

HOUSE No. 3194

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño

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 relative to affordable housing and environmental adaptation dollars.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>1/16/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/4/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/4/2025</i>
<i>Christopher Richard Flanagan</i>	<i>1st Barnstable</i>	<i>2/4/2025</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>2/4/2025</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/5/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>3/5/2025</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/5/2025</i>
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>3/5/2025</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/5/2025</i>
<i>Christopher J. Worrell</i>	<i>5th Suffolk</i>	<i>3/5/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>5/12/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/7/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>4/7/2025</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>4/7/2025</i>

HOUSE No. 3194

By Representative Montañó of Boston, a petition (accompanied by bill, House, No. 3194) of Samantha Montañó and others for legislation to increase the deeds excise to fund emergency assistance needs of certain low income tenants and homeowners. Revenue.

The Commonwealth of Massachusetts

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

An Act relative to affordable housing and environmental adaptation dollars.

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

1 SECTION 1. Section 35GGG of chapter 10 of the General Laws, as appearing in the
2 2022 Official Edition, is hereby amended by inserting after the word “year”, in line 96, the
3 following words:- ; provided further, that said limitation shall not apply to funds deposited in the
4 fund pursuant to section 1 of chapter 64D; provided further, that the amounts expended shall be
5 allocated with due consideration given to: (1) environmental justice populations as defined in
6 section 62 of chapter 30; (2) a reasonable distribution of resources across the commonwealth;
7 and (3) other factors in the interests of justice. Before making grants or loans for the upcoming
8 fiscal year, the secretary of energy and environmental affairs shall develop a spending plan no
9 later than August 1. The spending plan shall be posted to a publicly accessible website in a
10 machine readable format.

11 SECTION 2. Section 1 of chapter 64D of the General Laws, as so appearing, is hereby
12 amended by striking out the words “two dollars” each time they appear and inserting in place

13 thereof the following words:- two dollars and twenty eight cents, plus an additional and separate
14 fee of one dollar and fourteen cents that shall be deposited on the first day of February into the
15 Global Warming Solutions Trust Fund established by section 35GGG of chapter 10, plus an
16 additional and separate fee of sixty-eight cents that shall be deposited into the Affordable
17 Housing Trust Fund as established by section 2 of chapter 121D, plus an additional and separate
18 fee of forty-six cents that shall be deposited into the Housing Preservation and Stabilization Trust
19 Fund as established by section 60 of chapter 121B; provided, further, that all monies deposited in
20 the Global Warming Solutions Trust in accordance with this section shall support the planning
21 and implementation of policy recommendations required in each of the Commonwealth's Clean
22 Energy and Climate plans or development and initiation of programs pursuant to sections 5 and 6
23 of chapter 8 of the acts of 2021; provided further, that funds deposited in the Global Warming
24 Solutions Trust in accordance with this section shall prioritize investments with environmental
25 justice populations as defined in section 62 of chapter 30; provided further, that the expenditure
26 of funds deposited in the Affordable Housing Trust Fund, Housing Preservation and Stabilization
27 Trust Fund, Global Warming Solutions Trust in accordance with this section shall prioritize
28 investments with consideration of regional equity.

29 SECTION 3. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby
30 amended by adding the following subsections:-

31 (ee) (1) As used in this subsection, the words contained in this subsection shall have the
32 same meanings as the definitions in subsection (k).

33 (2) A taxpayer shall be allowed a credit equal to 25 per cent of a payment made pursuant
34 to section 1 of chapter 64D against the taxes imposed by this chapter if that person sold their

35 residence during the taxable year. If the amount of the credit allowed under this subsection
36 exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an overpayment
37 and shall pay the taxpayer the entire amount of the excess without interest.

38 (3) The credit shall be available only if the taxpayer is low-income as defined pursuant to
39 section 1 of chapter 40T.

40 (4) No credit shall be allowed for a married individual unless a joint return is filed.

41 (5) No credit shall be allowed by this subsection with respect to the sale on more than one
42 residence of any taxpayer during any taxable year.

43 (6) Any credit provided by this subsection shall not be counted as income in determining
44 eligibility or benefits under any other means-tested assistance program, including but not limited
45 to all such cash, food, medical, housing, energy and educational assistance programs.

46 (ff) (1) As used in this subsection, the following words shall have the same meaning as
47 the definitions in subsection (k).

48 (2) A taxpayer shall be allowed a credit equal to 25 per cent of a payment made pursuant
49 to section 1 of chapter 64D against the taxes imposed by this chapter if the taxpayer sold their
50 residence during the taxable year to a first-time home buyer; provided, further, that if there are
51 multiple persons recorded on the deed all persons must be first-time homebuyers for the taxpayer
52 to be allowed this credit.

