land, the title to which has been  
2466 registered under this chapter, may voluntarily withdraw the registered land from this chapter by  
2467 filing with the land court a complaint for voluntary withdrawal naming themselves as all of the  
2468 owners of the fee simple estate in the entire parcel of land and identifying any mortgagees,  
2469 lessees or option holders of record having an interest in the registered land, together with a notice  
2470 of voluntary withdrawal. The plaintiff shall file with the complaint sufficient documentation to  
2471 establish conclusively their ownership of the fee simple estate in the entire parcel of land that is  
2472 the subject of the complaint including, but not limited to, a last-prepared certificate of title,  
2473 deeds, conveyance records and any other documents or instruments that demonstrate their  
2474 ownership interest. The plaintiff may also file with the court written and signed assents from any



2475 interest holders entitled to notice who have agreed to the withdrawal. Upon the request of the  
2476 plaintiff or upon the court's determination of reasonable need, the court may appoint an  
2477 examiner of title, whose fees shall be paid by the plaintiffs, to prepare a report sufficient to  
2478 identify the current owners and all current mortgagees, lessees and option holders with interests  
2479 in the land who are entitled to notice. The court's order of appointment shall be made not later  
2480 than 30 days after receipt of the complaint or upon request for appointment, if such request is  
2481 later made, unless the court, for good cause , determines that appointment at a later time is  
2482 indicated, and shall direct such report to be prepared and filed with the court not later than 14  
2483 days after the appointment is made, unless the court, for good cause , then or thereafter allows  
2484 further time. All interest holders entitled to notice who have not assented to the voluntary  
2485 withdrawal shall be served by certified mail with a file-stamped copy of the complaint and notice  
2486 of voluntary withdrawal. The court may order further notice to be given, including by additional  
2487 means, if the court determines it to be necessary or desirable to accomplish effective service. The  
2488 plaintiff shall file with the court an affidavit certifying that such notice by certified mail or other  
2489 means ordered by the court has been given, together with proof of service. If the plaintiffs are  
2490 represented by counsel, the affidavit shall be executed by counsel.

2491 (e) If no objection has been filed by any interest holder entitled to notice not later than 30  
2492 days following service, a justice of the court shall approve and endorse the notice of voluntary  
2493 withdrawal not later than 30 days following receipt of all required information and  
2494 documentation unless the court, for good cause, determines that further time is indicated.  
2495 Notwithstanding the filing of an objection not later than 30 days, the notice of voluntary  
2496 withdrawal shall be endorsed by a justice of the land court unless the court determines that there  
2497 is good cause for the objection. Upon endorsement by a justice of the land court, the notice of

2498 voluntary withdrawal shall be filed for registration and noted on the memorandum of  
2499 encumbrances for the certificate of title and may be recorded with the registry of deeds for the  
2500 district within which the land lies, whereupon the land shall be withdrawn from this chapter and  
2501 shall become unregistered land. The owners shall hold title to the land free of all liens and  
2502 encumbrances, including adverse possession and prescriptive rights, existing as of the date the  
2503 judicially-endorsed notice of voluntary withdrawal is noted on the memorandum of  
2504 encumbrances, as though a judgment of confirmation without registration had been recorded  
2505 under section 56A; provided, however, that the owners shall not hold title free of the  
2506 encumbrances set forth or referred to in section 46 and those noted on the certificate of title or  
2507 filed for registration before the date the endorsed notice of voluntary withdrawal is noted on the  
2508 memorandum of encumbrances.

2509 (f) The chief justice of the land court or a designee may promulgate rules or establish  
2510 practices, guidelines, forms or procedures, including an appropriate filing fee for the complaint  
2511 and notice of voluntary withdrawal, as necessary to implement this section.

2512 SECTION 60. Said chapter 185 is hereby further amended by striking out section 114, as  
2513 so appearing, and inserting in place thereof the following section:-

2514 Section 114. (a) No erasure, alteration or amendment shall be made upon the registration  
2515 book after the entry of a certificate of title or of a memorandum thereon and the attestation of the  
2516 same by the recorder or an assistant recorder without court order, except when an assistant  
2517 recorder, upon approval of the chief title examiner of the land court or the chief title examiner's  
2518 designee, determines that a clerical error or omission has been made in the entry of the certificate  
2519 of title or memorandum thereon.

2520 (b) A registered owner or other person in interest may apply by complaint to the court  
2521 upon the grounds that: (i) registered interests of any description, whether vested, contingent,  
2522 expectant or inchoate, have terminated and ceased; (ii) new interests not appearing upon the  
2523 certificate have arisen or been created; (iii) an error or omission was made in entering a  
2524 certificate or any memorandum thereon; (iv) the name of any person on the certificate has been  
2525 changed; (v) the registered owner has married or, if registered as married, the marriage has been  
2526 dissolved; (vi) a corporation which owned registered land and has been dissolved has not  
2527 conveyed the same within 3 years after its dissolution; or (vii) upon any other reasonable ground  
2528 and the court may hear and determine the complaint after notice to all parties in interest. The  
2529 court may order the entry of a new certificate, the entry or cancellation of a memorandum upon a  
2530 certificate or grant any other relief upon such terms as it deems proper, including requiring  
2531 security if necessary. Nothing in this section shall authorize the court to open the original  
2532 judgment of registration and nothing shall be done by the assistant recorder or ordered by the  
2533 court that shall impair the title or other interest of a purchaser holding a certificate for value and  
2534 in good faith, or their heirs or assigns, without their written consent.

2535 SECTION 61. Chapter 186 of the General Laws is hereby amended by inserting after  
2536 section 14 the following section:-

2537 Section 14A. (a) For the purposes of this section, the following words shall have the  
2538 following meanings unless the context clearly requires otherwise:

2539 “Portable cooling device”, air conditioners and evaporative coolers, including devices  
2540 designed to be mounted in a window or placed on the floor but not including devices which  
2541 require alteration to the dwelling unit for its installation or use.

2542 (b) A landlord may not prohibit or restrict a tenant from installing or using a portable  
2543 cooling device of the tenant's choosing unless the: (i) installation or use of the device would: (A)  
2544 violate building codes or state or federal law; (B) violate the device manufacturer's written safety  
2545 guidelines for the device; (C) damage the premises or render the premises uninhabitable; or (D)  
2546 require amperage to power the device that cannot be accommodated by the power service to the  
2547 building, dwelling unit or circuit; (ii) device would be installed in a window and the: (A) window  
2548 is a necessary egress from the dwelling unit; (B) device would interfere with the tenant's ability  
2549 to lock a window that is accessible from outside; (C) device requires the use of brackets or other  
2550 hardware that would damage or void the warranty of the window or frame, puncture the envelope  
2551 of the building or otherwise cause significant damages; (D) restrictions require that the device be  
2552 adequately drained to prevent damage to the dwelling unit or building; (E) restrictions require  
2553 that the device be installed in a manner that prevents risk of falling; (F) restrictions require that  
2554 the device be: (1) installed or removed by the landlord or the landlord's agent; (2) subject to  
2555 inspection or servicing by the landlord or the landlord's agent; or (3) removed from October 1 to  
2556 April 30, inclusive; or (iii) landlord provides cooling to the dwelling unit through a central air  
2557 conditioning system.

2558 (c) A landlord shall not enforce a restriction on portable cooling devices against a tenant  
2559 that is allowed under subsection (b) unless the restriction is in writing and delivered to the tenant.

2560 (d) A landlord shall not be liable for any claim for damages, injury or death caused by a  
2561 portable cooling device installed by the tenant pursuant to this act.

2562 (e) A landlord that limits portable cooling devices for a building under subclause (D) of  
2563 clause (i) of subsection (b) shall prioritize allowing the use of devices for individuals who

2564 require a device to accommodate a disability. A landlord shall not be responsible for any  
2565 interruption in electrical service to a portable cooling device that is not caused by the landlord,  
2566 including interruptions caused by an electrical supply's inability to accommodate the use of a  
2567 portable cooling device.

2568 SECTION 62. Section 15B of said chapter 186, as appearing in the 2022 Official Edition,  
2569 is hereby amended by inserting after the figure "(2)", in line 25, the following words:- ;  
2570 provided, however, that the executive office of housing and livable communities may promulgate  
2571 regulations to authorize a lessor and a tenant or prospective tenant to agree to the payment of a  
2572 fee in lieu of payment of a security deposit; provided further, that any such regulations shall: (A)  
2573 require the lessor to utilize a fee collected to waive a security deposit to cover for unpaid rent or  
2574 unit damage that applies to the tenant's lease; (B) require that a fee so collected be: (I) entirely or  
2575 partially non-refundable; provided, however, that the lessor shall disclose that the fee is non-  
2576 refundable in the lease; provided further, that the tenant shall agree to the fee and acknowledge  
2577 that the tenant understand that it is entirely or partially non-refundable, as the case may be, in  
2578 writing; and (II) a recurring monthly fee, or payable upon any schedule and in an amount that the  
2579 lessor and tenant agree upon, as authorized by the executive office; (C) limit the total sum of the  
2580 fee or recurring payments, regardless of the duration of the lease and any extensions thereto, to  
2581 an amount not to exceed 1 month's rent; (D) require that the fee be made optional for both the  
2582 tenant and the lessor and that the tenant be permitted to choose to pay a full security deposit  
2583 rather than the fee; (E) require a lessor who offers such a fee in lieu of security deposit: (I) to  
2584 offer the option of a fee in lieu of a security deposit to every prospective tenant whose  
2585 application for occupancy has been approved, regardless of income, race, gender, gender  
2586 identity, disability, sexual orientation, immigration status, size of household or credit score; and

2587 (II) not to consider such factors and categories when setting the amount of the fee; and (F) allow  
2588 a tenant who agrees to pay a fee to waive a security deposit to opt-out of the obligation to pay  
2589 such fee if such tenant pays the security deposit that would otherwise be in effect for the tenant's  
2590 apartment on the day the tenant chooses to opt-out of such fee; provided further, that the sum of  
2591 fees paid to waive a security deposit and the payment of the security deposit shall not exceed, in  
2592 total, the amount of 1 month's rent; and provided further, that the executive office shall consult  
2593 with the office of the attorney general prior to promulgating regulations authorizing a fee in lieu  
2594 of a security deposit under this section.

2595 SECTION 63. Section 1 of chapter 188 of the General Laws, as so appearing, is hereby  
2596 amended by striking out, in lines 5 and 10, the figure "\$125,000" and inserting in place thereof,  
2597 in each instance, the following figure:- "\$250,000".

2598 SECTION 64. Said section 1 of said chapter 188, as so appearing, is hereby further  
2599 amended by striking out, in lines 15, 21, 25, 41 and 47, the figure "\$500,000" and inserting in  
2600 place thereof, in each instance, the following figure:- "\$1,000,000".

2601 SECTION 65. Said section 1 of said chapter 188, as so appearing, is hereby further  
2602 amended by striking out, in line 42, the figure "\$250,000" and inserting in place thereof the  
2603 following figure:- "\$500,000".

2604 SECTION 66. Chapter 239 of the General Laws is hereby amended by adding the  
2605 following section:-

2606 Section 16. (a) For the purposes of this section, the following words shall have the  
2607 following meanings unless the context clearly requires otherwise:-

2608 “Consumer report”, a written, oral or other communication of any information by a  
2609 consumer reporting agency bearing on a person’s credit worthiness, credit standing or credit  
2610 capacity that is used or expected to be used or collected, in whole or in part, for the purpose of  
2611 serving as a factor in establishing the person’s eligibility for rental housing or other purposes  
2612 authorized under section 51 of chapter 93.

2613 “Consumer reporting agency”, an individual, partnership, corporation, trust, estate,  
2614 cooperative, association, government or governmental subdivision or agency or other entity that,  
2615 for monetary fees, dues or on a cooperative nonprofit basis, regularly engages, in whole or in  
2616 part, in the practice of assembling or evaluating consumer credit information or other  
2617 information on consumers for the purpose of furnishing consumer reports to third parties.

2618 “Court”, the trial court of the commonwealth established pursuant to section 1 of chapter  
2619 211B and any departments or offices established within the trial court.

2620 “Court record”, any paper or electronic records or data in any communicable form  
2621 compiled by, on file with or in the care custody or control of, the court that concern a person and  
2622 relate to the nature or disposition of an eviction action or a lessor action.

2623 “Eviction action”, a summary process action under this chapter to recover possession of  
2624 residential premises.

2625 “Lessor action”, any civil action brought against the owner, manager or lessor of  
2626 residential premises by the tenant or occupant of such premises relating to or arising out of such  
2627 property, rental, tenancy or occupancy for breach of warranty, breach of any material provision  
2628 of the rental agreement or violation of any other law.

2629 “No-fault eviction”, an eviction action in which the notice to quit, notice of termination  
2630 or complaint does not include an allegation of nonpayment of rent or violation of any material  
2631 term of the tenancy by the tenant or occupant; provided, however, that a “no-fault eviction” shall  
2632 include an action brought after termination of a tenancy for economic, business or other reasons  
2633 not constituting a violation of the terms of the tenancy.

2634 (b) A person having a court record of a no-fault eviction on file in a court may petition  
2635 the court to seal the court record at any time after the conclusion of the action, including  
2636 exhaustion of all rights of appeal. The petition shall be on a form furnished by the trial court of  
2637 the commonwealth, signed under the penalties of perjury and filed in the same court as the action  
2638 sought to be sealed. If an action was active in more than 1 court during its pendency, a petition  
2639 may be filed in each such court. Notice shall be given to parties to the original action. The court  
2640 shall comply with the petitioner’s request to seal the court record pursuant to this subsection;  
2641 provided, however, that the record only pertains to a no-fault eviction and the action to which the  
2642 record relates has concluded with all rights of appeal exhausted. If no objection is filed by a party  
2643 within 7 days of filing the petition, such court may, in its discretion, process such petitions  
2644 administratively without a hearing.

2645 (c) A person having a court record in an eviction action for nonpayment of rent on file in  
2646 a court may, on a form furnished by the trial court and signed under the penalties of perjury,  
2647 petition the court to seal the court record. The petition shall be filed in the same court as the  
2648 action sought to be sealed. If an action was active in more than 1 court during its pendency, a  
2649 petition may be filed in each such court. Notice shall be given to parties to the original action.  
2650 The court shall comply with the petitioner’s request to seal the court record pursuant to this  
2651 subsection; provided, however, that the action to which the record relates concluded, including



2652 exhaustion of all rights of appeal, not less than 4 years before the request and no eviction action  
2653 for nonpayment or lessor action has been brought against the petitioner within the  
2654 commonwealth in the 4 years preceding the request; provided further, that the petitioner certifies  
2655 on the petition that the nonpayment of rent was due to an economic hardship and such economic  
2656 hardship has rendered them unable to satisfy the judgment. If no objection is filed by a party, the  
2657 court may, in its discretion, process such petitions administratively without a hearing. If an  
2658 objection is filed by a party, within 7 days of filing the petition, the court shall conduct a hearing  
2659 to determine the petitioner's compliance with the foregoing conditions and may require the  
2660 petitioner to complete a financial statement on a form furnished by the trial court.

