HOUSE . . . . . No. 5527

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 22, 2026.

The committee on Economic Development and Emerging Technologies, to whom was referred the message from Her Excellency the Governor recommending legislation relative to Massachusetts winning global investment, talent, and innovation (House, No. 5386), reports recommending that the accompanying bill (House, No. 5527) ought to pass.

For the committee,

CAROLE A. FIOLA.

FILED ON: 6/22/2026

HOUSE . . . . . No. 5527

The Commonwealth of Massachusetts

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

An Act relative to Massachusetts winning global investment, talent, and innovation.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to finance improvements to the commonwealth's economic infrastructure, drive industry innovation, and promote economic opportunity and job creation, 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:

SECTION 1. To provide for a program of community development, economic opportunities, support for local governments, increased industry innovation, job creation and the promotion of economic reinvestment through the funding of infrastructure improvements the sums set forth in section 2 for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items. The sums set forth in section 2 shall be made available until June 30, 2036.

SECTION 2.

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary

7002-8079 For a capital grant program to be administered by the executive office of economic development to provide grants to private businesses that are constructing or expanding commercial, industrial or manufacturing facilities in the commonwealth which may include, but shall not be limited to: (i) the construction or expansion of facilities in a manner that eliminates or minimizes the use of fossil-fuel heating and cooling equipment, or incorporates other decarbonization measures that would not otherwise be incorporated into the facility design; (ii) the integration of design features that make a facility more resilient to the impacts of climate change, where such design features would not otherwise be economically feasible; and (iii) capital investments that support the creation of a significant number of new jobs in the commonwealth; provided, that the secretary of economic development shall issue program guidelines around the administration of the program which may include the administration of the program through a contract with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, or any other appropriate quasi-governmental agency; and provided further, that grants shall be awarded in a manner that promotes geographic equity $25,000,000

7002-8080 For the executive office of economic development to make grants to support the development and application of artificial intelligence technologies in strategically important sectors of the state's economy including but not limited to life sciences, healthcare, advanced manufacturing, climatetech, quantum, defense technology, transportation and robotics; provided that grants may be made from this item to public entities, non-profit entities and private businesses; and provided further, that grant funding may be administered by the Massachusetts Technology Park Corporation, the Massachusetts Life Sciences Center, the Massachusetts

Technology Development Corporation, or the Massachusetts Clean Energy Technology Center..... $75,000,000

7002-8081 For the executive office of economic development to provide capital grants to support the construction, fit-out, and improvement of one or more sites where early stage and high growth business ventures are encouraged to establish operations in the Commonwealth; provided that the executive office may contract with the Massachusetts Development Finance Agency, or other state authority as defined in section 1 of chapter 29, to administer the grants or other financial assistance from this line item; and provided further, that grants shall be awarded in a manner that promotes geographic equity ……..…….... $20,000,000

7002-8082 For the executive office of economic development for investments in capital assets or public infrastructure that promote economic growth, job creation, and talent recruitment and retention in the defense sector, including to support innovation in defense-related technologies such as artificial intelligence, cybersecurity, robotics and autonomous systems, semiconductors and microelectronics, biosecurity, and advanced manufacturing; provided that grants from this line item may be made to public and private entities as determined by the executive office; and provided further that grant funding may be administered by the Massachusetts Technology Park Corporation, the Massachusetts Life Sciences Center, the Massachusetts Technology Development Corporation, the Massachusetts Development Finance Agency, and the Massachusetts Clean Energy Technology Center. …… $100,000,000

7002-8084 For a competitive program to be administered by the Massachusetts Technology Park Corporation established in section 3 of chapter 40J of the General Laws to

provide capital grants to support research and development of robotics technology including, but not limited to, robotics incubation, testing, training, workforce development, research and development and commercialization activities; provided, that grants may be made to nonprofit entities, public or private universities or private business entities.....$25,000,000

7002-8085 For a grant program to cities, towns, regional organizations whose membership is exclusively composed of municipal governments, municipal redevelopment authorities or agencies or quasi-governmental agencies to support economic development in Massachusetts, including, but not limited to, support for the vitality, activation, improvement, and competitiveness of downtowns, main streets, business districts, town centers, commercial corridors, cultural districts, and other walkable mixed-use areas; provided that the executive office of economic development shall establish program requirements through regulations or policy guidelines; and provided further, that grants shall be awarded in a manner that promotes geographic equity $25,000,000

7002-8083 For the executive office of economic development to provide capital grants to support food science, agricultural enterprises, resilient and sustainable food innovation, food and agricultural technology, and related sectors; provided that the executive office may contract with the Massachusetts Development Finance Agency, or other state authority as defined in section 1 of chapter 29, to administer the grants from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity ……..……..$10,000,000

7002-8086 For the executive office of economic development to provide capital grants to enhance the arts, culture, and the creative economy in Massachusetts, including but not limited to grants to cities and towns for public realm and streetscape improvements that enhance downtown vibrancy, rehabilitation of historic districts, wayfinding and signage to support cultural institutions, improvements to public gathering and performance spaces, and permanent public art installations; provided that the executive office may contract with the Massachusetts Development Finance Agency, or other state authority as defined in section 1 of chapter 29, to administer the grants from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity.

……..$25,000,000

SECTION 3. Subsection (b) of section 204 of chapter 6 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 20 to 21, the words “but shall not serve for longer than 8 consecutive years”.

SECTION 4. Subsection (c) of section 16I of chapter 6A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in line 13, the words “housing and”.

SECTION 5. Subsection (d) of said section 16I of said chapter 6A of the General Laws, as so appearing, is hereby amended by striking out, in line 20, the word “community” and inserting in place thereof the following word:- economic.

SECTION 6. Chapter 7 of the General Laws is hereby amended by inserting after section 4S the following new section:-

Section 4T. Notwithstanding any general or special law to the contrary, the commissioner, in consultation with the deputy commissioner of local services and the secretary of housing and livable communities, shall direct all departments, commissions, offices, boards, divisions, institutions or other agencies administering discretionary or competitive grant programs for which eligible recipients include municipalities or other public instrumentalities to establish a preference modifier for prospective recipients in which requirements or regulations relative to the production of affordable housing are consistent with local needs, as defined in section 20 of chapter 40B; provided, however, that a regional or other partnership of 2 or more municipalities shall only be eligible for such preference modifier if the applicable requirements or regulations in all included municipalities are consistent with local needs as described herein. A municipality or other public instrumentality applying for a discretionary or competitive grant subject to this section that wishes to benefit from such preference modifier shall indicate, in a format prescribed by the applicable department, commission, office, board, division, institution or agency, that local requirements and regulations are presently consistent with local needs; provided, however, that the administering entity may seek additional information from the executive office of housing and livable communities related to the subsidized housing inventory to confirm eligibility.

The secretary shall annually, on or before July 1, report on the implementation of this section to the senate and house committees on ways and means and the joint committee on housing.

SECTION 7. Section 35FF of chapter 10 of the General Laws is hereby repealed.

SECTION 8. Chapter 23 of the General Laws is hereby amended by adding the following new section:

Section 27. (a) The secretary of labor and workforce development, in collaboration with the secretary of education and the secretary economic development, shall produce an annual report on the status of the commonwealth's job market at the time of the report and an analysis of the labor market need for the ensuing 5-year period as necessary to ensure the economic competitiveness of the commonwealth. Said report should include, but not be limited to:

(i) recommendations related to policies and investments to ensure the state has the necessary workforce to address any known or reasonably anticipated future labor market needs, including identification of those business sectors poised to experience growth and anticipated gaps in filling employment need in such sectors;

(ii) a progress report on the status of career pathway programs in the commonwealth's high schools, in higher education and in workforce training programs in targeted industries; and

(iii) an analysis of data regarding the skills required for jobs in key industries as identified by the secretary of labor and workforce development or enumerated in line 7002-8070 of section 2 of chapter 238 of the Acts of 2024.

(b) Not later than December 31, the secretary of labor and workforce development, in collaboration with the secretary of education and the secretary economic development, shall annually make such report, along with any related recommendations, available to the public. Not later than December 31, the secretary of labor and workforce development shall submit such annual report to the office of the governor and relevant state agencies for the purpose of guiding

decision-making in said agencies with regard to policy adoption and development and state funding investments and to the house and senate committees on ways and means.

SECTION 9. Section 5A of chapter 23B of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking the first paragraph and inserting in place thereof the following paragraph:-

There shall be within the executive office a housing appeals committee, consisting of 5 members to be appointed by the secretary or their designee, of whom 1 shall be an officer or employee of the executive office or any agency or division within the executive office, and 2 members to be appointed by the governor, of whom 1 shall be a current or recent member of a select board and 1 shall be a current or recent member of a city council or similar governing body of a city. The members shall serve for terms of 2 years each, and the secretary or their designee shall designate the chairperson. A member of the committee shall receive no compensation for such services, but shall be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of official duties. Said committee shall hear all petitions for review filed under section 22 of chapter 40B, and shall conduct said hearings in accordance with rules and regulations established by the secretary or their designee; provided, however, that the committee may hear multiple such petitions concurrently provided that any such petition is heard by no fewer than 3 members, at least 2 of whom have been appointed by the secretary or their designee and at least 1 of whom has been appointed by the governor, as assigned by the chairperson.

SECTION 10. Subsection (b) of section 5 of chapter 23I of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in line 37, the word "3F" and inserting in place thereof the following word:- 3C.

SECTION 11. Said subsection (b) of said section 5 of said chapter 23I, as so appearing, is hereby further amended by adding the following 2 sentences:-

The decision by the center to certify or deny certification of a life sciences company and the decision to award or deny any incentives pursuant to subsections (c) or (d), including but not limited to the amount of such award, and any conditions or limitations on such authorization, shall be decisions that are in the sole discretion of the center. Such decision by the center shall be final and shall not be subject to administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause of action or legal or equitable claim or remedy.

SECTION 12. Said section 5 of said chapter 23I of the General Laws, as so appearing, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) (1) There shall be established a life sciences tax incentive program. The center, in consultation with the department, may authorize incentives, including incentives carried forward or refunded pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph 17 of section 30 of chapter 63, the second time it appears, section 31M of said chapter 63, the second time it appears, paragraph 6 of subsection (f) of section 38 of said chapter 63, subsection (k) of section 38M of said chapter 63, section 38U of said chapter 63, section 38V of said chapter 63, section 38W of said chapter 63, section 38CC of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (xx) of section 6 of chapter 64H

in a cumulative amount, including the current year cost of incentives allowed in previous years, that shall not exceed $40,000,000 annually. The center may authorize incentives to a life sciences company that spans multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap. The center shall determine the amount and type of any such incentive to authorize and the schedule on which those incentives may be claimed. The center may, in consultation with the department, limit any incentive to a specific dollar amount or time duration or in any other manner deemed appropriate by the department; provided, however, that the department shall only allocate any such incentives among commonwealth certified life sciences companies pursuant to subsection (b) and shall award such tax incentives pursuant to subsection (c).

The center shall provide an estimate to the secretary of administration and finance of the tax cost of extending benefits to a proposed project before certification, as approved by the commissioner of revenue, based on reasonable projections of project activities and costs. Tax incentives shall not be available to a certified life sciences company unless expressly granted by the secretary of administration and finance in writing.

(2) When authorizing incentives pursuant to subsection (d), the center shall require the certified life sciences company to execute a written agreement setting forth the terms and conditions on which the tax credits may be claimed. Such written agreement shall set forth the company's permanent new or retained full time employees, commitments over 1 or more years, set forth a schedule on which the credits may be claimed and other such terms or conditions as the center may in its discretion require. Such agreement may also, at the center's discretion, limit or restrict the right of the certified life sciences company to carry unused tax credits forward to subsequent tax years.

SECTION 13. Subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby amended by striking out the first 2 paragraphs and inserting in place thereof the following 2 paragraphs:-

(1) Certification granted pursuant to subsection (b) shall be valid starting with the tax year in which certification is granted. Each certified life sciences company shall file an annual report with the center certifying whether the company has achieved the job commitments, met the specific targets established in the proposal pursuant to subclause (A) of clause (i) of subsection (b) and other material obligations or representations set forth in the written agreement pursuant to paragraph (2) of subsection (d).

(2) The certification of a life sciences company may be revoked by the center after an investigation and determination that representations made by the certified life sciences company in its certification proposal or written agreement pursuant to paragraph (2) of subsection (d) are materially at variance with the conduct of the life sciences company after receiving certification; provided, however, that the center shall review the certified life sciences company at least annually; provided, further, that the center shall have the discretion to determine whether the material variance shall result in revocation of a project certification, taking into account: (i) the conduct of the certified life sciences company subsequent to the project certification; (ii) the extent to which the material variance is the result of unforeseen conditions that are outside the control of the certified life sciences company; and (iii) other considerations as the center shall establish by policy. In the event the center revokes certification of a life sciences company, the center shall provide its reasons for the decision in writing to the secretary of administration and finance, the commissioner of revenue and the clerks of the house of representatives and the senate, who shall forward the same to the house and senate committees on ways and means, the

joint committee on revenue and the joint committee on economic development and emerging technologies. The center shall post these reasons on the internet for public access.

SECTION 14. Said subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby further amended by striking out paragraph (4) and inserting in place thereof the following 2 paragraphs:-

(4) In connection with an award of refundable jobs credits pursuant to subsection (r) of section 6 of chapter 62 or section 38CC of chapter 63, if the center finds that the certified life sciences company is in material variance with the terms of the written agreement entered into under subsection (d)(2) then the center may rescind tax credits awarded but not yet claimed, and request that the department recapture tax credits already claimed. The center shall have discretion to provide the company with reasonable opportunity to cure the material variance and rescind or recapture tax credits in proportion to the company's compliance, as determined by the center. Tax credits shall be rescinded or recaptured by sending a written notice to the certified life sciences company and the department. Where applicable, the department shall recapture tax credits in accordance with subsection (r) of section 6 of chapter 62 or section 38CC of chapter 63.

(5) Nothing in this subsection shall limit any legal remedies available to the commonwealth against any certified life sciences company.

SECTION 15. Subsection (f) of said section 5 of said chapter 23I of the General Laws, as so appearing, is hereby amended by striking out, in lines 149 to 150, the word "independent".

SECTION 16. Section 1 of chapter 23J of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the definition of "'Fund" and inserting in place thereof the following definition:-

"Fund", the Climatetech Investment Fund established in section 15 of chapter 23J.

SECTION 17. Said section 1 of said chapter 23J, as so appearing, is hereby further amended by striking out the definition of "Trust fund.'

SECTION 18. Section 2 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 13 to 15, inclusive, the words ", in collaboration with the Massachusetts Renewable Energy Trust Fund established in section 4E of chapter 40J,".

SECTION 19. Subsection (e) of said section 2 of said chapter 23J, as so appearing, is hereby amended by striking out the second paragraph.

SECTION 20. Section 3 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 65 to 66, the words "Massachusetts Alternative and Clean Energy Investment Trust Fund" and inserting in place thereof the following word:- fund.

SECTION 21. Subsection (a) of said section 3 of said chapter 23J, as so appearing, is hereby amended by striking out paragraphs (26) and (31).

SECTION 22. Section 5 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 16 to 19, inclusive, the words "and the trust fund over the previous fiscal year, the ability of the fund to meet the requirements in section 35FF of chapter 10 and the ability of the trust fund to meet the requirements in section 9" and inserting in place thereof the

following words:- over the previous fiscal year, the ability of the fund to meet the requirements in section 15.

SECTION 23. Section 9 of said chapter 23J of the General Laws is hereby repealed.

SECTION 24. Section 11 of said chapter 23J of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 to 3, the words “the fund and the trust fund” and inserting in place thereof the following words:- any trust funds administered by the center under this chapter.

SECTION 25.Subsection (a) of section 15 of said chapter 23J of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words “and (iii)” and inserting in place thereof the following words:- (iii) all amounts collected under section 20 of chapter 25; and (iv).

SECTION 26. Subsection (b) of section 16 of said chapter 23J, so appearing, is hereby amended by adding the following 2 sentences:- The decision by the center to certify or deny certification of a climatetech company and the decision to award or deny any incentives pursuant to subsection (d), including without limitation the amount of such award, and any conditions or limitations on such authorization, shall be decisions that are in the sole discretion of the center. Such decision by the center shall be final and shall not be subject to administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause of action or legal or equitable claim or remedy.

SECTION 27. Subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) Certification granted pursuant to subsection (b) shall be valid starting with the tax year in which certification is granted. Each certified climatetech company shall file an annual report with the center certifying whether the company has achieved the job commitments, met the specific targets established in the proposal pursuant to clause (i) of subsection (b) and, if not, detailing its progress towards those targets, and other material obligations or representations set forth in the written agreement pursuant to paragraph (3) of subsection (d).

SECTION 28. Paragraph (2) of said subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by inserting, in line 56, after the word “proposal” the following words:- or written agreement pursuant to paragraph (3) of subsection (d).

SECTION 29. Said subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby further amended by striking out paragraph (3) and inserting in place thereof the following 2 paragraphs:-

(3) In connection with an award of refundable jobs credits pursuant to subsection (hh) of section 6 of chapter 62 or section 38TT of chapter 63, if the center finds the certified climatetech company is in material noncompliance with the terms of the written agreement entered into under paragraph (3) of subsection (d) then the center may rescind tax credits awarded but not yet claimed, and request that the department recapture tax credits already claimed. The center shall have discretion to provide the company with reasonable opportunity to cure the material noncompliance and rescind or recapture tax credits in proportion to the company’s compliance, as determined by the center. Tax credits shall be rescinded or recaptured by sending a written notice to the certified climatetech company and the department. Where applicable, the

department shall recapture tax credits in accordance with subsection (hh) of section 6 of chapter 62 or section 38TT of chapter 63.

(4) Nothing in this subsection shall limit any legal remedies available to the commonwealth against any certified climatetech company.

SECTION 30. Section (d) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) The center, in consultation with the department of revenue, may authorize incentives, including those established in subsections (gg) and (hh) of section 6 of chapter 62, subsection (k) of section 38M of chapter 63, section 38RR of said chapter 63, section 38SS of said chapter 63, section 38TT of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (yy) of section 6 of chapter 64H, that shall not exceed $30,000,000 annually. The center may authorize incentives to a climatetech company that spans multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap. The center shall determine the amount and type of any such incentive to authorize and the schedule on which those incentives may be claimed. The center, in consultation with the department of revenue, may limit the incentives to a specific dollar amount or time duration or in any other manner deemed appropriate by the department of revenue; provided, however, that the department of revenue shall only allocate the incentives among certified climatetech companies.

