

**HOUSE . . . . . No. 2696**

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Margaret R. Scarsdale*

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

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

An Act establishing a public safety building authority and assistance program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>1/10/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/15/2025</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>1/24/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>1/27/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>7/1/2025</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>7/1/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>7/1/2025</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>7/1/2025</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>7/28/2025</i>
<i>John J. Marsi</i>	<i>6th Worcester</i>	<i>9/22/2025</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>10/7/2025</i>

**HOUSE . . . . . No. 2696**

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By Representative Scarsdale of Pepperell, a petition (accompanied by bill, House, No. 2696) of Margaret R. Scarsdale and others for legislation to establish a public safety building authority and assistance program. Public Safety and Homeland Security.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3803 OF 2023-2024.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act establishing a public safety building authority and assistance program.

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

1           The General Laws are hereby amended by inserting after chapter 22E the following  
2 chapter:-

3           CHAPTER 22F.

4           PUBLIC SAFETY BUILDING ASSISTANCE PROGRAM.

5           Section 1. Whereas the costs of building police stations, fire stations, and other public  
6 safety facilities are increasing at an unsustainable rate and local governments need flexibility in  
7 public safety building assistance to ensure that local needs for public safety facility space,  
8 downtown development, open space, and community space are met; and to promote the  
9 thoughtful planning and construction of public safety facility space in order to ensure safe and

10 adequate plant facilities for the public safety facilities, and to assist towns in meeting the cost  
11 thereof, there is hereby established a public safety building assistance program. It is in the best  
12 interests of the Commonwealth and its citizens to create an authority to achieve the objectives of  
13 effective management and planning of the commonwealth's investments in public safety building  
14 assets, maintaining good repair, efficient and economical construction and maintenance,  
15 financial sustainability of the public safety building assistance program, thoughtful community  
16 development, and accessibility.

17           Section 2. (a) There is hereby created a body politic and corporate and a public  
18 instrumentality to be known as the Massachusetts Public Safety Building Authority, which shall  
19 be an independent public authority not subject to the supervision and control of any other  
20 executive office, department, commission, board, bureau, agency or political subdivision of the  
21 commonwealth except as specifically provided in any general or special law. The exercise by the  
22 authority of the powers conferred by this chapter shall be considered to be the performance of an  
23 essential public function.

24           (b) The purpose of this authority would be to oversee a public facilities building program  
25 to provide state building assistance for the new construction, renovation, or remodeling of police  
26 stations, fire stations, and other public safety facilities.

27           (c) The authority shall consist of the state treasurer, who shall serve as chairperson, the  
28 secretary of administration and finance, the secretary of the executive office of public safety and  
29 security, and 4 additional members appointed by the state treasurer, 2 of whom shall have  
30 practical experience in public safety facilities planning, public safety facility construction, or  
31 architecture and public safety facility design, and 2 of whom shall be persons in the field of law

32 enforcement or fire management, each of whom shall serve a term of 2 years; but, a person  
33 appointed to fill a vacancy shall serve only for the unexpired term. An appointed member of the  
34 authority shall be eligible for reappointment. The authority shall annually elect 1 of its members  
35 to serve as vice-chairperson. Each member of the authority serving ex officio may appoint a  
36 designee pursuant to section 6A of chapter 30.

37 (d) Four members of the authority shall constitute a quorum, and the affirmative vote of 4  
38 members of the authority shall be necessary and sufficient for any action taken by the authority.  
39 No vacancy in the membership of the authority shall impair the right of a quorum to exercise all  
40 the rights and duties of the authority. Members shall serve without pay but shall be reimbursed  
41 for actual expenses necessarily incurred in the performance of their duties. The chairperson of  
42 the authority shall report to the governor and to the general court no less than annually, to assist  
43 the executive and legislative branches in coordinating public safety and fiscal policies of the  
44 Commonwealth.

45 (e) Any action of the authority may take effect immediately and need not be published or  
46 posted unless otherwise provided by law. The authority shall be subject to all provisions of  
47 chapter 30A, and records pertaining to the administration of the authority shall be subject to  
48 section 42 of chapter 30 and section 10 of chapter 66. All monies of the authority shall be  
49 considered to be public funds for purposes of chapter 12A. The operations of the authority shall  
50 be subject to chapter 268A and chapter 268B and all other operational or administrative  
51 standards or requirements to the same extent as the office of the state treasurer.

