HOUSE . . . . . No. 5131

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 19, 2026.

The committee on Municipalities and Regional Government, to whom was referred so much of the message from Her Excellency the Governor recommending legislation empowering municipalities and local governments, bill, (House, No. 56) (sections 1-17 inclusive, 20-44 inclusive, 73-82 inclusive, and 87), reports recommending that the accompanying bill (House, No. 5131) ought to pass.

For the committee,

JACK PATRICK LEWIS.

FILED ON: 2/11/2026

HOUSE . . . . . No. 5131

The Commonwealth of Massachusetts

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

An Act empowering municipalities and local governments.

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. Section 7 of chapter 4 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out clause Third A.

SECTION 2. Said section 7 of said chapter 4, as so appearing, is hereby further amended by inserting, after clause Twenty-sixth, the following clause:-

Twenty-sixth A, “Remote participation”, shall mean participation in a meeting of a public body by technological means other than physical presence at the meeting location, including, but not limited to, video conferencing.

SECTION 3. Said section 7 of said chapter 4, as so appearing, is hereby further amended by inserting, after clause Twenty-eighth, the following clause:-

Twenty-ninth, “Select board”, when used in connection with the operation of municipal governments, shall include the mayor of a city and the select board or board of selectmen of a

town unless some other local office is designated as the appointing authority under the provisions of a local charter.

SECTION 4. Section 3 of chapter 17 of the General Laws, as so appearing, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Seven of the appointed members shall be non-providers: (i) 1 of whom shall be appointed by the secretary of aging and independence; (ii) 1 of whom shall be appointed by the secretary of veterans' services; (iii) 1 of whom shall be appointed by the governor from a list of 3 nominated by Health Care For All, Inc.; (iv) 1 of whom shall be appointed by the governor from a list of 3 nominated by the Massachusetts Coalition for the Prevention of Medical Errors, Inc.; (v) 1 of whom shall be appointed by the governor from a list of 3 nominated by The Massachusetts Public Health Association; (vi) 1 of whom shall be appointed by the governor from a list of 3 nominated by the Massachusetts Association of Community Health Worker Network; and (vii) 1 of whom shall be appointed by the governor from a list of 3 nominated by the Coalition for Local Public Health. Whenever an organization nominates a list of candidates for appointment by the governor pursuant to this subsection, the organization may nominate additional candidates if the governor declines to appoint any of those originally nominated.

SECTION 5. Chapter 29 of the General Laws is hereby amended by inserting after section 2NNNNNN, added by section 19 of chapter 73 of the acts of 2025, the following section:-

Section 2OOOOOO. There shall be established and set up on the books of the commonwealth a separate fund known as the Double Pole Municipal Fund. There shall be credited to the fund: (i) all amounts collected pursuant to section 34B of chapter 164; (ii) any

income derived from the investment of amounts credited to the fund; and (iii) other amounts credited or transferred to the fund from any other sources. All amounts credited to the fund shall be held in trust and shall be available for expenditure, without further appropriation, by the department of public utilities in a manner to be determined by said department that shall be equitable, timely and annually distributed to municipalities in compliance with said section 34B of said chapter 164. Any unexpended balance in the fund at the close of a fiscal year shall remain in the fund and shall be available for expenditure, without prior appropriation, in the following fiscal year. No expenditure may be made from the fund that shall cause the fund to be in deficit at any point. Annually, not later than March 30, the department shall submit a report describing the fund's activities during the previous calendar year to the chairs of the joint committee on municipalities and regional government, the chairs of the joint committee on telecommunications, utilities and energy, the house and senate committees on ways and means and the clerks of the house and senate. The department shall publish the report on its website.

SECTION 6. Section 20 of chapter 30A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (d).

SECTION 7. Said chapter 30A is hereby further amended by inserting after section 20 the following section:-

Section 20A. (a) A public body may allow remote participation by any member for any meeting of the public body; provided, however, that if any member participates remotely, all votes taken shall be recorded as roll call votes; provided further, that in a meeting conducted with a quorum participating by physical presence and other members participation remotely, voice votes may be taken upon a motion of the chair and 2/3 of the members present voting in

the affirmative on a roll call vote; provided further, that all members of a public body, whether participating by physical presence or remote participation, shall be clearly audible to one another; and provided further, that for any meeting conducted with remote participation, the public body shall ensure that any party entitled or required to appear before it may do so through remote means, as if the party were a member of the public body participating remotely.

(b) Members remotely participating in a meeting may vote and shall be considered present and in attendance for all purposes, including for purposes of determining a quorum and for the purposes of section 23D of chapter 39.

(c) For any meeting conducted with remote participation, the public body shall make provisions to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means. Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the hybrid meeting. Such means may include, without limitation, providing public access through telephone, internet or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the meeting while the proceedings are occurring. Documents used for any such meeting shall be made available to the public before or at the time of the meeting of the public body. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law, regulation, charter, local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access shall provide for such participation. A public body shall offer its selected alternative means of public access to meetings with remote participation without subscription, toll or similar charge to the public.

(d) The chief executive officer of a municipality shall develop, and the executive body of the municipality shall adopt and approve, standards and guidelines for remote participation prior to any meeting with remote participation held pursuant to this section. Public bodies that are not a department or subdivision of a city or town shall adopt standards and guidelines for remote participation prior to any meeting with remote participation held pursuant to this section.

SECTION 8. Subsection (c) of section 22 of said chapter 30A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Minutes of all open and executive sessions shall be created and approved in a timely manner.

SECTION 9. Section 23 of said chapter 30A, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b)(1) Any individual may file a complaint with a public body alleging violation of the open meeting law; provided, however, that the complaint:

(i) reasonably describes the circumstances constituting the alleged violation;

(ii) is filed with the public body within 20 business days of the date of the alleged violation;

(iii) includes electronic and postal mail contact information for the complainant; and

(iv) is signed by the complainant either in ink or in compliance with chapter 110G.

