

HOUSE No.



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

January 29, 2026

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2026 to Provide for Supplementing Certain Existing Appropriations and for Responding to Recent Federal Actions.”

The supplemental budget filed today broadly focuses on responding to recent federal actions and \$411.3 million in time-sensitive appropriations for deficiencies that we would like to address by April 30.

Over the past year, our Administration has consistently taken proactive steps to assess, anticipate, and respond to federal actions that impact our residents, businesses, communities, and state operations. In the face of shifting federal policy, program eligibility changes, and national economic instability, we have acted to preserve public health; protect individual rights; lower the costs of housing, energy, and health care; and ensure Massachusetts remains strong.

It has become increasingly clear that the actions of President Donald Trump, Homeland Security Secretary Kristi Noem, and Immigrant and Customs Enforcement (ICE) pose a grave threat to the safety and wellbeing of Massachusetts residents. President Trump has sent ICE agents into communities across Massachusetts and across the country. Nationwide, and in Massachusetts, we have seen ICE and its agents ignoring constitutional rights and court orders, arresting and detaining people without due process or justification, and intimidating citizens and communities. These operations have become increasingly lawless, violent, and even deadly. They have sowed fear, deep anxiety, and in many cases chaos. Throughout, the federal government’s own data has shown that the vast majority of the people being arrested by ICE in

Massachusetts and across the country have no criminal background whatsoever and pose no threat.

Here in Massachusetts, I have heard and seen the chilling impacts of ICE's enforcement activity, with people afraid to send their children to school and daycare, afraid to go to church or to doctor's appointments, afraid to report crimes or testify in court. It is making us all less safe – and we need to act.

The bill I am filing today includes provisions to protect the people of Massachusetts from abuses by ICE. This legislation would keep ICE away from courthouses, schools, child care centers, health care facilities and houses of worship; make it unlawful for another state's Governor to deploy their National Guard in Massachusetts without our permission; and allow parents to pre-arrange guardianship for their children in case they are detained or deported.

These proposals will also ensure that state and local law enforcement in Massachusetts can do their jobs, without having their resources drained by ill-conceived, poorly executed, and politically motivated ICE operations. I am deeply grateful to the brave men and women of law enforcement who work hard every day to protect the people of Massachusetts and hold criminals accountable. As a former Attorney General and prosecutor, I take this seriously. It is why our Department of Correction honors requests from ICE for those who have been convicted of a serious crime. But we cannot and will not tolerate the repeated targeting of members of our communities who live here, work here, go to school here, have families here and have no criminal background.

Other policy components of this bill include, but are not limited to:

- Veterans benefits access reforms to ensure eligible veterans are able to obtain state benefits notwithstanding changes at the federal level;
- Indemnification provisions to protect public employees acting within the scope of their duties in connection with federal investigations; and
- Technical and privacy-related amendments affecting higher education access and student records.

This supp also includes an important time-sensitive proposal that allows for the Joint Hazard Incident Response Team to proactively work together and coordinate for large scale events, such as the World Cup or Tall Ships. Finally, this supp also ratifies several collective bargaining agreements.

In addition to these policy measures, the bill includes supplemental appropriations for a limited number of time-sensitive deficiencies that we would like to address prior to April 30, in some cases to avoid service disruptions. Filing for these amounts now will allow us to avoid program shutoffs, delayed payments, or other avoidable consequences.

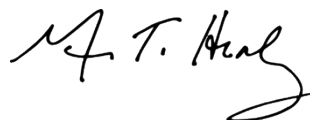
The bill includes supplemental funding for the following purposes:

- \$300 million for Group Insurance Commission costs driven by higher-than-anticipated utilization and pharmaceutical expenses;
- \$41.7 million for Department of Transitional Assistance staffing, supporting caseworkers responsible for administering core assistance programs, and implementing recent federal eligibility changes;
- \$31 million for Department of Correction operations, reflecting funding shortfalls identified after the enactment of the FY26 General Appropriation Act primarily due to increased health care contract costs;
- \$25 million for judgments and settlements;
- \$12.3 million for Committee for Public Counsel Services court costs, including expert witness and vendor services tied to elevated caseloads;
- \$600,000 for budget-neutral adjustments to maximize federal rebates for the Women, Infants and Children (WIC) program;
- \$500,000 to support for the recently announced Health Care Affordability Working Group established to develop concrete proposals to reduce health system costs and make health care more affordable for patients, families, and employers; and
- \$212,000 for the Board of Bar Examiners operations, including increased costs associated with test administration and accessibility requirements.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I respectfully urge you to enact this legislation promptly to address the urgent policy and funding matters described above and to ensure the continued delivery of essential services to residents of the Commonwealth. We expect to file a subsequent supplemental budget later this fiscal year to address additional needs with less time-sensitive runout dates.