2661 (d) A person having a court record of a fault eviction on file in a court may, on a form  
2662 furnished by the trial court and signed under the penalties of perjury, petition the court to seal the  
2663 court record. The petition shall be filed in the same court as the action sought to be sealed. If an  
2664 action was active in more than 1 court during its pendency, a petition may be filed in each such  
2665 court. Notice shall be given to parties to the original action. The court shall comply with the  
2666 petitioner's request to seal the court record pursuant to this subsection; provided, however, that  
2667 the action to which the record relates concluded, including exhaustion of all rights of appeal, not  
2668 less than 7 years before the request and no eviction action for fault or lessor action has been  
2669 brought against the petitioner within the commonwealth in the 7 years preceding the request. If  
2670 no objection is filed by a party, within 7 days of filing the petition, the court may, in its  
2671 discretion, process such petitions administratively without a hearing.

2672 (e) A person having a court judgment against them in a civil action commenced pursuant  
2673 to section 19 of chapter 139 on file in a court may, on a form furnished by the trial court and  
2674 signed under the penalties of perjury, petition the court to seal the court record. The petition shall

2675 be filed in the same court as the action sought to be sealed. If an action was active in more than 1  
2676 court during its pendency, a petition may be filed in each such court. Notice shall be given to  
2677 parties to the original action. The court shall schedule a hearing to determine whether: (i) the  
2678 action to which the record relates concluded, including exhaustion of all rights of appeal, not less  
2679 than 7 years before the request and no eviction action for fault, or action pursuant to said section  
2680 19 of said chapter 139, has been brought against the petitioner within the commonwealth in the 7  
2681 years preceding the request, and such petitioner has not been convicted of any criminal offense  
2682 referenced in said section 19 of said chapter 139 during such 7-year period; and (b) the sealing of  
2683 such record is in the interest of justice and public safety. Notwithstanding any provision to the  
2684 contrary, where the plaintiff did not obtain a judgment in its favor, the defendant may petition to  
2685 seal the court record at any time after the conclusion of the action, including exhaustion of all  
2686 rights of appeal.

2687 (e1/2) A person having a court record of an eviction action that resulted in a dismissal or  
2688 final judgment in favor of the defendant may petition the court to seal the court record at any  
2689 time after the conclusion of the action, which shall include exhaustion of all rights of appeal. The  
2690 petition shall be on a form furnished by the trial court, signed under the penalties of perjury and  
2691 filed in the same court as the action sought to be sealed was initially filed. If the action was  
2692 active in more than 1 court during its pendency, a petition may be filed in each such court.  
2693 Notice to parties of the original action shall not be required. The court may, in its discretion,  
2694 process the petition administratively without a hearing.

2695 (f) Upon motion and for good cause shown, or as otherwise authorized by this section,  
2696 court records sealed under this section may, at the discretion of the court and upon a balancing of  
2697 the interests of the litigants and the public in nondisclosure of the information with the interests

2698 of the requesting party, be made available for public safety, scholarly, educational, journalistic or  
2699 governmental purposes only; provided, however, that the personal identifying information of the  
2700 parties involved in the action shall remain sealed unless the court determines that release of such  
2701 information is appropriate under this subsection and necessary to fulfill the purpose of the  
2702 request. Nothing in this subsection shall permit the release of personal identifying information  
2703 for commercial purposes.

2704 (g) Nothing in this section shall prohibit the dissemination of information contained in a  
2705 record sealed pursuant to this section as the court deems necessary or appropriate: (i) for the  
2706 collection of a money judgment; (ii) to pursue a criminal investigation; (iii) to pursue a criminal  
2707 prosecution; or (iv) where information in the sealed record was entered into evidence in a  
2708 criminal prosecution that resulted in a criminal charge.

2709 (h) Nothing in this section shall prohibit a person or their representative from petitioning  
2710 the court to obtain access to sealed eviction records in which the person is a party.

2711 (i) A consumer reporting agency shall not disclose the existence of, or information  
2712 regarding, an eviction record sealed under this section or use information contained in a sealed  
2713 court record as a factor to determine any score or recommendation to be included in a consumer  
2714 report unless the court record was available for inspection with the court not more than 30 days  
2715 of the report date. A consumer reporting agency may include in a consumer report information  
2716 found in publicly available court records; provided, however, that the consumer report shall  
2717 include a person's full name, whether an eviction action was a fault eviction, a no-fault eviction  
2718 or a lessor action and the outcome of any eviction action if such information is contained in the  
2719 publicly-available court record. Information contained in a court record sealed under this section

2720 shall be removed from the consumer report or from the calculation of any score or  
2721 recommendation to be included in a consumer report not more than 30 days of the sealing of the  
2722 court record from which it is derived. Any consumer reporting agency that violates this  
2723 subsection shall be liable to the person who is the subject of the consumer report in an amount  
2724 equal to the sum of any actual damages sustained by the consumer as a result of the violation and  
2725 the costs of the action, including reasonable attorney's fees. The attorney general shall enforce  
2726 this subsection, and the remedies provided hereunder shall not be exclusive. Nothing in this  
2727 subsection shall waive the rights or remedies of any person under any other law or regulation.

2728 (j) An application used to screen applicants for housing or credit that seeks information  
2729 concerning prior eviction actions of the applicant shall include the following statement: "An  
2730 applicant for housing or credit with a sealed record on file with the court pursuant to section 16  
2731 of chapter 239 of the General Laws may answer 'no record' to an inquiry relative to that sealed  
2732 court record." No party shall be liable for any violation of the foregoing provision unless such  
2733 party has first been issued a written warning from the attorney general and has failed to address  
2734 the violation within 90 days of such notice.

2735 The petition provided by the court for the sealing of records as provided under this  
2736 section and any order granting such petition shall contain the following notice: "An applicant for  
2737 housing or credit with a sealed record on file with the court pursuant to section 16 of chapter 239  
2738 of the General Laws may answer 'no record' to an inquiry relative to that sealed court record."

2739 (k) A party who obtains a judgment or enters into an agreement in an eviction action  
2740 solely for nonpayment of rent shall, not more than 14 days after satisfaction of the judgment or  
2741 agreement, file with the court in which the judgment or agreement was entered a notice of

2742 satisfaction of the judgment or agreement. A party that has satisfied such judgment or agreement  
2743 may, upon noncompliance with this subsection by the other party, file a petition for the judgment  
2744 or agreement to be deemed satisfied, with notice to the parties to such action. The court shall  
2745 comply with the petitioner’s request; provided, however, that the record only pertains to an  
2746 action for nonpayment of rent and the judgment or agreement has been satisfied. If no objection  
2747 is filed by a party within 7 days of filing the petition, the court may, in its discretion, process  
2748 such petition administratively without a hearing. Upon the filing of a notice of satisfaction of  
2749 judgment or an agreement, or court judgment deeming the judgment or agreement satisfied, a  
2750 party may petition the court to seal the court record pertaining to that action. The petition shall be  
2751 on a form furnished by the trial court, signed under the penalties of perjury and filed in the same  
2752 court as the action sought to be sealed. If an action was active in more than 1 court during its  
2753 pendency, a petition may be filed in each such court. Notice shall be given to the parties to the  
2754 original action. The court shall comply with the petitioner’s request and seal the court record if  
2755 the judgment or agreement has been satisfied and the action has concluded, with all rights of  
2756 appeal exhausted and with no objection filed by a party within 7 days of filing the petition. The  
2757 court may process such petitions administratively without a hearing.”

2758 SECTION 67. The first sentence of the first paragraph of section 3 of chapter 708 of the  
2759 acts of 1966, as appearing in section 43 of chapter 204 of the acts of 1996, is hereby amended by  
2760 striking out the words “department of housing and community development”, and inserting in  
2761 place thereof the following words:- executive office of housing and livable communities.

2762 SECTION 68. Said first paragraph of said section 3 of said chapter 708, as so amended,  
2763 is hereby further amended by striking out the third sentence and inserting in place thereof the  
2764 following sentence:- Notwithstanding any general or special law to the contrary, the

2765 Massachusetts Housing Finance Agency shall not be subject to chapter 30A of the General  
2766 Laws, sections 24 to 28, inclusive, of chapter 93 of the General Laws and chapters 255E and  
2767 255F of the General Laws.

2768 SECTION 69. The first sentence of the second paragraph of said section 3 of said chapter  
2769 708 is hereby amended by striking out the words “director of housing and community  
2770 development”, inserted by section 44 of chapter 204 of the acts of 1996, and inserting in place  
2771 thereof the following words:- secretary of housing and livable communities.

2772 SECTION 70. Paragraph (b) of section 8 of said chapter 708 is hereby amended by  
2773 striking out the sixth sentence, as appearing in section 1 of chapter 34 of the acts of 2003, and  
2774 inserting in place thereof the following sentence:- The aggregate principal amount of notes and  
2775 bonds of the Massachusetts Housing Finance Agency issued to make mortgage loans pursuant to  
2776 section 5 and to make or purchase loans pursuant to section 5A, outstanding at any 1 time, shall  
2777 not exceed \$10,800,000,000.

2778 SECTION 71. Clause (iii) of the definition of “housing accommodation” in section 3 of  
2779 chapter 527 of the acts of 1983, as appearing in section 4 of chapter 709 of the acts of 1989, is  
2780 hereby amended by striking out the word “buildings” and inserting in place thereof the following  
2781 words:- owner-occupied buildings.

2782 SECTION 72. The third sentence of the second paragraph of paragraph (a) of section 35  
2783 of chapter 405 of the acts of 1985, as appearing in section 47 of chapter 204 of the acts of 1996,  
2784 is hereby amended by striking out the words “department of housing and community  
2785 development” and inserting in place thereof the following words:- executive office of housing  
2786 and livable communities.

2787 SECTION 73. Said paragraph (a) of said section 35 of said chapter 405 is hereby further  
2788 amended by striking out the words “communities and development”, as appearing in section 36  
2789 of chapter 102 of the acts of 1990, and inserting in place thereof the following words:- housing  
2790 and livable communities.

2791 SECTION 74. Section 2 of chapter 52 of the acts of 1993 is hereby amended by striking  
2792 out item 4000-8200, as most recently amended by section 18 of chapter 244 of the acts of 2002,  
2793 and inserting in place thereof the following item:-

2794 4000-8200 For state financial assistance to implement the recommendations of the  
2795 special commission in the form of loans for the development of community-based housing for  
2796 individuals with mental health, intellectual or developmental disabilities; provided, that such  
2797 loan program shall be administered by the executive office of housing and livable communities  
2798 through contracts with housing authorities and redevelopment authorities duly organized and  
2799 existing under chapter 121B of the General Laws, community development corporations duly  
2800 organized and existing under chapter 40F of the General Laws, the Massachusetts Housing  
2801 Finance Agency, a body politic and corporate entity, established under section 3 of chapter 708  
2802 of the acts of 1966, the Community Economic Development Assistance Corporation or CEDAC,  
2803 a body politic and corporate, established under section 3 of chapter 40H of the General Laws and  
2804 the government land bank, a body politic and corporate established under section 2 of chapter  
2805 212 of the acts of 1975; provided further, that the loan issuing authorities may develop or finance  
2806 community-based housing or may enter into subcontracts therefor with nonprofit organizations  
2807 established pursuant to chapter 180 of the General Laws or organizations in which such nonprofit  
2808 corporations have a controlling financial or managerial interest; provided further, that the  
2809 department shall take due consideration of a balanced geographic plan for such community-

2810 based housing when issuing such loans; provided further, that loans issued pursuant to this item  
2811 shall: (i) be limited to not more than 50 per cent of the financing of the total development costs;  
2812 (ii) be issued for a community-based housing project contingent on the title to the real property  
2813 reverting to the commonwealth when the loan becomes due and payable, except as provided by  
2814 clause (iii); (iii) only be issued when any contract or agreement for the use of the property for  
2815 community-based housing provides for the recording of a restriction in the registry of deeds or  
2816 the registry district of the land court of the county in which the affected real property is located,  
2817 for the benefit of the departments, running with the land, that the land shall be used for the  
2818 community-based housing for eligible individuals as determined by the department of mental  
2819 health; provided further, that the property shall not be released from such restrictions unless: (a)  
2820 the balance of the principal and interest for the loan has been repaid in full; (b) a mortgage  
2821 foreclosure deed has been recorded; or (c) there has been a disposition of the property and the  
2822 executive office of housing and livable communities, in consultation with the department of  
2823 mental health and the department of developmental services, determines that relevant clients will  
2824 be better served at an alternative property and the proceeds from the disposition of the property  
2825 shall be used, to the extent necessary for replacement of the housing at the property to: (1)  
2826 acquire such alternative property; and (2) rehabilitate such alternative property; (iv) be issued for  
2827 a term of not more than 30 years during which time repayment may be deferred by the loan  
2828 issuing authority unless, at the end of any fiscal year, cash collections from all sources in  
2829 connection with a community-based housing project, except for contributions, donations or grant  
2830 monies, exceed 105 per cent of cash expenditures on behalf of the project, including debt service,  
2831 operating expenses and capital reserves, in which event such excess cash shall be paid to the  
2832 commonwealth within 45 days of the end of the fiscal year, payable first to interest due



2833 thereunder and thereafter to principal advanced pursuant to the loan; provided further, that if, on  
2834 the date a loan become due and payable to the commonwealth, an outstanding balance exists and  
2835 if, on such date, the executive office of housing and livable communities, in consultation with the  
2836 executive office of health and human services, determines that there still exists a need for such  
2837 housing and that there is continued funding available for the provision of services to such  
2838 development, the executive office may, by agreement with the owner of the development, extend  
2839 the loans for such periods not to exceed 10 years, as the executive office determines; provided  
2840 further, that the project, whether at the original property or at an alternative property pursuant to  
2841 clause (iii), shall remain affordable housing for the duration of the loan term, including any  
2842 extensions, as set forth in the contract or agreement entered into by the executive office;  
2843 provided further, that if the terms of repayment detailed in this item would cause a project  
2844 authorized by this item to become ineligible to receive federal funds which would otherwise  
2845 assist in the development of that project, the secretary may waive the terms of repayment which  
2846 would cause the project to become ineligible; (v) have interest rates that shall be fixed at a rate,  
2847 to be determined by the secretary of housing and livable communities, in consultation with the  
2848 state treasurer, that shall be equal to the rate anticipated to be that paid by the commonwealth for  
2849 bonds issued pursuant to section 8, which financing shall not exceed terms of 30 years; (vi) be  
2850 provided only for projects conforming to this act; and (vii) be issued in accordance with a  
2851 facilities consolidation plan prepared by the secretary of health and human services, reviewed  
2852 and approved by the secretary of housing and livable communities and filed with the secretary of  
2853 administration and finance and the house and senate committees on ways and means; provided  
2854 further, that no expenditures shall be made pursuant to this item without the prior approval of the  
2855 secretary of administration and finance; provided further, that not more than \$10,000,000 shall

2856 be expended from this item for a pilot program of community-based housing loans to serve  
2857 mentally-ill homeless individuals in the current or former care of the department of mental  
2858 health; provided further, that in implementing the pilot program, the executive office shall take  
2859 due consideration of a balanced geographic plan when establishing community-based residences;  
2860 provided further, that housing services made available pursuant to such loans shall not be  
2861 construed as a right or an entitlement for any individual or class of persons to the benefits of the  
2862 pilot program; provided further, that eligibility for the pilot program shall be established by  
2863 regulations promulgated by the executive office; provided further, that the executive office shall  
2864 promulgate emergency regulations pursuant to section 2 of chapter 30A of the General Laws for  
2865 the implementation of the community-based housing loan program and the mentally ill homeless  
2866 pilot loan program authorized by this item, consistent with the facilities consolidation plan  
2867 prepared by the secretary of health and human services and after consultation with said secretary  
2868 and the commissioner of capital asset management and maintenance.....\$50,000,000.