SECTION 31. Said section (d) of said section 16 of said chapter 23J, as so appearing, is hereby further amended by adding the following paragraph:-

(3) When authorizing incentives pursuant to subsection (d), the center shall require the certified climatetech company to execute a written agreement setting forth the terms and conditions on which the tax credits may be claimed. Such written agreement shall set forth the company's permanent new or retained full time employees, commitments over one or more years, set forth a schedule on which the credits may be claimed and other such terms or conditions as the center may in its discretion require. Such agreement may also, at the center's discretion, limit or restrict the right of the certified climatetech company to carry unused tax credits forward to subsequent tax years.

SECTION 32. Said chapter 23J of the General Laws, as so appearing, is hereby amended by adding the following section:-

Section 17. (a) Unless stated otherwise, the terms used in this section shall have the meaning defined in section 1 of chapter 164.

(b) As used in this section, unless the context clearly indicates otherwise, "gridtech solution" shall mean novel technologies, novel applications of technologies, and other innovative approaches, including but not limited to, novel retail rate designs, distributed energy resource wiring configurations or customer energy solutions.

(c) There shall be a gridtech deployment advisory board. Such board shall be tasked with (i) exploring opportunities for public-private partnerships to test or deploy at scale gridtech, (ii) facilitating connections between gridtech companies and relevant distribution companies, and (iii) identifying and proposing solutions to barriers in the existing practices of an electric company, as defined in section 1 of chapter 164, or the department of public utilities, provided such solutions are permissible under state law. The advisory board shall prioritize, where

appropriate, the deployment of gridtech that reduce electric distribution and transmission grid costs and support achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

(d) The board established pursuant to subsection (c) shall be comprised of the chief executive officer of the Massachusetts clean energy technology center, or their designee, the commissioner of the department of energy resources, or their designee, the chair of the department of public utilities, or their designee, the secretary of the executive office of economic development, or their designee, 1 of whom shall be a representative from the body established under chapter 40G, 1 of whom shall be a representative from each electric company, as defined by section 1 of chapter 64, 1 of whom shall be a representative from the Massachusetts Municipal Wholesale Electric Company, 1 of whom shall be a representative from a municipal electric distribution company or an organization that represents municipal electric distribution companies, and 3 of whom representatives from organizations involved or familiar with the development, financing or implementation of gridtech solutions. The board shall be co-chaired by the chief executive officer of the Massachusetts clean energy technology center, or their designee, and a member of an electric company serving on the advisory board. All representatives shall, unless otherwise provided, be appointed by the chief executive officer of the Massachusetts clean energy technology center.

(e) The electric companies shall file for review and approval with the department of public utilities any process approved by the board to review, on an expedited basis, requests for limited waivers of prior department orders that will alleviate gridtech deployment barriers.

(f) The department shall approve any process filed under subsection (d) if it determines that such process is in the public interest, including but not limited to reducing electric grid costs and supporting achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

(g) Annually, the board shall identify barriers to the deployment of discrete gridtech technologies and applications in existing utility practices and orders issued by the department of public utilities, as well as potential solutions to those barriers and, as applicable, limited waivers of department orders to alleviate the identified barriers. The electric companies shall seek approval from the department of any limited waivers identified and approved by the board so long as they are consistent with the process approved by the department under subsection (f).

(h) Nothing in this section shall preclude members of the board from testing, funding or scaling gridtech solutions outside of the processes outlined in this section.

SECTION 33. Section 20 of chapter 25 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The department shall require a mandatory charge of 0.5 mill per kilowatt-hour for all electricity consumers, except those served by a municipal lighting plant which does not supply generation service outside its own service territory or does not open its service territory to competition at the retail level. All revenues generated by the mandatory charge shall be deposited into and expended in a manner consistent with the requirements of the Climatetech Investment Fund, established under section 15 of chapter 23J.

SECTION 34. Subsection (b) of said section 20 of said chapter 25, as so appearing, is hereby amended by striking out, in line 22, the words “Massachusetts Renewable Energy Trust” and inserting in place thereof the following words:- Climatetech Investment Fund.

SECTION 35. Said subsection (b) of said section 20 of said chapter 25, as so appearing, is hereby further amended by inserting, in line 24, after the words “subsidy from” the following words:- revenues from mandatory charges held by.

SECTION 36. Said subsection (b) of said section 20 of said chapter 25, as so appearing, is hereby further amended by striking out, in line 28, the word “collaborative” and inserting in place thereof the following words:- Massachusetts clean energy technology center.

SECTION 37. Chapter 29 of the General Laws is hereby amended by adding the following new section:-

Section 2GGGGGG. Artificial Intelligence Innovation Trust Fund

(a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Artificial Intelligence Innovation Trust Fund. The secretary of economic development shall be the trustee of the fund and shall, in consultation with the executive director of the Massachusetts Technology Park Corporation established pursuant to chapter 40J, expend money from the fund to: (i) provide grants or other financial assistance to companies developing or deploying artificial intelligence models in key industry sectors as enumerated in line 7002-8070 of section 2 of chapter 238 of the Acts of 2024; provided, however, that the secretary may seek the commitment of matching or other additional funds from private sources before making an expenditure from the fund; (ii) establishment or promotion of artificial intelligence entrepreneurship programs, which may include partnerships with research

institutions in the commonwealth or other entrepreneur support organizations; or (iii) provide grants or other financial assistance for research in artificial intelligence through or in partnership with the Massachusetts Technology Park Corporation.

(b) There shall be credited to the fund an amount equal to: (i) any appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) interest earned on any money in the fund; and (iii) any other grants, premiums, gifts, reimbursements or other contributions received by the commonwealth from any source for or in support of the purposes described in subdivision (a).

(c) Amounts credited to the fund may be expended without further appropriation. For the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the fund may incur expenses, and the comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as certified by the secretary of elder affairs, as reported in the state accounting system. Any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in a subsequent fiscal year.

SECTION 38. Section 8C of chapter 40 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended in the first paragraph by inserting after the words “any violation thereof” the following:- ;

provided, however, that the commission shall retain a record of any such rules and regulations and any other applicable ordinance or by-law, subject to the provisions of section 7 of chapter 4, which denotes whether each such rule, regulation, ordinance or by-law is more

restrictive than the requirements of section 40 of chapter 131 and any accompanying regulations promulgated by the department of environmental protection.

SECTION 39. Section 54A of Chapter 40 is hereby repealed.

SECTION 40. Section 1A of chapter 40A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of "As of right" the following definition:-

"Bulk and height of structures", the articulation and roof lines of structures; provided, however, that performance standards governing bulk and height of structures may not be more restrictive than the dimensional requirements set forth in the ordinance or by-law, nor require specific building materials. Articulation, as used herein, refers to the following strategies to address building massing: wall offsets, height variation, wall setbacks, accent lines, stepbacks or such other industry standard types of articulation as may be proposed by the petitioner.

SECTION 41. Said section 1A of said chapter 40A, as so appearing, is hereby further amended by inserting after the definition of "Permit granting authority" the following definition:

"Site plan review", the review and approval process under a municipality's zoning ordinance or by-law that establishes criteria for the layout, safety and impacts of a proposed use or development, and whether a proposed use of land or structures is in compliance with reasonable performance standards as defined in section 7A; provided, however, that site plan review, and the performance standards applicable thereto, in connection with any protected use pursuant to section 3 or any other section of this chapter shall be limited to the extent required by the provisions of such section.

SECTION 42. Said chapter 40A of the General Laws, as so appearing, is hereby amended by inserting after section 3B the following section:-

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

"Adaptive reuse", the conversion of an existing structure from the use for which it was constructed to multi-family housing or mixed-use development by maintaining the elements of the structure and adapting such elements to the new use.

"Bus station", a location serving as a point of embarkation for any bus operated by a transit authority, including the Massachusetts Bay Transportation Authority Silver Line.

"Board of appeals", a municipal zoning board of appeals established pursuant to section 12.

"Commuter rail station", Any commuter rail station operated by a transit authority with year-round service with trains departing at regular time intervals, rather than intermittent, seasonal or event-based service.

"Commercial conversion", the use of land or structures for the creation and operation of any of the following: (i) adaptive reuse, (ii) new construction of multi-family housing and (iii) new construction of mixed-use development.

"Commercial use", the use of land or structures for non-residential uses including, but not limited to offices, retail, dining establishments and other similar uses as may be provided through regulation by the executive office in consultation with the executive office of economic development.

"Commercially zoned lot", a lot where zoning allows commercial use as-of-right or by special permit.

"Executive office", the executive office of housing and livable communities.

"Ferry terminal", the location where passengers embark and disembark from a ferry service with year-round service with ferries departing at regular time intervals, rather than intermittent, seasonal or event-based service.

"Financially infeasible", to add unreasonable costs or unreasonably diminish the economic feasibility of a commercial conversion by means of a condition or requirement imposed by the board of appeals.

"Local board", any local board or official including, but not limited to, any board of survey; board of health; board of subdivision control appeals; planning board; conservation commission; historical commission; water, sewer or other commission or district; fire, police, traffic or other department; building inspector or similar official or board; city council or selectboard; all boards, regardless of their geographical jurisdiction or their source of authority, including boards established pursuant to any special law or general law, shall be a local board if they perform functions usually performed by locally created boards.

"Local contribution", an incentive provided by a city or town for commercial conversion on a commercially zoned lot under subsection (c).

"Subway station", any of the stops along the rapid transit system of a transit authority, including the Massachusetts Bay Transportation Authority red line, green line, orange line or blue line, including any extensions or additions to such lines.

"Transit authority", the Massachusetts Bay Transportation Authority established by section 2 of chapter 161A, or any other local or regional transit authority established pursuant to section 3 of chapter 161B or section 14 of said chapter 161B.

"Transit station", a subway station, commuter rail station, ferry terminal or bus station.

(b)(1) A city or town subject to this chapter, may, pursuant to section 5, amend zoning to allow commercial conversion as of right on every commercially zoned lot; provided, that a city or town that adopts as of right zoning under this section shall provide not less than 1 adaptive reuse incentive pursuant to subsection (c); and provided further, that as of right zoning established pursuant to this section shall provide at a minimum, but not be limited to, the following:

(i) For adaptive reuse, allow existing building setbacks to remain and be considered legal nonconforming pursuant to section 6 of chapter 40A; provided, however, that a municipality may prohibit any additional encroachments into any nonconforming setback, unless otherwise required pursuant to clause (ii) or otherwise allowed under zoning;

(ii) For adaptive reuse, allow such development to exceed the existing footprint of the building to accommodate upgrades related to building code, fire code and utility requirements;

(iii) For adaptive reuse, allow such development to exceed the maximum height of the existing zoning district if the structure in existence prior to the adaptive reuse exceeds the maximum height of the existing zoning district;

(iv) Adaptive reuse for multi-family housing, new multi-family housing and new-construction of mixed-use developments shall be exempt from residential parking requirements

that exceed 1 parking space per residential dwelling unit; provided, that such commercial conversion projects on lots that are partially or entirely located within a 0.5 mile radius of a transit station shall be exempt from any residential parking requirements;

(v) A city or town may require that adequate infrastructure, including roads, water and sewage systems, shall be available or provided to support commercial conversion;

(vi) A city or town may restrict development on lots where industrial and manufacturing uses are permitted and where such uses have a substantial and demonstratable likelihood of resulting in impacts that are incompatible with residential use, such as air, noise or odor;

(vii) A city or town may impose affordable housing requirements on commercial conversion through an inclusionary zoning ordinance or bylaw to the extent that such affordable housing requirement does not require more than 10 per cent of the residential units within a commercial conversion to be subject to such affordable housing requirement and such requirement does not limit eligibility to households earning not more than 80 per cent area median income; provided, that the executive office, in its discretion, may approve a greater percentage of affordable units or deeper affordability requirements for some or all of the affordable units upon request by a city or town as to an individual project in a form as may be designated by the executive office.

(viii) Notwithstanding any special or general law, rule or regulation to the contrary, a commercial conversion that is adaptive reuse under this section shall comply with the base energy code pursuant to the state building code, 780 CMR, and shall not be required to comply with the specialized stretch energy code established pursuant to section 6 of chapter 25A or the

municipal opt-in specialized stretch energy code established pursuant to said section 6 of said chapter 25A.

(2) Notwithstanding sections 5, 8 and 9, a city or town that has adopted zoning pursuant to paragraph (1) of subsection (b) may establish a streamlined process for a petitioner or applicant seeking commercial conversion of a commercially zoned lot to submit to the board of appeals a single application for approval of a commercial conversion in lieu of separate applications to the applicable local boards. Such process shall provide, at a minimum, but not be limited to, the following:

(i) The board of appeals shall notify each local board, as applicable, of the filing of an application under this paragraph by sending a copy thereof to such local boards for their recommendations and shall, within 30 days of the receipt of the application, hold a public hearing in conformance with section 11;

(ii) The board of appeals shall request representatives of local boards as are deemed necessary or helpful in making its decision upon an application to attend the hearing and shall, notwithstanding section 7, have the same power to issue permits or approvals as any local board or official who would otherwise act with respect to such application, including but not limited to the power to attach to said permit or approval conditions and requirements that are not financially infeasible;

(iii) The board of appeals, in making its decision on an application, shall take into consideration the recommendations of the local boards and shall have the authority to use the testimony of consultants;

(iv) The board of appeals shall render a decision, based upon a majority vote of said board, within 60 days of receiving an application; and

(v) If a hearing is not convened or a decision is not rendered within the time allowed under clause (iv), unless the time has been extended by mutual agreement between the board of appeals and the applicant, the application shall be deemed to have been allowed and the permit or approval shall issue.

(c) A city or town that adopts zoning pursuant to this section may provide any of the following local contributions: (i) a tax increment exemption for adaptive reuse pursuant to section 5P of chapter 59; (ii) a preference for commercial conversion projects for assistance under a municipal affordable housing trust fund established pursuant to section 55C of chapter 44; (iii) adoption of a streamlined approval process pursuant to subparagraph (2) of subsection (b); or (iv) any other local contributions as determined by the executive office.

(d) The executive office may establish additional incentives for cities and towns that adopt zoning and a local contribution pursuant to this section. Such incentives for cities and towns may include, but not be limited to, a preference for financial assistance pursuant to section 27 ½ of chapter 23B, a preference for tax credits authorized pursuant to subsection (ee) of section 6 of chapter 62 and section 38OO of chapter 63 and other incentives identified by the executive office in consultation with the executive office of economic development and the executive office for administration and finance.

(e) The executive office may, in consultation with the executive office of economic development, promulgate regulations for the implementation and administration of this section.

(f) A city or town that has adopted zoning pursuant to paragraph (1) of subsection (b) above may repeal such adoption pursuant to section 5.

SECTION 43. Section 5 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “appeals,”, in line 6, the following words:- a mayor,.

SECTION 44. Said section 5 of said chapter 40A, as so appearing, is hereby further amended by striking out, in line 92, the words “or (c) open-space residential development;” and inserting in place thereof the following words:- (c) open-space residential development; or (d) commercial conversion pursuant to section 3C.

SECTION 45. The first paragraph of section 6 of said chapter 40A, as so appearing, is hereby amended by inserting after the words "change to" the following words:- “a structure used for commercial conversion pursuant to section 3C, to the extent allowed by such section, or.”

SECTION 46. The second paragraph of said section 6 of said chapter 40A, as so appearing, is hereby amended by striking out the words "section 9 or site plan approval pursuant to the local ordinance or by-law shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit or site plan approval" and inserting in place thereof the following words:- section 9, site plan approval pursuant to the local ordinance or by-law or a permit for commercial conversion issued pursuant to section 3C shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit, site plan approval or permit for commercial conversion.

SECTION 47. Said chapter 40A of the General Laws is hereby further amended by adding the following section:–

Section 7A. (a) As used in this section, the following words shall have the following meanings:

"Designated authority" shall mean the local municipal board, committee or officials designated in the zoning ordinance or by-law to conduct site plan review.

"Performance standards" shall mean reasonable, written municipal zoning regulations, published industry standards and best practices, applicable to site plans and relative to traffic circulation and safety, pedestrian safety and access, off-street parking and loading, emergency vehicle access, stormwater drainage, screening, bulk and height of structures, exterior lighting and storage or other outdoor service areas.

(b) Substantive provisions of site plan review, including content of submittal requirements and applicable performance standards, governing site plan review and approval by the designated authority or authorities must be as set forth within a local ordinance or by-law adopted pursuant to section 5. Notwithstanding the first sentence of this subsection, a municipality that conducts site plan review meeting the requirements of this section need not set it forth in a zoning ordinance or by-law, and may meet said requirements of this subsection by publishing and keeping current, in a conspicuous location on its official municipal website, the applicable performance standards, applicability standards, submittal requirements and procedures, together with a dated certification by town counsel or the city solicitor that the published process conforms to this section. Provisions so published shall have the same force as if adopted under section 5 of this chapter. A standard that is not so published, or that exceeds the

limits of this section or section 1A, shall be unenforceable, and this section shall control over any conflicting published provision. Performance standards must be reasonably definite and objective so that any petitioner has knowledge of such standards prior to application submittal. No zoning by-law or ordinance may include performance standards governing the aesthetics of structures. Performance standards must be reasonably definite and objective so that any petitioner has knowledge of such standards prior to application submittal. No zoning by-law or ordinance may include performance standards governing the aesthetics of structures. The designated authority may, where such action is in the public interest and not inconsistent with the intent and purpose of this section, waive strict compliance with the performance standards for site plan review. The designated authority may adopt, and from time to time amend, written procedural rules and regulations to implement the local site plan review ordinance or by-law, including provisions for the imposition of reasonable fees for the employment of outside consultants in the same manner as set forth in section 53G of chapter 44.

(c) A zoning ordinance or by-law may establish applicability standards for projects that are subject to site plan review, which may include a category of projects that are subject to a minor or administrative site plan review process. The zoning ordinance or by-law may require a public hearing in accordance with section 11 for projects that meet or exceed specified thresholds under the zoning ordinance or by-law. The decision of the designated authority for a use allowed as of right, or for a use requiring a special permit but reviewed by a separate designated authority, shall require a simple majority vote of the designated authority and shall be made within the time limits prescribed by ordinance or by-law, not to exceed 90 days from the date of filing of a complete application or such extended time as may be agreed in writing by the petitioner. The submission and review process for a site plan required in connection with the

issuance of a special permit, and subject to review by the same permit granting authority as the special permit application, shall be conducted with the review of the special permit application in a coordinated process and may require the same quantum of vote required for approval of a special permit. The ordinance or by-law may establish the designated authority to be the building commissioner, director of planning or other municipal official who coordinates administrative site plan review with other municipal employees, in which instance there shall be no vote requirement for site plan review. Any appeal from administrative site plan review shall be in accordance with section 17 unless an ordinance or by-law first provides for an appeal to another public body of the municipality. In no instance shall the issuance or denial of a building permit be a prerequisite to the filing of a civil action under this section.