I look forward to working with you to advance this supplemental budget and appreciate your continued partnership during a period of significant federal uncertainty.

Respectfully submitted,



Maura T. Healey,
Governor

The Commonwealth of Massachusetts

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

An Act making appropriations for the fiscal year 2026 to provide for supplementing certain existing appropriations and for responding to recent federal actions.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2026 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2026, the sums set forth in section 2 are hereby
3 appropriated from the General Fund or the Transitional Escrow Fund established in section 16 of
4 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless
5 specifically designated otherwise in this act or in those appropriation acts, for the several
6 purposes and subject to the conditions specified in this act or in those appropriation acts, and
7 subject to the laws regulating the disbursement of public funds for the fiscal year ending June
8 30, 2026. These sums shall be in addition to any amounts previously appropriated and made
9 available for the purposes of those items. These sums shall be made available through the fiscal
10 year ending June 30, 2026.

11 SECTION 2.

12 JUDICIARY

13 *Board of Bar Examiners*

14 0321-0100 Board of Bar Examiners.....\$211,857

15 *Committee for Public Counsel Services*

16 0321-1520 Indigent Persons Fees and Court Costs.....\$12,300,000

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18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 *Group Insurance Commission*

20 1108-5200 Group Insurance Premium and Plan Costs.....\$300,000,000

21 OFFICE OF THE COMPTROLLER

22 1599-3384 Settlements and Judgments.....\$25,000,000

23 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

24 *Department of Transitional Assistance*

25 4400-1100 DTA Caseworkers.....\$41,651,558

26 *Department of Public Health*

27 4513-1012 WIC Program Manufacturer Rebates Retained Revenue.....\$600,000

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EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Department of Correction

8900-0001 Department of Correction Facility Operations.....\$31,009,996

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2026. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2027.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0511 For a reserve to support the operations of the Healthcare Affordability Working Group; provided, that the secretary of administration and finance may transfer from the sum appropriated in this item to other items of appropriation as necessary.....\$500,000

SECTION 3. Section 5B of chapter 15A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 8 to 15, inclusive, the words “provided, however, that if the individual is not a citizen or legal permanent resident of the United States, the application for financial assistance shall be submitted with an affidavit signed under the pains and penalties of perjury stating that the individual has applied for citizenship or legal permanent residence or will apply for citizenship or legal permanent residence in

49 accordance with federal statute and federal regulations within 120 days of eligibility for such
50 status;” and inserting in place thereof the following words:- provided, however, that individuals
51 seeking to participate in the program pursuant to paragraph 5 of section 9 shall submit
52 documentation consistent with the requirements of said paragraph;.

53 SECTION 4. Section 9 of said chapter 15A, as so appearing, is hereby amended by
54 striking out the last sentence and inserting in place thereof the following sentence:- Any
55 information obtained in the implementation of this paragraph shall not be a public record and
56 shall be protected from disclosure under subclause (c) of clause Twenty-sixth of section 7 of
57 chapter 4, section 10 of chapter 66, chapter 66A, chapter 93H and other applicable privacy laws.

58 SECTION 5. Chapter 15D of the General Laws is hereby amended by adding the
59 following section:-

60 Section 22. (a) For the purposes of this section, the following words shall have the
61 following meanings, unless the context clearly requires otherwise:

62 “Civil immigration enforcement”, any and all efforts to investigate, enforce, or assist in
63 the investigation or enforcement of any federal civil immigration law.

64 “Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a
65 judge or magistrate sitting in the judicial branch of a local or state government or of the federal
66 government, authorizing an arrest.

67 “Premises”, the private residence or the facility that is licensed for the early care and
68 education of children, and the outdoor space on which the residence or facility is located.