2869 SECTION 75. Clause (2) of item 3722-8899 of section 2 of chapter 494 of the acts of  
2870 1993 is hereby amended by striking out the words “unless and until the balance of the principal  
2871 and interest for said loan is repaid in full or unless and until a mortgage foreclosure deed is  
2872 recorded” and inserting in place thereof the following words:- until: (i) the balance of the  
2873 principal and interest for the loan has been repaid in full; (ii) a mortgage foreclosure deed has  
2874 been recorded; or (iii) there has been a disposition of the property and the executive office of  
2875 housing and livable communities has determined that relevant clients will be better served at an  
2876 alternative property and the proceeds from the disposition of the property shall be used, to the  
2877 extent necessary for replacement of the housing at the property to: (A) acquire such alternative  
2878 property; or (B) rehabilitate such alternative property.

2879 SECTION 76. Clause (4) of said item 3722-8899 of said section 2 of said chapter 494 is  
2880 hereby amended by striking out the words “provided, that the project continues to remain  
2881 affordable housing as set forth in the contract or agreement entered into for the duration of the  
2882 project by the department” and inserting in place thereof the following words:- provided, that the  
2883 project, whether at the original property or at an alternative property pursuant to clause (2),  
2884 continues to remain affordable housing as set forth in the contract or agreement entered into for  
2885 the duration of the project by the executive office.

2886 SECTION 77. Said item 3722-8899 of said section 2 of said chapter 494 is hereby further  
2887 amended by striking out clauses (6) to (8), inclusive, and inserting in place thereof the following  
2888 clause:- and (6) the executive office shall take due consideration of a balanced geographic plan  
2889 for such alternative forms of housing when issuing such loans.

2890 SECTION 78. The first paragraph of section 16 of chapter 179 of the acts of 1995 is  
2891 hereby amended by striking out, in line 3, the word “mobile” and inserting in place thereof the  
2892 following words:- either mobile vouchers or project-based.

2893 SECTION 79. The second paragraph of section 12 of chapter 257 of the acts of 1998, as  
2894 amended by section 52 of chapter 235 of the acts of 2000, is hereby further amended by striking  
2895 out clause (2) and inserting in place thereof the following clause:-

2896 (2) such loans shall only be issued when a contract or agreement for the use of the  
2897 property for such housing provides for the recording of a restriction in the registry of deeds or  
2898 the registry district of the land court in the county in which the affected real property is located,  
2899 for the benefit of the executive office of housing and livable communities, running with the land,  
2900 that the land shall be used for the purpose of providing alternative forms of rental and ownership

2901 housing; provided, however, that such property shall not be released from such restriction until:  
2902 (i) the balance of the principal and interest for any such loan has been repaid in full; (ii) a  
2903 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the property  
2904 and the executive office has determined that relevant clients will be better served at an  
2905 alternative property and the proceeds from the disposition of the property shall be used, to the  
2906 extent necessary, for replacement of the housing at the property to: (a) acquire such alternative  
2907 property; or (b) rehabilitate such alternative property.

2908 SECTION 80. Clause (3) of said second paragraph of said section 12 of said chapter 257,  
2909 as so amended, is hereby further amended by striking out the words “project continues to remain  
2910 affordable housing as set forth in the contract or agreement entered into for the duration of the  
2911 project by the department” and inserting in place thereof the following words:- project, whether  
2912 at the original property or at an alternative property pursuant to clause (2), continues to remain  
2913 affordable housing as set forth in the contract or agreement entered into for the duration of the  
2914 project by the executive office.

2915 SECTION 81. Said section 12 of said chapter 257, as so amended, is hereby further  
2916 amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the following  
2917 clause:-

2918 (5) the executive office shall take due consideration of a balanced geographic plan for  
2919 such alternative forms of housing when issuing such loans.

2920 SECTION 82. The second paragraph of section 5 of chapter 244 of the acts of 2002 is  
2921 hereby amended by striking out clause (2) and inserting in place thereof the following clause:-

2922 (2) such loans shall only be issued when a contract or agreement for the use of the  
2923 property for such housing provides for the recording of a restriction in the registry of deeds or  
2924 the registry district of the land court in the county in which the affected real property is located,  
2925 for the benefit of the executive office of housing and livable communities, running with the land,  
2926 that the land shall be used for the purpose of providing alternative forms of rental and ownership  
2927 housing; provided, however, that such property shall not be released from such restriction until:  
2928 (i) the balance of the principal and interest for any such loan has been repaid in full; (ii) a  
2929 mortgage foreclosure deed has been recorded; or (iii) there has been a disposition of the property,  
2930 and the executive office has determined that relevant clients will be better served at an  
2931 alternative property and the proceeds from the disposition of the property shall be used, to the  
2932 extent necessary, for replacement of the housing at the property to: (a) acquire such alternative  
2933 property; or (b) rehabilitate such alternative property;.

2934 SECTION 83. Clause (3) of said second paragraph of said section 5 of said chapter 244 is  
2935 hereby amended by striking out the words “project continues to remain affordable housing as set  
2936 forth in the contract or agreement entered into for the duration of the project by the department”  
2937 and inserting in place thereof the following words:- project, whether at the original property or at  
2938 an alternative property pursuant to clause (2), continues to remain affordable housing as set forth  
2939 in the contract or agreement entered into for the duration of the project by the executive office.

2940 SECTION 84. Said second paragraph of said section 5 of said chapter 244 is hereby  
2941 further amended by striking out clauses (5) to (7), inclusive, and inserting in place thereof the  
2942 following clause:-

2943 (5) the executive office shall take due consideration of a balanced geographic plan for  
2944 such alternative forms of housing when issuing such loans.

2945 SECTION 85. Item 4000-8201 of section 2E of chapter 290 of the acts of 2004 is hereby  
2946 amended by striking out clause (2) and inserting in place thereof the following clause:- (2) such  
2947 loans shall be issued only when any contract or agreement for the use of the property for such  
2948 housing provides for repayment to the commonwealth at the time of disposition of the property if  
2949 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);  
2950 provided, however, that such repayment shall be an amount equal to the commonwealth's  
2951 proportional contribution from this item to the cost of the development through payments made  
2952 by the state agency making the contract; provided further, that such repayment shall not be  
2953 required if the executive office of housing and livable communities, in consultation with the  
2954 Massachusetts rehabilitation commission, determines that relevant clients will be better served at  
2955 an alternative property and the proceeds from the disposition of the property shall be used, to the  
2956 extent necessary, for replacement of the housing at the property to: (i) acquire such alternative  
2957 property; or (ii) rehabilitate such alternative property.

2958 SECTION 86. Clause (3) of said item 4000-8201 of said section 2E of said chapter 290 is  
2959 hereby amended by striking out the words "provided further, that the property shall not be  
2960 released from such restrictions until the balance of the principal and interest for the loan is repaid  
2961 in full or until a mortgage foreclosure deed is recorded" and inserting in place thereof the  
2962 following words:- provided further, that the property shall not be released from such restrictions  
2963 unless: (A) the balance of the principal and interest for the loan has been repaid in full; (B) a  
2964 mortgage foreclosure deed has been recorded; or (C) the executive office of housing and livable

2965 communities has determined pursuant to clause (2) that repayment to the commonwealth is not  
2966 required.

2967 SECTION 87. Clause (4) of said item 4000-8201 of said section 2E of said chapter 290 is  
2968 hereby amended by striking out the words “provided, however, that the project shall continue to  
2969 remain affordable housing for the duration of the loan term, as extended, as set forth in the  
2970 contract or agreement entered into by the department” and inserting in place thereof the  
2971 following words:- provided, however, that the project, whether at the original property or at an  
2972 alternative property pursuant to clause (2), shall continue to remain affordable housing for the  
2973 duration of the loan term, as extended, as set forth in the contract or agreement entered into by  
2974 the executive office.

2975 SECTION 88. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
2976 further amended by striking out clauses (6) and (7).

2977 SECTION 89. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
2978 further amended by striking out the figure “(8)” and inserting in place thereof the following  
2979 figure:- (6).

2980 SECTION 90. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
2981 further amended by striking out the figure “(9)” and inserting in place thereof the following  
2982 figure:- (7).

2983 SECTION 91. Said item 4000-8201 of said section 2E of said chapter 290 is hereby  
2984 further amended by striking out the figure “(10)” and inserting in place thereof the following  
2985 figure:- (8).

2986 SECTION 92. Item 4000-8202 of said section 2E of said chapter 290, as amended by  
2987 section 20 of chapter 6 of the acts of 2005, is hereby further amended by striking out clause (2)  
2988 and inserting in place thereof the following clause:- (2) such loans shall be issued only when any  
2989 contract or agreement for the use of the property for such housing provides for repayment to the  
2990 commonwealth at the time of disposition of the property if such property will no longer be  
2991 subject to a recorded deed restriction pursuant to clause (3); provided, however, that such  
2992 repayment shall be an amount equal to the commonwealth's proportional contribution from the  
2993 Facilities Consolidation Fund to the cost of the development through payments made by the state  
2994 agency making the contract; provided further, that such repayment shall not be required if the  
2995 executive office of housing and livable communities, in consultation with the department of  
2996 mental health and the department of developmental services, determines that relevant clients will  
2997 be better served at an alternative property and the proceeds from the disposition of the property  
2998 shall be used, to the extent necessary for replacement of the housing at the property to: (i)  
2999 acquire such alternative property; or (ii) rehabilitate such alternative property;.

3000 SECTION 93. Clause (3) of said item 4000-8202 of said section 2E of said chapter 290,  
3001 as so amended, is hereby amended by striking out the words "provided, that the property shall  
3002 not be released from such restrictions until the balance of the principal and interest for the loan is  
3003 repaid in full or until a mortgage foreclosure deed is recorded" and inserting in place thereof the  
3004 following words:- provided, that the property shall not be released from such restrictions unless:  
3005 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage  
3006 foreclosure deed has been recorded; or (iii) the executive office of housing and livable  
3007 communities has determined pursuant to clause (2) that repayment to the commonwealth is not  
3008 required.



3009 SECTION 94. Clause (4) of said item 4000-8202 of said section 2E of said chapter 290,  
3010 as so amended, is hereby amended by striking out the words “provided, however, that the project  
3011 shall continue to remain affordable housing for the duration of the loan term, as extended, as set  
3012 forth in the contract or agreement entered into by the department” and inserting in place thereof  
3013 the following words:- provided, however, that the project, whether at the original property or at  
3014 an alternative property pursuant to clause (3), shall continue to remain affordable housing for the  
3015 duration of the loan term, as extended, as set forth in the contract or agreement entered into by  
3016 the executive office.

3017 SECTION 95. Said item 4000-8202 of said section 2E of said chapter 290, as so  
3018 amended, is hereby further amended by striking out clauses (6) and (7).

3019 SECTION 96. Said item 4000-8202 of said section 2E of said chapter 290, as so  
3020 amended, is hereby further amended by striking out the figure “(8)” and inserting in place thereof  
3021 the following figure:- (6).

3022 SECTION 97. Said item 4000-8200 of said section 2E of said chapter 290, as so  
3023 amended, is hereby further amended by striking out the figure “(9)” and inserting in place thereof  
3024 the following figure:- (7).

3025 SECTION 98. Said item 4000-8202 of said section 2E of said chapter 290, as so  
3026 amended, is hereby further amended by striking out the figure “(10)” and inserting in place  
3027 thereof the following figure:- (8).

3028 SECTION 99. Section 5 of chapter 293 of the acts of 2006 is hereby amended by  
3029 inserting after the definition of “Economic development project” the following definition:-

3030 “Eligible housing increment”, a new residential unit that may either be a single-family  
3031 house or 1 dwelling unit in a building or development containing 2 or more dwelling units,  
3032 which dwelling units may be rental units or units in a condominium or cooperative or a  
3033 combination thereof that is created as part of an economic development project and pursuant to  
3034 an infrastructure development assistance agreement approved by the secretary under this act.

3035 SECTION 100. Said section 5 of said chapter 293 is hereby further amended by striking  
3036 out the definition of “New revenue” and inserting in place thereof the following definition:-

3037 “New revenue”, revenue derived from a commercial or residential component of an  
3038 economic development project by the creation of any eligible new jobs or eligible housing  
3039 increments or by new economic activity that would otherwise not have taken place on the  
3040 commercial component or on or as a result of the residential component, as each may be more  
3041 fully defined by any rules, regulations or guidelines promulgated by the secretary or the  
3042 commissioner.

3043 SECTION 101. The definition of “New state tax revenues” in said section 5 of said  
3044 chapter 293 is hereby amended by inserting after the word “components”, in line 2, the following  
3045 words:- or on account of the residential components.

3046 SECTION 102. Said section 5 of said chapter 293, is hereby further amended by inserting  
3047 after the definition of “Public infrastructure improvements” the following definition:-

3048 “Residential component”, any component of an economic development project  
3049 comprising 1 or more eligible housing increments, as more fully described in, or determined in  
3050 accordance with, a certified economic development project.

3051 SECTION 103. Subsection (a) of section 7 of said chapter 293 is hereby amended by  
3052 inserting after the word “commercial”, in line 9, the following words:- or residential.

3053 SECTION 104. Said subsection (a) of said section 7 of said chapter 293 is hereby further  
3054 amended by inserting after the words “commercial”, in line 11, the following words:- and  
3055 residential.

3056 SECTION 105. Subsection (c) of said section 7 of said chapter 293 is hereby amended by  
3057 inserting after the word “commercial”, in line 16, the following words:- and residential.

3058 SECTION 106. Subsection (e) of said section 7 of said chapter 293, added by section 7 of  
3059 chapter 129 of the acts of 2008, is hereby amended by inserting after the word “met”, in line 11,  
3060 the following words:- and, with respect to projects which include a residential component, shall  
3061 give priority to projects within an MBTA community as defined in section 1A of chapter 40A of  
3062 the General Laws; provided, however, that such MBTA community shall be in compliance with  
3063 section 3A of said chapter 40A.

3064 SECTION 107. Subsection (a) of section 10 of said chapter 293, as amended by section  
3065 10 of said chapter 129, is hereby further amended by inserting after the word “commercial” the  
3066 following words:- or residential.