(2) Complaints shall be deemed received: (i) if filed by electronic mail, on the business day of submission if submitted by 4:00 p.m. and otherwise on the next business day; or (ii) 3 days after mailing via first class postal mail.

(3) A public body must meet to review and respond to a complaint not later than 14 business days after receipt thereof confirming receipt of the complaint and identifying any remedial actions taken or intended to be taken by the public body in response to the complaint; provided, however, that if a complainant files more than 12 complaints with the same public body within the same calendar year, or a complaint is otherwise unduly burdensome, the public body may file a petition with the attorney general seeking relief from the obligation to respond to the complaint. In determining whether to grant an order requiring the public body to respond to the complaint, the attorney general may consider, without limitation, (i) the previous record of compliance or non-compliance by the public body; (ii) the burden placed on the public body in responding to the complaint; (iii) any evidence of harassment or intimidation on the part of the complainant; (iv) the facts of the alleged violation; and (v) the number of complaints filed against the public body or other public bodies within the municipality. The attorney general may authorize an extension of time to the public body for the purpose of taking remedial action upon the written request of the public body and a showing of good cause to grant the extension.

(4) The public body shall, within 14 business days of receipt of a complaint unless granted an extension of time pursuant to paragraph (3), send a copy of the complaint to the attorney general and notify the attorney general of any remedial action.

(5) Any remedial action stated pursuant to paragraph (3) shall not be admissible as evidence against the public body in any subsequent administrative or judicial proceeding related to the alleged violation.

SECTION 10. Said section 23 of said chapter 30A, as so appearing, is hereby further amended by inserting after the word “a”, in line 19, the following words:- petition for review of an open meeting law.

SECTION 11. Section 1 of chapter 30B of the General Law, as so appearing, is hereby amended by striking out, in lines 10 and 11 and 134 and 135, the words “thirty-eight A1/2 to thirty-eight O, inclusive, of chapter seven” and inserting in place thereof, in each instance, the following words:- 44 to 57, inclusive, of chapter 7C.

SECTION 12. Subsection (b) of said section 1 of said chapter 30B, as so appearing, is hereby amended by striking out clause (5) and inserting in place thereof the following clause:-

(5) a contract for the purchase of materials pursuant to the specifications of the division of highways in the Massachusetts Department of Transportation and at prices established by the division, pursuant to advertising and bidding for such purpose, in connection with work to be performed under chapter 81 or chapter 90.

SECTION 13. Said section 1 of said chapter 30B, as so appearing, is hereby further amended by inserting after the word “plowing”, in line 56, the following words:- , snow hauling and snow removal.

SECTION 14. Said section 1 of said chapter 30B, as so appearing, is hereby further amended by striking out, in line 109, the words “subclause (r)” and inserting in place thereof the following words:- subclause (s).

SECTION 15. Section 3 of said chapter 30B, as so appearing, is hereby amended by striking out, in line 2, the figure “$10,000” and inserting in place thereof the following figure:- $25,000.

SECTION 16. Section 4 of said chapter 30B, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) Except as permitted pursuant to this section and section 7, for the procurement of a supply or service for a governmental body in the amount of $10,000 or greater, but not to exceed $100,000, a procurement officer shall seek written quotations from not fewer than 3 persons customarily providing the supply or service. The procurement officer shall record the: (i) names and addresses of all persons from whom quotations were sought; (ii) purchase description used for the procurement; (iii) names of the persons submitting quotations; and (iv) date and amount of each quotation. Such information shall be retained in the file required pursuant to section 3. A governmental body may require that any procurement for the governmental body in an amount of not more than $100,000 shall be subject to section 5 or section 6.

SECTION 17. Said section 4 of said chapter 30B, as so appearing, is hereby further amended by striking out, in line 21, the figure “$10,000” and inserting in place thereof the following figure:- $25,000.

SECTION 18. Section 5 of said chapter 30B, as so appearing, is hereby amended by striking out, in lines 2 to 4, inclusive, the words “$50,000 or, in the case of a municipal or regional school district, award of procurement contracts in the amount of more than $100,000,” and inserting in place thereof the following figure:- $100,000.

SECTION 19. Said section 5 of said chapter 30B, as so appearing, is hereby further amended by striking out, in lines 37 to 39, inclusive, the words “on the COMMBUYS system administered by the operational services division” and inserting in place thereof the following words:- through additional means reasonably considered to notify the public of the opportunity.

SECTION 20. Said section 5 of said chapter 30B, as so appearing, is hereby further amended by striking out, in lines 40 and 41, the words “$50,000, or, for a municipal or regional school district, more than”.

SECTION 21. Said section 5 of said chapter 30B, as so appearing, is hereby further amended by striking out, in lines 67 to 69, inclusive, the words “the provisions of section eleven A½ of chapter thirty A, section nine G of chapter thirty-four or section twenty-three B of chapter thirty-nine” and inserting in place thereof the following words:- sections 18 to 25, inclusive, of chapter 30A.

SECTION 22. Section 6 of said chapter 30B, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “$50,000, or, a municipal or regional school district, more than”.

SECTION 23. Section 6A of said chapter 30B, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “$50,000, or, a municipal or regional school district, more than”.

SECTION 24. Section 7 of said chapter 30B, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “$50,000, or, a municipal or regional school district, more than”.

SECTION 25. Section 15 of said chapter 30B, as so appearing, is hereby amended by striking out, in line 21, the figure “$10,000” and inserting in place thereof the following figure:- $25,000.

SECTION 26. Section 16 of said chapter 30B, as so appearing, is hereby amended by striking out, in line 46, the words “forty J of chapter seven” and inserting in place thereof the following words:- 38 of chapter 7C.

SECTION 27. Section 17 of said chapter 30B, as so appearing, is hereby amended by striking out, in line 1, the figure “$10,000” and inserting in place thereof the following figure:- $25,000.