(d) Site plan review may impose only those conditions that are necessary to ensure substantial compliance of the proposed use of land or structures with the requirements of the zoning ordinance or by-law; provided that no condition may impose restrictions greater than those expressly regulated within the zoning ordinance or by-law and no conditions may be imposed regarding matters over which jurisdiction exclusively lies in another body pursuant to any general or special law; and provided further, that any off-site conditions shall only address direct adverse impacts related to performance standards expressly governed by the zoning ordinance or by-law and which conditions are proportionate in both nature and extent to the impacts of the project on adjacent properties or adjacent roadways.

(e) A site plan application may be denied only on the grounds that: (i) the proposed site plan does not meet the specific requirements set forth in the zoning ordinance or by-law; or (ii) the petitioner failed to submit the information and fees required by the zoning ordinance or by-law necessary for an adequate and timely review of the design of the proposed land or structures.

(f) The designated authority shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and setting forth clearly the reason for its decision and of its official actions, copies of all of which shall be filed within 14 days in the office of the city or town clerk and shall be deemed a public record, and notice of the decision shall be mailed forthwith to the petitioner and, if such site plan review required a public hearing pursuant to the zoning ordinance or by-law, to the parties in interest designated in section 11. Each such notice shall specify that appeals, if any, shall be made pursuant to section 17 and shall be filed within 20 days after the date of filing of such notice in the office of the city or town clerk. Failure by the designated authority to take final action within said 90 days or extended time, if applicable, shall be deemed to be an approval of the site plan. The petitioner who seeks such approval by reason of the failure of the designated authority to act within such time prescribed, shall notify the city or town clerk, in writing within 14 days from the expiration of said 90 days or extended time, if applicable, of such approval. If site plan review required a public hearing, the petitioner shall send such notice to parties in interest designated in section 11 by mail and each such notice shall specify that appeals, if any, shall be made pursuant to section 17 and shall be filed within 20 days after the date the city or town clerk received such written notice from the petitioner that the designated authority failed to act within the time prescribed. After the expiration of 20 days without notice of appeal pursuant to section 17, or, if appeal has been taken, after receipt of certified records of the court in which such appeal is adjudicated, indicating that such approval has become final, the city or town clerk shall issue a certificate stating the date of approval, the fact that the designated authority failed to take final action and that the approval resulting from such failure has become final, and such certificate shall be forwarded to the petitioner.

(g) A site plan approval granted under this section shall lapse within a specified period of time, not less than 3 years from the date of the filing of such approval with the city or town clerk, if substantial use or construction has not yet begun, except as extended for good cause by the designated authority. Such specified period shall not include time required to pursue or await the determination of an appeal under section 17 or to pursue or await the appeal of any other permit, license, determination or approval which are prerequisites to issuance of a building permit. The aforesaid minimum period of 3 years may, by ordinance or by-law, be increased to a longer period.

SECTION 48. Section 14 of said chapter 40A, as so appearing, is hereby amended by inserting after clause (4) the following clause:- (5) to hear and decide applications for commercial conversion upon which the board is empowered to act pursuant to paragraph (2) of subsection (b) of section 3C.

SECTION 49. Section 15 of said chapter 40A, as so appearing, is hereby amended in the fifth paragraph by striking out the first seven sentences and inserting in place thereof the following seven sentences:-

All hearings of the board of appeals shall be open to the public and shall be opened within 30 days of any petition or application. Any such public hearing of the board of appeals shall extend for no more than 60 days from the date the hearing is opened. The decision of the board shall be made within 100 days after the date of the filing of an appeal, application or petition, except in regard to special permits, as provided for in section nine. The required time limits for a public hearing and said action, may be extended by written agreement between the applicant and the board of appeals. A copy of such agreement shall be filed in the office of the

city or town clerk. Failure by the board to act within the times prescribed or extended time, if applicable, shall be deemed to be the grant of the appeal, application or petition. The petitioner who seeks such approval by reason of the failure of the board to act within the time prescribed shall notify the city or town clerk, in writing, within 14 days from the expiration of said period or extended time, if applicable, of such approval and that notice has been sent by the petitioner to parties in interest.

SECTION 50. Section 4 of chapter 40G of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (8) and inserting in place thereof the following subsection:-

(8) the enterprise will report adequate financial data to the MTDC, and provide MDTC with sufficient control over the management of the enterprise, so as to protect the investment of the MTDC, including, in the discretion of the board, right of access to financial and other records of the enterprise.

SECTION 51. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 68, the words “(1) Not more than $1,000,000” and inserting in place thereof the following words:- Not more than $2,000,000.

SECTION 52. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 69, the figure “$2,000,000” and inserting in place thereof the following figure:- $4,000,000.

SECTION 53. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in lines 82 to 94, inclusive, subsection (2).

SECTION 54. Section 6 of said chapter 40G, as so appearing, is hereby amended by striking out, in line 2, the word “ninety,” and inserting in place thereof the following words:- 120.

SECTION 55. Said section 6 of said chapter 40G, as so appearing, is hereby further amended by striking out, in lines 5 to 7, inclusive, the words “and the number of persons hired as a result of the activities of the corporation who were recipients of programs provided for in chapter 115, 117A, or 118”.

SECTION 56. Chapter 40J of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. There is hereby created a body, politic and corporate, to be known as the Massachusetts Technology Park Corporation hereinafter referred to as the corporation. The corporation is hereby constituted a public instrumentality of the commonwealth and the exercise by the corporation of the powers conferred in this chapter shall be deemed and held to be an essential governmental function. The corporation is hereby placed in the executive office of economic development but shall not be subject to the supervision or control of said department or of any board, bureau, department or other agency of the commonwealth except as specifically provided in this chapter.

The corporation shall be governed and its corporate powers exercised by a board of directors, which shall consist of the secretary of economic development or a designee, the secretary of administration and finance or a designee and the commissioner of higher education or a designee and 15 persons to be appointed by the governor, 2 of whom shall be appointed

from a list of persons nominated by the president of the senate, 2 of whom shall be appointed from a list of persons nominated by the speaker of the house of representatives, 2 of whom shall be chief executive officers of post-secondary educational institutions or distinguished members of the engineering or scientific faculties of those institutions, or members of other appropriate faculties, and of those 2, at least 1 shall represent a public post-secondary educational institution, and 6 of whom shall represent businesses concerned with any technology which may be subject to this chapter, and 2 of whom shall be recommended by the Massachusetts AFL-CIO. Each director appointed from the list of nominations recommended by the president of the senate and the speaker of the house of representatives shall serve a term of 2 years to be coterminous with the legislative session of the general court. Each director appointed by the governor shall serve for a term of 5 years and thereafter until the director's successor is appointed. A person appointed to fill a vacancy on the board shall be appointed in a like manner and shall serve for the unexpired term of the predecessor director. A director shall be eligible for reappointment. A director may be removed by the governor for cause. 9 directors shall constitute a quorum and the affirmative vote of a majority of the directors present and eligible to vote at a meeting shall be necessary for any action to be taken by the board. The directors shall serve without compensation, but each director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties. The board shall meet at least 4 times each year and shall have final authority over the activities of the corporation.

The secretary of economic development or a designee shall serve as chairperson. The board shall biennially elect from among its members a vice-chairperson and may designate a treasurer and a secretary, who need not be members of the board. The secretary shall keep a record of the proceedings of the corporation and shall be the custodian of all books, documents

and papers filed with the corporation and its official seal. The secretary shall cause copies to be made of all minutes and other records and documents of the corporation and shall certify that such copies are true copies and all persons dealing with the corporation may rely upon such certification. The treasurer shall be the chief financial and accounting officer of the corporation and shall be in charge of its funds, books of account and accounting records.

The executive committee of the board shall consist of the chairperson and the vice-chairperson, and not less than 3 individuals elected biennially by the board from among its members, 1 of whom shall be a board member representing a post-secondary educational institution and 1 of whom shall be a board member from a business. The executive committee shall have all the powers of the board between meetings of the board, to be exercised in accordance with by-laws established by the board. The executive committee shall meet as often as considered necessary by the committee.

Any action required or permitted to be taken at a meeting of the directors may be taken without a meeting if all of the directors consent in writing to such action and such written consent is filed with the records of the minutes of the meetings of the board. Such consent shall be treated for all purposes as a vote at a meeting.

The provisions of chapter 268A shall apply to all directors, officers and employees of the corporation except that the corporation may purchase from, sell to, borrow from, contract with or otherwise deal with any organization in which any director of the corporation is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the directors and recorded in the minutes of the proceedings of the corporation; and

provided, further, that no director having such an interest or involvement may participate in any decision relating to such organization.

Neither the corporation nor any of its officers, directors, agents, employees, consultants or advisors shall be subject to the provisions of sections 3B of chapter 7, sections 9A, 45, 46 and 52 of chapter 30, chapter 31, or sections 27 and 27A to 27E, inclusive, of chapter 149; provided, however, that in purchasing products or services, the corporation shall at all times follow generally accepted good business practices.

All officers and employees of the corporation having access to its cash or negotiable securities shall give bond to the corporation at its expense, in such amount and with such surety as the board may prescribe. The persons required to give bond may be included in 1 or more blanket or scheduled bonds.

Directors and officers who are not regular, compensated employees of the corporation shall not be liable to the commonwealth, to the corporation or to any other person as a result of their activities, whether ministerial or discretionary, as such directors or officers except for willful dishonesty or intentional violations of law. The board of the corporation may purchase liability insurance for directors, officers and employees and may indemnify said persons against the claims of others.

SECTION 57. Section 56 of chapter 41 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:-

This section shall not prohibit payment to be made for: (i) school travel prior to the date of travel; (ii) the payment of software licenses, software maintenance agreements or online

subscription services for school curriculum prior to the fiscal year in which services shall be rendered; or (iii) the payment of estimates issued by utilities for make-ready work to facilitate access to utility poles, conduits, ducts or rights-of way related to broadband infrastructure projects.

SECTION 58. Chapter 59 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after section 5O the following section:-

Section 5P. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Adaptive reuse", as defined in section 3C of chapter 40A.

"Zoning", as defined in section 1A of chapter 40A.

(b) A city or town that adopts zoning pursuant to section 3C of chapter 40A, may adopt a tax increment exemption for an adaptive reuse project allowed as of right under such zoning. The exemption amount shall not be less than 10 per cent and not more than 100 per cent of the incremental value attributable to the residential portion of an adaptive reuse project allowed as of right under zoning established pursuant to said section 3C of said chapter 40A for a period of not less than 5 years and not more than 20 years. The legislative body of the city or town shall establish the percentage and term of the exemption, subject to the charter of the city or town and the approval of the executive office of housing and livable communities.

(c) The executive office of housing and livable communities may promulgate regulations for the administration of this section.

SECTION 59. Subsection (r) of section 6 of chapter 62 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) A taxpayer, to the extent authorized by the life sciences tax incentive program established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax liability imposed under this chapter in an amount and schedule determined by the Massachusetts Life Sciences Center in consultation with the department. The credit allowed under this section shall be taken only after the taxpayer executes a contract under paragraph (2) of subsection (d) of section 5 of chapter 23I.

SECTION 60. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(1) by adding at line 428 the following two paragraphs:

"Video games" means interactive software that (a) is produced for distribution on or accessed via electronic media, including without limitation software that may be accessed via or downloaded from the Internet or mobile networks and software that is distributed on optical media, or embedded in, or downloadable to electronic devices, including without limitation mobile phones, portable game systems and personal digital assistants (PDAs); (b) users may interact with via an electronic device, which may include without limitation a computer, a game system, a mobile phone, and a personal digital assistant (PDA), in order to achieve a goal or set of goals; and (c) include an appreciable quantity of text, sound, fixed images, animated images, and/or 3-D geometry. Permissible examples of video games are massive multiplayer online games, casual games, console games, virtual worlds, computer games, and mobile games.

"Video games" shall not include products intended to facilitate gambling in any direct or indirect manner, including without limitation Internet gambling websites, video slot machines and video poker machines.

“Video game production company” means a company including its subsidiaries engaged in the business of producing video games. The term “video game production company” shall not mean or include any company which is more than 25 per cent owned, affiliated, or controlled, by any company or person which is in default on a loan made by the Commonwealth or a loan guaranteed by the Commonwealth.

SECTION 61. Section 6 of Chapter 62 of the General Laws, as so appearing, is further amended in section (l)(1) by adding at line 429 after “motion picture” the following term: “, or video games,”

SECTION 62. Section 6 of Chapter 62 of the General Laws, as so appearing, is further amended in section (l)(1) by adding at line 431 after “motion picture” the following term: “, or video game,”.

SECTION 63. Section 6 of Chapter 62 of the General Laws, as so appearing, is further amended in section (l)(1) by adding at line 436 after “motion picture” the following term: “, or video game,”.

SECTION 64. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(1) by adding at line 444 after “motion picture” the 33 following term: “, or video game,”.

SECTION 65. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(2) by adding at line 449 after “motion picture” the following term: “, or video games,”.

SECTION 66. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(2) by adding at line 452 after “motion picture” the following term: “, or video games,”.

SECTION 67. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(2) by adding at line 455 after “motion picture production company” the following term: “, or video game production company,”.

SECTION 68. Section 6 of Chapter 62 of the General Laws, as so appearing is further amended in section (l)(3) by adding at line 463 after “motion picture” the following term: “, or video games,”.

SECTION 69. Section 6 of Chapter 62 of the General Laws, as so appearing, is further amended in section (l)(3) by adding at line 466 after “motion picture” the following term: “, or video games,”.

SECTION 70. Section 6 of Chapter 62 of the General Laws, as so appearing, is further amended in section (l)(5)(ii) by adding at line 491 after “motion picture” the following term: “, or video games,” .

SECTION 71. Paragraph (1) of subsection (l) of section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 543, the words “12 month period” and inserting in place thereof the words “24 month period”.

SECTION 72. Paragraph (2) of said subsection (r) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 920, the figure “50” and inserting in place thereof the following figure:- 25.

SECTION 73. Said subsection (r) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

(5) If the Massachusetts Life Sciences Center revokes the certification of a life sciences company under paragraph (4) of subsection (e) of section 5 of chapter 23I, a portion of the tax credit otherwise allowed by this section and claimed by the taxpayer prior to the date on which the Massachusetts Life Sciences Center makes the determination to revoke the life sciences company’s certification shall be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which the determination to revoke the certification is made. The amount of credits subject to recapture shall be proportionate to the life science company’s compliance, as determined by the Massachusetts Life Sciences Center as part of its revocation process and reported to the corporation and the department at the time certification is revoked.

(6) Nothing in this subsection shall limit the authority of the commissioner to make an adjustment to a taxpayer’s liability upon audit.

SECTION 74. Paragraph (2) of subsection (gg) of section 6 of chapter 62, as so appearing, is hereby amended by inserting, in line 1687, after the word “facility” the following words:- in the case of an owner, and not more than 50 per cent of the owner and tenant’s combined total capital investment in a climatetech facility in the case of a tenant.

SECTION 75. Paragraph (4) of said subsection (gg) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 1702, the words “has made a” and inserting in place thereof the following words:- and tenant have made a combined.

SECTION 76. Subsection (hh) of section 6 of said chapter 62, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) A taxpayer, to the extent authorized by the climatetech tax incentive program established in section 16 of chapter 23J, may be allowed a refundable jobs credit against the tax liability imposed under this chapter in an amount and schedule determined by the Massachusetts clean energy technology center established in section 2 of said chapter 23J, in consultation with the department of revenue. The credit allowed under this section shall be taken only after the taxpayer executes a contract under paragraph (3) of subsection (d) of section 16 of chapter 23J.

SECTION 77. Said subsection (hh) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following two paragraphs:-

(6) If the Massachusetts clean energy technology center revokes the certification of a climatetech company under paragraph (2) of subsection (c) of section 16 of chapter 23J, a portion of the tax credit otherwise allowed by this section and claimed by the taxpayer prior to the date on which the Massachusetts clean energy technology makes the determination to revoke the climatetech company’s certification shall be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which the determination to revoke the certification is made. The amount of credits subject to recapture shall be proportionate to the climatetech company’s compliance, as determined by the Massachusetts clean energy

technology center as part of its revocation process and reported to the corporation and the department at the time certification is revoked.

(7) Nothing in this subsection shall limit the authority of the commissioner to make an adjustment to a taxpayer's liability upon audit.

SECTION 78. Subsection (b) of section 21 of chapter 62C of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting the following 3 paragraphs:-

(32) the disclosure to the life sciences center established in section 3 of chapter 23I of return and wage reporting information of a life sciences company certified pursuant to subsection (b) of section 5 of chapter 23I, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the life sciences tax incentive program authorized by subsection (d) of section 5 of chapter 23I.

(33) the disclosure to the clean energy technology center established in section 2 of chapter 23J of return and wage reporting information of a climatetech company certified pursuant to subsection (b) of section 16 of chapter 23J, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the climatetech tax incentive program authorized by subsection (d)(1) of section 16 of chapter 23J.

(34) the disclosure to the clean energy technology center established in section 2 of chapter 23J of return and wage reporting information of an offshore wind company certified pursuant to subsection (b) of section 8A of chapter 23J, that is: (i) received by the commissioner pursuant to this chapter or chapter 62E; and (ii) necessary for the administration of the offshore wind tax incentive program authorized by subsection (d) of section 8A of chapter 23J.

SECTION 79. Subsection (b) of section 38U of said chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in lines 51 to 52, the words “neither credit allowed by section 31A nor section 31H is taken” and inserting in place thereof the following words:- the credit allowed by section 31H is not taken.

SECTION 80. Section 38X of Chapter 63, as so appearing, is amended in subsection (a) by adding at line 21 the following two paragraphs-

"Video games" means interactive software that (a) is produced for distribution on or accessed via electronic media, including without limitation software that may be accessed via or downloaded from the Internet or mobile networks and software that is distributed on optical media, or embedded in, or downloadable to electronic devices, including without limitation mobile phones, portable game systems and personal digital assistants (PDAs); (b) users may interact with via an electronic device, which may include without limitation a computer, a game system, a mobile phone, and a personal digital assistant (PDA), in order to achieve a goal or set of goals; and (c) include an appreciable quantity of text, sound, fixed images, animated images, and/or 3-D geometry. Permissible examples of video games are massive multiplayer online games, casual games, console games, virtual worlds, computer games, and mobile games.