3067 SECTION 108. Said subsection (a) of said section 10 of said chapter 293, as so amended,  
3068 is hereby further amended by inserting after the words “each commercial”, each time they  
3069 appear, the following words:- or residential.

3070 SECTION 109. Subsection (b) of said section 10 of said chapter 293, as appearing in  
3071 section 11 of said chapter 129, is hereby amended by inserting after the word “commercial”,  
3072 each time it appears, the following words:- or residential.

3073 SECTION 110. Subsection (c) of said section 10 of said chapter 293 is hereby amended  
3074 by inserting after the word “commercial ”, in lines 3 and 5, each time it appears, the following  
3075 words:- or residential.

3076 SECTION 111. Item 7004-0029 of section 2 of chapter 119 of the acts of 2008 is hereby  
3077 amended by striking out clause (2) and inserting in place thereof the following clause:- (2) be  
3078 issued only when a contract or agreement for the use of the property for such housing provides  
3079 for repayment to the commonwealth at the time of disposition of the property if such property  
3080 will no longer be subject to a recorded deed restriction pursuant to clause (3); provided, however,  
3081 that such repayment shall be in an amount equal to the commonwealth’s proportional  
3082 contribution from the Facilities Consolidation Fund to the cost of the development through  
3083 payments made by the state agency making the contract; provided further, that such repayment  
3084 shall not be required if the executive office of housing and livable communities, in consultation  
3085 with the department of mental health and the department of developmental services, determines  
3086 that relevant clients will be better served at an alternative property and the proceeds from the  
3087 disposition of the property shall be used, to the extent necessary for replacement of the housing  
3088 at the property to: (i) acquire such alternative property; or (ii) rehabilitate such alternative  
3089 property.

3090 SECTION 112. Clause (3) of said item 7004-0029 of said section 2 of said chapter 119 is  
3091 hereby amended by striking out the words “provided, that the property shall not be released from

3092 such restriction until the balance of the principal and interest for the loan has been repaid in full  
3093 or until a mortgage foreclosure deed has been recorded” and inserting in place thereof the  
3094 following words:- provided, that the property shall not be released from such restriction unless:  
3095 (i) the balance of the principal and interest for the loan has been repaid in full; (ii) a mortgage  
3096 foreclosure deed has been recorded; or (iii) the executive office of housing and livable  
3097 communities has determined pursuant to clause (2) that repayment to the commonwealth is not  
3098 required.

3099 SECTION 113. Clause (4) of said item 7004-0029 of said section 2 of said chapter 119 is  
3100 hereby amended by striking out the words “provided, however, that the project shall remain  
3101 affordable housing for the duration of the loan term, including any extension thereof, as set forth  
3102 in the contract or agreement entered into by the department” and inserting in place thereof the  
3103 following words:- provided, however, that the project, whether at the original property or at an  
3104 alternative property pursuant to clause (2), shall remain affordable housing for the duration of the  
3105 loan term, including any extensions thereof, as set forth in the contract or agreement entered into  
3106 by the executive office.

3107 SECTION 114. Clause (5) of said item 7004-0029 of said section 2 of said chapter 119 is  
3108 hereby amended by striking out the words “; provided further, that expenditures from this item  
3109 shall not be made for the purpose of refinancing outstanding mortgage loans for community-  
3110 based housing in existence prior to the effective date of this act; provided further, that  
3111 community-based housing projects developed pursuant to this item shall not be refinanced during  
3112 the term of any loan issued pursuant to this item unless the balance of the principal and interest  
3113 for such loan has been repaid in full at the time of such refinancing; provided further, that the  
3114 community-based housing projects may be refinanced if the refinancing would result in a

3115 reduction of costs paid by the commonwealth; provided further, that a refinanced loan shall be  
3116 due and payable on a date not later than the date on which the original loan was due and payable,  
3117 except in accordance with clause (4) when necessary to effect extraordinary repairs or  
3118 maintenance which shall be approved by the commissioner of mental retardation or the  
3119 commissioner of mental health, as the case may be, and the department”.

3120 SECTION 115. Item 7004-0030 of said section 2 of said chapter 119 is hereby amended  
3121 by striking out clause (2) and inserting in place thereof the following clause:-

3122 (2) be issued only when a contract or agreement for the use of the property for such  
3123 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3124 such property will no longer be subject to a recorded deed restriction pursuant to clause (3);  
3125 provided, however, that such repayment shall be in an amount equal to the commonwealth’s  
3126 proportional contribution from community-based housing to the cost of the development through  
3127 payments made by the state agency making the contract; provide further, that such repayment  
3128 shall not be required if the executive office of housing and livable communities, in consultation  
3129 with the Massachusetts rehabilitation commission, determines that relevant clients will be better  
3130 served at an alternative property and the proceeds from the disposition of the property shall be  
3131 used, to the extent necessary for replacement of the housing at the property to: (i) acquire such  
3132 alternative property; or (ii) rehabilitate such alternative property.

3133 SECTION 116. Clause (3) of said item 7004-0030 of said section 2 of said chapter 119 is  
3134 hereby amended by striking out the words “until the balance of the principal and interest for the  
3135 loan has been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting  
3136 in place thereof the following words:- unless: (A) the balance of the principal and interest for the

3137 loan has been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the  
3138 executive office of housing and livable communities has determined pursuant to clause (2) that  
3139 repayment to the commonwealth is not required.

3140 SECTION 117. Clause (4) of said item 7004-0030 of said section 2 of said chapter 119 is  
3141 hereby amended by striking out the words “project shall continue to remain affordable housing  
3142 for the duration of the loan term, including any extensions thereof, as set forth in the contract or  
3143 agreement entered into by the department” and inserting place thereof the following words:-  
3144 project, whether at the original property or at an alternative property pursuant to clause (2), shall  
3145 continue to remain affordable housing for the duration of the loan term, including any extensions  
3146 thereof, as set forth in the contract or agreement entered into by the executive office.

3147 SECTION 118. Said item 7004-0030 of said section 2 of said chapter 119 is hereby  
3148 further amended by striking out clause (5) and inserting in place thereof the following clause:-  
3149 (5) have interest rates fixed at a rate, to be determined by the executive office, in consultation  
3150 with the state treasurer; provided, however, that the loans shall be issued in accordance with an  
3151 enhancing community-based services plan prepared by the secretary of health and human  
3152 services, in consultation with the executive office and filed with the secretary for administration  
3153 and finance and the house and senate committees on ways and means and the joint committee on  
3154 housing; provided further, that no expenditure shall be made from this item without the prior  
3155 approval of the secretary for administration and finance; provided further, that the executive  
3156 office shall promulgate regulations pursuant to chapter 30A of the General Laws for the  
3157 implementation, administration and enforcement of this item and such regulations shall be  
3158 consistent with the enhancing community-based services plan prepared by the secretary of health

3159 and human services, after consultation with the secretary and the commissioner of capital asset  
3160 management and maintenance.

3161 SECTION 119. Sections 30, 36 and 98 of chapter 238 of the acts of 2012 are hereby  
3162 repealed.

3163 SECTION 120. Item 7004-0040 of section 2 of chapter 129 of the acts of 2013 is hereby  
3164 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3165 (ii) be issued only when a contract or agreement for the use of the property for such  
3166 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3167 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);  
3168 provided, however, that such repayment shall be in an amount equal to the commonwealth's  
3169 proportional contribution from the Facilities Consolidation Fund to the cost of the development  
3170 through payments made by the state agency making the contract; provided further, that such  
3171 repayment shall not be required if the executive office of housing and livable communities, in  
3172 consultation with the department of mental health and the department of developmental services,  
3173 determines that relevant clients will be better served at an alternative property and the proceeds  
3174 from the disposition of the property shall be used, to the extent necessary for replacement of the  
3175 housing at the property, to: (A) acquire such alternative property; or (B) rehabilitate such  
3176 alternative property.

3177 SECTION 121. Clause (iii) of said item 7004-0040 of said section 2 of said chapter 129  
3178 is hereby amended by striking out the words "until the balance of the principal and interest for  
3179 the loan has been repaid in full or until a mortgage foreclosure deed has been recorded" and  
3180 inserting in place thereof the following words:- unless: (A) the balance of the principal and



3181 interest for the loan has been repaid in full; (B) a mortgage foreclosure deed has been recorded;  
3182 or (C) the executive office of housing and livable communities has determined pursuant to clause  
3183 (ii) that repayment to the commonwealth is not required.

3184 SECTION 122. Clause (iv) of said item 7004-0040 of said section 2 of said chapter 129  
3185 is hereby amended by striking out the words “provided further, that the project shall remain  
3186 affordable housing for the duration of the loan term, including any extension thereof, as set forth  
3187 in the contract or agreement entered into by the department” and inserting in place thereof the  
3188 following words:- provided further, that the project, whether at the original property or an  
3189 alternative property pursuant to clause (ii), shall remain affordable housing for the duration of  
3190 the loan term, including any extensions thereof, as set forth in the contract or agreement entered  
3191 into by the executive office.

3192 SECTION 123. Item 7004-0041 of said section 2 of said chapter 129 is hereby amended  
3193 by striking out clause (ii) and inserting in place thereof the following clause:- (ii) be issued only  
3194 when a contract or agreement for the use of the property for the purposes of such housing  
3195 provides for repayment to the commonwealth at the time of disposition of the property if such  
3196 property will no longer be subject to a recorded deed restriction pursuant to clause (iii); provided,  
3197 however, that such repayment shall be in an amount equal to the commonwealth’s proportional  
3198 contribution from community-based housing to the cost of the development through payments  
3199 made by the state agency making the contract; provided further, however, that such repayment  
3200 shall not be required if the executive office of housing and livable communities, in consultation  
3201 with the Massachusetts rehabilitation commission, determines that relevant clients will be better  
3202 served at an alternative property and the proceeds from the disposition of the property will be

3203 used, to the extent necessary for replacement of the housing at the property, to: (A) to acquire  
3204 such alternative property; or (B) to rehabilitate such alternative property;.

3205 SECTION 124. Clause (iii) of said item 7004-0041 of said section 2 of said chapter 129  
3206 is hereby amended by striking out the words “until the balance of the principal and interest for  
3207 the loan has been repaid in full or until a mortgage foreclosure deed has been recorded” and  
3208 inserting in place thereof the following words:- unless: (A) the balance of the principal and  
3209 interest for the loan has been repaid in full; (B) a mortgage foreclosure deed has been recorded;  
3210 or (C) the executive office of housing and livable communities has determined pursuant to clause  
3211 (ii) that repayment to the commonwealth is not required.

3212 SECTION 125. Clause (iv) of said item 7004-0041 of said section 2 of said chapter 129  
3213 is hereby amended by striking out the words “project shall continue to remain affordable housing  
3214 for the duration of the loan term, including any extensions thereof, as set forth in the contract or  
3215 agreement entered into by the department” and inserting place thereof the following words:-  
3216 project, whether at the original property or an alternative property pursuant to clause (ii), shall  
3217 continue to remain affordable housing for the duration of the loan term, including any extensions  
3218 thereof, as set forth in the contract or agreement entered into by the executive office.

3219 SECTION 126. Item 7004-0050 of section 2 of chapter 99 of the acts of 2018 is hereby  
3220 amended by striking out clause (ii) and inserting in place thereof the following clause:-

3221 (ii) not be issued unless a contract or agreement for the use of the property for such  
3222 housing provides for repayment to the commonwealth at the time of disposition of the property if  
3223 such property will no longer be subject to a recorded deed restriction pursuant to clause (iii);  
3224 provided, however, that such repayment shall be in an amount equal to the commonwealth’s

3225 proportional contribution from the Facilities Consolidation Fund to the cost of the development  
3226 through payments made by the state agency making the contract; provided further, however, that  
3227 such repayment shall not be required if the executive office of housing and livable communities,  
3228 in consultation with the department of mental health and the department of developmental  
3229 services, determines that relevant clients will be better served at an alternative property and the  
3230 proceeds from the disposition of the property will be used, to the extent necessary for  
3231 replacement of the housing at the property, to: (A) acquire such alternative property; or (B)  
3232 rehabilitate such alternative property.

3233 SECTION 127. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further  
3234 amended by striking out the words “until the balance of the principal and interest for the loan has  
3235 been repaid in full or until a mortgage foreclosure deed has been recorded” and inserting in place  
3236 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has  
3237 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive  
3238 office of housing and livable communities has determined pursuant to clause (ii) that repayment  
3239 to the commonwealth is not required.

3240 SECTION 128. Said item 7004-0050 of said section 2 of said chapter 99 is hereby further  
3241 amended by striking out the words “shall remain affordable housing for the duration of the loan  
3242 term, including any extension thereof, as set forth in the contract or agreement entered into by  
3243 the department” and inserting in place thereof the following words:-, whether at the original  
3244 property or an alternative property pursuant to clause (ii), shall remain affordable housing for the  
3245 duration of the loan term, including any extensions thereof, as set forth in the contract or  
3246 agreement entered into by the executive office.

3247 SECTION 129. Item 7004-0051 of said section 2 of said chapter 99 is hereby amended  
3248 by striking out clause (ii) and inserting in place thereof the following clause:- (ii) not be issued  
3249 unless a contract or agreement for the use of the property for the purposes of such housing  
3250 provides for repayment to the commonwealth at the time of disposition of the property if such  
3251 property will no longer be subject to a recorded deed restriction pursuant to clause (iii); provided,  
3252 however, that such repayment shall be in an amount equal to the commonwealth's proportional  
3253 contribution from community-based housing to the cost of the development through payments  
3254 made by the state agency making the contract; provided further, however, that such repayment  
3255 shall not be required if the executive office of housing and livable communities, in consultation  
3256 with the Massachusetts rehabilitation commission, determines that relevant clients will be better  
3257 served at an alternative property and the proceeds from the disposition of the property will be  
3258 used, to the extent necessary for replacement of the housing at the property, to: (A) acquire such  
3259 alternative property; or (B) rehabilitate such alternative property;.

3260 SECTION 130. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further  
3261 amended by striking out the words "until the balance of the principal and interest for the loan has  
3262 been repaid in full or until a mortgage foreclosure deed has been recorded" and inserting in place  
3263 thereof the following words:- unless: (A) the balance of the principal and interest for the loan has  
3264 been repaid in full; (B) a mortgage foreclosure deed has been recorded; or (C) the executive  
3265 office of housing and livable communities has determined pursuant to clause (ii) that repayment  
3266 to the commonwealth is not required.

3267 SECTION 131. Said item 7004-0051 of said section 2 of said chapter 99 is hereby further  
3268 amended by striking out the words "shall continue to remain affordable housing for the duration  
3269 of the loan term, including any extensions thereof, as set forth in the contract or agreement

3270 entered into by the department” and inserting place thereof the following words:-, whether at the  
3271 original property or an alternative property pursuant to clause (ii), shall continue to remain  
3272 affordable housing for the duration of the loan term, including any extensions thereof, as set  
3273 forth in the contract or agreement entered into by the executive office.