SECTION 28. Section 18 of said chapter 30B, as so appearing, is hereby amended by striking out the definition of “Disadvantaged vendor” and inserting in place thereof the following definition:-

“Disadvantaged vendor”, a business beneficially owned by at least 1 minority person as provided in the definition of “Minority-owned business” in subsection (b) of section 6 of chapter 7C or any business beneficially owned by at least 1 woman as provided in the definition of “Women-owned business” in said subsection (b) of said section 6 of said chapter 7C.

SECTION 29. Said chapter 30B is hereby further amended by striking out section 22 and inserting in place thereof the following section:-

Section 22. A public procurement unit may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of supplies or services with public procurement units or external procurement activities in accordance with an agreement entered

into between the participants. The public procurement unit conducting the procurement of supplies or services shall do so in a manner that constitutes a full and open competition.

Notwithstanding any general or special law to the contrary, a public procurement unit that conducts a cooperative purchasing agreement pursuant to this section in a manner that constitutes full and open competition may award contracts to multiple offerors through a single request for proposals if the chief procurement officer for the awarding public unit determines that doing so is in the best interests of the parties to the cooperative purchasing agreement.

SECTION 30. Chapter 39 of the General Laws is hereby amended by inserting after section 10A the following section:-

Section 10B. (a) In a town having a representative town meeting form of government, the town moderator may request that the select board authorize remote participation for a town meeting. Such a request by the moderator to the select board shall be in writing and shall include, but not be limited to: (i) the moderator's request to incorporate remote participation in 1 or more upcoming town meetings; (ii) the technology to be used to implement remote participation; and (iii) certification by the moderator that: (A) the local disability commission or coordinator has been consulted regarding the proposed remote participation method and reasonable concerns, if any, have been addressed; (B) the moderator has successfully tested the remote participation method; and (C) the remote participation method satisfactorily enables the town meeting to be conducted in substantially the same manner as if the meeting occurred in-person only and in accordance with the operational and functional requirements set forth in this section.

(b)(1) A decision to authorize remote participation for a town meeting shall be made by a select board not later than 10 business days prior to the town meeting or not later than 10 business days following receipt of a written request by the moderator, whichever is earlier.

(2) Not later than 3 business days following a decision to authorize remote participation for a town meeting, the select board shall issue adequate notice of a remote participation option to all town meeting members and known interested parties with business before the town meeting, consistent with applicable local rules and practices governing such notice, and the public; provided, however, that the notice shall include, but not be limited to, the date and time of the meeting and information necessary to request remote participation access, consistent with subsection (d) of this section; and provided further, that the notice shall be accompanied by the written request of the moderator submitted under subsection (a) of this section and filed and posted in accordance with subsection (b) of section 10A of chapter 39.

(c) A remote participation method used by a town meeting for remote participation under this section shall: (i) strictly limit voting to only those confirmed by the town clerk to be eligible to vote at that meeting; provided, however, that each person deemed eligible to vote shall be provided with appropriate physical or technological participation credentials designed to allow remote participation of all eligible voters, establish regularity in administration and minimize inaccurate results or fraud; and (ii) enable:

(A) the moderator, town meeting members, town officials and any other interested parties to identify and hear the moderator and each speaker recognized by the moderator, whether participating remotely or in person;

(B) the moderator to determine whether a quorum is present;

(C) a town meeting member, town official or other individual authorized to participate in the meeting to request recognition by the moderator without prior authorization, consistent with applicable town meeting rules, bylaws, ordinances, charter provisions or special acts; provided, however, that to the extent technologically feasible, the request shall be visible or audible to the town meeting and the public in real time and upon review of the recording of the town meeting proceedings, consistent with clause (H) of this subsection;

(D) the moderator to determine when a town meeting member or other individual wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent, whether participating remotely or in person;

(E) the moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak, whether participating remotely or in person;

(F) the moderator to conduct a recorded roll call vote; provided, however, that all roll call votes shall be kept with the minutes of the meeting and preserved in accordance with clause (H) of this subsection;

(G) any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting, consistent with applicable town meeting rules, bylaws, ordinances, charter provisions or special acts; and

(H) the town meeting to be recorded; provided, however, that the recording shall be preserved and made publicly available on the town's website for not less than 90 days after the dissolution of the town meeting and until the official minutes of the meeting have been prepared by the town clerk.

(d) An individual seeking to participate remotely in a town meeting shall submit a remote participation request to the town clerk not less than 48 hours in advance of the meeting. Upon receipt of the request and, in consultation with the town moderator as applicable, verification of the requester's eligibility to participate in the town meeting, the town clerk shall provide appropriate remote participation credentials, instructions and materials.

SECTION 31. Section 5B of chapter 40 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the words "chapter 44B", in line 42, the following words:- ; provided, however, that for purposes of this paragraph, a receipt shall include amounts assessed pursuant to section 10 of chapter 60A.

SECTION 32. Section 42A of said chapter 40, as so appearing, is hereby amended by inserting after the word "deeds", in line 5, the following words:- and files a copy of said certificate with the collector of taxes of the city or town in which the lien hereinafter mentioned is to take effect.

SECTION 33. Said chapter 40 is hereby further amended by adding the following section:-

Section 72. Cities, towns and districts shall report a known cybersecurity incident, as defined through regulation by the secretary of technology services and security, to the commonwealth security operations center, in a manner prescribed by the executive office of technology services and security. Reporting shall take place as soon as practicable, but no later than at the conclusion of the risk assessment process. Reports shall not include any information that would jeopardize attorney-client privilege nor any information that would have a demonstrated impact on the defense and management of any liability claims, including litigation

or demand for damages. Nothing in this section shall satisfy a city, town or district's reporting requirements under chapter 93H. The executive office of technology services and security shall promulgate regulations to implement this section.

SECTION 34. Chapter 40Q of the General Laws is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. (a) The city or town may retain all or part of the tax increment of an invested revenue district for the purpose of financing the development program. When a development program for an invested revenue district is adopted, the city or town shall adopt a statement of the percentage of tax increment to be retained in accordance with the development program. The statement of percentage may establish a specific percentage or percentages or may describe a method or formula for determination of the percentage. The assessor shall certify the amount of the tax increment to the city or town each year.