"Video games" shall not include products intended to facilitate gambling in any direct or indirect manner, including without limitation Internet gambling websites, video slot machines and video poker machines.

“Video game production company”, a company including its subsidiaries engaged in the business of producing video games. The term “video game production company” shall not mean or include any company which is more than 25 per cent owned, affiliated, or controlled, by any

company or person which is in default on a loan made by the Commonwealth or a loan guaranteed by the Commonwealth.

SECTION 81. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (a) by adding at line 23 after “motion picture” the following term: “, or video games,”.

SECTION 82. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (a) by adding at line 25 after “motion picture” the following term: “, or video game,”.

SECTION 83. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (a) by adding at line 29 after “motion picture” the following term: “, or video games,”.

SECTION 84. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (a) by adding at line 30 after “motion picture” the following term: “, or video games,”.

SECTION 85. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (a) by adding at line 37 after “motion picture” the following term: “, or video games,”.

SECTION 86. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (b) by adding at line 42 after “motion picture” the following term: “, or video games,”.

SECTION 87. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (b) by adding at line 45 after “motion picture” the following term: “, or video games,”.

SECTION 88. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (b) by adding at line 47 after “motion picture 98 production company” the following term: “, or video game production company,”.

SECTION 89. Section 38X of said chapter 63 of the General Laws as so appearing, is hereby amended by striking out, in line 49, the words “12 month period” and inserting in place thereof the words “24 month period”.

SECTION 90. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (c) by adding at line 56 after “motion picture” 101 the following term: “, or video games,”.

SECTION 91. Section 38X of Chapter 63 of the General Laws, as appearing in the 2008 Official Edition, is further amended in subsection (c) by adding at line 59 after “motion picture” the following term: “, or video games,”.

SECTION 92. Section 38X of Chapter 63 of the General Laws, as so appearing, is further amended in subsection (e)(2) by adding at line 84 after “motion 107 picture” the following term: “, or video games,”.

SECTION 93. Section 38CC of said chapter 63 of the General Laws, as so appearing is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) A taxpayer, to the extent authorized by the life sciences tax incentive program established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax liability imposed under this chapter in an amount and schedule determined by the Massachusetts Life Sciences Center in consultation with the department. The credit allowed under this section shall be taken only after the taxpayer executes a contract under paragraph (2) of subsection (d) of section 5 of chapter 23I.

SECTION 94. Subsection (b) of said section 38CC of said chapter 63, as so appearing, is hereby amended by striking out, in line 7, the figure “50” and inserting in place thereof the following figure:- 25.

SECTION 95. Subsection (c) of said section 38CC of said chapter 63, as so appearing, is hereby amended by adding the following sentence:- If the taxpayer is subject to a minimum excise under this chapter, the amount of the credit allowed by this section shall not reduce the excise to an amount less than the minimum excise.

SECTION 96. Subsection (d) of said section 38CC of said chapter 63, as so appearing, is hereby amended by striking out, in line 20, the figure “$30,000,000” and inserting in place thereof the following figure:- $40,000,000.

SECTION 97. Said section 38CC of said chapter 63 of the General Laws, as so appearing, is hereby further amended by adding the following 2 subsections:-

(e) If the Massachusetts Life Sciences Center revokes the certification of a life sciences company under paragraph (4) of subsection (e) of section 5 of chapter 23I, a portion of the tax credit otherwise allowed by this section and claimed by the company prior to the date on which the Massachusetts Life Sciences Center makes the determination to revoke its certification shall

be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which the determination to revoke the certification is made. The amount of credits subject to recapture shall be proportionate to the company's compliance, as determined by the Massachusetts Life Sciences Center as part of its revocation process and reported to the corporation and the department at the time certification is revoked.

(f) Nothing in this section shall limit the authority of the commissioner of revenue to make an adjustment to a corporation's liability upon audit.

SECTION 98. Subsection (b) of section 38RR of said chapter 63, as so appearing, is hereby amended by inserting, in line 29, after the words "climatetech facility" the following words:- in the case of an owner, and not more than 50 per cent of the owner and tenant's combined total capital investment in a climatetech facility in the case of a tenant.

SECTION 99. Subsection (d) of said section 38RR of said chapter 63, as so appearing, is hereby further amended by striking out, in lines 44 to 45, the words "owner's total capital investment in the facility equals" and inserting in place thereof the following words:- owner and tenant have made a combined total capital investment in the facility that is.

SECTION 100. Section 38TT of said chapter 63, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) A taxpayer, to the extent authorized by the climatetech tax incentive program established in subsection (d) of section 16 of chapter 23J, may be allowed a refundable jobs credit against the tax liability imposed under this chapter in an amount and schedule determined by the Massachusetts clean energy technology center established in section 2 of said chapter 23J, in consultation with the department of revenue. The credit allowed under this section shall be

taken only after the taxpayer executes a contract under paragraph (3) of subsection (d) of section 16 of chapter 23J.

SECTION 101. Said section 38TT of said chapter 63, as so appearing, is hereby further amended by adding the following 2 subsections:-

(e) If the Massachusetts clean energy technology center revokes the certification of a climatetech company under paragraph (2) of subsection (c) of section 16 of chapter 23J, a portion of the tax credit otherwise allowed by this section and claimed by the taxpayer prior to the date on which the Massachusetts clean energy technology makes the determination to revoke the climatetech company's certification shall be added back as additional tax due and shall be reported as such on the return of the taxpayer for the taxable period in which the determination to revoke the certification is made. The amount of credits subject to recapture shall be proportionate to the climatetech company's compliance, as determined by the Massachusetts clean energy technology center as part of its revocation process and reported to the corporation and the department at the time certification is revoked.

(f) Nothing in this section shall limit the authority of the commissioner of revenue to make an adjustment to a corporation's liability upon audit.

SECTION 102. Subsection (qq) of section 6 of chapter 64H of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

Sales of gas, steam, electricity or heating fuel for use by any business that has 10 or fewer employees that had gross income of less than $2,000,000 for the preceding calendar year, and that reasonably expects gross income of less than $2,000,000 for the current calendar year.

SECTION 103. Subsection (ww) of section 6 of chapter 64H of the General Laws, as so appearing in the 2024 Official Edition, is hereby amended by striking out, each time they appear, the words: “12 month period” and inserting thereof the following words: “24 month period”.

SECTION 104. Section 2 of chapter 70B of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 46 to 47, the words “and which meet the purposes of subsection (c) of section 9 of chapter 23J”.

SECTION 105. Section 30A of Chapter 85 of the General Laws, as appearing in the 2024 Official Edition, shall be amended by inserting the following paragraph at the end thereof:-

Notwithstanding any general or special law to the contrary, the weight threshold for determination of a superload shall be those vehicles at or in excess of one hundred and ninety-nine thousand pounds gross vehicle weight. The department shall also implement an application and fee schedule for expedited superload permits authorized under this section. A superload permit may include conditions and terms as determined by the Administrator; provided further, that allowances shall be made for escort flexibility, where practicable, and engineering studies conducted not older than 12 months prior. For purposes of this section, a “superload” is defined as any vehicle or combination of vehicles which exceed 14 feet in width; or 14 feet in height or greater; or greater than 115 feet in length; or 199,000 pounds or greater in gross vehicle weight; or a combination of the above.

SECTION 106. The General Laws are hereby amended by inserting after chapter 93L the following new chapter:-

CHAPTER 93M. Transparency in Frontier Artificial Intelligence Act

Section 1.

For purposes of this chapter:

(a) “Affiliate” means a person controlling, controlled by, or under common control with a specified person, directly or indirectly, through one or more intermediaries.

(b) “Artificial intelligence model” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(c) (1) “Catastrophic risk” means a foreseeable and material risk that a frontier developer’s development, storage, use, or deployment of a frontier model will materially contribute to the death of, or serious injury to, more than 50 people or more than one billion dollars ($1,000,000,000) in damage to, or loss of, property arising from a single incident involving a frontier model doing any of the following:

(A) Providing expert-level assistance in the creation or release of a chemical, biological, radiological, or nuclear weapon.

(B) Engaging in conduct with no meaningful human oversight, intervention, or supervision that is either a cyberattack or, if the conduct had been committed by a human, would constitute the crime of murder, assault, extortion, or theft, including theft by false pretense.

(C) Evading the control of its frontier developer or user.

(2) “Catastrophic risk” does not include a foreseeable and material risk from any of the following:

(A) Information that a frontier model outputs if the information is otherwise publicly accessible in a substantially similar form from a source other than a foundation model.

(B) Lawful activity of the federal government.

(C) Harm caused by a frontier model in combination with other software if the frontier model did not materially contribute to the harm.

(d) "Critical safety incident" means any of the following:

(1) Unauthorized access to, modification of, or exfiltration of, the model weights of a frontier model or the unauthorized, deliberate, and malicious modification of a frontier model's weights.

(2) Harm resulting from the materialization of a catastrophic risk.

(3) Loss of control of a frontier model causing death or bodily injury.

(4) A frontier model that uses deceptive techniques against the frontier developer to subvert the controls or monitoring of its frontier developer outside of the context of an evaluation designed to elicit this behavior and in a manner that demonstrates materially increased catastrophic risk.

(e) (1) "Deploy" means to make a frontier model available to a third party for use, modification, copying, or combination with other software.

(2) "Deploy" does not include making a frontier model available to a third party for the primary purpose of developing or evaluating the frontier model.

(f) "Foundation model" means an artificial intelligence model that is all of the following:

(1) Trained on a broad data set.

(2) Designed for generality of output.

(3) Adaptable to a wide range of distinctive tasks.

(g) "Frontier AI framework" means documented technical and organizational protocols to manage, assess, and mitigate catastrophic risks.

(h) "Frontier developer" means a person who has trained, or initiated the training of, a frontier model, with respect to which the person has used, or intends to use, at least as much computing power to train the frontier model as would meet the technical specifications found in subdivision (i).

(i) (1) "Frontier model" means a foundation model that was trained using a quantity of computing power greater than 10^26 integer or floating-point operations.

(2) The quantity of computing power described in paragraph (1) shall include computing for the original training run and for any subsequent fine-tuning, reinforcement learning, or other material modifications the developer applies to a preceding foundation model.

(j) "Large frontier developer" means a frontier developer that together with its affiliates collectively had annual gross revenues in excess of five hundred million dollars ($500,000,000) in AI-derived revenue in the preceding calendar year or spent more than one billion dollars ($1,000,000,000) in the preceding calendar year on AI research and development.

(k) "Model weight" means a numerical parameter in a frontier model that is adjusted through training and that helps determine how inputs are transformed into outputs.

(l) “Property” means tangible or intangible property.

Section 2.

(a) A large frontier developer shall write, implement, comply with, and clearly and conspicuously publish on its internet website a frontier AI framework that identifies the large frontier developer’s frontier models to which the frontier AI framework applies and describes how the large frontier developer approaches all of the following:

(1) Incorporating national standards, international standards, and industry-consensus best practices into its frontier AI framework.

(2) Defining and assessing thresholds used by the large frontier developer to identify and assess whether a frontier model has capabilities that could pose a catastrophic risk, which may include multiple-tiered thresholds.

(3) Applying mitigations to address the potential for catastrophic risks based on the results of assessments undertaken pursuant to paragraph (2).

(4) Reviewing assessments and adequacy of mitigations as part of the decision to deploy a frontier model or use it extensively internally.

(5) Using third parties to assess the potential for catastrophic risks and the effectiveness of mitigations of catastrophic risks.

(6) Revisiting and updating the frontier AI framework, including any criteria that trigger updates and how the large frontier developer determines when its frontier models are substantially modified enough to require disclosures pursuant to subdivision (c).

(7) Cybersecurity practices to secure unreleased model weights from unauthorized modification or transfer by internal or external parties.

(8) Identifying and responding to critical safety incidents.

(9) Instituting internal governance practices to ensure implementation of these processes.

(10) Assessing and managing catastrophic risk resulting from the internal use of its frontier models, including risks resulting from a frontier model circumventing oversight mechanisms.

(11) Identifying the large frontier developer's corporate officer who will be primarily responsible for implementing the frontier AI framework.

(b) (1) A large frontier developer shall review and, as appropriate, update its frontier AI framework at least once per year.

(2) If a large frontier developer makes a material modification to its frontier AI framework, the large frontier developer shall clearly and conspicuously publish the modified frontier AI framework and a justification for that modification within 30 days.

(c) A large frontier developer shall submit a statement of compliance certifying its compliance with its current frontier AI framework to the attorney general at least once per calendar year.

(d) (1) Before, or concurrently with, deploying a new frontier model or a substantially modified version of an existing frontier model, a frontier developer shall clearly and conspicuously publish on its internet website a transparency report containing all of the following:

(A) The internet website of the frontier developer.

(B) A mechanism that enables a natural person to communicate with the frontier developer.

(C) The release date of the frontier model.

(D) The languages supported by the frontier model.

(E) The modalities of output supported by the frontier model.

(F) The intended uses of the frontier model.

(G) Any generally applicable restrictions or conditions on uses of the frontier model.

(2) Before, or concurrently with, deploying a frontier model for general access that is (A) materially more capable of posing catastrophic risk than any frontier model that the frontier developer has previously deployed or (B) deployed with safeguards for catastrophic risks that are materially weaker than safeguards that the frontier developer has put in place for previously deployed frontier models that had a comparable or materially greater capability, a large frontier developer shall include in the transparency report required by paragraph (1) summaries of all of the following:

(A) Assessments of catastrophic risks from the frontier model conducted pursuant to the large frontier developer's frontier AI framework.

(B) The results of those assessments.

(C) Whether and the extent to which the frontier model's internal or external deployment changes the frontier developer's risk assessment of the model as compared to prior public analyses of previously deployed frontier models in system cards and risk reports.

(D) The extent to which third-party evaluators were involved.

(E) Other steps taken to fulfill the requirements of the frontier AI framework with respect to the frontier model.

(3) A frontier developer that publishes the information described in paragraph (1) or (2) as part of a larger document, including a system card or model card, shall be deemed in compliance with the applicable paragraph.

(4) A frontier developer is encouraged, but not required, to make disclosures described in this subdivision that are consistent with, or superior to, industry best practices.

(e) (1) A large frontier developer shall clearly and conspicuously publish on its internet website, and update at least once every one hundred and eighty (180) days, a risk report that provides an overall assessment of the catastrophic risks posed by (i) any frontier models the frontier developer deploys externally, and (ii) any internally deployed frontier models whose capabilities materially exceed those of any frontier model that frontier developer has externally deployed. The large frontier developer shall publish the initial risk report no later than 180 days after the effective date of this chapter.

(2) Each risk report that is required by paragraph (1) shall include, at a minimum, the following:

(A) A representative summary of whether the frontier models have capabilities that could pose a catastrophic risk. The summary shall address each catastrophic risk and describe any material changes to the capabilities of the frontier models relevant to these catastrophic risks since the most recently published risk report.

(B) A description of the key threat models the large frontier developer tracks to identify potential catastrophic risks, how observed capabilities of those frontier models relate to each threat model, and key mitigations that the large frontier developer has put in place to mitigate any such identified risks.

(C) An assessment of each catastrophic risk posed by the frontier models after accounting for the mitigations referenced in subparagraph (B). The assessment must provide sufficient information for the public to understand the reasoning behind the risk assessment and to reach a similar overall conclusion about the level of risk posed by the frontier models as if the public had access to all of the same information as the large frontier developer.

(f) A large frontier developer shall transmit to the attorney general a summary of any assessment of catastrophic risk resulting from internal use of its frontier models every three months or pursuant to another reasonable schedule specified by the large frontier developer and communicated in writing to the attorney general with written updates, as appropriate.

(g) (1) (A) A frontier developer shall not make a materially false or misleading statement about catastrophic risk from its frontier models or its management of catastrophic risk.

(B) A large frontier developer shall not make a materially false or misleading statement about its implementation of, or compliance with, its frontier AI framework.

(2) This subdivision does not apply to a statement that was made in good faith and was reasonable under the circumstances.

(h) (1) When a frontier developer publishes documents to comply with this section, the frontier developer may make redactions to those documents that are necessary to protect the frontier developer's trade secrets, the frontier developer's cybersecurity, public safety, or the national security of the United States or to comply with any federal or state law.

(2) If a frontier developer redacts information in a document pursuant to this subdivision, the frontier developer shall describe the character and justification of the redaction in any published version of the document to the extent permitted by the concerns that justify redaction and shall retain the unredacted information for five years.

(i) Beginning on July 1, 2027 or 90 days after a developer first qualifies as a large frontier developer, whichever is later, a large frontier developer shall annually retain a third party to perform an independent audit of compliance with the requirements of subdivisions (a)-(d) and (f)-(h) of this section. The third party shall conduct audits consistent with generally accepted auditing standards and best practices and shall possess demonstrated competence to perform the audit, including experience employing or contracting with individuals who possess technical expertise in the safety of frontier models. A large frontier developer shall not retain a third party if either the large frontier developer or the third party has a financial interest in the other party. A large frontier developer may compensate a third party for its services but shall not condition any payment or the amount of any payment on the results of the third party's audit.

(1) The third party shall be granted access to all materials reasonably necessary to comply with the third party's obligations under this subdivision (i), including, but not limited to, all

unredacted versions of materials published pursuant to this chapter. To protect the large frontier developer's trade secrets and confidential business information, cybersecurity, national security of the United States, or public safety, a large frontier developer may impose security protocols on the third party, including, but not limited to, restrictions on note taking, copying, retaining, or removing materials; requirements for on-premise review; and confidentiality requirements.

(2) The third party shall produce a report that includes all of the following:

(A) a description of whether the large frontier developer has substantially complied with the requirements of this section;

(B) if applicable, a description of material deviations from the requirements of this section, an explanation of any deviation and its rationale, and any recommendations for how the developer can improve its policies and processes for ensuring compliance with the requirements of this section;

(C) a detailed assessment of the large frontier developer's internal controls, including its designation and empowerment of senior personnel responsible for such implementation by the large frontier developer, its employees, and its contractors;

(D) a list of the personnel involved in the audit;

(E) the third party's procedures for managing conflicts of interest and any conflicts of interest of any personnel involved in the audit;

(F) the methodology of the audit and the nature of the information reviewed by the third party to conduct the audit; and

(G) the signature of the lead auditor certifying the results of the audit.

(3) The large frontier developer shall retain an unredacted copy of the report for as long as a frontier model is deployed plus 5 years.