3274 SECTION 132. Notwithstanding any general or special law, rule or regulation to the  
3275 contrary, the architectural access board established in section 13A of chapter 22 of the General  
3276 Laws shall determine the value of any multiple dwelling as defined in 521 CMR 5.00 that is  
3277 owned, constructed or renovated by a housing authority as defined in section 1 of chapter 121B  
3278 of the General Laws by setting a replacement cost that is determined by and reflected in the  
3279 executive office of housing and livable communities’ Capital Planning System survey and  
3280 database for state-funded public housing. For such dwellings that are not included in the survey  
3281 and database, the replacement cost shall be calculated by the executive office based on the  
3282 replacement cost for comparable dwellings that are included in the survey and database. The  
3283 executive office shall supplement the survey and database on file with the architectural access  
3284 board for any such dwelling by preparing and filing documentation identifying the replacement  
3285 cost for the dwelling and the method by which it was calculated.

3286 SECTION 133. The secretary of housing and livable communities shall convene a  
3287 stakeholder working group to make recommendations for regulatory and legislative change  
3288 necessary to comprehensively address the remediation of residential property foundations that  
3289 have deteriorated due to the presence of pyrite or pyrrhotite. The working group shall convene  
3290 not later than 30 days after the effective date of this act, and shall include: the secretary of  
3291 housing and livable communities or a designee, who shall serve as chair; the secretary of  
3292 transportation or a designee; the undersecretary of consumer affairs and business regulation or a

3293 designee; the commissioner of insurance or a designee; the commissioner of banks or a designee;  
3294 3 members appointed by the attorney general who shall have experience in advocating for  
3295 homeowners and consumers; the chairs and ranking minority members of the joint committee on  
3296 environment and natural resources; a representative of Massachusetts Residents Against  
3297 Crumbing Foundations; a representative of the Massachusetts Concrete & Aggregate Producers  
3298 Association, Inc.; a representative of the Massachusetts Municipal Association Inc.; a  
3299 representative of the Massachusetts Insurance Federation Inc.; and a representative of the  
3300 Massachusetts Mortgage Bankers Association, Inc.

3301           The working group shall examine: (i) which executive office, department, agency or  
3302 bureau within an executive office, if any, is best equipped to administer a program to assist  
3303 residential property owners impacted by the presence of pyrite or pyrrhotite, including  
3304 administering the Crumbling Concrete Assistance Fund established under section 2FFFFF of  
3305 chapter 29 of the General Laws, or which executive office or department is best equipped to  
3306 oversee a new agency or bureau; (ii) relevant models to assist impacted homeowners, including,  
3307 but not limited to, a captive insurance company, a supplemental loan program, an interstate  
3308 agreement with a captive insurance company with expertise in assessing residential property  
3309 foundation claims, property tax abatement and waiving local and state permit fees; (iii) models to  
3310 fund said Crumbling Concrete Assistance Fund, including, but not limited to: (a) insurance  
3311 surcharges on certain homeowners insurance policies, not to exceed \$12 annually, and when and  
3312 on which policies the surcharge applies and (b) other sources of state and federal funding  
3313 opportunities; and (iv) methods to improve consumer protection through means such as  
3314 disclosures, appointment of a homeowner advocate within a department, agency or bureau to  
3315 assist impacted homeowners or consumer education.

3316           The working group shall submit its report and any recommendations to the clerks of the  
3317 senate and house of representatives, the joint committee on environment and natural resources,  
3318 the joint committee on housing and the senate and house committees on ways and means not  
3319 later than February 1, 2025.

3320           SECTION 134. (a) Notwithstanding any general or special law to the contrary, there shall  
3321 be a special commission to study and make recommendations on creating affordable and healthy  
3322 senior housing. The commission’s recommendations shall include, but not be limited to,  
3323 strategies to better align housing, homecare and healthcare policy and programs to increase  
3324 access and opportunity for residents to age in their community, including examining the benefit  
3325 of providing incentives to young families to house elder adults family members to limit  
3326 loneliness in adult populations, assist young families and limit the overall cost to the  
3327 commonwealth.

3328           (b) The commission shall consist of: the secretary of housing and livable communities or  
3329 a designee, who shall serve as chair; the secretary of health and human services or a designee;  
3330 the secretary of elder affairs or a designee; the chairs of the joint committee on elder affairs or  
3331 their designees; the chairs of the joint committee on housing or their designees; 1 member  
3332 appointed by the minority leader of the house of representatives; 1 member appointed by the  
3333 minority leader of the senate; 1 member appointed by the secretary of housing and livable  
3334 communities who shall represent an affordable housing financing agency; 1 member  
3335 representing Citizens Housing and Planning Association, Inc.; 1 member representing the Mass  
3336 Home Care Association; 1 member representing MassPACE, Inc.; 1 member representing  
3337 Massachusetts Association of Councils on Aging, Inc.; 1 member representing LeadingAge  
3338 Massachusetts, Inc.; 1 member representing Massachusetts Senior Action Council, Inc; 1

3339 member representing AARP Massachusetts; 1 member representing 2Life Communities Inc.; 1  
3340 member representing Hebrew SeniorLife, Inc.; and 2 members appointed by the governor who  
3341 shall represent nonprofit housing developers with experience developing affordable senior rental  
3342 housing.

3343 (c) The study shall include, but not be limited to: (i) mapping out the economic profile of  
3344 older adults; (ii) determining gaps in services to older adults; (iii) identifying best practices for  
3345 creating supportive senior housing with sustainable funding; (iv) determining strategies for  
3346 connecting and streamlining services supporting older adults in their community, including  
3347 identifying federal waivers or other actions to support integration of such services; (v)  
3348 identifying partners to create opportunities for supportive housing development that incorporates  
3349 health care infrastructure and service; (vi) estimating the costs and potential impact of programs  
3350 and recommending comprehensive strategies; (vii) recommendations for creating academic  
3351 partnerships to document and evaluate program innovations; (viii) an analysis of the projected  
3352 demand for senior housing in the 5 years following the first meeting of the commission; (ix)  
3353 recommendations to ensure senior housing is physically accessible and compliant with the  
3354 Americans with Disabilities Act; (x) a review of barriers to necessary housing modifications and  
3355 potential funding sources; (xi) recommendations to encourage development of senior housing in  
3356 areas within reasonable walking distance of amenities and public transportation; (xii) an  
3357 evaluation of age-restricted housing and intergenerational housing with respect to costs, tenant  
3358 preferences, accessibility and safety; (xiii) analysis of models of community-based housing that  
3359 provide medical support, including residential care homes, rest homes and small house nursing  
3360 homes; and (xiv) recommendations for design and infrastructure features including, but not



3361 limited to, increased ventilation and functional outdoor space for the purpose of preventing the  
3362 spread of contagious diseases.

3363 (d) The commission shall file a report of the study with the clerks of the senate and house  
3364 of representatives, the joint committee on elder affairs and the joint committee on housing not  
3365 later than June 30, 2025.

3366 SECTION 135. (a) As used in this section and sections 136 and 137, the following words  
3367 shall have the following meanings unless the context clearly requires otherwise:

3368 “Affordable housing purposes”, development of multi-family housing, of which either: (i)  
3369 not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent  
3370 of the area median income, adjusted for household size; or (ii) not less than 20 per cent shall be  
3371 affordable to households with incomes at or below 50 per cent of the area median income,  
3372 adjusted for household size; provided, that affordable housing purposes may include subsequent  
3373 conveyance by a public agency, other than a state agency, with a restriction for affordable  
3374 housing purposes.

3375 “Commissioner”, the commissioner of capital asset management and maintenance.

3376 “Housing purposes”, development of housing for use as the primary residence of the  
3377 occupant including, but not limited to, market rate housing, affordable housing and public  
3378 housing; provided, however, that housing purposes may include subsequent conveyance by a  
3379 public agency, other than a state agency, with a restriction for housing purposes; provided  
3380 further, that housing purposes shall include affordable housing purposes.

3381 “Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided,  
3382 however, that “public agency” shall include the Massachusetts Department of Transportation, the  
3383 Massachusetts Bay Transportation Authority and the University of Massachusetts Building  
3384 Authority; provided further, that “public agency” shall not include cities, towns or counties or  
3385 any boards, committees, commissions or other instrumentalities thereof, or any agency that is a  
3386 state agency as defined in said section 1 of said chapter 7C.

3387 “Public institution of higher education”, as defined in section 5 of chapter 15A of the  
3388 General Laws.

3389 “Real property”, as defined in said section 1 of chapter 7C of the General Laws.

3390 “Real property of a public agency”, as defined in section 32 of chapter 7C of the General  
3391 Laws.

3392 “Real property of the commonwealth”, real property of a state agency consistent with  
3393 chapter 7C of the General Laws.

3394 “Secretary”, the secretary for administration and finance.

3395 “State agency”, as defined in section 1 of chapter 7C of the General Laws; provided,  
3396 however, that “state agency” shall not include counties.

3397 “Surplus real property”, (i) real property of the commonwealth that has been determined  
3398 by the commissioner to be surplus: (A) to the current and foreseeable needs of the  
3399 commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to the current  
3400 and foreseeable needs of a state agency pursuant to section 33 or 34 of chapter 7C of the General  
3401 Laws; or (ii) real property of a public agency determined by the commissioner to be surplus to

3402 the current and foreseeable needs of the public agency, as determined by the public agency;  
3403 provided, however, that “surplus real property” shall not include property subject to Article  
3404 XCVII of the Amendments to the Constitution of the Commonwealth.

3405 (b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3406 any other general or special law to the contrary, the commissioner may sell, lease for a term not  
3407 to exceed 99 years, transfer or otherwise dispose of surplus real property for housing purposes.

3408 (2)(i) The commissioner may, in consultation with the secretary and the secretary of  
3409 housing and livable communities, determine whether real property of the commonwealth is  
3410 surplus real property and shall be disposed of for housing purposes; provided, however, that prior  
3411 to determining that the real property is surplus real property, the commissioner shall provide a  
3412 suitable written notice and inquiry to the state agency with care and control of the real property  
3413 with a date certain required for any response. If no written response is timely received from the  
3414 state agency specifying a current or foreseeable need for the real property, the commissioner  
3415 shall declare such real property as surplus real property and dispose of such surplus real property  
3416 for housing purposes. If a written response is timely received from the state agency specifying a  
3417 current or foreseeable need for the real property, the commissioner shall, in consultation with the  
3418 secretary, the secretary of housing and livable communities and such state agency, determine  
3419 whether the real property shall be declared surplus real property and disposed of for housing  
3420 purposes.

3421 (ii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general  
3422 or special law to the contrary, if any real property of the commonwealth is determined to be  
3423 surplus to the current needs, but not to the foreseeable needs, of any state agency, the

3424 commissioner shall take such necessary action to ensure that any disposition of the real property  
3425 is temporary and maintains the commissioner's ability to make such real property available to a  
3426 state agency as needed.

3427 (iii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general  
3428 or special law to the contrary, the commissioner may, in consultation with the secretary and the  
3429 secretary of housing and livable communities, make real property of the commonwealth that has  
3430 been determined to be surplus to the current needs, but not the foreseeable needs, of any state  
3431 agency available for a period of time not to exceed the foreseeable need of any state agency for  
3432 housing and related purposes to municipalities, public agencies and nonprofit organizations for  
3433 nominal consideration.

3434 (3) The president of a public institution of higher education may, with the approval of the  
3435 commissioner of higher education, determine that property of any such public institution of  
3436 higher education is surplus to the current and foreseeable needs of such institution and the  
3437 commissioner may dispose of such property for housing purposes, provided that the institution's  
3438 board of trustees does not disapprove of such determination within 60 days after the president's  
3439 determination.

3440 (4)(i) The governor may identify parcels of land owned or controlled by a public agency  
3441 and any buildings or improvements thereon as potential surplus real property by submitting a  
3442 written notice to the public agency. Not later than 30 days after receipt of the notice, the public  
3443 agency shall determine whether such real property is surplus to its current and foreseeable needs.  
3444 If the public agency determines that the real property is not surplus to its current and foreseeable

3445 needs, such public agency shall respond in writing not later than 30 days after receipt of a request  
3446 by the governor, specifying the reason for its determination.

3447 (ii) The commissioner may, in consultation with the secretary and the secretary of  
3448 housing and livable communities, enter into agreements with a public agency to dispose of  
3449 surplus real property of the public agency for housing purposes; provided, however, that the  
3450 commissioner shall not be required to determine if the real property of the public agency is  
3451 surplus to the current and foreseeable needs of the commonwealth and shall not be required to  
3452 provide written notice and inquiry to any public agency.

3453 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3454 any other general or special law to the contrary, the commissioner may amend a use restriction  
3455 held by the commonwealth for general municipal purposes or for any other purpose, except those  
3456 purposes subject to Article XCVII of the Amendments to the Constitution of the Commonwealth,  
3457 including housing purposes.

3458 (d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3459 any other general or special law to the contrary, if the commissioner, in consultation with the  
3460 secretary and the secretary of housing and livable communities, determines that real property is  
3461 surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the  
3462 commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph  
3463 (4) of said subsection (b), the commissioner shall: (i) provide written notice, for each city or  
3464 town in which the property is located, to the city manager in the case of a city under Plan E form  
3465 of government, the mayor and city council in the case of all other cities, the chair of the board of  
3466 selectmen or the select board in the case of a town, the county commissioners, the chair of the

3467 zoning board of appeals, the chair of the planning board, the regional planning agency and the  
3468 members of the general court representing the city or town in which the property is located. The  
3469 notice shall include a statement that the proposed reuse of the property is for housing purposes,  
3470 with a date certain for any response which shall be not less than 30 days from the date of such  
3471 notice; (ii) following the date certain set forth in the notice, declare the real property available for  
3472 disposition and identify all reuse restrictions including, but not limited to, a restriction for  
3473 housing purposes; and (iii) ensure that any deed, lease or other disposition agreement shall: (A)  
3474 set forth all reuse restrictions including, but not limited to, a restriction for housing purposes; (B)  
3475 provide for effective remedies on behalf of the commonwealth; and (C) provide, in the event of a  
3476 failure to comply with the reuse restrictions by the grantee, lessee or other recipient, that title or  
3477 such lesser interest that may have been conveyed may revert to the commonwealth. The  
3478 commissioner shall, in identifying reuse restrictions for such property, consider in good faith any  
3479 comments presented by local officials and members of the general court representing each city or  
3480 town in which the property is located.

3481 (2) The commissioner shall, in consultation with the secretary of housing and livable  
3482 communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes  
3483 and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said  
3484 real property is located; provided, however, that the sales-partnership agreement shall require the  
3485 municipality to utilize appropriate competitive processes and procedures; provided further, that  
3486 the sales-partnership agreement may require the municipality to utilize said competitive  
3487 processes and select a developer prior to disposition of the real property; provided further, that  
3488 the commissioner may transfer the real property directly to the selected developer pursuant to the  
3489 sale-partnership agreement; and provided further, that the sales-partnership agreement may

3490 provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales  
3491 price paid to the commonwealth, as determined by the commissioner. A competitive process  
3492 pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and  
3493 requests for price and development proposals. The commissioner may accept any consideration  
3494 for surplus real property disposed of pursuant to this section deemed appropriate by the  
3495 commissioner and the secretary of housing and livable communities. The commissioner shall  
3496 prioritize disposition of surplus real property for affordable housing purposes.