(b) On or after the formation of an invested revenue district, the assessor of the city or town in which it is located shall, on request of the city or town, certify the original assessed value of the taxable property within the boundaries of the invested revenue district on the base date. Each year, after the formation of an invested revenue district, the assessor of the city or town shall certify the amount of the new growth adjustment to the levy limit of the city or town, as certified by the commissioner of revenue, that is attributable to parcels within the district.

(c) If a city or town has elected to retain all or a percentage of the retained tax increment pursuant to subsection (a), the city or town shall:

(i) establish a development program fund that consists of: (A) a development debt service fund account that is pledged to and charged, without further appropriation, with the payment of

the interest and principal as the interest and principal fall due and the necessary charges of paying interest and principal on any notes, bonds or other evidences of indebtedness that were issued to fund or refund the costs of the development program fund; and (B) a project cost account that is pledged to and charged, without further appropriation, with the payment of project costs as outlined in the financial plan and paid in a manner other than as described in subclause (A);

(ii) set aside annually all tax increment revenues and deposit all such revenues in the appropriate development program fund account in the following priority: (A) to the development debt service fund account, an amount sufficient, together with estimated future revenues to be deposited to the account and earnings on the amount, to satisfy all annual debt service on bonds and notes issued pursuant to section 4 and the financial plan; and (B) to the project cost account, an amount sufficient, together with estimated future revenues to be deposited to the account and earnings on the amount, to satisfy all annual project costs to be paid from the account;

(iii) make any transfers between development program fund accounts as required; provided, however, that the transfers shall not result in a balance in the development debt service fund account that is insufficient to cover the annual obligations of that account; and

(iv) annually return to the general fund of the city or town any tax increment revenue in excess of those estimated to be required to satisfy the obligations of the development debt service fund account.

(d) Notwithstanding any provision of this chapter to the contrary, the requirement to reserve funds pursuant to subsection (c) shall terminate when sufficient monies have been set

aside to cover the full, anticipated liabilities of the development debt service fund account and the project cost account.

SECTION 35. Section 1B of chapter 41 of the General Laws, as appearing in 2024 Official Edition, is hereby amended by adding the following paragraph:-

In any town that accepts this paragraph, the positions of appointed town treasurer and appointed collector of taxes shall be combined into 1 position and become an appointed position in the manner provided in this section. Any incumbent of such office serving at the time of acceptance shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was appointed or until said individual otherwise vacates such office.

SECTION 36. Section 23A of said chapter 41, as so appearing, is hereby amended by striking out, in line 3, the words “one or three” and inserting in place thereof the following words:- not less than 1 year but not more than 5.

SECTION 37. Section 30B of said chapter 41, as so appearing, is hereby amended by adding the following subsection:-

(e) The provisions of this section may be used by a city or town for any joint or cooperative services incumbent upon any local officer contained within section 1, excepting assessors and members of the select board and school committee.

SECTION 38. Said chapter 41 is hereby further amended by inserting after section 30B the following section:-

Section 30C. (a) Notwithstanding any general or special law, charter provision, local by-law, ordinance or vote to the contrary, in any municipality that accepts this section, the chief executive officer of the municipality may, on behalf of the municipality, enter into an agreement with 1 or more municipalities to form a regional board of assessors. The regional board of assessors shall have all the powers and responsibilities outlined in the General Laws for local boards of assessors and shall assume all the activities and undertakings of the local board of assessors for each member municipality.

(b) The agreement shall provide for:

(i) the division, merger or consolidation of administrative functions between or among the parties;

(ii) the financing of the joint undertaking;

(iii) the rights and responsibilities of the parties with respect to the direction and supervision of the work to be performed and with respect to the administration of the regional board of assessors office, including the receipt and disbursement of funds, the maintenance of accounts and records and the auditing of accounts;

(iv) annual reports of the regional board of assessors to the constituent parties;

(v) the duration of the agreement and procedures for amendment, withdrawal or termination thereof; and

(vi) any other necessary or appropriate matter as agreed to by the chief executive officer of the municipality.

(c) With the approval of the member municipalities, the regional board of assessors may appoint assistant assessors pursuant to section 25A. Member municipalities may, in their individual capacity, employ a local assessor and support staff who shall be responsible for estimating the value of the real and personal estate for such municipality and who shall report to the regional board of assessors. Otherwise, member municipalities may permit the regional board of assessors to hire a regional assessor or assessors and support staff who shall be responsible for estimating the value of the real and personal estate in each such municipality and who shall report to the regional board of assessors. A municipality may become a party to an existing agreement with the approval of a majority of the other member municipalities.

(d) An agreement pursuant to this section may also provide for the employment of necessary staff to perform administrative functions. Any joint costs associated with the regional board of assessors shall be identified in the agreement and subject to appropriation by each member municipality and accounted for in accordance with the procedures identified in section 4A of chapter 40. Subject to the rules and regulations established by the commissioner of revenue pursuant to section 1 of chapter 58, the agreement shall provide for qualifications, terms and conditions of employment for the members of the regional board of assessors and employees of the office. The agreement may provide for inclusion of the regional board of assessors employees in insurance, retirement programs and other benefit programs of 1 of the member parties, but all parties to the agreement shall pay a proportionate share of the current and future costs of benefits associated with the appointment or employment of all persons performing services for them during the duration of the agreement. A municipality who is a party to such an agreement shall include employees under the agreement in such programs in accordance with the terms of the agreement.

(e) Unless otherwise agreed to by all member municipalities, the number of persons on the regional board of assessors shall be at least equal to the number of member municipalities. Unless otherwise agreed to by all member municipalities, each municipality shall have at least 1 person appointed by the chief executive officer of that municipality to the regional board of assessors. The number of assessors on the regional board of assessors may exceed the number of member municipalities if so agreed and such an agreement shall provide for the appointment of such additional board members. Any vacancies shall be filled by the applicable member municipality forthwith, who may also appoint a temporary member to the regional board of assessors until such time that a permanent replacement is appointed unless a different process is agreed to by all member municipalities.