69 (b) Except as required by state or federal law or as required to administer a state or
70 federally supported or funded program, arrests for civil immigration enforcement shall not be
71 permitted on the premises of a licensed child care center, family child care home or school-aged
72 child care program without a valid judicial warrant or judicial order. In accordance with the
73 foregoing, child care center directors and program staff, family child care home providers and
74 staff, and school-aged child care program site coordinators or school age administrators and staff
75 shall not allow a law enforcement agent engaged in civil immigration enforcement to enter the
76 premises of a child care center, family child care home or school-aged child care program
77 without: (i) a valid judicial warrant or judicial order and (ii) receiving prior approval from the
78 director of the licensed child care center, the licensed family child care home provider or the site
79 coordinator or school age administrator of the school-aged child care program. A law
80 enforcement agent permitted to enter the premises of a licensed child care center, family child
81 care home or school-aged child care program in accordance with this section shall, except as
82 required by judicial warrant or judicial order, be limited to areas where children are not present.

83 (c) Each licensed child care center, family child care home and school-aged child care
84 program shall adopt and implement a policy regarding interactions with law enforcement agents
85 involved in civil immigration enforcement which shall include, at a minimum, but not be limited
86 to: (i) the designation of a contact person or persons to be notified of the presence of, or
87 information requests from, law enforcement agents engaged in civil immigration enforcement;
88 (ii) procedures to verify the identity and authority of any law enforcement agent engaged in civil
89 immigration enforcement at a licensed child care center, family child care home or school-aged
90 child care program; (iii) procedures to verify the validity of any judicial warrant or judicial order
91 provided to a licensed child care center, family child care home or school-aged child care

92 program; (iv) procedures to obtain approval from a director of a licensed child care center, or
93 their designee; family child care home provider, or their designee; or school-aged child care
94 program site coordinator or school age administrator, or their designee, as applicable, prior to
95 allowing a law enforcement agent engaged in civil immigration enforcement to enter the
96 premises of a child care center, family child care home or school-aged child care program; (v)
97 procedures for documenting all interactions with law enforcement agents engaged in civil
98 immigration enforcement and (vi) procedures for informing the director and program staff of the
99 licensed child care center, the provider and staff of a family child care home or the site
100 coordinator or school age administrator and staff of a school-aged child care program on how to
101 respond to requests relating to civil immigration enforcement.

102 (d) The department, in consultation with the attorney general, shall prepare and publish
103 on its website model policies consistent with the requirements of this section. The department, in
104 consultation with the attorney general, shall also prepare and publish a model training for
105 informing directors and program staff of licensed child care centers, family child care home
106 providers and staff and school-aged child care program site coordinators and school age
107 administrators and staff on how to respond to requests relating to civil immigration enforcement.

108 (e) The requirements of subsections (b) and (c) shall apply regardless of whether a
109 licensed child care center, family child care home or school-aged child care program has adopted
110 the policy required by subsection (c).

111 (f) An individual aggrieved by a violation of this section may apply for a writ of habeas
112 corpus if such person has reasonable cause to believe that a civil arrest in violation of this section
113 has occurred.

114 (g) Nothing in this section shall be interpreted to require a state or local law enforcement
115 officer to interfere with or assist the actions of a federal official engaged in civil immigration
116 enforcement. Nothing in this section shall be interpreted to confer upon any state or local law
117 enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise,
118 assess compliance with or prevent conduct governed by this section.

119 SECTION 6. Section 2 of chapter 22D of the General Laws, as appearing in the 2024
120 Official Edition, is hereby amended by inserting, in line 11, after the word “teams”, the
121 following words:- and the joint hazard incident response team, which shall be composed of
122 hazardous materials technicians designated by the marshal, and members of the Massachusetts
123 state police bomb squad designated by the colonel of the department of state police.

124 SECTION 7. Chapter 33 of the General Laws is hereby amended by adding the following
125 section:-

126 Section 140. No military force from another state, territory or district is permitted to enter
127 the commonwealth for the purpose of doing military duty therein, without the permission of the
128 governor, unless such force has been called into active service of the United States and is acting
129 under lawful authority of the president of the United States. The national guard, with the
130 approval of the governor, shall issue guidance implementing this section.