3497 (3) Not less than 30 days before the date of an auction or the date on which bids or  
3498 proposals or other offers to purchase or lease surplus real property are due, the commissioner  
3499 shall place a notice in the central register published by the state secretary pursuant to section 20A  
3500 of chapter 9 of the General Laws stating the availability of such property, the nature of the  
3501 competitive process and other information deemed relevant, including the time and location of  
3502 the auction, the submission of bids or proposals and the opening thereof. The commissioner shall  
3503 not be required to place said notice if the property is conveyed: (i) to a municipality or developer  
3504 selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in  
3505 accordance with clause (ii) of paragraph (2) of subsection (e).

3506 (4) All surplus real property shall be conveyed with a restriction for housing purposes.  
3507 The deed or other instrument conveying the surplus real property shall provide that said real  
3508 property shall be used solely for housing purposes.

3509 (5) The commissioner shall place a notice in the central register identifying the  
3510 municipality, public agency, individual or firm selected as party to the real property transaction,  
3511 along with the amount of such transaction. If the commissioner accepts an amount below the

3512 value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the  
3513 justification therefor, specifying the difference between the calculated value and the price  
3514 received.

3515 (e)(1) The commissioner shall establish the value of surplus real property using  
3516 customarily accepted appraisal methodologies. The value shall be calculated for: (i) the highest  
3517 and best use of the property as may be encumbered; and (ii) subject to uses, restrictions and  
3518 encumbrances defined by the commissioner. If the commonwealth retains responsibility for  
3519 maintaining the property, the terms shall not provide for payment of less than the annual  
3520 maintenance costs.

3521 (2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the  
3522 secretary and the secretary of housing and livable communities, dispose of surplus real property  
3523 for nominal consideration; provided, however, that any such surplus real property shall be  
3524 conveyed with a restriction for affordable housing purposes. The deed or other instrument  
3525 conveying the surplus real property shall provide that the property shall be used solely for  
3526 affordable housing purposes and may include a reversionary clause that stipulates that if the  
3527 parcel ceases at any time to be used for affordable housing purposes, title to the parcel shall, at  
3528 the election of the commonwealth, revert to the commonwealth.

3529 (ii) Notwithstanding any time limits established in section 7 of chapter 184A of the  
3530 General Laws or any general or special law to the contrary, the reversionary clause may be  
3531 enforceable.



3532 (iii) The commissioner may, in consultation with the secretary and the secretary of  
3533 housing and livable communities, amend a use restriction held by the commonwealth to include  
3534 housing purposes.

3535 (f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or  
3536 any other general or special law to the contrary, the commissioner may, in consultation with the  
3537 secretary, the secretary of housing and livable communities and the state agency with care and  
3538 control of real property, transfer care and control of real property between state agencies for  
3539 housing purposes.

3540 (g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real  
3541 property and no deed executed by or on behalf of the commonwealth shall be valid unless such  
3542 agreement or deed contains the following certification, signed by the commissioner:

3543 “The undersigned certifies under penalties of perjury that I have fully complied with  
3544 requirements of law related to any real property described herein.”

3545 (2) No agreement for the sale, lease, transfer or other disposition of surplus real property  
3546 shall be valid unless the purchaser or lessee has executed and filed with the commissioner the  
3547 statement required by section 38 of chapter 7C of the General Laws.

3548 (h) The grantee or lessee of any surplus real property shall be responsible for all costs  
3549 relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings  
3550 and any other expenses, as shall be deemed necessary by the commissioner.

3551 (i) The commissioner shall deposit the proceeds from any disposition of real property  
3552 pursuant to this section into the surplus real property disposition fund established in section 137.

3553 (j) The commissioner may, in consultation with the secretary of housing and livable  
3554 communities, promulgate regulations to implement this section.

3555 SECTION 136. (a) Notwithstanding chapter 40A of the General Laws or any other  
3556 general or special law or local zoning or municipal ordinance or by-law to the contrary, a city or  
3557 town shall permit the residential use of real property conveyed by the commissioner pursuant to  
3558 section 135 for housing purposes as of right, as defined in section 1A of said chapter 40A,  
3559 notwithstanding any use limitations otherwise applicable in the zoning district in which the real  
3560 property is located including, but not limited to, commercial, mixed-use development or  
3561 industrial uses. A city or town may impose reasonable regulations concerning the bulk and  
3562 height of structures and determining yard sizes, lot area, setbacks, open space and building  
3563 coverage requirements and a city or town may require site plan review; provided however, that  
3564 the city or town shall permit not less than 4 units of housing per acre.

3565 (b) Real property conveyed by the commissioner pursuant to section 135 shall include,  
3566 but not be limited to, the amendment of use restrictions held by the commonwealth to allow for  
3567 the use of such real property for housing purposes.

3568 (c) The secretary of housing and livable communities may promulgate regulations to  
3569 implement this section.

3570 SECTION 137. (a) There is hereby established a Surplus Real Property Disposition Trust  
3571 Fund to be administered by the secretary for administration and finance.

3572 (b) The fund shall be credited with: (i) the proceeds realized from the disposition of  
3573 surplus real property and the amendment of use restrictions pursuant to section 135; (ii) any  
3574 appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on

3575 money in the fund. Amounts credited to the fund shall not be subject to further appropriation and  
3576 any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund  
3577 and shall be available for expenditure in the subsequent fiscal year.

3578 (c) Amounts credited to the fund may be: (i) transferred by the secretary to the state  
3579 agency that had care and control of the land conveyed pursuant to section 135 if the real property  
3580 was conveyed for fair market value consideration in an amount equal to the net proceeds of the  
3581 disposition; (ii) transferred by the secretary to the state agency that had care and control of the  
3582 real property conveyed pursuant to section 135 if the real property was conveyed for  
3583 consideration less than fair market value in an amount equal to \$10,000 per unit of housing  
3584 permitted by the city or town in which the real property is located or the net proceeds of the  
3585 disposition, whichever is greater; (iii) transferred by the secretary to a municipality in accordance  
3586 with a sales partnership agreement pursuant to section 135; or (iv) expended for costs associated  
3587 with the disposition of real property pursuant to section 135 including, but not limited to,  
3588 demolition, site preparation and environmental remediation; provided, that all money transferred  
3589 to a state agency pursuant to clauses (i) and (ii) shall be expended by the agency for capital  
3590 facility projects as defined in section 1 of chapter 7C of the General Laws; provided further, that  
3591 all net proceeds from the disposition of surplus real property of a public agency other than a state  
3592 agency, as determined by the commissioner of capital asset management and maintenance, shall  
3593 be transferred to such public agency.

3594 SECTION 138. (a) Notwithstanding any general or special law to the contrary, not more  
3595 than 120 days after the expiration of affordability restrictions on housing units assisted under  
3596 items 7004-0070 and 7004-0071 of section 2, the executive office of housing and livable  
3597 communities or its assignee, who shall be a qualified developer selected pursuant to said items

3598 7004-0700 and 7004-0071 of said section 2 under the guidelines of the executive office, shall  
3599 have an option to purchase any such housing units at their current appraised value, reduced by  
3600 any remaining obligation of the owner, upon the expiration of the affordability restrictions. The  
3601 executive office or its assignee shall only purchase or acquire such housing units to preserve or  
3602 provide affordable housing. The executive office or its assignee shall hold such purchase option  
3603 for 120 days after the expiration of the affordability restrictions. Failure to exercise the purchase  
3604 option within such 120-days period after the expiration of the affordability restriction shall  
3605 constitute a waiver of the purchase option by the executive office or its assignee.

3606 (b) Not later than 30 days after the expiration of an affordability restriction pursuant to  
3607 subsection (a), the owner and the executive office shall each designate a professional in the field  
3608 of multi-unit residential housing. Each professional shall select an impartial appraiser. Not later  
3609 than 60 days after the expiration of the affordability restriction, the 2 impartial appraisers shall  
3610 determine the current appraised value in accordance with recognized professional standards. If  
3611 there is a difference in the valuations, the valuations shall be added together and divided by 2 to  
3612 determine the current appraised value of the units.

3613 (c) No sale, transfer or other disposition of the property shall be completed until either the  
3614 purchase option period has expired or the owner has been notified, in writing, by the executive  
3615 office or its assignee that the option will not be exercised. The option shall be exercised only by  
3616 written notice signed by a designated representative of the executive office or its assignee, sent to  
3617 the owner by certified mail at the address specified in the notice of intention and recorded with  
3618 the registry of deeds or the registry district of the land court of the county in which the affected  
3619 real property is located, within the option period. If the purchase option has been assigned to a  
3620 qualified developer selected pursuant to said items 7004-0070 and 7004-7071 of said section 2,

3621 the written notice shall state the name and address of the developer and the terms and conditions  
3622 of the assignment.

3623 (d) Before any sale, transfer or other disposition of property for which the executive  
3624 office has not previously exercised an option to purchase, an owner shall offer the executive  
3625 office or its assignee, who shall be a qualified developer selected pursuant to said items 7004-  
3626 0070 and 7004-0071 of said section 2, a first refusal option to meet a bona fide offer to purchase  
3627 the units. The owner shall provide to the executive office or its assignee written notice by regular  
3628 and certified mail, return receipt requested, of the owner's intention to sell, transfer or otherwise  
3629 dispose of the property. The executive office or its assignee shall hold the first refusal option for  
3630 120 days after receipt of the owner's written notice of intent to transfer the property. Failure to  
3631 respond to the written notice of intent to sell, transfer or otherwise dispose of the property within  
3632 the 120-day period shall constitute a waiver of the right of first refusal by the executive office.  
3633 No sale, transfer or other disposition of the property shall be completed until either the first  
3634 refusal option period has expired or the owner has been notified in writing by the executive  
3635 office or its assignee that the option will not be exercised. The option shall be exercised only by  
3636 written notice signed by a designated representative of the executive office or its assignee, sent to  
3637 the owner by certified mail at the address specified in the notice of intention and recorded with  
3638 the registry of deeds or the registry district of the land court of the county in which the affected  
3639 real property is located, within the option period. If the first refusal option has been assigned to a  
3640 qualified developer selected pursuant to said items 7004-0070 and 7004-0071 of said section 2,  
3641 the written notice shall state the name and address of the developer and the terms and conditions  
3642 of the assignment.

3643 (e) An affidavit before a notary public that the notice of intent was mailed on behalf of an  
3644 owner shall conclusively establish the manner and time of the giving of notice to sell, transfer or  
3645 otherwise dispose of the property. The affidavit and notice that the option shall not be exercised  
3646 shall be recorded with the registry of deeds or the registry district of the land court in the county  
3647 in which the affected real property is located. Each notice of intention, notice of exercise of the  
3648 purchase option or first refusal option and notice that the purchase option or first refusal option  
3649 shall not be exercised shall contain the name of the recorded owner of the property and a  
3650 reasonable description of the property to be sold or converted. Each affidavit signed before a  
3651 notary public shall have attached to it a copy of the notice of intention to which it relates. The  
3652 notices of intention shall be mailed to the relevant parties in the care of the keeper of the records  
3653 for the party in question. Upon notifying the owner in writing of its intention to exercise its  
3654 purchase option or first refusal option during the 120-day period, the executive office or its  
3655 assignee shall have an additional 120 days, beginning on the date the purchase option period or  
3656 first refusal option period expires, to purchase the units. The time periods may be extended by  
3657 mutual agreement between the executive office or its assignee and the owner of the property.  
3658 Any extension agreed upon shall be recorded in the registry of deeds or the registry district of the  
3659 land court of the county in which the affected real property is located. Within a reasonable time  
3660 after requesting an extension, the owner shall make available to the executive office or its  
3661 assignee any information that is reasonably necessary for the executive office to exercise its  
3662 option.

3663 SECTION 139. Notwithstanding any general or special law to the contrary, a private  
3664 entity engaged in a construction, development, renovation, remodeling, reconstruction,  
3665 rehabilitation or redevelopment project receiving funds pursuant to this act shall properly classify

3666 individuals employed on the project and shall comply with all laws concerning workers'  
3667 compensation insurance coverage, unemployment insurance, social security taxes and income  
3668 taxes with respect to all such employees. All construction contractors engaged by a private entity  
3669 on any such project shall furnish documentation to the appointing authority showing that all  
3670 employees employed on the project have hospitalization and medical benefits that meet the  
3671 minimum requirements of the commonwealth health insurance connector established in chapter  
3672 176Q of the General Laws. A construction contractor shall disclose whether it has been subject  
3673 to a federal or state criminal or civil judgment, final administrative determination or debarment  
3674 by any federal or state agency or authority resulting from a violation of chapter 149 or 151 of the  
3675 General Laws or 29 U.S.C. 201, et seq. within 3 years prior to the date of submission for an  
3676 award of funds pursuant to this act. If the monetary penalty in connection with any such civil  
3677 judgment or final administrative determination is \$40,000 or greater, the awarding authority may  
3678 exclude the contractor from being awarded funds pursuant to this act. Upon the completion of a  
3679 project, a construction manager, general contractor or other lead or prime contractor shall certify  
3680 that all trade contractors and subcontractors under the construction manager, general contractor  
3681 or other lead or prime contractor have properly classified individuals employed on the project.  
3682 No contractor or subcontractor debarred by a federal or state agency shall be awarded funds  
3683 pursuant to this act during such period of debarment.

3684 SECTION 140. (a) There shall be a special commission to study and make  
3685 recommendations on expanding the supply of housing available and affordable to tenants with a  
3686 household income of not more than 30 per cent of the area median income, adjusted for  
3687 household size, as periodically determined by the United States Department of Housing and  
3688 Urban Development. The commission shall review and evaluate federal, state and local subsidies

3689 that support the creation of housing for such tenants and make recommendations to increase the  
3690 supply of housing that is available and affordable to households earning not more than 30 per  
3691 cent of the area median income.

3692 (b) The commission shall review and consider the following: (i) the number of deeply  
3693 subsidized rental units targeted at families with incomes at or below 30 per cent of the area  
3694 median income and the percentage of those units that are accessible to persons with disabilities;  
3695 (ii) the number of families with such incomes per deeply subsidized rental unit; (iii) the gap  
3696 between median rents and rents affordable to families with such incomes and an analysis of  
3697 whether existing housing subsidies are sufficient to bridge such gap; (iv) the ratio of households  
3698 with such incomes to unsubsidized units available at rents up to 50 per cent of such income; (v)  
3699 housing market factors such as vacancy rates, rate of rent increases and conversion of rental  
3700 housing to homeownership units; (vi) the impact of non-housing subsidies including, but not  
3701 limited to, the earned income tax credit on cost burdens for working families; (vii) barriers to  
3702 accessing available housing, including racial and ethnic disparities in housing access; and (viii)  
3703 any other factors that the commission deems relevant.