(4) (A) No later than 30 days after receiving the audit report, the large frontier developer shall conspicuously publish on its website a high-level summary of the audit findings and a copy of the third party's report with appropriate redactions and transmit a copy of the redacted report to the attorney general.

(B) The large frontier developer shall grant the attorney general access to the third party's report, with redactions, upon request, subject to the redactions permitted under subdivision (h).

Section 3.

(a) The attorney general shall establish a mechanism to be used by a frontier developer or a member of the public to report a critical safety incident that includes all of the following:

(1) The date of the critical safety incident.

(2) The reasons the incident qualifies as a critical safety incident.

(3) A short and plain statement describing the critical safety incident.

(4) Whether the incident was associated with internal use of a frontier model.

(b) (1) The attorney general shall establish a mechanism to be used by a large frontier developer to confidentially submit summaries of any assessments of the potential for catastrophic risk resulting from internal use of its frontier models.

(2) The attorney general shall take all necessary precautions to limit access to any reports related to internal use of frontier models to only personnel with a specific need to know the information and to protect the reports from unauthorized access.

(c) (1) Subject to paragraph (2), a frontier developer shall report any critical safety incident pertaining to one or more of its frontier models to the attorney general within 15 days of discovering the critical safety incident.

(2) If a frontier developer discovers that a critical safety incident poses an imminent risk of death or serious physical injury, the frontier developer shall disclose that incident within 24 hours to an authority, including any law enforcement agency or public safety agency with jurisdiction, that is appropriate based on the nature of that incident and as required by law.

(3) A frontier developer that discovers information about a critical safety incident after filing the initial report required by this subdivision may file an amended report.

(4) A frontier developer is encouraged, but not required, to report critical safety incidents pertaining to foundation models that are not frontier models.

(d) The attorney general shall review critical safety incident reports submitted by frontier developers and may review reports submitted by members of the public.

(e) (1) The attorney general may transmit reports of critical safety incidents and reports from covered employees to the Legislature, the Governor, the federal government, or appropriate state agencies.

(2) The Attorney General shall strongly consider any risks related to trade secrets, public safety, cybersecurity of a frontier developer, or national security when transmitting reports.

(f) A report of a critical safety incident submitted to the attorney general pursuant to this section, a report of assessments of catastrophic risk from internal use, and a covered employee report are exempt from chapter 66.

(g) (1) Beginning January 1, 2027, and annually thereafter, the attorney general shall produce a report with anonymized and aggregated information about critical safety incidents that have been reviewed by the attorney general since the preceding report.

(2) The attorney general shall not include information in a report pursuant to this subdivision that would compromise the trade secrets or cybersecurity of a frontier developer, public safety, or the national security of the United States or that would be prohibited by any federal or state law.

(3) The attorney general shall transmit a report pursuant to this subdivision to the Legislature and to the Governor.

(h) The attorney general may adopt regulations designating one or more federal laws, regulations, or guidance documents that meet all of the following conditions for the purposes of subdivision (i):

(1) (A) The law, regulation, or guidance document imposes or states standards or requirements for critical safety incident reporting that are substantially equivalent to, or stricter than, those required by this section.

(B) The law, regulation, or guidance document described in subparagraph (A) does not need to require critical safety incident reporting to the Commonwealth of Massachusetts.

(2) The law, regulation, or guidance document is intended to assess, detect, or mitigate the catastrophic risk.

(i) (1) A frontier developer that intends to comply with this section by complying with the requirements of, or meeting the standards stated by, a federal law, regulation, or guidance document designated pursuant to subdivision (h) shall declare its intent to do so to the attorney general.

(2) After a frontier developer has declared its intent pursuant to paragraph (1), both of the following apply:

(A) The frontier developer shall be deemed in compliance with this section to the extent that the frontier developer meets the standards of, or complies with the requirements imposed or stated by, the designated federal law, regulation, or guidance document until the frontier developer declares the revocation of that intent to the attorney general or the attorney general revokes a relevant regulation pursuant to subdivision (j).

(B) The failure by a frontier developer to meet the standards of, or comply with the requirements stated by, the federal law, regulation, or guidance document designated pursuant to subdivision (h) shall constitute a violation of this chapter.

(j) The attorney general shall revoke a regulation adopted under subdivision (h) if the requirements of subdivision (h) are no longer met.

Section 4.

(a) (1) Beginning July 1, 2027 or 90 days after a developer first qualifies as a large frontier developer, whichever is later, a large frontier developer shall engage at least one

qualified independent evaluator to conduct an independent evaluation of the developer's frontier models with respect to each catastrophic risk. A large frontier developer shall engage an independent evaluator to conduct its evaluation no more than thirty (30) days after publishing each risk report under section 2(e), and in any event shall conduct an independent evaluation no less frequently than once every one-hundred-eighty (180) days.

(2) An independent evaluation conducted pursuant to paragraph (1) shall, at a minimum, include:

(A) An independent assessment of each catastrophic risk posed by the large frontier developer's frontier models, taking into account model capabilities, applicable threat models, and the large frontier developer's safeguards.

(B) A review of the large frontier developer's most recent risk report published pursuant to section 2(e), including an assessment of: (i) the adequacy and completeness of the information disclosed in the risk report; (ii) the analytical rigor of the frontier developer's risk methodology; (iii) the appropriateness and materiality of any redactions made to the publicly available version of the risk report; and (iv) whether the qualified independent evaluator disagrees with any of the report's claims, including the overall assessment of the level of risk for each catastrophic risk.

(3) (A) The qualified independent evaluator shall be granted access to all materials reasonably necessary to comply with the evaluator's obligations under this section, including, but not limited to, all unredacted versions of materials published pursuant to this chapter and the frontier developer's most capable frontier models. The qualified independent evaluator shall have the opportunity to ask and receive reasonable responses to relevant questions about the frontier developer's frontier models, likelihood of catastrophic risks, and related safeguards.

(B) To protect the frontier developer's trade secrets and confidential business information, cybersecurity, national security of the United States, or public safety, a frontier developer may impose security protocols on the qualified independent evaluator, including, but not limited to, restrictions on note taking, copying, retaining, or removing materials; requirements for on-premise review; and confidentiality requirements.

(4) The qualified independent evaluator shall publish a public version of its report no later than [30] days after delivery. The public version may be redacted only as provided in section 2(h).

(b) (1) A qualified independent evaluator shall have no financial, operational, or management dependence on the frontier developer or any of the frontier developer’s subsidiaries or affiliates; and shall be otherwise free from the frontier developer’s control in reaching conclusions or making recommendations, including through contractual safeguards and conflict-of-interest policies. However, if no other source of funding has been established as set out in section (4)(b)(2)(C) below, a large frontier developer may compensate the evaluator at reasonable market rates.

(2) (A) As a condition of qualification or licensure, the independent evaluator shall certify in writing to the frontier developer and the attorney general that the evaluator satisfies the independence requirements of this section. The certification may include the evaluator’s sources of funding and remuneration for the engagement, any other current or recent engagements with the frontier developer or its affiliates, and any other facts that could reasonably be expected to bear on the evaluator’s independence.

(B) No individual who participated in the qualified independent evaluation shall accept employment, a consulting engagement, or a board position with the frontier developer that was the subject of the evaluation within one year following the publication of the evaluation report.

(c) (1) Not later than one year after the effective date of this chapter, the attorney general, in consultation with academic institutions, civil society organizations, and industry stakeholders, shall implement an independent evaluation ecosystem plan, including by:

(A) Developing and publishing standards for the qualification of qualified independent evaluators;

(B) Exploring a licensing system to qualify evaluators;

(C) Subject to government appropriation, providing government funding or arranging pooled funding so that qualified independent evaluators can conduct their evaluations while remaining financially independent of any given developer; and

(D) Providing resources and funding for nascent organizations seeking to become evaluators.

(2) (A) The attorney general may develop and publish a rating system for qualified independent evaluators based on predefined criteria, including the rigor and quality of the evaluator's published reasoning and analysis, the thoroughness of the evaluator's methodology, the evaluator's track record of identifying material risks or deficiencies, and stakeholder feedback, including from frontier developers, academic reviewers, and the public.

Section 5.

(a) On or before January 1, 2027, and annually thereafter, the attorney general, in consultation with MassCompute, shall assess recent evidence and developments relevant to the purposes of this chapter and shall make recommendations about whether and how to update any of the following definitions for the purposes of this chapter to ensure that they accurately reflect technological developments, scientific literature, and widely accepted national and international standards:

(1) "Frontier model" so that it applies to foundation models at the frontier of artificial intelligence development.

(2) "Frontier developer" so that it applies to developers of frontier models who are themselves at the frontier of artificial intelligence development.

(3) "Large frontier developer" so that it applies to well-resourced frontier developers.

(b) In making recommendations pursuant to this section, the attorney general shall take into account all of the following:

(1) Similar thresholds used in international standards or federal law, guidance, or regulations for the management of catastrophic risk and shall align with a definition adopted in a federal law or regulation to the extent that it is consistent with the purposes of this chapter.

(2) Input from stakeholders, including academics, industry, the open-source community, and governmental entities.

(3) The extent to which a person will be able to determine, before beginning to train or deploy a foundation model, whether that person will be subject to the definition as a frontier

developer or as a large frontier developer with an aim toward allowing earlier determinations if possible.

(4) The complexity of determining whether a person or foundation model is covered, with an aim toward allowing simpler determinations if possible.

(5) The external verifiability of determining whether a person or foundation model is covered, with an aim toward definitions that are verifiable by parties other than the frontier developer.

(c) Upon developing recommendations pursuant to this section, the attorney general shall submit a report to the Legislature with those recommendations.

(d) (1) Beginning January 1, 2027, and annually thereafter, the attorney general shall produce a report with anonymized and aggregated information about reports from covered employees that have been reviewed by the attorney general since the preceding report.

(2) The attorney general shall not include information in a report pursuant to this subdivision that would compromise the trade secrets or cybersecurity of a frontier developer, confidentiality of a covered employee, public safety, or the national security of the United States or that would be prohibited by any federal or state law.

(3) The attorney general shall transmit a report pursuant to this subdivision to the Legislature and to the Governor.

Section 6.

(a) A large frontier developer that fails to publish or transmit a compliant document required to be published or transmitted under this chapter, makes a statement in violation of this

chapter, fails to report an incident as required by this chapter, fails to comply with its own frontier AI framework, or fails to conduct an independent evaluation consistent with this chapter, shall be subject to injunctive relief only for the purpose of compelling compliance with this chapter's requirements or a civil penalty in an amount dependent upon the severity of the violation that does not exceed one million dollars ($1,000,000) per violation.

(b) An injunction or civil penalty described in this section may be recovered in a civil action brought only by the Attorney General.

Section 7.

The loss of value of equity does not count as damage to or loss of property for the purposes of this chapter.

Section 8.

(a) There is hereby established within the Executive Office of Technology Services and Security a consortium that shall develop, pursuant to this section, a framework for the creation of a public cloud computing cluster to be known as "MassCompute."

(b) The consortium shall develop a framework for the creation of MassCompute that advances the development and deployment of artificial intelligence that is safe, ethical, equitable, and sustainable by doing, at a minimum, both of the following:

(1) Fostering research and innovation that benefits the public.

(2) Enabling equitable innovation by expanding access to computational resources.

(c) The consortium shall make reasonable efforts to ensure that MassCompute is established within public institutions of higher education to the extent possible.

(d) MassCompute shall include, but not be limited to, all of the following:

(1) A fully owned and hosted cloud platform.

(2) Necessary human expertise to operate and maintain the platform.

(3) Necessary human expertise to support, train, and facilitate the use of MassCompute.

(e) The consortium shall operate in accordance with all relevant labor and workforce laws and standards.

(f) (1) On or before January 1, 2027, and annually thereafter, MassCompute shall submit a report from the consortium to the Legislature with the framework, and any updates to said framework, developed pursuant to subdivision (b) for the creation and operation of MassCompute.

(2) The report required by this subdivision shall include all of the following elements:

(A) A landscape analysis of Massachusetts' current public, private, and nonprofit cloud computing platform infrastructure.

(B) An analysis of the cost to the state to build and maintain MassCompute and recommendations for potential funding sources.

(C) Recommendations for the governance structure and ongoing operation of MassCompute.

(D) Recommendations for the parameters for use of MassCompute, including, but not limited to, a process for determining which users and projects will be supported by MassCompute.

(E) An analysis of the state's technology workforce and recommendations for equitable pathways to strengthen the workforce, including the role of MassCompute.

(F) A detailed description of any proposed partnerships, contracts, or licensing agreements with nongovernmental entities, including, but not limited to, technology-based companies, that demonstrates compliance with the requirements of subdivisions (c) and (d).

(G) Recommendations regarding how the creation and ongoing management of MassCompute can prioritize the use of the current public sector workforce.

(g) The consortium shall consist of 14 members as follows:

(1) Four representatives of public and private academic research institutions and national laboratories appointed by the Governor.

(2) Three representatives of impacted workforce labor organizations appointed by the as appointed by Senate President, Speaker of the House of Representatives and Governor, respectively.

(3) Three representatives of stakeholder groups with relevant expertise and experience, including, but not limited to, ethicists, consumer rights advocates, and other public interest advocates appointed by Senate President, Speaker of the House of Representatives and Governor, respectively.

(4) Four experts in technology and artificial intelligence to provide technical assistance appointed by the Governor.

(h) The members of the consortium shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties.

(i) If MassCompute is established within public institutions of higher education, said public institutions of higher education may receive private donations for the purposes of implementing MassCompute.

(k) This section shall be subject to appropriation.

Section 9.

(a) (1) "Catastrophic risk" means a foreseeable and material risk that a frontier developer's development, storage, use, or deployment of a foundation model will materially contribute to the death of, or serious injury to, more than 50 people or more than one billion dollars ($1,000,000,000) in damage to, or loss of, property arising from a single incident involving a foundation model doing any of the following:

(A) Providing expert-level assistance in the creation or release of a chemical, biological, radiological, or nuclear weapon.

(B) Engaging in conduct with no meaningful human oversight, intervention, or supervision that is either a cyberattack or, if committed by a human, would constitute the crime of murder, assault, extortion, or theft, including theft by false pretense.

(C) Evading the control of its frontier developer or user.

(2) “Catastrophic risk” does not include a foreseeable and material risk from any of the following:

(A) Information that a foundation model outputs if the information is otherwise publicly accessible in a substantially similar form from a source other than a foundation model.

(B) Lawful activity of the federal government.

(C) Harm caused by a foundation model in combination with other software where the foundation model did not materially contribute to the harm.

(b) “Covered employee” means an employee responsible for assessing, managing, or addressing risk of critical safety incidents.

(c) “Critical safety incident” means any of the following:

(1) Unauthorized exfiltration of the model weights of a foundation model or the unauthorized, deliberate and malicious modification of a frontier model’s weights.

(2) Harm resulting from the materialization of a catastrophic risk.

(3) Loss of control of a foundation model causing death or bodily injury.

(4) A foundation model that uses deceptive techniques against the frontier developer to subvert the controls or monitoring of its frontier developer outside of the context of an evaluation designed to elicit this behavior and in a manner that demonstrates materially increased catastrophic risk.

(a) A frontier developer shall not make, adopt, enforce, or enter into a rule, regulation, policy, or contract that prevents a covered employee from disclosing, or retaliates against a

covered employee for disclosing, information to the Attorney General, a federal authority, a person with authority over the covered employee, or another covered employee who has authority to investigate, discover, or correct the reported issue, if the covered employee has reasonable cause to believe that the information discloses either of the following:

(1) The frontier developer's activities pose a specific and substantial danger to the public health or safety resulting from a catastrophic risk.

(2) The frontier developer has violated this chapter.

(b) A frontier developer shall not enter into a contract that prevents a covered employee from making a disclosure protected under this chapter.

(c) A covered employee may use the hotline described in this section to make reports described in subdivision (a).

(d) A frontier developer shall provide a clear notice to all covered employees of their rights and responsibilities under this section, including by doing either of the following:

(1) At all times posting and displaying within any workplace maintained by the frontier developer a notice to all covered employees of their rights under this section, ensuring that any new covered employee receives equivalent notice, and ensuring that any covered employee who works remotely periodically receives an equivalent notice.

(2) At least once each year, providing written notice to each covered employee of the covered employee's rights under this section and ensuring that the notice is received and acknowledged by all of those covered employees.

(e) (1) A large frontier developer shall provide a reasonable internal process through which a covered employee may anonymously disclose information to the large frontier developer if the covered employee believes in good faith that the information indicates that the large frontier developer's activities present a specific and substantial danger to the public health or safety resulting from a catastrophic risk or that the large frontier developer violated this chapter, including a monthly update to the person who made the disclosure regarding the status of the large frontier developer's investigation of the disclosure and the actions taken by the large frontier developer in response to the disclosure.

(2) (A) Except as provided in subparagraph (B), the disclosures and responses of the process required by this subdivision shall be shared with officers and directors of the large frontier developer at least once each quarter.

(B) If a covered employee has alleged wrongdoing by an officer or director of the large frontier developer in a disclosure or response, subparagraph (A) shall not apply with respect to that officer or director.

(f) The court is authorized to award reasonable attorney's fees to a plaintiff who brings a successful action for a violation of this section.

(g) In a civil action brought pursuant to this section, once it has been demonstrated by a preponderance of the evidence that an activity proscribed by this section was a contributing factor in the alleged prohibited action against the covered employee, the frontier developer shall have the burden of proof to demonstrate by clear and convincing evidence that the alleged action would have occurred for legitimate, independent reasons even if the covered employee had not engaged in activities protected by this section.

(h) (1) In a civil action or administrative proceeding brought pursuant to this section, a covered employee may petition the superior court in any county wherein the violation in question is alleged to have occurred, or wherein the person resides or transacts business, for appropriate temporary or preliminary injunctive relief.

(2) Upon the filing of the petition for injunctive relief, the petitioner shall cause notice thereof to be served upon the person, and thereupon the court shall have jurisdiction to grant temporary injunctive relief as the court deems just and proper.

(3) In addition to any harm resulting directly from a violation of this section, the court shall consider the chilling effect on other covered employees asserting their rights under this section in determining whether temporary injunctive relief is just and proper.

(4) Appropriate injunctive relief shall be issued on a showing that reasonable cause exists to believe a violation has occurred.

(5) An order authorizing temporary injunctive relief shall remain in effect until an administrative or judicial determination or citation has been issued, or until the completion of a review pursuant to this section, whichever is longer, or at a certain time set by the court. Thereafter, a preliminary or permanent injunction may be issued if it is shown to be just and proper. Any temporary injunctive relief shall not prohibit a frontier developer from disciplining or terminating a covered employee for conduct that is unrelated to the claim of the retaliation.