131 SECTION 8. Chapter 71 of the General Laws is hereby amended by adding the following
132 section:-

133 Section 102. (a) For the purposes of this section, the following words shall have the
134 following meanings, unless the context clearly requires otherwise:

135 “Charter school”, commonwealth charter schools and Horace Mann charter schools
136 established pursuant to section 89.

137 “Civil immigration enforcement”, any and all efforts to investigate, enforce or assist in
138 the investigation or enforcement of any federal civil immigration law.

139 “Collaborative school”, a school operated by an educational collaborative established
140 pursuant to section 4E of chapter 40.

141 “Department”, the department of elementary and secondary education.

142 ”Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a
143 judge or magistrate sitting in the judicial branch of a local or state government or of the federal
144 government, authorizing an arrest.

145 “School”, a school administered by a school department of a city or town or regional
146 school district, a county agricultural school, an independent vocational school or a vocational
147 school operated by a county, a commonwealth charter school or Horace Mann charter school
148 established pursuant to section 89, or an educational collaborative established pursuant to section
149 4E of chapter 40.

150 “Grounds”, any building or property owned or controlled by a school within the same
151 reasonably proximate geographic area of the school and used by the school in direct support of or
152 in a manner related to the school’s educational or athletic purposes.

153 “School district”, the school department of a city or town, a regional school district, an
154 independent vocational school, or a vocational school or agricultural school operated by a
155 county.

156 (b) Except as required by state or federal law or as required to administer a state or
157 federally supported or funded program, arrests for civil immigration enforcement shall not be
158 permitted on school grounds without a valid judicial warrant or judicial order. In accordance
159 with the foregoing, school officials and employees shall not allow a law enforcement agent
160 engaged in civil immigration enforcement to enter a school's grounds without: (i) a valid judicial
161 warrant or judicial order and (ii) receiving prior approval from the superintendent of the school
162 district or their designee, the executive director of the charter school or their designee or the
163 executive director of the collaborative school or their designee, as applicable. A law enforcement
164 agent permitted to enter a school's grounds in accordance with this section shall, except as
165 required by the judicial warrant or judicial order, be limited to areas where students are not
166 present.

167 (c) Each school district, charter school, and collaborative school shall adopt and
168 implement a policy regarding interactions with law enforcement agents involved in civil
169 immigration enforcement which shall include, at a minimum, but not be limited to: (i) the
170 designation of a contact person or persons to be notified of the presence of, or information
171 requests from, law enforcement agents engaged in civil immigration enforcement; (ii) procedures
172 to verify the identity and authority of any law enforcement agent engaged in civil immigration
173 enforcement at the school; (iii) procedures to verify the validity of any judicial warrant or
174 judicial order provided to the school; (iv) procedures to obtain approval from the superintendent
175 of the school district or their designee, the executive director of the charter school or their
176 designee, or the executive director of the collaborative school or their designee, as applicable,
177 prior to allowing a law enforcement agent engaged in civil immigration enforcement to enter a
178 school's grounds; (v) procedures for documenting all interactions with law enforcement agents

179 engaged in civil immigration enforcement and (vi) procedures for informing school officials and
180 employees on how to respond to requests relating to civil immigration enforcement.

181 (d) The department, in consultation with the attorney general, shall prepare and publish
182 on its website a model policy consistent with the requirements of this section. The department, in
183 consultation with the attorney general, shall also prepare and publish a model training for
184 informing school officials and employees on how to respond to requests relating to civil
185 immigration enforcement.

186 (e) The requirements of subsection (b) shall apply regardless of whether a school district,
187 charter school, or collaborative school has adopted the policy required by subsection (c).

188 (f) An individual aggrieved by a violation of this section may apply for a writ of habeas
189 corpus if such person has reasonable cause to believe that a civil arrest in violation of this section
190 has occurred.

191 (g) Nothing in this section shall be interpreted to require a state or local law enforcement
192 officer to interfere with or assist the actions of a federal official engaged in civil immigration
193 enforcement. Nothing in this section shall be interpreted to confer upon any state or local law
194 enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise,
195 assess compliance with or prevent conduct governed by this section.