3704 (c) The commission shall consist of the secretary of housing and livable communities or a  
3705 designee, who shall serve as chair; the chairs of the joint committee on housing or their  
3706 designees; the minority leader of the house of representatives or a designee; the minority leader  
3707 of the senate or a designee; the secretary of administration and finance or a designee; the  
3708 secretary of health and human services or a designee; a representative of the Citizens Housing  
3709 and Planning Association, Inc.; a representative of the Massachusetts Housing Partnership; a  
3710 representative of the Massachusetts Housing Finance Agency; a representative of the  
3711 Community Economic Development Assistance Corporation; a representative of Massachusetts



3712 Law Reform Institute, Inc.; a representative of Massachusetts Association of Community  
3713 Development Corporations; a representative of Regional Housing Network of Massachusetts,  
3714 Inc.; and 5 members appointed by the governor, 1 of whom shall be a representative of a local  
3715 housing authority, 1 of whom shall be a representative of an advocacy organization representing  
3716 tenants, 1 of whom shall have expertise in affordable housing finance, 1 of whom shall have  
3717 expertise in nonprofit affordable housing development and 1 of whom shall have expertise in  
3718 development of permanent supportive housing.

3719 (d) The commission shall file its recommendations with the clerks of the house of  
3720 representatives and the senate and the joint committee on housing not later than June 30, 2025.

3721 SECTION 141. (a) The executive office of housing and livable communities, in  
3722 consultation with the executive office of administration and finance and the department of  
3723 revenue, shall conduct a study on the feasibility and impact of allowing cities and towns, by local  
3724 option, to exempt new affordable housing developments from the limitations in paragraphs (b)  
3725 and (f) of section 21C of chapter 59 of the General Laws. The study shall include, but not be  
3726 limited to: (i) the potential revenue benefits of such exemption; (ii) the potential number of  
3727 affordable housing units constructed as a result of such exemption; (iii) the impact of allowing  
3728 cities or towns, by local option, to exempt the value of new affordable housing developments at a  
3729 multiplier of 5 and 10 times the amount of said value from said limitations; (iv) the impact of  
3730 applying such exemption to entire housing developments with different percentages of affordable  
3731 units; (v) the impact of requiring certain thresholds of affordability for new affordable housing  
3732 developments in order to qualify for such exemption; and (vi) a comparison of potential impacts  
3733 of such exemption to different cities and towns across the state.

3734 (b) The executive office of housing and livable communities shall submit a report of its  
3735 findings to the clerks of the senate and house of representatives, the joint committee on housing,  
3736 the joint committee on revenue and the senate and house committees on ways and means not  
3737 later than March 1, 2025.

3738 SECTION 142. (a) There shall be a special commission to analyze, report and  
3739 recommend a policy or pilot programs to meaningfully address housing shortages in the  
3740 commonwealth. The commission shall focus on finding sustainable and equitable housing  
3741 solutions to: (i) improve housing production; (ii) address racial wealth disparities in housing; (iii)  
3742 ensure regional equity in housing; and (iv) prevent chronic homelessness.

3743 (b) The commission shall consist of: the secretary of housing and livable communities or  
3744 a designee, who shall serve as chair; the secretary of administration and finance or a designee;  
3745 the director of rural affairs or a designee; the attorney general or a designee; the chairs of the  
3746 joint committee on housing or their designees; 4 members to be appointed by the speaker of the  
3747 house of representatives, 1 representing a gateway city, 1 representing a suburban community, 1  
3748 representing a seasonal community and 1 representing a rural community; 3 members to be  
3749 appointed by the senate president, 1 representing a gateway city, 1 representing a seasonal  
3750 community and 1 representing a rural community; 1 member who shall be appointed by the  
3751 minority leader of the house of representatives; 1 member who shall be appointed by the  
3752 minority leader of the senate; 1 person who shall be a representative of the Citizens' Housing and  
3753 Planning Association, Inc.; 1 person who shall be a representative of the Massachusetts  
3754 Municipal Association, Inc.; 1 person who shall be a member of the Greater Boston Real Estate  
3755 Board; 1 person from the Massachusetts Association of Community Development Corporations;  
3756 1 person who shall be a representative of the Massachusetts Coalition for Racial Equity in

3757 Housing; 1 person who shall be a representative from Western Massachusetts Housing Coalition;  
3758 1 person appointed by the president of the AFL-CIO; 1 member who shall be a representative of  
3759 the Massachusetts Budget and Policy Center, Inc.; 1 of whom shall be a representative of the  
3760 Massachusetts Taxpayers Foundation, Inc.; 1 of whom shall be a representative of the Center for  
3761 State Policy Analysis at Tufts University; 1 person who shall be a representative of the Tiny  
3762 Home Industry Association; 1 person from Greater Boston Community Land Trust; 1 person  
3763 from the Massachusetts Association of Housing Cooperatives, Inc.; 1 person who shall be a  
3764 representative of the Center for Economic Democracy, Inc.; 1 person who shall be a  
3765 representative of the Greater Boston Chamber of Commerce, Inc.; 1 person from the Home  
3766 Builders and Remodelers Association of Massachusetts, Inc.; and the following members to be  
3767 appointed by the governor, 1 of whom shall represent the public housing authorities, 1 of whom  
3768 shall be a representative of a regional planning agency, 1 of whom shall be a housing developer  
3769 committed to affordable housing development in rural communities and 1 of whom shall be from  
3770 a tenant advocacy organization.

3771 (c) The commission shall examine and make recommendations on: (i) a local option  
3772 transfer fee to be applied on transactions involving the transfer of real property interests,  
3773 including, but not limited to, its impact on both residential and commercial property, the property  
3774 value threshold amount, the impact on the housing economy both statewide and regionally,  
3775 spending requirements and potential exemptions; (ii) the potential impact of a local option  
3776 vacancy tax to be applied to unoccupied residential properties; (iii) the potential impact of a  
3777 high-end blight tax to be applied to unused distressed commercial property; (iv) scaling of mixed  
3778 income neighborhood trusts or community land trusts to preserve affordable housing; (v)  
3779 increasing the existing deed excise tax to support local and statewide affordable housing trusts;

3780 (vi) additional types of residential housing cooperatives and land trusts; and (vii) any other topic  
3781 areas the commission deems relevant to its mandate.

3782 (d) The commission shall file its recommendations with the clerks of the senate and  
3783 house of representatives, the senate and house committees on ways and means and the joint  
3784 committee on housing not later than September 15, 2025.

3785 SECTION 143. (a) There shall be a special commission to study and make  
3786 recommendations on modernizing and updating the Massachusetts Community Preservation Act  
3787 under chapter 44B of the General Laws to improve the effectiveness of the program for  
3788 municipalities to promote community preservation and increase the production of housing in the  
3789 commonwealth.

3790 (b) The special commission shall consist of: the secretary of housing and livable  
3791 communities or a designee, who shall serve as chair; the secretary for administration and finance  
3792 or a designee; the secretary of energy and environmental affairs or a designee; the chairs of the  
3793 joint committee on housing; the chairs of the joint committee on revenue; the chairs of the joint  
3794 committee on environment and natural resources; 1 member appointed by the minority leader of  
3795 the senate; 1 member appointed by the minority leader of the house of representatives; 2  
3796 members appointed by the governor who shall reflect geographic diversity and have expertise in  
3797 housing policy; 2 members representing the Community Preservation Coalition; 1 member  
3798 representing the Massachusetts Municipal Association, Inc.; and 1 member representing the  
3799 Massachusetts Association of Realtors.

3800 (c) The special commission shall examine the history and impacts of the Massachusetts  
3801 Community Preservation Act and investigate, evaluate and make recommendations, including,

3802 but not limited to: (i) amendments and reforms to chapter 44B of the General Laws to improve  
3803 the overall effectiveness of the program to increase housing production and promote community  
3804 preservation in the commonwealth; (ii) opportunities and solutions to increase, leverage and  
3805 maximize the use of statewide trust fund resources and local community preservation act funds;  
3806 (iii) opportunities to strengthen transparency and compliance related to reporting requirements  
3807 for municipalities; and (iv) utilization of regional strategies to meet the commonwealth's housing  
3808 production goals. In evaluating the current law and making recommendations, the commission  
3809 shall examine the overall effectiveness of the program on municipalities and take into  
3810 consideration the program's goals of affordable housing production, open space conservation,  
3811 outdoor recreation access and historic preservation.

3812 (d) The special commission shall file a report of its findings, including any  
3813 recommendations, with the clerks of the senate and the house of representatives, the senate and  
3814 house committees on ways and means, the joint committee on housing, the joint committee on  
3815 environment and natural resources and the joint committee on revenue not later than September  
3816 15, 2025.

3817 SECTION 144. (a) There shall be a special commission to study barriers to the  
3818 development and production of starter homes as defined in section 1 of chapter 40Y of the  
3819 General Laws.

3820 (b) The commission shall investigate: (i) barriers to starter home construction; (ii)  
3821 existing zoning that may represent opportunities for starter home zoning districts; (iii) the  
3822 availability of technical assistance for starter home production; (iv) the feasibility of constructing  
3823 starter home lots; (v) resources needed to remove barriers to starter home production; (vi)

3824 developer costs associated with the development and construction of starter home lots and units;  
3825 (vii) buyer costs associated with the purchase, maintenance and sale of a starter home unit or lot;  
3826 and (viii) additional funding needed to support construction and zoning of starter home units and  
3827 lots.

3828 (c) The commission shall consist of: the secretary of housing and livable communities or  
3829 a designee, who shall serve as chair; the secretary of labor and workforce development or a  
3830 designee; the chairs of the joint committee on housing; 1 member appointed by the senate  
3831 president; 1 member appointed by the speaker of the house of representatives; 1 member  
3832 appointed by the minority leader of the senate; 1 member appointed by the minority leader of the  
3833 house of representatives; the president of the Home Builders & Remodelers Association of  
3834 Massachusetts, Inc.; the executive director of the Massachusetts Municipal Association, Inc.; the  
3835 chair of the Three Rivers Interlocal Council; the president of the Massachusetts Smart Growth  
3836 Alliance; the president of the Associated Industries of Massachusetts, Inc.; the chief executive  
3837 officer of the Citizens Housing And Planning Association, Inc.; the executive director of the  
3838 Metropolitan Area Planning Council or a designee; the chair of the rural policy advisory  
3839 commission or a designee; the president of the Massachusetts Building Trades Council.

3840 (d) The commission shall file a report of its findings and its recommendations for  
3841 proposed programs and legislation, if any, with the clerks of the senate and house of  
3842 representatives and the joint committee on housing not later than December 1, 2025.

3843 SECTION 145. (a) There shall be a special commission to study and make  
3844 recommendations on expanding accessibility in housing for persons with disabilities, including  
3845 seniors, in order to increase the ability of people to live in a safe, dignified and healthy manner in

3846 their residences. The commission shall consist of: the secretary of housing and livable  
3847 communities or a designee, who shall serve as chair; the executive director of the architectural  
3848 access board; the chairs of the joint committee on housing or their designees; the executive  
3849 director of the Massachusetts office on disabilities; a representative of the statewide independent  
3850 living council; a representative of the Institute for Human Centered Design Inc.; a representative  
3851 of NAIOP Massachusetts, Inc; a representative of the Disability Law Center, Inc.; a  
3852 representative of Arc Massachusetts, Inc; and a representative of Massachusetts Association of  
3853 Mental Health Professionals, Inc.

3854 (b) The commission shall examine potential changes to the state building code for  
3855 accessibility features in housing that benefit persons with disabilities including, but not limited  
3856 to: (i) changes for individuals with physical, sensory, intellectual, mental health and  
3857 neurodivergent disabilities; (ii) the estimated the costs of such potential changes; and (iii) the  
3858 impact of climate change on housing for people with disabilities.

3859 (c) The commission shall file a report with the clerks of the senate and house of  
3860 representatives and the joint committee on housing not later than June 30, 2025.

3861 SECTION 146. There shall be an interbasin transfer review commission, which shall  
3862 analyze and make recommendations relative to sections 8B, 8C and 8D of chapter 21 of the  
3863 General Laws, including whether this act should be amended to support the development of  
3864 housing through increased access to water resources.

3865 The commission shall evaluate current processes, practices and standards for regulating  
3866 interbasin transfers. In conducting this review, the commission shall: (i) assess whether said  
3867 sections 8B, 8C and 8D of said chapter 21 continue to effectively govern the transfer of water or

3868 wastewater outside of its river basin of origin; (ii) determine whether amending the current law  
3869 would support increased housing production while maintaining environmental protections; (iii)  
3870 identify and recommend potential actions for easing existing administrative burdens or  
3871 permitting processes to facilitate the sharing of water resources for communities in need; (iv)  
3872 consider whether any changes to its governing law are necessary or recommended to better assist  
3873 municipalities with the remediation of per- and polyfluoroalkyl substances; and (v) consider and  
3874 make recommendations concerning any other matters the commission deems relevant to its  
3875 mandate.

3876           The commission shall consist of: the secretary of energy and environmental affairs or a  
3877 designee, who shall serve as chair; the commissioner of conservation and recreation or a  
3878 designee; the commissioner of environmental protection or a designee; the secretary of housing  
3879 and livable communities or a designee; a representative of the American Council of Engineering  
3880 Companies of Massachusetts; a representative of the Massachusetts Municipal Association, Inc.;  
3881 a representative of the Massachusetts Water Resources Authority; a representative of the  
3882 Massachusetts Water Resources Authority advisory board; a representative of the Massachusetts  
3883 Water Resources Authority Water Supply Citizens Advisory Committee; a representative of the  
3884 Massachusetts Rivers Alliance, Inc.; a representative of Massachusetts Water Environment  
3885 Association Inc; a representative of Massachusetts Coalition for Water Resources Stewardship,  
3886 Inc.; a representative of Massachusetts Water Works Association Inc.; a representative of the  
3887 NAIOP Massachusetts, Inc.; and a representative of the Massachusetts Water Resources  
3888 Authority's Wastewater Advisory Committee.

3889           The commission shall make recommendations or take actions by a majority vote of all  
3890 members present and voting.



3891           The commission shall issue a report, with recommendations, and file the report with the  
3892 clerks of the senate and house of representatives, the joint committee on housing and the joint  
3893 committee on environment and natural resources not later than July 1, 2025.

3894           SECTION 147. The secretary of veterans' services, in coordination with the executive  
3895 office of housing and livable communities, shall convene a working group to develop a plan for  
3896 the siting, construction and operation of veterans' small house long-term care homes, as  
3897 authorized in item 4000-2026 of section 2 of chapter 15 of the acts of 2021. The working group  
3898 shall propose veterans' housing that follows the standards of the Veterans Health Administration  
3899 Small House Design Guide (PG-18-12 Chapter 106). The model of care for the proposed  
3900 veterans' housing shall be resident-centered and resident-driven and involve the resident and  
3901 family, when available, in decisions regarding the resident's care.

3902           The working group shall include: the secretary of veterans' services or a designee; the  
3903 secretary of elder affairs or a designee; the commissioner of public health or a designee; the  
3904 executive director of veterans' homes and housing; 1 member who shall represent the office of  
3905 the veteran advocate; 1 member who shall represent the architectural access board; and 6  
3906 members appointed by the secretary of veterans' services, 2 of whom shall represent medical  
3907 centers or hospitals in the commonwealth that serve veterans, 2 of whom shall represent health  
3908 insurance companies serving veterans in the commonwealth and 2 of whom shall represent  
3909 veterans' services organizations. The secretary shall designate a chair of the working group from  
3910 among its members.