(i) Notwithstanding Massachusetts Rules of Civil Procedure, injunctive relief granted pursuant to this section shall not be stayed pending appeal.

(j) (1) This section does not impair or limit the applicability of provisions of law.

(2) The remedies provided by this section are cumulative to each other and the remedies or penalties available under all other laws of this state.

Section 10.

The attorney general, in consultation with MassCompute, may promulgate, amend, or rescind regulations for the implementation, administration, and enforcement of this chapter.

Section 11.

(a) The provisions of this chapter are severable. If any provision of this chapter or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(b) This chapter shall be liberally construed to effectuate its purposes.

(c) The duties and obligations imposed by this chapter are cumulative with any other duties or obligations imposed under other law and shall not be construed to relieve any party from any duties or obligations imposed under other law and do not limit any rights or remedies under existing law.

SECTION 107. Chapter 111 of the General laws is hereby amended by adding the following section:-

Section 244. The commissioner of public health shall promulgate regulations for the annual health inspection of food trucks. The commissioner shall prescribe rules and regulations relative to inspection schedules, documentation of inspections, standards for acceptable cleanliness and the costs of such inspections.

SECTION 108. Chapter 111 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after section 244 the following section:-

Section 245. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Smoke evacuation system", smoke evacuators, laser plume evacuators, or local exhaust ventilators that effectively capture and neutralize surgical smoke at the site of origin and before the smoke can make ocular contact or contact with the respiratory tract of the occupants of the room.

"Surgical smoke", the by-product, including surgical plume, smoke plume, bio-aerosols, laser-generated airborne contaminants, and other lung-damaging dust, that results from contact with tissue by an energy generating device.

(b) All hospitals and freestanding ambulatory surgical facilities licensed in the commonwealth under this chapter shall adopt policies to ensure the elimination of surgical smoke by use of a smoke evacuation system for any procedure that generates surgical smoke from the use of energy-based devices including, but not limited to, electrosurgery and lasers.

(c) Any hospital or freestanding ambulatory surgical facility that violates subsection (b) shall be punished by a fine of not less than $500 for each violation.

SECTION 109. Section 75 of chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, the board, upon the recommendation of the executive director or their designee, shall waive any requirement to

complete an exam exclusively verifying proficiency in English if the applicant: (i) previously passed an English proficiency examination at any time; (ii) has obtained one or more nursing degrees in the United States, if the applicant was originally trained outside of the United States; or (iii) demonstrates English proficiency through another method deemed acceptable by the board. Nothing in this paragraph shall be construed to impede the board's authority to establish or conduct examinations which test the applicant's fitness to practice or to promulgate rules, regulations or guidelines pursuant to section 79. The board may not waive requirements for an exam verifying proficiency in English for applicants seeking licensure via the Nurse Licensure Compact pursuant to chapter 112A.

SECTION 110. Chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out Section 82, and inserting in place thereof the following section:

Section 82. The following words, as used in this section and in sections eighty-three to eighty-seven, inclusive, shall have the following meanings, unless the context otherwise requires:

"Apprentice embalmer", any person engaged in the learning of the practice of embalming under the instruction and personal supervision of a duly registered embalmer; provided, that no person shall serve as such apprentice embalmer until he has been certified as such by the board."

"Board", the board of registration in embalming or funeral directing established by section twenty-nine of chapter thirteen.

"Person", an individual, but not a partnership, corporation or association of any kind.

"Embalming", the business, practice, science or profession, as commonly practiced, of preserving, disinfecting and preparing in any manner dead human bodies for burial, cremation or transportation.

“Funeral directing”, the business, practice or profession, as commonly practiced, of (a) directing or supervising funerals or providing funeral service; (b) coordinating logistics and supporting grieving families throughout the funeral process; (c) arranging for the burial or cremation of deceased individuals; and (d) providing transportation, internment and disinternment of dead human bodies.

"Embalmer", any person engaged, or holding himself out as engaged, in the business, practice, science or profession of embalming.

"Funeral Director", any person engaged, or holding himself out as engaged, in the business, practice or profession of funeral directing.

SECTION 111. Section 83 of Chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the words “two years”, and inserting in place thereof, the following words:- “one year”

SECTION 112. Said section 83 of Chapter 112, as so appearing, is hereby further amended by striking out, in line 9, the word “fifty”, and inserting in place thereof the following words:- “twenty five”

SECTION 113. Said section 83 of Chapter 112, as so appearing, is hereby further amended by striking out, in line 18, the words:- “a duly registered embalmer,”

SECTION 114. Said section 83 of Chapter 112, as so appearing, is hereby further amended by striking out, in line 63, the word “fifty,” and inserting in place thereof the following words:- “twenty five”

SECTION 115. Section 85 of Chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the words “embalming and funeral directing” and inserting in place thereof the following words: “embalming or funeral directing”

SECTION 116. Said Section 85 of Chapter 112, as so appearing, is hereby amended by striking out, in line 20 the words “embalming and funeral directing” and inserting in place thereof the following words: “embalming or funeral directing”

SECTION 117. Section 87A1/2 of Chapter 112 of the General laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (e) and inserting in place thereof the following subsection:-

(e) The educational and experience requirements for a certificate shall be at least 1 of the following:

(i) a bachelor’s degree or its equivalent from a college or university approved by the board and 2 years of full-time experience or the equivalent approved by the board;

(ii) a bachelor’s degree with 30 semester hours of additional education from a college or university approved by the board and 1 year of full-time experience or the equivalent approved by the board; or

(iii) a master’s degree or its equivalent from a college or university approved by the board and 1 year of full-time experience or the equivalent approved by the board.

The educational requirements to take the examination required to be passed as a condition for the granting of a certificate shall be set forth in regulations promulgated by the board.

SECTION 118. Paragraph (1) of subsection (d) of section 87B of said chapter 112, as so appearing, is hereby amended by inserting after the word “commonwealth;”, in line 33, the following word:- and.

SECTION 119. Paragraph (2) of said subsection (d) of said section 87B of said chapter 112, as so appearing, is hereby amended by striking out clauses (A) to (C), inclusive, and inserting in place thereof the following 3 clauses:-

(A) is certified or licensed in another state and is in good standing in the other state;

(B) has passed the Uniform Certified Public Accountant Examination and has completed the educational requirements listed in subsection (e) of section 87A1/2; or

(C) had 4 years of experience in the practice of public accountancy or equivalent, 26meeting requirements prescribed by the board by rule, after passing the examination upon which 27their certificate was based within the 10 years immediately preceding their application.

SECTION 120. Said subsection (d) of said section 87B of said chapter 112, as so appearing, is hereby further amended by striking out paragraph (3).

SECTION 121. Subsection (h) of said section 87B of said chapter 112, as so appearing, is hereby further amended by striking out paragraph (2) and inserting in place thereof the following paragraph:-

(h)(2) A person whose principal place of business is outside the commonwealth shall be deemed to have qualifications substantially equivalent to the commonwealth's requirements for the practice of public accountancy and may engage in the practice of certified public accountancy in the commonwealth, including offering and rendering professional services, whether in person or by mail, telephone or electronic means, if such person holds a valid license as a certified public accountant issued by another state; provided, however, that the person has met the educational and experience requirements listed in subsection (e) of section 87A1/2 and has passed the Uniform Certified Public Accountant Examination or exceeded the licensure requirements of this chapter; provided further, that any person who has passed the Uniform Certified Public Accountant Examination and holds a valid certified public accountant certificate issued by another state on or before December 31, 2025, shall be exempt from the educational requirements in said subsection (e) of said section 87A1/2. Any person who qualifies for the practice privilege pursuant to this subsection may exercise such privilege in the commonwealth without limitation on the period of time within which such person may so practice in the commonwealth if such person remains qualified pursuant to this subsection; provided, however, that such person shall not be required to obtain a certificate or license pursuant to this section, except as provided in this subsection, submit any other notice to the board or obtain a temporary practice permit from or pay any fee to the board.

SECTION 122. Section 131 of chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 6 to 7, the words "has passed an examination prepared by the board for this purpose;".

SECTION 123. Section 132 of said chapter 112 is hereby amended by striking out, in lines 1 to 2, the words "Examinations for licensed certified social workers, including those in

independent clinical practice" and inserting in place thereof the following words:- Examinations for licensed independent clinical social workers.

SECTION 124. Said chapter 112 is hereby further amended by inserting after section 135C the following section:-

Section 135D. To ensure a stable, diverse workforce of licensed social workers in the commonwealth, and to provide for increased support and retention of practicing licensed social workers, the commonwealth shall administer a paid practicum placement grant program for Master of Social Work students in good standing. The program shall, subject to appropriation, provide grant funding to designated recipients with a specific focus on recruiting and retaining Master of Social Work students from historically marginalized communities and low-income communities. Funds to establish this program shall be allocated from state, federal or other dedicated resources, including existing trust funds. Eligible applicants must attend a school of social work Masters program physically located in Massachusetts that has been accredited by the Council on Social Work Education.

The executive office of education shall collaborate with eligible institutions of higher education to track applicant data, including application details submitted, and evaluate the program's efficacy and equity.

SECTION 125. Section 136 of said chapter 112 is hereby amended by inserting after the fourth paragraph the following paragraph:-

Licensed independent clinical social workers engaged in independent clinical practice who provide one-on-one supervision to a licensed certified social worker, licensed social worker, Masters degree of social work or intern or Bachelors degree of social work intern shall be

eligible to receive up to 8 continuing education credits during a licensing period for said supervision.

SECTION 126. Section 222 of said chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(e) Notwithstanding clauses (iii) and (iv) of subsection (d), an applicant shall be eligible for licensure as a home inspector without meeting the requirements of said clause (iii) or said clause (iv) of said subsection (d) if the applicant: (i) is a professional engineer licensed pursuant to sections 81D to 81T, inclusive; and (ii) has performed not less than 50 home inspections under the supervision of a licensed home inspector.

SECTION 127. Section 3 of chapter 121C of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in line 55, the word “MOBD” and inserting in place thereof the following words:- the secretary.

SECTION 128. Section 4 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 9, the words “, MOBD and to the director,” and inserting in place thereof the following words:- and secretary.

SECTION 129. Subsection (d) of section 5 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 21, the words “MOBD and” and inserting in place thereof the following word:- the.

SECTION 130. Subsection (l) of said section 5 of said chapter 121C, as so appearing, is hereby amended by striking out, in lines 67 to 68, the words “MOBD and the director” and inserting in place thereof the following words:- the secretary.

SECTION 131. Said subsection (l) of said section 5 of said chapter 121C, as so appearing, is hereby further amended by striking out, in lines 81 to 82, the words “MOBD and director” and inserting in place thereof the following words:- the secretary.

SECTION 132. Section 6 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 28, the words “MOBD and director” and inserting in place thereof the following words:- the secretary.

SECTION 133. Said section 6 of said chapter 121C, as so appearing, is hereby further amended by striking out, in lines 44 to 45, the words “department of housing and community development” and inserting in place thereof the following words:- secretary.

SECTION 134. Section 10 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 5, the words “MOBD and the director” and inserting in place thereof the following words:- the secretary.

SECTION 135. Chapter 131, section 40 is hereby amended by inserting after paragraph 19 the following paragraphs:-

The conservation commission or its agent shall file a copy of the conservation commission’s decision on a wetlands delineation or notice of intent with the city or town clerk. Any applicant or neighboring landowner aggrieved by a decision of a conservation commission under municipal ordinances or bylaws supplementing this section may appeal to the land court department within twenty days after the decision has been filed in the office of the city or town clerk. Notice of the action with a copy of the complaint shall be given to such city or town clerk so as to be received within such twenty days.

The complaint shall allege that the decision exceeds the authority of conservation commissioner or is otherwise arbitrary, capricious, or contrary to law, include any necessary facts and shall contain a prayer that the decision be annulled.

There shall be attached to the complaint a copy of the decision appealed from, bearing the date of filing thereof, certified by the city or town clerk with whom the decision was filed. The conservation commission shall file with the court a complete administrative record within 30 days of the filing of the complaint. The court shall hear all evidence pertinent to the authority of the conservation commission upon the administrative record and annul such decision if found to exceed the authority of such conservation commission or make such other decree as justice and equity may require. The Court shall hold such proceedings under the timelines established under G.L. c. 185, Section 3A.

SECTION 136. The General Laws are hereby amended by inserting after Chapter 137 the following chapter:-

Chapter 137A.

Chapter 137A. Social Work Licensure Compact

Section 1. The purpose of this compact is to facilitate interstate practice of regulated social workers by improving public access to competent social work services. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure. This compact is designed to achieve the following objectives:

(a) increase public access to social work services;

(b) reduce overly burdensome and duplicative requirements associated with holding multiple licenses;

(c) enhance the member states' ability to protect the public's health and safety;

(d) encourage the cooperation of member states in regulating multistate practice;

(e) promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple states by providing for the mutual recognition of other member state licenses;

(f) support military families;

(g) facilitate the exchange of licensure and disciplinary information among member states;

(h) authorize all member states to hold a regulated social worker accountable for abiding by a member state's laws, regulations, and applicable professional standards in the member state in which the client is located at the time care is rendered; and

(i) allow for the use of telehealth to facilitate increased access to regulated social work services.

Section 2. As used in this chapter, unless the context requires otherwise, the following words shall have the following meanings:

(a) "Active military member", any individual with full-time duty status in the active armed forces of the United States including members of the National Guard and Reserve.

(b) “Adverse action”, any administrative, civil, equitable or criminal action permitted by a state’s laws which is imposed by a licensing authority or other authority against a regulated social worker, including actions against an individual’s license or multistate authorization to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee’s practice, or any other encumbrance on licensure affecting a regulated social worker’s authorization to practice, including issuance of a cease and desist action.

(c) “Alternative program”, a non-disciplinary monitoring or practice remediation process approved by a licensing authority to address practitioners with an impairment.

(d) “Charter member states”, member states who have enacted legislation to adopt this compact where such legislation predates the effective date of this compact as described in section 14.

(e) “Compact Commission” or “Commission”, the government agency whose membership consists of all states that have enacted this compact, which is known as the Social Work Licensure Compact Commission, as described in section 10, and which shall operate as an instrumentality of the member states.

(f) “Current significant investigative information”,:

(1) investigative information that a licensing authority, after a preliminary inquiry that includes notification and an opportunity for the regulated social worker to respond has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction as may be defined by the commission; or

(2) investigative information that indicates that the regulated social worker represents an immediate threat to public health and safety, as may be defined by the commission, regardless of whether the regulated social worker has been notified and has had an opportunity to respond.

(g) “Data system”, a repository of information about licensees, including, continuing education, examination, licensure, current significant investigative information, disqualifying event, multistate license(s) and adverse action information or other information as required by the commission.

(h) “Disqualifying event”, any adverse action or incident which results in an encumbrance that disqualifies or makes the licensee ineligible to either obtain, retain or renew a multistate license.

(i) “Domicile”, the jurisdiction in which the licensee resides and intends to remain indefinitely.

(j) “Encumbrance”, a revocation or suspension of, or any limitation on, the full and unrestricted practice of social work licensed and regulated by a licensing authority.

(k) “Executive committee”, a group of delegates elected or appointed to act on behalf of, and within the powers granted to them by, the compact and commission.

(l) “Home state”, the member state that is the licensee’s primary domicile.

(m) “Impairment”, a condition(s) that may impair a practitioner’s ability to engage in full and unrestricted practice as a regulated social worker without some type of intervention and may include alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(n) “Licensee(s)”, an individual who currently holds a license from a state to practice as a regulated social worker.

(o) “Licensing authority”, the board or agency of a member state, or equivalent, that is responsible for the licensing and regulation of regulated social workers.

(p) “Member state”, a state, commonwealth, district, or territory of the United States of America that has enacted this compact.

(q) “Multistate authorization to practice”, a legally authorized privilege to practice, which is equivalent to a license, associated with a multistate license permitting the practice of social work in a remote state.

(r) “Multistate license”, a license to practice as a regulated social worker issued by a home state licensing authority that authorizes the regulated social worker to practice in all member states under multistate authorization to practice.

(s) “Qualifying national exam”, a national licensing examination approved by the commission.

(t) “Regulated social worker”, any clinical, master’s or bachelor’s social worker licensed by a member state regardless of the title used by that member state.

(u) “Remote state”, a member state other than the licensee’s home state.

(v) “Rule(s)” or “Rule(s) of the commission”, a regulation or regulations duly promulgated by the commission, as authorized by the compact, that has the force of law.

(w) “Single state license”, a social work license issued by any state that authorizes practice only within the issuing state and does not include multistate authorization to practice in any member state.

(x) “Social work” or “Social work services”, the application of social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities through the care and services provided by a regulated social worker as set forth in the member state’s statutes and regulations in the state where the services are being provided.

(y) “State”, any state, commonwealth, district, or territory of the United States of America that regulates the practice of social work.

(z) “Unencumbered license”, a license that authorizes a regulated social worker to engage in the full and unrestricted practice of social work.

Section 3. (a) To be eligible to participate in the compact, a potential member state must currently meet all of the following criteria:

(1) license and regulate the practice of social work at either the clinical, master’s, or bachelor’s category.

(2) require applicants for licensure to graduate from a program that is:

(i) operated by a college or university recognized by the licensing authority;

(ii) accredited, or in candidacy by an institution that subsequently becomes accredited, by an accrediting agency recognized by either:

(A) the Council for Higher Education Accreditation, or its successor; or

(B) the United States Department of Education; and

(iii) corresponds to the licensure sought as outlined in section (4).

(3) require applicants for clinical licensure to complete a period of supervised practice.

(4) have a mechanism in place for receiving, investigating, and adjudicating complaints about licensees.

(b) To maintain membership in the compact a member state shall:

(1) require that applicants for a multistate license pass a qualifying national exam for the corresponding category of multistate license sought as outlined in section (4);

(2) participate fully in the commission's data system, including using the commission's unique identifier as defined in rules;

(3) notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of current significant investigative information regarding a licensee;

(4) implement procedures for considering the criminal history records of applicants for a multistate license. Such procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(5) comply with the rules of the commission;

(6) require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable home state laws;

(7) authorize a licensee holding a multistate license in any member state to practice in accordance with the terms of the compact and rules of the commission; and

(8) designate a delegate to participate in the commission meetings.