196 SECTION 9. Chapter 111 of the General Laws is hereby amended by adding the
197 following section:-

198 Section 249. (a) For the purposes of this section, the following words shall have the
199 following meanings, unless the context clearly requires otherwise:

200 “Civil immigration enforcement”, any and all efforts to investigate, enforce or assist in
201 the investigation or enforcement of any federal civil immigration law; provided, however, that
202 “civil immigration enforcement” shall not include efforts to provide or assist in providing
203 medical care to a patient or detainee who is in the custody of an agency primarily charged with
204 civil immigration enforcement.

205 “Covered healthcare provider”, a hospital, community health center, clinic, convalescent
206 or nursing home, rest home, charitable home for the aged, emergency medical service or
207 substance use disorder treatment program licensed by the by the department, and a public
208 hospital operated by the department or by the department of mental health pursuant to chapter
209 19.

210 “Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a
211 judge or magistrate sitting in the judicial branch of a local or state government or of the federal
212 government, authorizing an arrest.

213 (b) Except as required by state or federal law or as required to administer a state or
214 federally supported or funded program, arrests for civil immigration enforcement shall not be
215 permitted in areas designated by covered health care providers as a nonpublic area without
216 judicial warrant or judicial order. In accordance with the foregoing, a covered healthcare
217 provider shall not grant access to nonpublic areas of their facilities for civil immigration
218 enforcement without a judicial warrant or judicial order.

219 (c) Each covered healthcare provider shall adopt and implement a policy appropriate to
220 the clinical setting regarding interactions with law enforcement agents involved in civil
221 immigration enforcement which shall include, at a minimum: (i) the designation of a contact

222 person or persons to be notified of the presence of, or information requests from, law
223 enforcement agents engaged in civil immigration enforcement; (ii) the designation of nonpublic
224 areas where patients are receiving treatment or care, where patients discuss protected health
225 information, or that are not otherwise open to the public; (iii) procedures to document attempts to
226 verify the identity and authority of any law enforcement agent engaged in civil immigration
227 enforcement at the covered healthcare provider; (iv) procedures to document attempts verify the
228 validity of any judicial warrant or court order provided to the covered healthcare provider and (v)
229 procedures for informing staff and volunteers on how to respond to requests relating to civil
230 immigration enforcement.

231 (d) The department of public health and the department of mental health, in consultation
232 with the attorney general, shall prepare and publish on its website a model policy consistent with
233 the requirements of this section.

234 (e) Nothing in this section shall be interpreted to limit or interfere with the ability of a
235 covered healthcare provider to provide medical care to a patient or detainee in the custody of an
236 agency primarily charged with civil immigration enforcement; provided, however, that covered
237 healthcare providers and their medical staff shall have the exclusive authority to recommend
238 treatment options to patients and detainees and provide treatment to them.

239 (f) An individual aggrieved by a violation of this section may apply for a writ of habeas
240 corpus if such person has reasonable cause to believe that a civil arrest in violation of this section
241 has occurred.

242 (g) Nothing in this section shall be interpreted to require a state or local law enforcement
243 officer to interfere with or assist the actions of a federal official engaged in civil immigration

244 enforcement. Nothing in this section shall be interpreted to confer upon any state or local law
245 enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise,
246 assess compliance with or prevent conduct governed by this section.

247 SECTION 10. Subsection (a) of section 16 of chapter 115 of the General Laws, as
248 appearing in the 2024 Official Edition, is hereby amended by inserting after the eleventh
249 sentence the following sentence:- If the secretary approves the board's vote on the veteran's
250 status, then that determination shall be the only proof required to show the veteran's character of
251 discharge for any state program and service.

252 SECTION 11. Section 33 of chapter 148 of the General Laws, as appearing in the 2024
253 Official Edition, is hereby amended by adding the following paragraph:-

254 The marshal may provide support to law enforcement agencies through use of the joint
255 hazard incident response team, within the department of fire services hazardous materials
256 response division. as established under section 2 of chapter 22D, for the purpose of technical or
257 operational assistance for incidents or events involving potential reactive or energetic materials
258 that may pose a risk to public health or safety. Any response action taken by a municipal
259 firefighter as a member of the joint hazard incident response team at the direction of the marshal
260 or their designee, shall be deemed to have been taken on behalf of the department of fire services
261 and for the benefit of the commonwealth. Municipal firefighters who are members of the joint
262 hazard incident response team are not considered law enforcement officers and shall not exercise
263 police powers.