3911           The working group shall file a report of its findings and any recommendations with the  
3912 clerks of the house of representatives and the senate, the joint committee on veterans and federal

3913 affairs, the joint committee on mental health, substance use and recovery, the joint committee on  
3914 public health, the joint committee on elder affairs and the senate and house committees on ways  
3915 and means not later than January 1, 2026.

3916 SECTION 148. The attorney general, in consultation with the executive office of housing  
3917 and livable communities, shall conduct a study of algorithmic collusion in the residential housing  
3918 market. The study shall examine and make recommendations on: (i) the prevalence of pricing  
3919 algorithms; (ii) the impact of property owners using algorithmic methods to set residential rent  
3920 prices on housing prices and inventory; (iii) the legality of such methods, including the use of  
3921 nonpublic information in algorithms to set rent prices; (iv) measures to mitigate the impact of  
3922 pricing through disclosure; and (v) any regulatory or legislative changes necessary to mediate the  
3923 use of pricing algorithms.

3924 The attorney general shall submit the results of the study and its recommendations to the  
3925 clerks of the senate and house of representatives, the house and senate committees on ways and  
3926 means and the joint committee on housing not later than July 31, 2025.

3927 SECTION 149. The department of housing and livable communities shall develop a pilot  
3928 program for intergenerational affordable housing development to support individuals and  
3929 families with housing others in exchange for services or rent. Eligible program participants shall  
3930 be individuals or families currently on the commonwealth's section 8 centralized waiting list and  
3931 any individual age 60 years or older that owns their home and has adequate accommodation  
3932 available to host an individual that is 18 years of age or older or a family. In designing the  
3933 program, the department shall consult with existing private intergenerational housing programs

3934 operating in the commonwealth. The department shall file a report on the progress of the pilot  
3935 program with the clerks of the senate and house of representatives not later than July 1, 2025.

3936 SECTION 150. (a) As used in this section, the following words shall have the following  
3937 meanings unless the context clearly requires otherwise:

3938 “Borrower”, a mortgagor of a mortgage loan.

3939 “Creditor”, a person or entity that holds or controls, partially, wholly, indirectly, directly  
3940 or in a nominee capacity, a mortgage loan securing an owner-occupied residential property  
3941 including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee,  
3942 nominee holder, mortgage electronic registration system or mortgage servicer, including the  
3943 Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;  
3944 provided, however, that “creditor” shall also include any servant, employee or agent of a  
3945 creditor.

3946 “Creditor’s representative”, a person who has the authority to negotiate and approve the  
3947 terms of and modify a mortgage loan, under a servicing agreement.

3948 “Modified mortgage loan”, a mortgage modified from its original terms including, but not  
3949 limited to, a loan modified under: (i) the Home Affordable Modification Program; (ii) the  
3950 Federal Deposit Insurance Corporation’s Loan Modification Program; (iii) any modification  
3951 program that a lender uses that is based on accepted principles and the safety and soundness of  
3952 the institution and authorized by the National Credit Union Administration, the division of banks  
3953 or any other instrumentality of the commonwealth; (iv) the Federal Housing Administration; or  
3954 (v) a similar federal loan modification plan.

3955 “Mortgage loan”, a loan to a natural person made primarily for personal, family or  
3956 household purposes secured wholly or in part by a mortgage on residential property.

3957 “Residential property”, real property located in the commonwealth on which there is a  
3958 dwelling with accommodations for not more than 4 separate households and occupied, or to be  
3959 occupied, in whole or in part by the obligor on the mortgage debt; provided, however, that  
3960 “residential property” shall be limited to the principal residence of a person; provided further,  
3961 that “residential property” shall not include an investment property or a residence, other than a  
3962 primary residence, or residential property taken in whole or in part as collateral for a  
3963 commercial loan.

3964 (b) There shall be, subject to appropriation, a foreclosure mediation pilot program  
3965 administered by the Massachusetts Office of Public Collaboration at the University of  
3966 Massachusetts at Boston to be offered to borrowers and creditors, by agreement, in not more than  
3967 5 communities disproportionately impacted by high rates of foreclosure. The Massachusetts  
3968 Office of Public Collaboration shall develop and accept applications from interested  
3969 communities and shall select communities most negatively impacted by high rates of foreclosure.

3970 (c) A creditor in a community participating in the pilot may, concurrently with the notice  
3971 sent to the borrower of residential property under section 35A of chapter 244 of the General  
3972 Laws, give notice to the borrower of the borrower’s right to participate in the foreclosure  
3973 mediation program by attaching to the right to cure default notice: (i) notice of the availability of  
3974 foreclosure mediation, in such form as the Massachusetts Office of Public Collaboration  
3975 prescribes; and (ii) a foreclosure mediation request form, in such form as the Massachusetts  
3976 Office of Public Collaboration prescribes. A borrower electing to participate in foreclosure

3977 mediation shall submit the foreclosure mediation request form to the creditor not more than 15  
3978 days after receipt of the notice.

3979 (d) An in-person mediation session shall be conducted by a neutral third-party mediator  
3980 between the borrower, the borrower's representative or housing counselor and the creditor's  
3981 representative, who shall have the authority to negotiate an alternative to foreclosure including,  
3982 but not limited to: (i) a modified mortgage loan; (ii) a reduction in principal; (iii) a reduction in  
3983 interest rate; or (iv) an increase in the amortization period of the mortgage loan; provided,  
3984 however, that an alternative form of meeting may be mutually agreed upon by the mortgagor, the  
3985 mortgagee and the mediator.

3986 (e) If a borrower elects to participate in the foreclosure mediation program, a creditor  
3987 shall not accelerate the note or otherwise initiate foreclosure proceedings unless the mediator has  
3988 certified that the creditor participated in the foreclosure mediation program in good faith and  
3989 made all reasonable efforts to find an alternative to foreclosure and any agreement is in full  
3990 compliance with all state and federal guidelines.

3991 (f) The borrower's or creditor's rights or defenses in the foreclosure action shall not be  
3992 waived by participating in the foreclosure mediation program.

3993 (g) Nothing in this section shall require a creditor to modify a mortgage or change the  
3994 terms of payment of a mortgage.

3995 SECTION 151. (a) The executive office of housing and livable communities shall  
3996 convene an advisory council to offer expertise in issues pertaining to racial segregation in  
3997 housing and public schools. The council shall consist of: the chairs of the joint committee on  
3998 housing, who shall serve as co-chairs; the chairs of the joint committee on education, who shall

3999 serve as co-chairs; the secretary of housing and livable communities or a designee; the deputy  
4000 secretary of housing and livable communities or a designee; the secretary of education or a  
4001 designee; the commissioner of elementary and secondary education or a designee; the  
4002 commissioner of early education and care or a designee; the commissioner of banks or a  
4003 designee; the attorney general or a designee; the executive director of the Massachusetts Housing  
4004 Finance Agency or a designee; the president of the senate or a designee; the speaker of the house  
4005 of representatives or a designee; the minority leader of the house of representatives or a  
4006 designee; the minority leader of the senate or a designee; the governor or a designee; 1 person  
4007 with relevant subject matter expertise appointed by the Massachusetts Black and Latino  
4008 Legislative Caucus; 2 persons appointed by the commission on the status of African Americans;  
4009 2 persons appointed by the commission on the status of Latinos and Latinas; 1 person appointed  
4010 by the commission on the status of Asian Americans and Pacific Islanders; 1 person appointed  
4011 by the Massachusetts commission on Indian affairs; 1 person with relevant subject matter  
4012 expertise appointed by the president of the senate; 1 person with relevant subject matter expertise  
4013 appointed by the speaker of the house of representatives; 1 person with relevant subject matter  
4014 expertise appointed by the governor; and 2 persons who shall be members of the student  
4015 advisory council.

4016 (b) The council shall provide advice and recommendations to the executive office  
4017 regarding policies or programs necessary to: (i) combat the causes of housing segregation and  
4018 increase racial integration in cities and towns; (ii) eliminate or significantly reduce interdistrict  
4019 and intradistrict racial segregation, including at the school and classroom level; and (iii) promote,  
4020 as part of school integration plans, the development of racially inclusive school climates,  
4021 including through: (A) culturally and racially responsive pedagogy and curricula; (B) approaches

4022 to creating safe and supportive school environments that do not rely on school discipline  
4023 practices that have a disproportionately negative impact on students of color; and (C) access to  
4024 racially diverse school staff, teachers and school leaders.

4025 (c) The council shall investigate the following for purposes of determining their  
4026 contribution to housing and school segregation and making policy recommendations to eliminate  
4027 or significantly reduce racial segregation in housing and public schools: (i) existing state statutes  
4028 and regulations; (ii) state programs that financially support prospective tenants and  
4029 homeowners;(iii) state programs that finance or govern the development of affordable housing;  
4030 (iv) discriminatory practices in the banking industry; (v) discriminatory practices in the real  
4031 estate industry; (vi) violations and enforcement of the federal Fair Housing Act based on race;  
4032 (vii) exclusionary zoning ordinances and by-laws; (viii) inadequate transportation infrastructure  
4033 or access to affordable, reliable and efficient public transportation; (ix) violations and  
4034 enforcement of Title VI of the Civil Rights Act of 1964, as amended; (x) chapter 70 of the  
4035 General Laws; (xi) chapter 70B of the General Laws; (xii) the dissolution of historic policies and  
4036 practices in the commonwealth that had led to substantial increases in school integration; (xiii)  
4037 public magnet schools or regional school districts; (xiv) school district practices for assigning  
4038 students to schools; (xv) interdistrict and intradistrict transfer and public school choice policies;  
4039 (xvi) admissions practices in selective public schools; (xvii) school district practices for  
4040 determining student participation in different levels of coursework, such as ability grouping or  
4041 tracking; (xviii) Metropolitan Council for Educational Opportunity (METCO), Inc.; and (xix)  
4042 any other topics that it deems relevant to housing and school segregation.

4043 (d) The council shall submit its report and recommendations to the clerks of the senate  
4044 and house of representatives, the joint committee on housing and the joint committee on  
4045 education not later than July 31, 2025.

4046 SECTION 152. The executive office of housing and livable communities shall compile  
4047 and make available to municipalities a guide outlining the best practices for cities and towns to  
4048 implement and operate, by local option, a municipal right of first refusal program. The guide  
4049 shall outline incentives, outreach strategies and other logistical details available to homeowners  
4050 who provide such municipal right of first refusal. The guide shall be completed not later than  
4051 January 1, 2025.

4052 SECTION 153. Notwithstanding any general or special law to the contrary, the  
4053 unexpended and unencumbered balances of the bond-funded authorizations in the following  
4054 accounts shall cease to be available for expenditure 180 days after the effective date of this act:  
4055 3000-0410, 7002-8032, 7004-0049, 7004-0050, 7004-0051, 7004-0052, 7004-0053, 7004-0055,  
4056 7004-0056, 7004-0057, 7004-0058, 7004-0059, 7004-0060, 7004-0061, 7004-0062, 7004-0064,  
4057 7004-0065, 7004-0066, 7004-0067, 7004-8016, 7004-8026.

4058 SECTION 154. To meet the expenditures necessary in carrying out sections 2 and 2A the  
4059 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in  
4060 an amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
4061 \$5,146,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their  
4062 face, The Affordable Homes Act of 2024, and shall be issued for a maximum term of years, not  
4063 exceeding 30 years, as the governor may recommend to the general court under section 3 of  
4064 Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later



4065 than June 30, 2059, pursuant to said section 3 of said Article LXII of the Amendments to the  
4066 Constitution. All interest and payments on account of principal on these obligations shall be  
4067 payable from the General Fund. Bonds and interest thereon issued under the authority of this  
4068 section shall, notwithstanding any other provision of this act, be general obligations of the  
4069 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by  
4070 the executive office of housing and livable communities for administrative costs directly  
4071 attributable to the purposes of this act, including costs of clerical and support personnel. The  
4072 secretary of housing and livable communities shall file an annual spending plan detailing, by  
4073 subsidiary, all personnel costs and any administrative costs charged to expenditures made  
4074 pursuant to this act with the fiscal affairs division within the executive office for administration  
4075 and finance, the house and senate committees on ways and means, the joint committee on  
4076 bonding, capital expenditures and state assets and the joint committee on housing.

4077 SECTION 155. To meet the expenditures necessary in carrying out section 2B, the state  
4078 treasurer shall, upon request of the governor, issue and sell bonds in an amount to be specified by  
4079 the governor from time to time but not exceeding, in the aggregate, \$50,000,000. All bonds  
4080 issued by the commonwealth as aforesaid shall be designated on their face, The Affordable  
4081 Homes Act of 2024, and shall be issued for a maximum term of years, not exceeding 30 years, as  
4082 the governor may recommend to the general court pursuant to section 3 of Article LXII of the  
4083 Amendments to the Constitution; provided, however, that all such bonds shall be payable not  
4084 later than June 30, 2059. All interest and payments on account of principal on such obligations  
4085 shall be payable from the General Fund. Bonds and interest thereon issued under the authority of  
4086 this section shall, notwithstanding any other provision of this act, be general obligations of the  
4087 commonwealth. An amount not to exceed 2 per cent of the authorizations may be expended by

4088 the executive office of housing and livable communities for administrative costs directly  
4089 attributable to the purposes of this act, including costs of clerical and support personnel. The  
4090 secretary of housing and livable communities shall file an annual spending plan with the fiscal  
4091 affairs division within the executive office for administration and finance, the house and senate  
4092 committees on ways and means, the house and senate committees on bonding, capital  
4093 expenditures and states assets and the joint committee on housing which details, by subsidiary,  
4094 all personnel costs and any administrative costs charged to expenditures made pursuant to this  
4095 act.

4096 SECTION 156. The executive office of housing and livable communities shall  
4097 promulgate guidance or regulations pursuant to subsection (h) of section 33 of chapter 23B of the  
4098 General Laws and section 101 of chapter 143 of the General Laws not later than December 15,  
4099 2024,.

4100 SECTION 157. Sections 11, 37, 56, 59, 60 and 66 shall take effect 180 days after the  
4101 effective date of this act.

4102 SECTION 158. Subsection (b) of section 5E of chapter 62 of the General Laws and  
4103 subsection (b) of section 5F of chapter 62 of the General Laws shall take effect on January 1,  
4104 2025.

4105 SECTION 159. Sections 25, 26, 28 and 29 shall take effect for tax years beginning on or  
4106 after January 1, 2025.

4107 SECTION 160. Sections 27, 30 and 31 shall take effect on January 1, 2030.

4108 SECTION 161. Sections 135 to 137, inclusive, are hereby repealed.

4109           SECTION 162. Section 161 shall take effect on June 30, 2030; provided, however, that  
4110 the commissioner of capital asset management and maintenance may complete any transaction  
4111 for which agreements have been signed and delivered on or before June 30, 2030.