

HOUSE No. 3495

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 promoting resilience against the heat-related impacts of climate change.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/15/2025</i>
<i>Sean Reid</i>	<i>11th Essex</i>	<i>3/7/2025</i>

HOUSE No. 3495

By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 3495) of Sean Garballey and Sean Reid relative to the heat-related impacts of climate change and for an investigation by a task force (including members of the General Court) relative to extreme heat task. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act promoting resilience against the heat-related impacts of climate change.

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. Chapter 23B of the General Laws is hereby amended by adding after
2 section 24B the following new section:-

3 Section 24C. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Department”, the department of housing and community development.

6 “Program”, the low-income cooling assistance program established in this section.

7 “Vulnerable person”, an individual who: (i) is over the age of 65; (ii) is under the age of
8 five; or (iii) has a medical condition that increases the individual’s risk of heat-related illness
9 including, but not limited to, cardiovascular disease, obesity, and diabetes.

10 (b) The department shall, subject to appropriation, operate a program for low-income
11 cooling assistance, which may include, but shall not be limited to, assisting with payment of
12 cooling-related electricity bills and distributing energy efficient cooling appliances. To be
13 eligible for the program, a household shall have income that does not exceed 60 percent of state
14 median income. Priority for cooling assistance shall be given to households including one or
15 more vulnerable persons.

16 (c) The department shall administer the program in primary partnership with community
17 action agencies and shall coordinate with councils on aging, federally qualified health centers,
18 community development corporations, local housing authorities, and other agencies and service
19 providers who assist the executive office in conducting outreach in the Low-Income Home
20 Energy Assistance Program.

21
22 (d) The department shall submit an annual report to the joint committee on housing, the
23 joint committee on telecommunications, utilities and energy, and the house and senate
24 committees on ways and means summarizing the activities of the program, including, but not
25 limited to, the number of applicants, the number of accepted applications, a list of the entities
26 that assist the department in administering the program, and program costs.

27 (e) The department shall advertise the program on its website and shall annually promote
28 awareness of the program by sending a letter or email describing the program to households
29 participating in the Low-Income Home Energy Assistance Program and by collaborating with the
30 agencies and service providers who assist the executive office in administering the Low-Income
31 Home Energy Assistance Program.

32 (f) The department may promulgate regulations for the administration and enforcement of
33 this section.

34 SECTION 2. Section 124F of chapter 164 of the General Laws, as appearing in the 2022
35 Official Edition, is hereby amended by inserting after the word “building” the following:

36

37 “. No gas or electric company shall shut off or maintain a shut off of gas or electric utility
38 service to any residential customer who cannot pay an overdue charge because of financial
39 hardship, when such gas or electric service is used to provide space cooling or to control or
40 operate the space cooling equipment of the customer's unit or building, on: (1) any day when the
41 National Weather Service forecast for the following 48 hours covering the area of the gas or
42 electric company in which the residence is located includes a forecast that the heat index will be
43 95 degrees Fahrenheit or above; (2) on any day preceding a holiday or weekend when the
44 National Weather Service forecast covering the area of the gas or electric company in which the
45 residence is located includes a forecast that the heat index will be 95 degrees Fahrenheit or above
46 at any time during the holiday or weekend; or (3) any day when the department of environmental
47 protection or the United States Environmental Protection Agency forecasts an Air Quality Index
48 of 151 or above within the service territory of the gas or electric company”

49 SECTION 3. The department of public health, in consultation with the department of
50 housing and community development, shall conduct a study of whether and how to amend the
51 state sanitary code promulgated pursuant to section 127A of chapter 111 to incorporate
52 maximum temperature requirements for habitable rooms and rooms containing a toilet, shower
53 or bathtub. The study shall consider the costs and benefits of such an amendment, including the

54 effect it would have on public health, environmental justice, housing affordability, and resilience
55 against the current and future impacts of climate change. By not later than December 31, 2026,
56 the department of public health shall submit a report containing its findings and
57 recommendations to the clerks of the senate and the house of representatives, the chairs of the
58 joint committee on public health, and the chairs of the joint committee on housing.

59 SECTION 4. (a) Notwithstanding any general or special law to the contrary, the
60 executive office of public safety and security shall establish an extreme heat task force. The task
61 force shall consist of: the secretary of the executive office of public safety and security, or a
62 designee, who shall serve as chair; the secretary of the executive office of administration and
63 finance, or a designee; the secretary of the executive office of labor and workforce development,
64 or a designee; the secretary of the executive office of health and human services, or a designee;
65 the secretary of the executive office of energy and environmental affairs, or a designee; the
66 secretary of the executive office of housing and livable communities or their designee; the
67 commissioner of the department of public health, or a designee; the commissioner of the
68 department of elementary and secondary education, or a designee; the chairs of the joint
69 committee on public safety and homeland security, or designees; the speaker of the house, or a
70 designee; the senate president, or a designee; the house minority leader, or a designee; the senate
71 minority leader, or a designee; a representative for the metropolitan area planning council; a
72 representative from the Harvard TH Chan School of Public Health; a representative from the
73 Massachusetts Health and Hospital Association; a representative from the Boston University
74 School of Public Health; a representative from the Massachusetts Coalition for Occupational
75 Safety and Health; a representative from the Massachusetts Public Health Association; a
76 representative from the Massachusetts School Administrators' Association; a representative from

77 the Massachusetts Teachers Association; a representative from a Gateway City; a representative
78 from an environmental justice community; and a representative from the Massachusetts
79 Municipal Association, Inc.

80 (b) The task force shall: (1) develop criteria for when the Massachusetts emergency
81 management agency will declare a heat emergency and best practices for a statewide, regional,
82 and local response; (2) create a strategic plan for integrating extreme heat considerations and
83 cooling solutions into existing state programs, policies, protocols, and funding; (3) develop and
84 annually update the progress made in implementing such a comprehensive strategic plan; and (4)
85 suggest legislative and regulatory changes that will allow for extreme heat and cooling
86 coordination between the commonwealth, municipalities, regional planning agencies, schools,
87 and nonprofits.

88 (c) The task force shall submit its recommendations to the governor, the clerks of the
89 house of representatives and the senate, and the joint committee on public safety and homeland
90 security annually on or before December 31.