264 SECTION 12. Subsection (d) of section 5-202 of chapter 190B of the General Laws, as
265 appearing in the 2024 Official Edition, is hereby amended by inserting after the word “death”, in
266 line 21, the following words:- an adverse immigration action against the parent or guardian.

267 SECTION 13. Said subsection (d) of said section 5-202 of said chapter 190B, as so
268 appearing, is hereby further amended by adding the following sentence:- For purposes of this
269 section, “adverse immigration action” shall mean (i) detention or custody by the Department of
270 Homeland Security or any other agency authorized or acting on behalf of the Department of
271 Homeland Security on the basis of an alleged violation of federal immigration law; (ii) departure
272 from the United States under an order of removal, deportation, exclusion, voluntary departure, or
273 expedited removal, or a stipulation of voluntary departure or (iii) denial of admission or entry
274 into the United States by the Department of Homeland Security.

275 SECTION 14. Subsection (f) of said section 5-202 of said chapter 190B, as so appearing,
276 is hereby amended by striking out the second sentence and inserting in place thereof the
277 following sentence:- If both parents are dead, have been adjudged incapacitated persons or are
278 subject to an adverse immigration action, an appointment by the last parent who dies, was
279 adjudged incapacitated or was subject to an adverse immigration action has priority.

280 SECTION 15. The General Laws are hereby amended by inserting after chapter 221 the
281 following chapter:-

282 CHAPTER 221A

283 CIVIL ARREST IN COURTS

284 Section 1. The following terms, as used in this chapter, shall have the following meanings
285 unless the context clearly requires otherwise:

286 “Civil arrest”, an arrest that is not: (i) for the sole or primary purpose of preparing the
287 person subject to such arrest for criminal prosecution, for an alleged violation of the criminal law
288 of: (A) the commonwealth or another jurisdiction within the United States, for which a sentence
289 of a term of imprisonment is authorized by law; or (B) the United States, for which a sentence of
290 a term of imprisonment is authorized by law, and for which federal law requires an initial
291 appearance before a federal judge, federal magistrate or other judicial officer, pursuant to the
292 federal rules of criminal procedure that govern initial appearances; (ii) for contempt of court; (iii)
293 for a *capias* issued by a judge of the commonwealth; (iv) for a parole warrant issued under
294 section 149A of chapter 127 or a probation warrant issued under section 3 of chapter 279; (v) for
295 a governor’s warrant of arrest issued under section 16 of chapter 276; or (vi) related to a petition
296 or commitment under section 12 of chapter 123.

297 “Courthouse”, the interior of any facility or property in which a court of the
298 commonwealth conducts business.

299 “Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a
300 judge or magistrate sitting in the judicial branch of state government or of the federal
301 government, authorizing an arrest.

302 Section 2. (a) No representative of a local, state or federal law enforcement agency shall
303 make a civil arrest of an individual present at a courthouse unless such representative: (i) is
304 acting in the representative’s official capacity; and (ii) has provided documentation to a
305 designated judge, justice or judicial magistrate sitting in the courthouse demonstrating that the

306 individual to be arrested is the subject of a judicial warrant or judicial order authorizing civil
307 arrest. The designated judicial official shall promptly review such documentation. Except in
308 extraordinary circumstances, as determined by the designated judicial official, civil arrests shall
309 not be made by a representative of a law enforcement agency in a courtroom.

310 (b) The chief justice of the trial court may issue rules and notices to implement this act;
311 provided, however, that the protections of this act shall apply regardless of whether the trial court
312 implements this act by rule or notice.

313 (c) Copies of all warrants and orders authorizing arrest and provided to court personnel
314 pursuant to this section shall be maintained by the chief justice of the trial court. Annually, not
315 later than July 1, the trial court shall prepare, publish on the court's website and provide to the
316 governor, the president of the senate, the speaker of the house of representatives, the clerks of the
317 house and senate, and the chairs of the joint committee on the judiciary, a report containing
318 information on the warrants and judicial orders received by each local and state court of the
319 commonwealth pursuant to this section in the past calendar year. The report shall include, but not
320 be limited to, the date each judicial warrant or judicial order was signed, the judge who issued
321 such judicial warrant or judicial order and the name and location of the court that issued the
322 warrant or order, as shown by such warrant or order, the date the judicial warrant or judicial
323 order was presented to the court, a description of the type of judicial warrant or judicial order
324 and, if known, whether or not an arrest occurred with respect to such warrant and the date and
325 specific location of such arrest.