(f) Unless otherwise designated in the agreement, an agreement made pursuant to this section shall go into effect on the first day of the fiscal year after this section has been accepted and the agreement has been finalized by all member municipalities; provided, however, no agreement or amendment to an agreement made pursuant to this section shall take effect until it has been approved in writing by the commissioner of revenue.

(g) Notwithstanding any general or special law, charter provision, local by-law or ordinance to the contrary, once in effect, the local board of assessors of the member municipalities, whether elected or appointed, shall be considered abolished. Any incumbent of the local board of assessors serving at the time of acceptance shall continue to hold said office and to perform the duties thereof until the effective date as described in subsection (f).

SECTION 39. Section 7 of chapter 44 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “land”, in line 21, the following words:- , improvement to real estate or waterways.

SECTION 40. Said section 7 of said chapter 44, as so appearing, is hereby further amended by inserting after the word “years”, in line 22, the following words:- and be owned or leased by the city or town or on property owned or leased by the city or town.

SECTION 41. Said section 7 of said chapter 44, as so appearing, is hereby further amended by inserting after the word “land”, in line 23, the following words:- , improvement to real estate or waterways.

SECTION 42. Said section 7 of said chapter 44, as so appearing, is hereby further amended by adding the following paragraph:-

Notwithstanding the foregoing provisions of this section and section 16 of chapter 71, indebtedness for constructing and reconstructing a school facility for the education of school children, or any other building that is used for a municipal purpose, shall be payable not to exceed 40 years.

SECTION 43. Section 21A of said chapter 44, as so appearing, is hereby amended by inserting after the word “town”, in line 2, the following words:- , the school committee of a regional school district.

SECTION 44. Said section 21A of said chapter 44, as so appearing, is hereby further amended by inserting after the word “town”, in line 4, the following words:- , regional school district.

SECTION 45. Said section 21A of said chapter 44, as so appearing, is hereby further amended by inserting after the word “town”, in line 69, the following words:- , the school committee of a regional school district.

SECTION 46. Section 31 of said chapter 44, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding the foregoing provisions of this section, section 23 of chapter 59 or any other general or special law to the contrary, a city or town may amortize over the subsequent 3 fiscal years, in equal installments or more rapidly, the amount of its current fiscal year major disaster related deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality’s next fiscal year tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this paragraph.

SECTION 47. The sixth paragraph of section 32 of said chapter 44, as so appearing, is hereby amended by adding the following sentence:- The amounts in the continuing appropriation budget shall, without further action by the council, become an appropriation and be available for the purposes specified; provided, however, that the purposes contained therein shall not include any item or undertaking not considered in the prior fiscal year.

SECTION 48. Said chapter 44, as so appearing, is hereby further amended by striking out section 53A and inserting in place thereof the following section:-

Section 53A. A city council, with the mayor’s approval, if a charter so provides, or a select board, or prudential committee or town council may, in its sole discretion and authority,

accept grants or gifts of funds on behalf of the city, town or district from the federal government, a charitable foundation, private corporation, individual or from the commonwealth or any political subdivision thereof, and may, in its sole discretion and authority, expend the grants or gifts of fund, without specific appropriation thereof, for the purpose of such grant or gift or, if no restrictions are attached thereto, for such other purposes as it deems advisable. In the case of any grant or gift given for educational purposes, the school committee may accept grants or gifts of funds and expend the gifts or grants of funds, without specific appropriation thereof, for the purpose of such grant or gift or, if no restrictions are attached thereto, for such other purposes as it deems advisable.

Expenditure of grants or gifts of funds may be made by an appropriate officer or department, without specific appropriation thereof, as authorized by the acceptor of the grant or gift. In the case of grants from the federal government or from the commonwealth, a county or municipality or agency or instrumentality thereof, upon receipt of an agreement from the grantor to provide advance payment or reimbursement to the city, town or district, the officer or department may spend the amount of the advance payment, or the amount to be reimbursed, for the purposes of the grant, subject to the approvals required pursuant to this section. Any advance payment or reimbursement shall be applied to finance the grant expenditures; provided, however, that any expenditures outstanding at the close of the fiscal year after the fiscal year in which the grantor approved the agreement shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor.

Notwithstanding the provisions of section 53, any amounts so received shall be deposited with the treasurer of such city, town or district and held as a separate account and may be expended as aforesaid without further appropriation. If the express written terms or conditions of the grant agreement so stipulate, interest on the grant funds may remain with and become a part of the grant account and may be expended as part of the grant without further appropriation. Any grant, subvention or subsidy for educational purposes received by a city, town or school district from the federal government may be expended by the school committee of such city, town or district without including the purpose of such expenditure in, or applying such amount to, the annual budget or any supplemental budget or appropriation request of such committee; provided, however, that this sentence shall not apply to amounts so received to which section 26C of chapter 71, chapter 621 of the acts of 1953, as amended, and chapter 664 of the acts of 1958, as amended, apply; and provided further, that notwithstanding the foregoing provision, this sentence shall apply to amounts so received as grants under the Elementary and Secondary Education Act of 1965, (Public Law 89–10).

After receipt of a written commitment from the federal government approving a grant for educational purposes and in anticipation of receipt of such funds from the federal government, the treasurer, upon the request of the school committee, shall pay from the general fund of such municipality compensation for services rendered and goods supplied to such federal grant programs, such payments to be made no later than 10 days after the rendition of such services or the supplying of such goods; provided, however, that the provisions of such federal grant would allow the treasurer to reimburse the general fund for the amounts so advanced.