(c) A member state meeting the requirements of subsections (a) and (b) of section (3) of this compact shall designate the categories of social work licensure that are eligible for issuance of a multistate license for applicants in such member state. To the extent that any member state does not meet the requirements for participation in the compact at any particular category of social work licensure, such member state may choose, but is not obligated to, issue a multistate license to applicants that otherwise meet the requirements of section (4) for issuance of a multistate license in such category or categories of licensure.

(d) The home state may charge a fee for granting the multistate license.

Section 4. (a) To be eligible for a multistate license under the terms and provisions of the compact, an applicant, regardless of category must:

(1) hold or be eligible for an active, unencumbered license in the home state;

(2) pay any applicable fees, including any state fee, for the multistate license;

(3) submit, in connection with an application for a multistate license, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(4) notify the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member state or non-member state within 30 days from the date the action is taken.

(5) meet any continuing competence requirements established by the home state;

(6) abide by the laws, regulations, and applicable standards in the member state where the client is located at the time care is rendered.

(b) An applicant for a clinical-category multistate license must meet all of the following requirements:

(1) fulfill a competency requirement, which shall be satisfied by either:

(i) passage of a clinical-category qualifying national exam; or

(ii) licensure of the applicant in their home state at the clinical category, beginning prior to such time as a qualifying national exam was required by the home state and accompanied by a period of continuous social work licensure thereafter, all of which may be further governed by the rules of the commission; or

(iii) the substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

(2) attain at least a master’s degree in social work from a program that is:

(i) operated by a college or university recognized by the licensing authority; and

(ii) accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:

(A) the Council for Higher Education Accreditation or its successor; or

(B) the United States Department of Education.

(3) fulfill a practice requirement, which shall be satisfied by demonstrating completion of either:

(i) a period of postgraduate supervised clinical practice equal to a minimum of three thousand hours; or

(ii) a minimum of two years of full-time postgraduate supervised clinical practice; or

(ii) the substantial equivalency of the foregoing practice requirements which the commission may determine by rule.

(c) An applicant for a master's-category multistate license must meet all of the following requirements:

(1) fulfill a competency requirement, which shall be satisfied by either:

(i) passage of a masters-category qualifying national exam;

(ii) licensure of the applicant in their home state at the master's category, beginning prior to such time as a qualifying national exam was required by the home state at the master's category and accompanied by a continuous period of social work licensure thereafter, all of which may be further governed by the rules of the commission; or

(iii) the substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

(2) attain at least a master's degree in social work from a program that is:

(i) operated by a college or university recognized by the licensing authority; and

(ii) accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:

(A) the Council for Higher Education Accreditation or its successor; or

(B) the United States Department of Education.

(d) An applicant for a bachelor's-category multistate license must meet all of the following requirements:

(1) fulfill a competency requirement, which shall be satisfied by either:

(i) passage of a bachelor's-category qualifying national exam;

(ii) licensure of the applicant in their home state at the bachelor's category, beginning prior to such time as a qualifying national exam was required by the home state and accompanied by a period of continuous social work licensure thereafter, all of which may be further governed by the rules of the commission; or

(iii) the substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

(2) attain at least a bachelor's degree in social work from a program that is:

(i) operated by a college or university recognized by the licensing authority; and

(ii) accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:

(A) the Council for Higher Education Accreditation or its successor; or

(B) the United States Department of Education.

(e) The multistate license for a regulated social worker is subject to the renewal requirements of the home state. The regulated social worker must maintain compliance with the requirements of subsection (a) of section (4) to be eligible to renew a multistate license.

(f) The regulated social worker's services in a remote state are subject to that member state's regulatory authority. A remote state may, in accordance with due process and that member state's laws, remove a regulated social worker's multistate authorization to practice in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens.

(g) If a multistate license is encumbered, the regulated social worker's multistate authorization to practice shall be deactivated in all remote states until the multistate license is no longer encumbered.

(h) If a multistate authorization to practice is encumbered in a remote state, the regulated social worker's multistate authorization to practice may be deactivated in that state until the multistate authorization to practice is no longer encumbered.

Section 5. (a) Upon receipt of an application for multistate license, the home state licensing authority shall determine the applicant's eligibility for a multistate license in accordance with section (4) of this compact.

(b) If such applicant is eligible pursuant to section (4) of this compact, the home state licensing authority shall issue a multistate license that authorizes the applicant or regulated social worker to practice in all member states under a multistate authorization to practice.

(c) Upon issuance of a multistate license, the home state licensing authority shall designate whether the regulated social worker holds a multistate license in the bachelors, masters, or clinical category of social work.

(d) A multistate license issued by a home state to a resident in that state shall be recognized by all compact member states as authorizing social work practice under a multistate authorization to practice corresponding to each category of licensure regulated in each member state.

Section 6. (a) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a member state to enact and enforce laws, regulations, or other rules related to the practice of social work in that state, where those laws, regulations, or other rules are not inconsistent with the provisions of this compact.

(b) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

(c) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a member state to take adverse action against a licensee’s single state license to practice social work in that state.

(d) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a remote state to take adverse action against a licensee's multistate authorization to practice in that state.

(e) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a licensee's home state to take adverse action against a licensee's multistate license based upon information provided by a remote state.

Section 7. (a) A licensee can hold a multistate license, issued by their home state, in only one member state at any given time.

(b) If a licensee changes their home state by moving between two member states:

(1) the licensee shall immediately apply for the reissuance of their multistate license in their new home state. The licensee shall pay all applicable fees and notify the prior home state in accordance with the rules of the commission.

(2) upon receipt of an application to reissue a multistate license, the new home state shall verify that the multistate license is active, unencumbered and eligible for reissuance under the terms of the compact and the rules of the commission. The multistate license issued by the prior home state will be deactivated and all member states notified in accordance with the applicable rules adopted by the commission.

(3) prior to the reissuance of the multistate license, the new home state shall conduct procedures for considering the criminal history records of the licensee. Such procedures shall include the submission of fingerprints or other biometric-based information by applicants for the

purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(4) if required for initial licensure, the new home state may require completion of jurisprudence requirements in the new home state.

(5) notwithstanding any other provision of this compact, if a licensee does not meet the requirements set forth in this compact for the reissuance of a multistate license by the new home state, then the licensee shall be subject to the new home state requirements for the issuance of a single state license in that state.

(c) If a licensee changes their primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, then the licensee shall be subject to the state requirements for the issuance of a single state license in the new home state.

(d) Nothing in this compact shall interfere with a licensee's ability to hold a single state license in multiple states; however, for the purposes of this compact, a licensee shall have only one home state, and only one multistate license.

(e) Nothing in this compact shall interfere with the requirements established by a member state for the issuance of a single state license.

Section 8. (a) An active military member or their spouse shall designate a home state where the individual has a multistate license. The individual may retain their home state designation during the period the service member is on active duty.

Section 9. (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

(1) take adverse action against a regulated social worker's multistate authorization to practice only within that member state, and issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing authority in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing licensing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

(2) only the home state shall have the power to take adverse action against a regulated social worker's multistate license.

(b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(c) The home state shall complete any pending investigations of a regulated social worker who changes their home state during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the data system shall promptly notify the new home state of any adverse actions.

(d) A member state, if otherwise permitted by state law, may recover from the affected regulated social worker the costs of investigations and dispositions of cases resulting from any adverse action taken against that regulated social worker.

(e) A member state may take adverse action based on the factual findings of another member state, provided that the member state follows its own procedures for taking the adverse action.

(f) (1) In addition to the authority granted to a member state by its respective social work practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

(2) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(g) If adverse action is taken by the home state against the multistate license of a regulated social worker, the regulated social worker's multistate authorization to practice in all other member states shall be deactivated until all encumbrances have been removed from the multistate license. All home state disciplinary orders that impose adverse action against the license of a regulated social worker shall include a statement that the regulated social worker's multistate authorization to practice is deactivated in all member states until all conditions of the decision, order or agreement are satisfied.

(h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state and all other member state's of any adverse actions by remote states.

(i) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

(j) Nothing in this compact shall authorize a member state to demand the issuance of subpoenas for attendance and testimony of witnesses or the production of evidence from another member state for lawful actions within that member state.

(k) Nothing in this compact shall authorize a member state to impose discipline against a regulated social worker who holds a multistate authorization to practice for lawful actions within another member state.

Section 10. (a) The compact member states hereby create and establish a joint government agency whose membership consists of all member states that have enacted the compact known as the social work licensure compact commission. The commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in section (14).

(b) (1) Each member state shall have and be limited to one (1) delegate selected by that member state's state licensing authority.

(2) The delegate shall be either:

(i) a current member of the state licensing authority at the time of appointment, who is a regulated social worker or public member of the state licensing authority; or

(ii) an administrator of the state licensing authority or their designee.

(3) The commission shall by rule or bylaw establish a term of office for delegates and may by rule or bylaw establish term limits.

(4) The commission may recommend removal or suspension of any delegate from office.

(5) A member state's state licensing authority shall fill any vacancy of its delegate occurring on the commission within 60 days of the vacancy.

(6) Each delegate shall be entitled to one vote on all matters before the commission requiring a vote by commission delegates.

(7) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates to meet by telecommunication, videoconference, or other means of communication.

(8) The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, video conference or other similar electronic means.

(c) The commission shall have the following powers:

(1) establish the fiscal year of the commission;

(2) establish code of conduct and conflict of interest policies;

(3) establish and amend rules and bylaws;

(4) maintain its financial records in accordance with the bylaws;

(5) meet and take such actions as are consistent with the provisions of this compact, the commission’s rules, and the bylaws;

(6) initiate and conclude legal proceedings or actions in the name of the commission, provided that the standing of any state licensing Board to sue or be sued under applicable law shall not be affected;

(7) maintain and certify records and information provided to a member state as the authenticated business records of the commission, and designate an agent to do so on the commission's behalf;

(8) purchase and maintain insurance and bonds;

(9) borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

(10) conduct an annual financial review

(11) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission’s personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(12) assess and collect fees;

(13) accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest;

(14) lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein;

(15) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(16) establish a budget and make expenditures;

(17) borrow money;

(18) appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(19) provide and receive information from, and cooperate with, law enforcement agencies;

(20) establish and elect an executive committee, including a chair and a vice chair;

(21) determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact; and

(22) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact.

(d)(1) The executive committee shall have the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee shall include:

(i) oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its rules and bylaws, and other such duties as deemed necessary;

(ii) recommend to the commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact member states, fees charged to licensees, and other fees;

(iii) ensure compact administration services are appropriately provided, including by contract;

(iv) prepare and recommend the budget;

(v) maintain financial records on behalf of the commission;

(vi) monitor compact compliance of member states and provide compliance reports to the commission;

(vii) establish additional committees as necessary;

(viii) exercise the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rule or bylaw; and

(ix) other duties as provided in the rules or bylaws of the commission.

(2) The executive committee shall be composed of up to eleven (11) members:

(i) the chair and vice chair of the commission shall be voting members of the executive committee; and

(ii) the commission shall elect five voting members from the current membership of the commission.

(iii) up to four (4) ex-officio, nonvoting members from four (4) recognized national social work organizations.

(iv) the ex-officio members will be selected by their respective organizations.

(3) The commission may remove any member of the executive committee as provided in the commission's bylaws.

(4) The executive committee shall meet at least annually.

(i) Executive committee meetings shall be open to the public, except that the executive committee may meet in a closed, non-public meeting as provided in subsection (2) of section (f) below.

(ii) The executive committee shall give seven (7) days' notice of its meetings, posted on its website and as determined to provide notice to persons with an interest in the business of the commission.

(iii) The executive committee may hold a special meeting in accordance with subsection (ii) or subsection (1) of section (f) below.

(e) The commission shall adopt and provide to the member states an annual report.

(f)(1) All meetings shall be open to the public, except that the commission may meet in a closed, non-public meeting as provided in subsection (2) of section (f).

(i) Public notice for all meetings of the full commission of meetings shall be given in the same manner as required under the rulemaking provisions in section (12), except that the commission may hold a special meeting as provided in subsection (ii) of subsection (1) of section (f).

(ii) The commission may hold a special meeting when it must meet to conduct emergency business by giving 48 hours' notice to all commissioners, on the commission's website, and other means as provided in the commission's rules. The commission's legal counsel shall certify that the commission's need to meet qualifies as an emergency.

(2) The commission or the executive committee or other committees of the commission may convene in a closed, non-public meeting for the commission or executive committee or other committees of the commission to receive legal advice or to discuss:

(i) non-compliance of a member state with its obligations under the compact;

(ii) the employment, compensation, discipline or other matters, practices or procedures related to specific employees;

(iii) current or threatened discipline of a licensee by the commission or by a member state's licensing authority;

(iv) current, threatened, or reasonably anticipated litigation;

(v) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(vi) accusing any person of a crime or formally censuring any person;

(vii) trade secrets or commercial or financial information that is privileged or confidential;

(viii) information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(ix) investigative records compiled for law enforcement purposes;

(x) information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(xi) matters specifically exempted from disclosure by federal or member state law; or

(xii) other matters as promulgated by the commission by rule.

(3) If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

(4) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(g)(1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources as provided in subsection (13) of section (c).

(3) The commission may levy on and collect an annual assessment from each member state and impose fees on licensees of member states to whom it grants a multistate license to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for member states shall be allocated based upon a formula that the commission shall promulgate by rule.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

(h)(1) The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability

caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall not in any way compromise or limit the immunity granted hereunder.

(2) The commission shall defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

(4) Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

(5) Nothing in this compact shall be interpreted to waive or otherwise abrogate a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

(6) Nothing in this compact shall be construed to be a waiver of sovereign immunity by the member states or by the commission.

Section 11. (a) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated data system.

(b) The commission shall assign each applicant for a multistate license a unique identifier, as determined by the rules of the commission.

(c) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

(1) identifying information;

(2) licensure data;

(3) adverse actions against a license and information related thereto;

(4) non-confidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation not made confidential under member state law;

(5) any denial of application for licensure, and the reason(s) for such denial;

(6) the presence of current significant investigative information; and

(7) other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission.

(d) The records and information provided to a member state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a member state.

(e) Current significant investigative information pertaining to a licensee in any member state will only be available to other member states.

(1) It is the responsibility of the member states to report any adverse action against a licensee and to monitor the database to determine whether adverse action has been taken against a licensee. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(f) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(g) Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the member state contributing the information shall be removed from the data system.

Section 12. (a) The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the compact. A rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the compact, or the powers granted hereunder, or based upon another applicable standard of review.

(b) The rules of the commission shall have the force of law in each member state, provided however that where the rules of the commission conflict with the laws of the member state that establish the member state's laws, regulations, and applicable standards that govern the practice of social work as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

(c) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules shall become binding on the day following adoption or the date specified in the rule or amendment, whichever is later.

(d) If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(e) Rules shall be adopted at a regular or special meeting of the commission.

(f) Prior to adoption of a proposed rule, the commission shall hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments.

(g) Prior to adoption of a proposed rule by the commission, and at least thirty (30) days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission shall provide a notice of proposed rulemaking:

(1) on the website of the commission or other publicly accessible platform;

(2) to persons who have requested notice of the commission's notices of proposed rulemaking, and

(3) in such other way(s) as the commission may by rule specify.

(h) The notice of proposed rulemaking shall include:

(1) the time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule;

(2) if the hearing is held via telecommunication, video conference, or other electronic means, the commission shall include the mechanism for access to the hearing in the notice of proposed rulemaking;

(3) the text of the proposed rule and the reason therefor;

(4) a request for comments on the proposed rule from any interested person; and

(5) the manner in which interested persons may submit written comments.

(i) All hearings will be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule shall be available to the public.

(j) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(k) The commission shall, by majority vote of all members, take final action on the proposed rule based on the rulemaking record and the full text of the rule.

(1) The commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

(2) The commission shall provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

(3) The commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in subsection (12) of section (l), the effective date of the rule shall be no sooner than 30 days after issuing the notice that it adopted or amended the rule.

(l) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity to comment, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the

effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(1) meet an imminent threat to public health, safety, or welfare;

(2) prevent a loss of commission or member state funds;

(3) meet a deadline for the promulgation of a rule that is established by federal law or rule; or

(4) protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(n) No member state's rulemaking requirements shall apply under this compact.

Section 13. (a)(1) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

(2) Except as otherwise provided in this compact, venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

(3) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(b)(1) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall provide written notice to the defaulting state. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the commission may take, and shall offer training and specific technical assistance regarding the default.

(2) The commission shall provide a copy of the notice of default to the other member states.

(c) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges and benefits conferred on that state by this compact may be terminated

on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority and each of the member states' state licensing authority.

(e) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(f) Upon the termination of a state's membership from this compact, that state shall immediately provide notice to all licensees within that state of such termination. The terminated state shall continue to recognize all licenses granted pursuant to this compact for a minimum of six (6) months after the date of said notice of termination.

(g) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(h) The defaulting state may appeal the action of the commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

(i)(1) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and non-member states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(j)(1) By majority vote as provided by rule, the commission may initiate legal action against a member state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting member state's law.

(2) A member state may initiate legal action against the commission in the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

(3) No person other than a member state shall enforce this compact against the commission.

Section 14. (a) The compact shall come into effect on the date on which the compact statute is enacted into law in the seventh member state.

(1) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the first seven member states ("charter member states") to determine if the statute enacted by each such charter member state is materially different than the model compact statute.

(i) A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in section (13).

(ii) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than seven.

(2) Member states enacting the compact subsequent to the seven initial charter member states shall be subject to the process set forth in subsection (21) of subsection (c) of section 10 to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(3) All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

(4) Any state that joins the compact subsequent to the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which

the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(b) Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until 180 days after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

(3) Upon the enactment of a statute withdrawing from this compact, a state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing state shall continue to recognize all licenses granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal.

(c) Nothing contained in this compact shall be construed to invalidate or prevent any licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this compact.

(d) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

Section 15. (a) This compact and the commission's rulemaking authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rulemaking authority solely for those purposes.

(b) The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person or circumstance shall not be affected thereby.

(c) Notwithstanding subsection B of this section, the commission may deny a state's participation in the compact or, in accordance with the requirements of subsection (b) of section (13), terminate a member state's participation in the compact, if it determines that a constitutional requirement of a member state is a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

Section 16. (a) A licensee providing services in a remote state under a multistate authorization to practice shall adhere to the laws and regulations, including laws, regulations, and applicable standards, of the remote state where the client is located at the time care is rendered.

(b) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

(c) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

(d) All permissible agreements between the commission and the member states are binding in accordance with their terms.