326 (d) An arrest or detention in violation of this section shall constitute contempt of court
327 and false imprisonment; provided, however, that nothing in this section shall affect any right or

328 defense available to a person, police officer, peace officer or public officer or any court system
329 personnel acting lawfully and in accordance with duties outlined in section 70A of chapter 221.
330 The attorney general is authorized to enforce this chapter, including, but not limited to, through a
331 suit in equity in the superior court.

332 (e) An individual may apply for a writ of habeas corpus if such person has reasonable
333 cause to believe a violation of this section has occurred; and the attorney general may bring a
334 civil action in the name of the people of the commonwealth to obtain appropriate equitable and
335 declaratory relief if the attorney general has reasonable cause to believe that a violation of this
336 section has occurred.

337 (f) Nothing in this section shall be construed to narrow or abrogate rights or privileges
338 against civil arrest that exist under the common law.

339 (g) No action may be commenced pursuant to this section against the judicial branch or
340 any officer or employee of the judicial branch acting lawfully and in good faith, pursuant to such
341 officer's or employee's official duties and in accordance with this chapter and other applicable
342 laws and regulations.

343 (h) Nothing in this section shall be interpreted to require any person, including any state
344 or local law enforcement officer or court officer, to interfere with or assist the actions of a federal
345 official engaged in civil immigration enforcement. Nothing in this section shall be interpreted to
346 confer upon any state or local law enforcement officer the authority, obligation or responsibility
347 to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this
348 section.

349 SECTION 16. Chapter 233 of the General Laws is hereby amended by inserting after
350 section 20B the following section:-

351 Section 20B1/2. For purposes of this section, the following words shall, unless the
352 context clearly requires otherwise, have the following meanings:

353 “Civil arrest”, an arrest that is not for the sole or primary purpose of preparing the person
354 subject to such arrest for criminal prosecution, for an alleged violation of the criminal law of: (A)
355 the commonwealth or another jurisdiction within the United States, for which a sentence of a
356 term of imprisonment is authorized by law; or (B) the United States, for which a sentence of a
357 term of imprisonment is authorized by law, and for which federal law requires an initial
358 appearance before a federal judge, federal magistrate or other judicial officer, pursuant to the
359 federal rules of criminal procedure that govern initial appearances.

360 “Place of worship”, a church, synagogue, mosque or other institution of worship,
361 including, but not limited to, a building rented or used for a religious service during such
362 services.

363 “Religious service”, means a meeting, gathering or assembly of two or more persons
364 organized by a religious organization for the purpose of worship, teaching, training, providing
365 educational services or conducting religious rituals, including, but not limited to, weddings and
366 funerals.

367 A person shall be privileged from civil arrest in any place of worship during a religious
368 service.

369 SECTION 17. Section 9 of chapter 258 of the General Laws, as appearing in the 2024
370 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
371 thereof the following paragraph:-

372 Public employers may indemnify public employees, and the commonwealth shall
373 indemnify persons holding office under the constitution, from personal financial loss, all
374 damages and expenses, including legal fees and costs, if any, in an amount not to exceed
375 \$1,000,000 arising out of any claim, action, award, compromise, settlement or judgment by
376 reason of an intentional tort, or by reason of any act or omission which constitutes a violation of
377 the civil rights of any person under any federal or state law, if such employee or official or
378 holder of office under the constitution at the time of such intentional tort or such act or omission
379 was acting within the scope of his official duties or employment; provided however, that with
380 approval of the public employer, the attorney general, and the secretary of administration and
381 finance, indemnification may exceed \$1,000,000 solely for loss, damages, or expenses, including
382 legal fees and costs, if any, arising directly from an investigation, inquiry, or claim initiated by
383 the federal government concerning acts or omissions within the scope of official duties or
384 employment. No such employee or official, other than a person holding office under the
385 constitution acting within the scope of his official duties or employment, shall be indemnified
386 under this section for violation of any such civil rights or with respect to any federal
387 investigation or inquiry if he acted in a grossly negligent, willful or malicious manner.