SECTION 49. Section 53E½ of said chapter 44, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Interest earned on any revolving fund balance shall be treated as general fund revenue of the city or town. No revolving fund may be established under this section for receipts of a municipal water or sewer department, municipal hospital, cable television access service or facility or for receipts reserved by law or as authorized by law for expenditure for a particular purpose.

SECTION 50. The fourth paragraph of said section 53E½ of said chapter 44, as so appearing, is hereby amended in by striking out the first sentence and inserting in place thereof the following sentence:- The city or town shall, on or before July 1 of the fiscal year to which it shall first apply, vote on the total amount that may be expended from each revolving fund established under this section during any fiscal year.

SECTION 51. Section 53F½ of said chapter 44, as so appearing, is hereby amended by inserting after the word “care”, in line 5, the following words:- , landfill, broadband-only municipal light plant.

SECTION 52. Section 53F¾ of said chapter 44, as so appearing, is hereby amended by striking out, in lines 2 and 3, the word “section” and inserting in place thereof the following word:- paragraph.

SECTION 53. Said section 53F¾ of said chapter 44, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

Notwithstanding section 53 or any other general or special law to the contrary, a municipality that accepts this paragraph may establish in the treasury a separate revenue account to be known as the PEG Access and Cable Related Fund, into which may be deposited funds received in connection with a franchise agreement between a cable operator and the

municipality. Monies in the fund shall only be expended by the board, commission, committee, department or officer designated by the issuing authority as defined in section 1 of chapter 166A, without further appropriation, for cable-related purposes consistent with the franchise agreement, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitor compliance of the cable operator with the franchise agreement; or (iii) prepare for renewal of the franchise license.

Notwithstanding section 4B of chapter 4, section 53F1/2 or any other general or special law to the contrary, any municipality that has accepted section 53F1/2 and established an enterprise fund for PEG Access and Cable related receipts, and subsequently accepts the prior paragraph, may vote to revoke its acceptance of section 53F1/2 at any time.

SECTION 54. Said chapter 44, as so appearing, is hereby further amended by inserting after section 73 the following section:-

Section 74. Notwithstanding any general or special law to the contrary, any funds received by a city or town from the commonwealth for the construction and reconstruction of municipal ways, as described in clause (b) of the second paragraph of section 4 of chapter 6C, shall be spent without further appropriation for said purposes. With the approval of the chief executive officer, and not in excess of the amount contained within a preliminary notice provided to the city or town from the commonwealth concerning such funds, such amounts may be spent in anticipation of receiving such funds and spent only for qualifying purposes. Any such expenditures not reimbursed and outstanding at the close of the fiscal year in which expenditure was made shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who

shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor.

SECTION 55. Section 5 of chapter 44B of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting, in line 109, after the word “town” the following words:- without a two-thirds vote of the legislative body or.

SECTION 56. Chapter 66 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after section 8B the following section:-

Section 8C. (a) For the purposes of this section, the terms “information governance plan” or “IG plan” shall mean a comprehensive set of protocols for the efficient retention and routine disposal of documents and data existing in any format or medium, whether or not said documents and data are deemed public records as defined in clause twenty-sixth of section 7 of chapter 4.

(b) Each agency and municipality subject to the requirements of this chapter with regard to public records shall create, implement, maintain and enforce a comprehensive information governance plan, including, at minimum, protocols for: storage, naming, privacy, security, routine disposal and methods for halting that disposal when necessary, and appropriate sharing of documents and data existing in any format or medium.

(c) The IG plan shall comply with the state records retention schedule published and maintained by the secretary of the commonwealth.

(d) The IG plan shall itself be a public record; provided, however, that any portions thereof protected from disclosure by 1 of the exemptions set forth in clause twenty-sixth of section 7 of chapter 4 may be redacted prior to production.

(e) The attorney general shall enforce the provisions of this section.

SECTION 57. Section 10 of said chapter 66, as so appearing, is hereby amended by striking out, in lines 96-98, the words “, and the requests are not intended for the broad dissemination of information to the public about actual or alleged government activity”.

SECTION 58. Section 7C of chapter 71 of the General Laws, as appearing in the 2024 Official Edition, is hereby repealed.

SECTION 59. Section 16B1/2 of said chapter 71 of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If the unencumbered amount in the excess and deficiency fund, so called, of a regional school district at the end of a fiscal year exceeds 5 per cent of its operating budget and its budgeted capital costs for the succeeding fiscal year, the amount in excess of the said 5 per cent shall be applied by the regional school district committee to reduce the amount to be raised by assessment on the member cities and towns in accordance with the terms of the agreement for apportionment of costs. The commissioner of revenue shall certify the unencumbered amount in the excess and deficiency fund, so called, of a regional school district, and the amount, if any, by which it exceeds 5 per cent of the district’s operating budget and its budgeted capital costs for the succeeding fiscal year, at the end of each fiscal year and shall report such amount to the regional district school committee, the board of selectmen in each member town and the city council in each member city by December 1 of each year. The regional district school committee shall submit all information necessary to perform said certification to the commissioner of revenue at the close of each fiscal year but no later than October 31. The regional school district

treasurer shall recertify the amounts reapportioned in the current fiscal year to the treasurers of the several towns within thirty days from the date on which the regional district school committee votes to reduce the amounts to be raised by assessment. If the recertification is made after the annual town meeting referred to in the first paragraph of section 16B, the amount recertified shall be considered an amendment to the amount required to have been appropriated at that meeting without the necessity for further action by the member city or town, and, if the annual assessment of taxes has not been made, the town assessors shall include only the amount so recertified in making the annual assessment of taxes under the provisions of section 23 of chapter 59. Otherwise, the regional district school committee shall include the amount in excess of the 5 per cent as a revenue source for the subsequent fiscal year and the amount shall be credited and apportioned to each member municipality in accordance with the terms of the agreement for apportionment of costs.

SECTION 60. Section 1 of chapter 94C of the General Laws, as so appearing, is hereby amended by inserting, in line 128, after the word “substances”, the following words:- ; provided, however, that said testing equipment shall not include fentanyl test strips or any testing equipment or device solely used, intended for use or designed to be used to determine whether a substance contains fentanyl or its analogues.

