SENATE DOCKET, NO. 1646 FILED ON: 1/19/2023

SENATE . . . . . No. 866

The Commonwealth of Massachusetts

PRESENTED BY:

Lydia Edwards

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

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

An Act to establish an office of fair housing and a fair housing trust fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Lydia Edwards	*Third Suffolk*	
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/3/2023*
James B. Eldridge	*Middlesex and Worcester*	*2/11/2023*
Patrick M. O'Connor	*First Plymouth and Norfolk*	*2/13/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*8/1/2023*

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SENATE . . . . . No. 866

By Ms. Edwards, a petition (accompanied by bill, Senate, No. 866) of Lydia Edwards, Sal N. DiDomenico, James B. Eldridge and Patrick M. O'Connor for legislation to establish an office of fair housing and a fair housing trust fund. Housing.

The Commonwealth of Massachusetts

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

An Act to establish an office of fair housing and a fair housing trust fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 6A of the General Laws is hereby amended by adding the following section:-

Section 16DD. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Office", the office of fair housing.

"Fair housing trust fund", the Fair Housing Trust Fund, as established by Chapter 121H.

(b) There shall be an office of fair housing within the executive office housing. The office shall be under the supervision and control of a director of fair housing who shall be appointed by and shall report to the secretary of housing.

(c) The office shall coordinate all activities of the commonwealth to eliminate housing discrimination and affirmatively further fair housing, overcome patterns of segregation, foster

inclusive communities free from barriers that restrict access to opportunity based on protected characteristics of Chapter 151B, and to help enforce and maintain compliance with all fair housing laws, including, but not limited to, Chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq.

(d) The office shall collaborate with the executive offices, state agencies, and the office of the attorney general on fair housing initiatives to address the factors that influence housing discrimination, segregated communities, and disparities in access to opportunity. The executive offices shall include, but not be limited to, the executive office of health and human services, the executive office of economic development, the executive office of public safety and security, the executive office of energy and environmental affairs, the Massachusetts department of transportation, the executive office of labor and workforce development, the executive office for administration and finance, the executive office of technology services and security, and the executive office of education. The office shall facilitate communication and partnership between these executive offices and agencies to develop greater understanding of the intersections between agency activities and fair housing. The office shall facilitate the development of interagency initiatives to address the social and economic determinants of housing disparity issues including, but not limited to: (i) equal access to housing and quality; (ii) housing affordability; (iii) transportation availability, location and cost; (iv) air, water, and land usage and quality; (v) employment and workforce development; (vi) access to healthcare; (vii) education access and quality; and (viii) language access.

(e) The office shall administer the Fair Housing Trust Fund.

(f) The office shall evaluate the effectiveness of programs and interventions to eliminate housing discrimination and to affirmatively further fair housing, identifying best practices and model programs for the commonwealth.

(g) The office shall prepare an annual assessment of fair housing report. The report shall evaluate the progress of the commonwealth toward eliminating housing discrimination and affirmatively furthering fair housing, where possible, quantifiable measures and comparative benchmarks and, where possible, shall detail such progress on a regional basis. The report shall include a description of the activities and outcomes of the Fair Housing Trust Fund. The office shall hold public hearings in several regions of the commonwealth to gather public information on the topics of the report. The report shall be filed with the governor, the clerks of the house of representatives and senate, the chairs of the joint committee on housing not later than July 1. The report shall be posted on the official website of the commonwealth.

SECTION 2. The General Laws are hereby further amended by inserting after Chapter 121G the following section:-

Chapter 121H.

FAIR HOUSING TRUST FUND

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

“Office”, the office of fair housing, established in section 16DD of Chapter 6A.

“Trust fund”, the Fair Housing Trust Fund.

Section 2. There shall be within the office a separate fund to be known as the Fair Housing Trust Fund. The office shall administer the trust fund for the purpose of eliminating housing discrimination and affirmatively furthering fair housing, overcoming patterns of segregation, fostering inclusive communities free from barriers that restrict access to opportunity based on protected characteristics of Chapter 151B, and to helping enforce and maintain compliance with all fair housing laws, including, but not limited to, Chapter 151B and the federal Fair Housing Act, 42 U.S.C. 3601 et seq. Activities eligible for assistance from the trust fund shall include, but not be limited to, private enforcement initiatives, education and outreach initiatives, fair housing testing, lending discrimination, affirmatively furthering fair housing, and special projects.

Section 3. The trust fund shall be overseen by the director of the office and an advisory board composed of at least six members representing those with protected characteristics and at least two experienced civil rights practitioners. The director and advisory board shall set the criteria for selecting grantees.

Section 4. Grantees eligible for assistance shall include, but not be limited to, fair housing assistance programs and fair housing initiative programs, as defined by the U.S. Department of Housing and Urban Development, any private, non-profit agency, or any state-funded public housing authority. Awards from the trust fund shall be for a period of up to three years in an amount not to exceed $1,000,000 over three years or $333,333 in any one year.

Section 5. There shall be credited to the trust fund revenue from appropriations or other monies authorized by the general court and specifically designated for the fund and any gifts, grants, private contributions, investment income earned on the fund’s assets and any other

sources. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.