388 SECTION 18. Item 4513-1012 of section 2 of chapter 9 of the acts of 2025 is hereby
389 amended by striking out the figure “\$28,600,000”, each time it appears, and inserting in place
390 thereof, in each instance, the following figure:- \$29,200,000.

391 SECTION 19. For fiscal year 2027, the Massachusetts Department of Transportation,
392 with approval by the secretary of administration and finance, may include certain salaries of
393 employees in the department's capital expenditures if such employees are assigned to a capital
394 project or projects in the department's 5-year capital investment plan for the fiscal years 2026
395 through 2031, inclusive, notwithstanding the provisions of section 15 of chapter 6C of the
396 General Laws; provided that prior to the inclusion of any salaries in capital expenditures under
397 this clause, the department shall submit a plan for the approval of the secretary of administration
398 and finance, including: (A) the total amount of salary expenses to be included by the department
399 in capital expenditures; (B) the total number of department employee salaries included in capital
400 expenditures, including a breakdown by division of the position titles, description of capital
401 project-related job responsibilities, and accompanying salaries; (C) the total number of
402 employees of the department assigned to capital projects; (D) a schedule of transportation capital
403 projects where employee salaries are included in capital expenditures; (E) the status of said
404 capital projects; (F) any projected cost savings; (G) the impact of including department employee
405 salaries in capital expenditures on the ability of the department to plan, design, construct and
406 complete transportation capital projects; and (H) a plan, not to exceed 36 months from the date
407 of the plan or the completion date of the capital project to which each listed position is
408 committed, whichever is longer, to restore the salaries related to such positions to the operating
409 budget; provided further, that the department shall prepare a report including items (A) through
410 (G), inclusive, and submit it to the chairs of the house and senate committees on ways and means
411 and the chairs of the joint committee on transportation no later than 30 days after the approval of
412 a plan by the secretary.

413 SECTION 20. The salary adjustments and other economic benefits authorized by the
414 following collective bargaining agreements shall be effective for the purposes of section 7 of
415 chapter 150E of the General Laws:

416 (1) the agreement between the Commonwealth of Massachusetts and the Massachusetts
417 Nurses Association (MNA), Unit 7, effective from January 1, 2025 through December 31, 2027;

418 (2) the agreement between the Barnstable County Sheriff's Office (BCSO) and the
419 Barnstable County Correctional Officers Union (BCCOU), S1B, effective from January 1, 2024
420 through June 30, 2027;

421 (3) the agreement between the Commonwealth of Massachusetts and the International
422 Association of Fire Fighters (IAFF), Local S-28 and S-29, Unit 11, effective from January 1,
423 2025 through December 31, 2027;

424 (4) the agreement between the University of Massachusetts and the New England Police
425 Benevolent Association (NEPBA) Local 190, Amherst Campus, Unit A07, effective from July 1,
426 2024 through June 30, 2027; and

427 (5) the agreement between the Commonwealth of Massachusetts and the Coalition of
428 Public Safety, Unit 5, effective from July 1, 2025 through June 30, 2028.

429 SECTION 21. Notwithstanding any general or special law to the contrary, each licensed
430 child care center, family child care home and school-aged child care program shall adopt a
431 policy, as required by subsection (c) of section 22 of chapter 15D of the General Laws, as
432 inserted by section 5, to be in effect not later than September 1, 2026 or the first day of the 2026-
433 2027 school year, whichever is earlier.

434 SECTION 22. Notwithstanding any general or special law to the contrary, each school
435 district, charter school and collaborative school shall adopt a policy, as required by subsection (c)
436 of section 102 of chapter 71 of the General Laws, as inserted by section 8, to be in effect not later
437 than September 1, 2026 or the first day of the 2026-2027 school year, whichever is earlier.

438 SECTION 23. The department of public health and the department of mental health, in
439 consultation with the attorney general, shall issue a model policy pursuant to subsection (d) of
440 section 249 of chapter 111 of the General Laws, as inserted by section 9, not more than 30 days
441 after the effective date of this act.

442 SECTION 24. Covered healthcare providers shall adopt a provider-specific policy, as
443 required by subsection (c) of section 249 of chapter 111 of the General Laws, as inserted by
444 section 9, not more than 60 days after the effective date of this act.