SECTION 61. Said chapter 94C, as so appearing, is hereby further amended by inserting after section 19F the following new section:-

Section 19G. Any person who, in good faith, provides, administers or utilizes a fentanyl test strip or any testing equipment or device solely used, intended for use or designed to be used to determine whether a substance contains fentanyl or its analogues shall not, as a result of the

person’s acts or omissions, be subject to any criminal or civil liability or any professional disciplinary action; provided, however, that this section shall not apply to acts of gross negligence or willful or wanton misconduct.

SECTION 62. Section 33 of chapter 138 of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the figure “10:00” and inserting in place thereof the following figure:- 8:00.

SECTION 63. Section 28A of chapter 151A of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(e) with respect to services described in subsections (a) and (b) that are provided to or on behalf of an educational institution, benefits shall not be paid to any individual under the same circumstances as described in subsections (a) through (c), inclusive.

SECTION 64. Subsection (d) of section 29 of said chapter 151A, as so appearing, is hereby amended by adding the following paragraph:-

(7) Notwithstanding any of the foregoing provisions of this subsection, the amount of benefits otherwise payable to an individual for any week that begins in a period with respect to which such individual is receiving governmental or other pension, retirement or retired pay, annuity, or any other similar periodic payment from a defined benefit plan that is based on the previous work of such individual for the separating employer or for a base period employer shall be reduced by an amount equal to 65 per cent of the amount of such payment that is reasonably attributable to such week; provided, however, that such reduction shall apply only when such separating or base period employer employed the individual for at least 75 per cent of the individual’s total length of service on which the defined benefit plan is based; and, provided

further, that such reduction shall apply only if, and to the extent, the reduction is then consistent with section 3304(a)(15) of the Internal Revenue Code of 1954. Payments received under the Social Security Act shall not be subject to this paragraph.

SECTION 65. Chapter 164 of the General Laws is hereby amended by striking out section 34B and inserting in place thereof the following section:-

Section 34B. (a) As used in this section, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

"Attacher", any person, distribution company, telecommunications company, utility, municipality or any other entity that attaches any line, wire or equipment to any pole.

"Attachment", a wire, cable or other utility equipment.

"Double pole", the condition in which 2 poles stand in immediate proximity during pole replacement, consisting of: (i) a newly installed replacement pole; and (ii) an existing pole that remains to support attached wires, cables or equipment pending their transfer to the replacement pole by the stakeholders.

"Owner", any distribution company, utility, or other entity that is legally responsible for the installation, maintenance, and removal of a pole.

"Pole", a utility pole to which at least one attachment is affixed.

"Stakeholder", an attacher or owner.

"Utility pole database", NJUNS, the National Joint Utilities Notification System, its successor or another equivalent notification system and database agreed to by the double pole working group established in this section.

(b) A stakeholder shall have an active account with the utility pole database that is regularly monitored by a designated individual within the stakeholder's organization; provided, however, that if the database designee's affiliation with the organization substantially changes or terminates for any reason, the organization shall replace the designee not more than 3 business days after the previous designee's departure.

(c) When the installation of a new pole creates a double pole, the new pole owner shall, not later than 7 days after the installation: (i) register the double pole in the utility pole database; (ii) notify all attachers of their obligations to transfer their respective attachments to the new pole; provided, however, that if the new pole owner does not own the existing pole, the new pole owner shall notify the existing pole owner of the transfer obligations; and provided further, that the existing pole owner shall notify the attachers on the existing pole of their transfer obligations not later than 7 days after receipt of notice from the new pole owner; and (iii) send copies of notices to the department not later than 7 days after issuance.

(d) Not later than 90 days after a double pole is registered in the utility pole database or a preceding stakeholder on an existing pole completes its obligation under this section, a stakeholder shall: (i) transfer their attachment to the new pole; (ii) remove the existing pole; or (iii) both, as applicable; provided, however, that if the stakeholder is responsible for the final attachment transfer and the physical removal of the old pole, the stakeholder shall have 150 days to complete both tasks. Not later than 7 days after a stakeholder completes their obligation under

this subsection, the stakeholder shall update the pole's respective ticket in the utility pole database with written and visual confirmations of the completion.

(e)(1) A stakeholder that fails to satisfy an obligation under this section shall be liable for a civil penalty of $100, plus an additional civil penalty of $100 for each 30-day period or portion thereof during which the obligation remains incomplete; provided, however, that the department may waive a penalty consistent with subsection (f).

(2) Civil penalties collected under this subsection shall be deposited in the Double Pole Municipal Fund established in section 2OOOOOO of chapter 29. The attorney general may file a civil action in superior or district court in the name of the commonwealth to recover penalties owed pursuant to this subsection.

(3) A municipality shall not be subject to civil penalties for failure to satisfy an obligation under this section; provided, however, that a municipality that remains out of compliance with an obligation under this section for more than 120 days after a double pole is registered in the utility pole database shall be ineligible to receive funds from the Double Pole Municipal Fund established in section 2OOOOOO of chapter 29 for 1 year following the expiration of the 120-day compliance period.