52 SECTION 2. Chapter 10 of the General Laws is hereby amended by inserting after  
53 section 35SSS, the following section:-

54 Section 35TTT. (a) As used in this section, the following words shall, unless the context  
55 requires otherwise, have the following meanings:-

56 "Authority", the Massachusetts Municipal Building Authority.

57 "Dedicated sales tax revenue amount", all monies received by the Commonwealth equal  
58 to 0.5 percent of the receipts from sales, as defined by chapter 64H, and 0.5 percent of the sales  
59 price of purchases, as defined by chapter 64I, from that portion of the taxes imposed under said  
60 chapters 64H and 64I as excises upon the sale and use at retail of tangible property or of services,  
61 and upon the storage, use or other consumption of tangible property or of services, including  
62 interest thereon or penalties, but not including any portion of the taxes that constitute special  
63 receipts within the meaning of subsection (b 1/2) of section 10 of chapter 152 of the acts of 1997  
64 or within the meaning of subsection (b 1/2) of said section 10 of said chapter 152 or any portion  
65 of the taxes imposed on the sale of meals as defined in paragraph (h) of section 6 of said chapter  
66 64H.

67 "Receipts from sales", gross receipts from nonexempt sales, less amounts abated or  
68 reimbursed.

69 "Sales price of purchases", sales price of nonexempt purchases, less amounts abated or  
70 reimbursed.

71 (b) There shall be established on the books of the commonwealth a separate fund, to be  
72 known as the Municipal Building Modernization and Reconstruction Trust Fund. There shall be  
73 credited to the fund the dedicated sales tax revenue amount. Annual receipts into the fund on  
74 account of any fiscal year shall be considered to meet the full obligation of the Commonwealth  
75 to the authority for such fiscal year.

76 (c) Amounts in the fund shall be held by the state treasurer or his designee, as trustee and  
77 not on account of the Commonwealth, exclusively for the purposes of the authority, and the state  
78 treasurer shall disburse amounts in the fund to the authority, without further appropriation, upon  
79 the request from time to time of the executive director of the authority. All amounts in the fund,  
80 including investment earnings, shall be available for expenditure by the authority for any lawful  
81 purpose, including without limitation payment of debt service on debt obligations issued by the  
82 authority, and may be pledged to secure debt of the authority in such manner and according to  
83 such priority as the authority may determine.

84 (d) The authority shall certify annually to the treasurer as trustee with copies provided to  
85 the clerks of the house and senate and to the house and senate committees on ways and means  
86 that it has made provision in its annual budget and its capital plan under section 17 of chapter  
87 70B for sufficient amounts to be available to meet debt service payments or other payments due  
88 under financing obligations, including, without limitation, leases or grant obligations.

89 (e) Subject to applicable restrictions contained in any bond resolution, trust or security  
90 agreement or credit enhancement agreement, surety bond, or insurance policy related to  
91 indebtedness incurred by the authority, including without limitation coverage requirements, if the  
92 authority shall determine that the balance of the fund exceeds the amount necessary to achieve  
93 the purposes of the authority, including, without limitation, to meet debt service payments, lease  
94 payments and grant obligations, the authority may transfer the excess amount to the  
95 Commonwealth.

96 (f) In order to increase the marketability of any bonds or notes of the trust which may be  
97 secured by or payable from amounts held in the fund, the sums to be credited to the fund are

98 hereby impressed with a trust for the benefit of the trust and the holders from time to time of the  
99 bonds or notes, and in consideration of the acceptance of payment for the bonds or notes, the  
100 Commonwealth covenants with the purchasers and all subsequent holders and transferees of the  
101 bonds or notes that while the bond or note shall remain outstanding, and so long as the principal  
102 of or interest on the bond or note shall remain unpaid, the sums to be credited to the fund shall  
103 not be diverted from the control of the trust and, so long as the sums are necessary, as determined  
104 by the authority in accordance with any applicable bond resolution, trust or security agreement or  
105 credit enhancement agreement, surety bond or insurance policy related to indebtedness incurred  
106 by the trust, for the purposes for which they have been pledged, the rates of the excises imposed  
107 by said chapters 64H and 64I shall not be reduced below the rates prescribed by this section.