53 (3) No credit shall be allowed for a married individual unless a joint return is filed.

54 (4) No credit shall be allowed by this subsection with respect to the sale on more than one
55 residence of any taxpayer during any taxable year.

56 (5) Any credit provided by this subsection shall not be counted as income in determining
57 eligibility or benefits under any other means-tested assistance program, including but not limited
58 to all such cash, food, medical, housing, energy and educational assistance programs.

59 SECTION 4. Said section 1 of said chapter 64D, as so appearing, is hereby further
60 amended by striking out, in line 15, the words “one dollar and fifty cents” and inserting in place
61 thereof the following words:- one dollar and seventy-one cents, plus an additional and separate
62 fee of eighty-six cents that shall be deposited into the Global Warming Solutions Trust Fund
63 established by said section 35GGG of said chapter 10, plus an additional and separate fee of
64 fifty-one cents that shall be deposited into the Affordable Housing Trust Fund as established by
65 section 2 of chapter 121D, plus an additional and separate fee of thirty-four cents that shall be
66 deposited into the Housing Preservation and Stabilization Trust Fund as established by section
67 60 of chapter 121B; provided, however, that all monies deposited in the Global Warming
68 Solutions Trust in accordance with this section shall support the planning and implementation of
69 policy recommendations required in each of the Commonwealth’s Clean Energy and Climate
70 plans pursuant to Sections 5, and development and initiation of programs required in Section 6,
71 of Chapter 8 of the Acts of 2021; provided further, that priority shall be given to investments in
72 environmental justice populations as defined in Section 62 of Chapter 30; provided further, that
73 the amounts deposited in said trust funds shall be reduced proportionately by the amounts of
74 aggregate amount of the credits claimed under subsection (ee) and subsections (ff) of section 6 of
75 chapter 62 during the previous calendar year; provided further, that the expenditure of funds
76 deposited in Affordable Housing Trust Fund and Housing Preservation and Stabilization Trust
77 Fund in accordance with this section shall prioritize investments with consideration of regional
78 equity.

79 SECTION 5. Said section 1 of said chapter 64D, as so appearing, is hereby further
80 amended by striking out, in line 20, the words “in said Funds” and inserting in place thereof the
81 following words:- received pursuant to this chapter, except for the monies collected and
82 deposited in the Global Warming Solutions Trust Fund established by said section 35GGG of
83 chapter 10, the Affordable Housing Trust Fund established by section 2 of chapter 121D, and the
84 Housing Preservation and Stabilization Trust Fund established by section 60 of chapter 121B.

85 SECTION 6. Section 10 of said chapter 64D, as so appearing, is hereby amended by
86 inserting after the word “commonwealth,” in line 2, the following words:- except for the monies
87 collected and deposited into the separate funds as required by this chapter.

88 SECTION 7. Section 60 of chapter 121B of the General Laws, as so appearing, is hereby
89 amended by inserting after the word, “homeless”, in line 21, the following words:- provided
90 further, that the amounts expended shall be allocated with due consideration given to: (1) racial
91 justice; (2) a reasonable distribution of resources across the commonwealth; and (3) other factors
92 in the interests of justice.

93 SECTION 8. Said section 60 of said chapter 121B, as so appearing, is hereby further
94 amended by inserting after the word, “plan”, in line 23, the following words:- , developed in
95 consultation with racial justice-oriented stakeholders and the Massachusetts Association of
96 Regional Planning Agencies,.

97 SECTION 9. Subsection (e) of said section 60 of said chapter 121B, as so appearing, is
98 hereby amended by inserting after the fifth sentence the following sentence:- The spending plan
99 shall be posted to a publicly accessible website in a machine readable format.

100 SECTION 10. Section 2 of chapter 121D of the General Laws, as so appearing, is hereby
101 amended by inserting after the word “Development”, in line 11, the following words:- provided
102 further, that the amounts expended shall be allocated with due consideration given to: (1) racial
103 justice; (2) a reasonable distribution of resources across the commonwealth; and (3) other factors
104 in the interests of justice. Before making grants or loans for the upcoming fiscal year, the agency,
105 in consultation racial justice-oriented stakeholders and the Massachusetts Association of
106 Regional Planning Agencies, shall develop a spending plan no later than August 1. The spending
107 plan shall be posted to a publicly accessible website in a machine readable format.

108 SECTION 11. Section 23 of chapter 546 of the acts of 1969 is hereby repealed.

109 SECTION 12. This act shall take effect on January 1, 2026.