(f) The department shall:

(i) routinely monitor stakeholder compliance with this section;

(ii) ensure stakeholders have sufficient and appropriate access to the utility pole database; provided, however, that stakeholders' confidential and proprietary information shall be

protected; and provided further, that the department shall explore potential enhancements to the database as needed to reduce delays in the transfer and removal of double poles;

(iii) offer independent problem-solving assistance to parties engaged in double pole removals;

(iv) resolve any disputes between stakeholders regarding stakeholder obligations under this section, as requested by 1 or more stakeholders through a conference among the involved parties; provided, however, that a stakeholder may initiate a conference request when it disputes information in the utility pole database indicating that the stakeholder is the next party required to complete a transfer; provided further, that a conference request shall be submitted in a form and manner designated by the department; provided further, that a stakeholder shall submit a conference request not later than 45 days after its double pole obligation arises under this section; provided further, that a stakeholder shall set forth in the conference request sufficient information to justify the need for a conference; provided further, that the department shall issue a conference determination in writing to the involved stakeholders; provided further, that the conference determination shall be the final decision of the department, made in the department's sole discretion; and provided further, that a stakeholder that does not request a conference under this clause shall not waive any defense to an enforcement action but shall be ineligible for relief under this subsection until the stakeholder completes the transfer or the dispute is otherwise resolved;

(v) timely issue a civil penalty notice to a noncompliant stakeholder; provided, however, that such notice shall include information about the specific pole or poles at issue and the appeal process available to the stakeholder, consistent with clause (vii);

(vi) collect assessed civil penalties from stakeholders; provided, however, that the department shall refer stakeholder nonpayment to the attorney general for enforcement;

(vii) create and maintain a civil penalty appeal process; provided, however, that the appeal process shall offer a stakeholder the opportunity to request, in writing and within 30 days of the civil penalty notice issued under clause (iii), a hearing to contest the penalty; provided further, that the department shall waive a civil penalty upon a showing by the stakeholder that circumstances beyond the stakeholder's control rendered timely completion of its obligation under this section infeasible; provided further, that such circumstances shall include, but shall not be limited to, extreme weather events, municipal work projects and noncompliance by another stakeholder; and provided further, that if noncompliance by another stakeholder is the department's determination, the department shall assess the civil penalty against the responsible party;

(viii) maintain open communication with stakeholders, including but not limited to education and outreach efforts;

(ix) manage public inquiries and complaints regarding double poles, including but not limited to attachment transfers;

(x) annually, not later than March 30, prepare a report regarding double pole activity in the commonwealth during the previous calendar year, including, but not limited to, the number and status of double poles in each municipality, the length of time the double poles have existed and the stakeholders responsible for delays in double pole resolution; provided, however, that the report shall be submitted to the chairs of the joint committee on municipalities and regional government, the chairs of the joint committee on telecommunications, utilities and energy, the

house and senate committees on ways and means and the clerks of the house and senate; and provided further, that the department shall publish the report on its website; and

(xi) promulgate rules and regulations to implement this section.

(g) There shall be a permanent double pole working group consisting of the following members: (i) the commissioner of the department of public utilities or a designee, who shall serve as chair; (ii) the commissioner of the department of telecommunications and cable or a designee; (iii) the attorney general or a designee; (iv) the executive director of the Massachusetts Municipal Association, Inc. or a designee; (v) the executive director of the Massachusetts Public Interest Research Group, Inc. or a designee; (vi) 1 member appointed by the president of the senate, who shall represent a non-municipal electricity company operating in the commonwealth; (vii) 1 member appointed by the speaker of the house of representatives, who shall represent a non-municipal cable company operating in the commonwealth; (viii) 1 member appointed by the minority leader of the senate, who shall represent a municipal electricity company operating in the commonwealth; (ix) 1 member appointed by the minority leader of the house of representatives, who shall represent a local cable company; (x) 1 member appointed by the house chair of the joint committee on municipalities and regional government, who shall represent a labor organization supporting utility workers in the commonwealth; and (xi) 1 member appointed by the senate chair of the joint committee on municipalities and regional government, who shall have experience in local public safety or local public works. The working group shall promote collaboration between stakeholders involved in attachment transfers and serve as an informational resource for interested parties. The working group may make recommendations to the legislature about proposed changes to this section.

SECTION 66. Section 17 of chapter 268A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

This section shall not prevent a municipal employee from receiving or requesting compensation from, or acting as an agent or attorney for, the employee's municipality and 1 or more other governmental units, as defined by section 4A of chapter 40, in connection with an intermunicipal agreement under said section 4A of said chapter 40; provided, however, that the employee is acting within the scope of the employee's duties under the intermunicipal agreement.

SECTION 67. Notwithstanding section 20 of chapter 44 of the General Laws or any other general or special law to the contrary, a community who reserved or used a debt excluded premium for capital shall account for said premium on the debt excluded borrowing without adjustment to the debt exclusion.

SECTION 68. Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, any city or town may, upon the approval of the chief executive officer, establish in the treasury a separate revenue account into which shall be deposited the monies received pursuant to section 25B of chapter 54 of the General Laws and chapter 111 of the acts of 2014. Said special account shall be established by the municipal treasurer in the municipal treasury and shall be kept separate and apart from other monies. Monies in any special account shall be expended at the direction of the chief executive officer without further appropriation only for the purposes for which the monies were received.

SECTION 69. Not later than 90 days after the effective date of this act, the attorney general shall develop and publish best practices for remote participation of public bodies consistent with this act.

SECTION 70. Not later than 180 days after the effective date of this act, the department of public utilities shall promulgate rules and regulations to implement section 34B of chapter 164 of the General Laws.

SECTION 71. A stakeholder's transfer obligation for a double pole created prior to the effective date of section 65 shall be provided a 365-day extension to satisfy such transfer obligation.

SECTION 72. Not later than January 31, 2028, the department of public utilities, in collaboration with the department of telecommunications and cable, shall establish a single visit transfer pilot program designed to expedite the removal of double poles by allowing a single qualified entity to move all participating stakeholder attachments during 1 visit rather than requiring separate visits from each attacher. The department may model the program after similar state initiatives. The department may invite, but shall not require, stakeholders to participate in the program; provided, however, that a civil penalty assessed to a stakeholder participating in the program under section 34B of chapter 164 of the General Laws shall be half the amount otherwise set forth in said section 34B of said chapter 164. Nothing in this subsection shall be construed to interfere with then-effective collective bargaining agreements governing the installation, transfer or removal of poles or attachments. Terms used in this section shall be defined as set forth in section 34B of chapter 164 of the General Laws.

SECTION 73. Sections 5 and 65 shall take effect 1 year after the effective date of this act.