SECTION 137. Chapter 185 of the General Laws is hereby amended by inserting after section 1T the following section:-

Section 1U: The land court department shall have exclusive original jurisdiction of appeals from any municipal conservation commission permitting approval or denial arising under, based on, or relating to municipal wetlands ordinances or bylaws under chapter 131, section 40.

SECTION 138. Section 100 of chapter 143 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 9 to 10, the words “other than the specialized stretch energy code” and inserting in place thereof the following words:- other than the current and future specialized stretch energy codes.

SECTION 139. Clause (vii) of subsection (b) of section 24L of chapter 149 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 104 to 105, the words “, provided that such consideration is specified in the noncompetition agreement”.

SECTION 140. Said clause (vii) of said subsection (b) of said section 24L of said chapter 149, as so appearing, is hereby further amended by adding the following sentence:-

If the noncompetition agreement is supported by other mutually-agreed upon consideration in lieu of a garden leave clause, then the other mutually-agreed upon consideration must be negotiated in connection with the separation from employment and at least equivalent in value to the garden leave payments otherwise required by this clause.

SECTION 141. Chapter 150 of the Massachusetts General Laws is hereby amended to repeal sections 3 through 9, inclusive.

SECTION 142. Section 2 of Chapter 150A of the General Laws is hereby amended by striking out paragraph (2) and inserting in place thereof:-

(2) The word "employer" shall include any person having at least one employee in his service or otherwise acting as or in the interest of an employer, directly or indirectly, and shall include, but not be limited to, any health care facility, any nonprofit institution, or any vendor who contracts with or receives funds from the commonwealth or its political subdivisions, or both, to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and other similar services to the commonwealth or its political subdivisions, but shall not include the commonwealth or political subdivision thereof, except in the case of a health care facility. No person shall by a special contract with an employee or by any other means exempt himself from this section.

SECTION 143. Said section 2 of said chapter 150A is hereby further amended by striking out paragraph (3) and inserting in place thereof:-

(3) Except as otherwise provided in section three A, the word "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the chapter explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, and shall include, but not be limited to, any employee of a health care facility or of any nonprofit institution, except members of religious orders, or any employees of vendors who contract with or receive funds from the commonwealth or its political subdivisions to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and other similar services to the commonwealth or its political subdivisions, but shall not include any individual employed as an agricultural worker, except as provided in section five A, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

(a) Under this chapter, an employee is an individual performing any service shall be considered an employee (except as provided in the previous paragraph) and not an independent contractor, unless—

(A) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of service and in fact;

(B) the service is performed outside the usual course of the business of the employer; and

SECTION 144. Said section 2 of said chapter 150A is hereby further amended by striking out subsection (8) and inserting in place thereof(8) The term "department" means the Department of Labor Relations existing under section nine O of chapter twenty-three. The term “board” shall

mean the Commonwealth Employment Relations Board existing under section nine R of chapter 23.

SECTION 145. Said section 2 of said chapter 150A is hereby further amended by striking out paragraph (12) and inserting in place thereof: - (12) The term "written majority authorization" shall mean writings signed and dated by employees in the form of authorization cards, petitions or such other written evidence that the commission finds suitable, in which a majority of employees in a unit appropriate for the purposes of collective bargaining designates or selects a labor organization as its representative for the purposes of collective bargaining and certifies the designation to be its free act and deed and given without consideration. Employee signatures shall be dated within the 12 months preceding the date on which the writings are proffered to establish majority and exclusive representative status within the meaning of subsection (a) of section 5.

SECTION 146. Section 3 of Chapter 150A of the Massachusetts General Laws is hereby amended by inserting, after the words “making payment of,” the following:- agency

SECTION 147. Said section 3 of said chapter 150A is hereby amended by inserting after the words “exclusive representative”, the following:- in lieu of membership dues.

SECTION 148. Section 4 of Chapter 150A of the Massachusetts General Laws is hereby amended by inserting, in paragraph (3) after the words “employment membership therein,” the words:- or in lieu of membership, payment of an agency service fee constituting the full cost of representation on a pro rata basis,

SECTION 149. Said section 4 of said chapter 150A is hereby further amended by inserting, in paragraph (6), after the words “employment membership therein,” the words:- or in

lieu of membership, payment of an agency service fee constituting the full cost of representation on a pro rata basis,

SECTION 150. Said section 4 of said chapter 150A is hereby further amended by inserting at the end of paragraph (6), subsection A, the following new subsection:-

(3) Has refused, in lieu of membership, an agency service fee constituting the full cost of representation on a pro rata basis in the bargaining unit by the exclusive representative.

SECTION 151. Said section 4 of said chapter 150A is hereby further amended by striking out subsection (B) of paragraph (6) and inserting in place the following thereof:-

(B) Such employee shall have exhausted the remedies available to the employee under the labor organization's constitution and bylaws and section 6B of this chapter.

SECTION 152. Section 4C of Chapter 150A of the Massachusetts General Laws is hereby amended by striking, in subsection (1), the words "nurse or nonprofessional"

SECTION 153. Section 5 of said chapter 150A is hereby amended by striking, in subsection (c), the last sentence, and replacing it with the following new paragraphs:- Notwithstanding any other provision of this section or any other general or special law, in the event that the Commonwealth is no longer preempted from regulating the labor-management relations of any private sector employer, bargaining unit, industry or trade operating in the Commonwealth under Federal law, Chapter 150A shall apply upon the effective date of this legislation or the date NLRA preemption no longer applies, whichever is later. The Department shall, upon application, promptly certify the exclusive bargaining representative of any bargaining unit who previously certified the unit with the National Labor Relations Board and

whose certification remained in effect until federal preemption was no longer effective. Notwithstanding any other provision of this section or any other general or special law, in the event that the National Labor Relations Board determines that any employer, employees, trade or industry, as defined in section 1 falls outside the scope of the National Labor Relations Act's coverage, or should the Board decline jurisdiction over the same, Chapter 150A shall hereby upon the effective date of this legislation or the date NLRA determines the absence of its authority, whichever is later. The department shall, upon application, promptly certify the exclusive bargaining representative of any bargaining unit previously certified by the National Labor Relations Board and whose certification remained in effect until federal preemption was no longer effective. The board, or by designation, the department, shall establish rules and procedures for the prompt verification of evidence of a certification formerly granted by the NLRB, which rules shall include the procedure for petitioning the Department, and which shall further provide that, absent exceptional cause, the verification procedure shall last not longer than 30 days after the petition is filed with the Department. All existing terms and conditions of employment between a formerly NLRB-certified exclusive bargaining representative and an employer shall remain in full force and effect through the Department's verification process.

SECTION 154. Section 5 of said chapter 150A is hereby amended by replacing the word "commission" in the first sentence with the word "department" and replacing the word "commission" in the second, third, and fourth sentences with the word "board".

SECTION 155. Chapter 150A of the General Laws is hereby amended by striking section 6A and inserting in place the following section thereof:-

Section 6A. Any employee who is required as a condition of employment to be a member in good standing of a labor organization may file with the department a charge alleging (1) that, although eligible to membership, he has been unfairly denied admission to, or unfairly suspended or expelled from membership in, such organization for reasons other than malfeasance in office or non-payment of regular initiation fees, dues, or assessments and (2) that such labor organization has requested, or is about to request, his employer to discharge or otherwise discriminate against him because of his failure to maintain membership in good standing in such organization or; provided, that such charge shall be filed not more than fifteen days after notice of such request has been given the employee by the labor organization. Upon filing of such charge, the department shall have power to issue and cause to be served upon the labor organization a complaint stating the charge in that respect and containing a notice of hearing. The notice shall be given and the subsequent proceedings shall be conducted in the manner provided in section six. If upon all the evidence the department shall determine that the employee was unfairly denied admission to membership in such organization, or that such discipline—

(1) Was imposed by the labor organization in violation of its constitution and by-laws; or (2) Was imposed without a fair trial, including an adequate hearing and opportunity to defend; or (3) Was not warranted by the offense, if any, committed by the employee against the labor organization; (4) Is not consistent with the established public policy of the commonwealth; or (5) Or that discrimination or discharge was requested or about to be requested by the labor organization, notwithstanding the employee’s payment in full of all applicable agency service fees in lieu of membership; then the department shall state its determinations and shall issue and cause to be served on the labor organization an order requiring it, in its discretion, either to admit or restore the employee to membership in good standing together with full voting rights, or else

to refrain from seeking to bring about any discrimination against him in his employment because he is not a member in good standing, and to return to him such union dues and assessments as may have been collected from him during the period of his suspension or expulsion from the union. If the department shall not make such a determination after hearing, it shall enter an order dismissing the charge filed by the employee.

Nothing contained in this section or in section 4 shall be deemed to require a labor organization as a condition of making or enforcing a contract requiring membership therein as a condition of employment, to accord to non-participants in an insurance plan the right to vote on questions pertaining thereto or to grant local organizations voting rights in a convention proportionate to their membership.

SECTION 156. Chapter 150A of the Massachusetts General Laws is hereby amended by inserting, after section 7, the following new section:-

Section 7A. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

(1) The term “critical period” is defined as the time after a petition for an election or card check authorization is filed with the department.

(2) The term “ in-person captive audience meeting” is defined as an in-person meeting in which attendance of a bargaining unit member is required by an employer or supervisor, actually or constructively, as a condition of employment or to receive a benefit or avoid retaliation.

(3) The term “virtual captive audience meeting” is defined as live or asynchronous audio or video, which a bargaining unit member is required, actually or constructively, to watch as a

condition of employment, to receive a benefit or avoid retaliation, or where the employer surveils or is reasonably perceived to be surveilling viewership.

(b) During the critical period, an employer is prohibited from requiring any member of a petitioned for bargaining unit from taking part in in-person or virtual captive audience meetings.

Further, an employer is prohibited from engaging in virtual or in-person electioneering activities without providing bona fide, good faith opportunities for bargaining unit members to opt out of receiving electioneering content and activities without penalty. To the extent an employer engages in electioneering during the critical period, the petitioning labor organization(s) must be given, upon request, equal opportunities to communicate with employees in in-person and/or virtual formats.

SECTION 157. Section 8 of chapter 150A of the general laws is hereby amended by replacing the word “commission” with the word “department” and striking the words “or agencies”.

SECTION 158. Chapter 150A of the general laws is hereby further amended by striking section 9A and inserting in place the following section thereof:-

Section 9A. A labor organization before engaging in any strike, picketing, or other concerted refusal to work at any health care institution shall, not less than ten days prior to such action, notify the institution in writing and the Director of the Department of that intention. The notice shall state the date and time that such action will commence. The notice, once given, may be extended by the written agreement of both parties.

SECTION 159. Section 10 of chapter 150A of the general laws is hereby further amended by replacing, in subsection (b), the word “commission” with the word “department”.

SECTION 160. Section 12 of chapter 156C of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof the following section:

(d) The fee for the filing of the certificate of organization required by subsection (a) shall be one hundred dollars. The fee for the filing of the first annual report required by subsection (c) shall be one hundred dollars, and the fee for the filing of each annual report required by said subsection (c) thereafter shall be five hundred dollars. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

SECTION 161. Subsection (b) of section 134 of chapter 164 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 103 to 104, the words “Renewable Energy Trust Fund, established pursuant to section 9” and inserting in place thereof the following words:- Climatetech Investment Fund established pursuant to section 15.

SECTION 162. Said Chapter 164 of the General Laws is hereby further amended by adding the following section:-

Section 152. (a) As used in this section, the followings words shall have the following meanings unless the context requires otherwise:

“Economic development rates”, standardized utility tariffs and discounted rates offered by a distribution company designed to attract new businesses to Massachusetts and promote expansion by businesses already located in the commonwealth.

"Special contracts", discounted utility rates negotiated between distribution companies and large new businesses locating to Massachusetts or large new businesses expanding in the commonwealth.

(b) Each distribution company shall offer an economic development rate and special contracts. Each distribution company shall develop guidelines for large new businesses locating to Massachusetts or large new businesses expanding in the commonwealth to seek a special contract. Such rates, contracts and guidelines shall be as consistent as practicable between the distribution companies.

(c) Economic development rates and special contracts shall not shift costs to or increase costs for other Massachusetts utility customers.

(d) Economic development rates may include associated requirements, including but not limited to, job creation or retention, capital investment commitments, participation in energy efficiency or demand response programs and periodic progress reporting on requirements.

(e) Each distribution company may request modifications to any approved economic development rate and guidelines to seek a special contract with the department of public utilities as necessary to accommodate changed circumstances.

(f) Each distribution company shall present the proposed rate and guidelines to the executive offices of economic development and energy and environmental affairs at least one month prior to filing a new or amended economic development rate or guidelines to seek a special contract with the department of public utilities.

SECTION 163. Section 7A of chapter 271 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

No organization issued a permit under this section shall conduct more than 1 bazaar in any single calendar day. The operation of a bazaar shall be limited to 5 consecutive hours.

SECTION 164. Notwithstanding any general or special law to the contrary, the members serving on the advisory board on employee ownership appointed by the governor pursuant to subsection (a) of section 204 of chapter 6 on the effective date of this act shall continue to serve for the remainder of their current terms as originally appointed. Upon the expiration of the terms of such members, the governor shall appoint 2 members to serve for a term of 1 year, 3 members to serve a term of 2 years, 3 members to serve a term of 3 years and 3 members to serve for a term of 4 years. Upon the expiration of such terms, the governor shall appoint all members to serve a term of 4 years.

SECTION 165. Notwithstanding any general or special law to the contrary, any unexpended funds held by the Massachusetts Alternative and Clean Energy Investment Trust Fund established in section 35FF of chapter 10 of the General Laws and the Renewable Energy Trust Fund established in section 9 of chapter 23J of the General Laws shall transfer to the Climatetech Investment Fund established in section 15 of chapter 23J.

SECTION 166. Notwithstanding any general or special law to the contrary, if the Economic Assistance Coordinating Council awards less than the full amount of tax credits authorized by subsection (c) of section 3D of chapter 23A; or if the Massachusetts Life Science Center awards less than the full amount of tax credits authorized by subsection (d) of section 5 of

chapter 23I; or if the Massachusetts Clean Energy Center awards less than the full amount of tax credits authorized by subsection (d) of section 16 of chapter 23J, then in each case the balance of unallocated tax credits, and the funds budgeted to finance that balance, may be carried forward to the next calendar year with the approval of the secretary of administration and finance, in consultation with the secretary of economic development.

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance, in consultation with the secretary of economic development, shall have the discretion to reallocate some or all of the tax credits that are carried forward pursuant to subsection (a) among and between the tax credit programs established pursuant to section 3A of chapter 23A, section 5 of chapter 23I or section 16 of chapter 23. Any credits carried forward or reallocated shall increase, for the calendar year in which the carry forward or reallocation occurs, the annual cap or limitation otherwise applicable to the receiving program by the amount of such credits carried forward or reallocated.

(c) Each year on or before March 1, the secretary of administration and finance, in consultation with the secretary of economic development, shall submit a report to the house and senate committees on ways and means setting forth the amount of tax credits, if any, carried forward and reallocated pursuant to subsections (a) and (b) in the prior calendar year. Said report shall state the adjusted cap applicable to each tax credit program for the upcoming calendar year.

SECTION 167. The Executive office of Health and Human services shall conduct an evaluation of the impact of removal of the licensing examination requirement for licensed certified social workers under sections 131 and 132 of chapter 112 of the General Laws. The executive office shall contract with an independent evaluation consultant to perform the

evaluation. The evaluation shall include an analysis of the impact of removing the examination requirement on alleviating shortages of qualified social workers, providing high-quality patient care, expanding access to quality behavioral health services, increasing the diversity of the social worker workforce among diverse language skills, race, ethnicity and cultural backgrounds and the impact of any increase in diversity on patient care, particularly for vulnerable populations. In preparing the evaluation, the consultant shall meet with representatives of organizations representing social workers, social work education, social work testing, social work patients, behavioral health advocacy organizations and other groups that may assist the evaluation. The evaluation and analysis shall be conducted independently of the executive office. The executive office shall submit the evaluation and associated recommendations pursuant to the removal of the licensing examination requirement to the clerks of the house of representatives and the senate, the joint committee on higher education, the joint committee on mental health, substance use and recovery and the house and senate committees on ways and means not later than July 31, 2028.

SECTION 168. Notwithstanding any general or special law to the contrary, there shall be a special commission to investigate and study the use of so-called double poles. The commission shall consider identifying how many double poles exist and the length of time each has been in place, the reason why such double poles have been in place for such time, and the process and timeline by which existing utility poles are removed following the transfer of attached services to a new pole. The commission shall also consider and may make recommendations on how best to enforce the provisions of Section 34B of Chapter 164 of the General Laws concerning the timely removal of double poles, investigate whether the current timeline for removing such poles is reasonable and adequate, investigate how to address barriers to remove such poles, investigate

increasing utilization, improving functionality of attachment management systems (e.g., the National Joint Utilities Notification System (NJUNS), and identifying solutions to resolve communication issues among all parties, unlicensed attachments on utility poles and requirements that providers promptly register such attachments, the legal liability and potential use of indemnification agreements to facilitate the removal of abandoned attachments, whether or not certain costs may be recovered from ratepayers, and the promulgation of regulations by the Department of Public Utilities and Department of Telecommunications and Cable to effectively regulate double utility poles.

The commission shall consist of 17 members: 1 of whom shall be the secretary of administration and finance, or the secretary's designee; 1 of whom shall be the chair of the department of public utilities, or the chair's designee; 1 of whom shall be the commissioner of the department of telecommunications and cable, or the commissioner's designee; 1 of whom shall be a representative of a municipal light board of commissioners or their designee; the house and senate chairs of the joint committee on municipalities and regional government; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; 3 municipal officials selected by the governor, 1 utility pole owner; 1 utility pole attacher; the executive director of the Massachusetts Municipal Association or their designee; and 1 private citizen, appointed by the governor, who shall serve as chair of the commission and shall not be an employee of any electric or telecommunications utility operating in the commonwealth.

The commission shall file a report of its recommendations and proposed legislation, if any, with the clerks of the house and senate, the chairs of the house and senate committee on

ways and means and the chairs of the joint committee on municipalities and regional government not later than June 30, 2027.

SECTION 169. (a) Within 6 months of the effective date of this act, distribution companies shall file with the department of public utilities an economic development rate and guidelines for large new businesses locating to Massachusetts or large new businesses expanding in the Commonwealth to seek a special contract, pursuant to section 152 of chapter 164, as inserted by Section 161 of this Act.

(b) Upon receipt of the filing required under subsection (a), the department of public utilities shall conduct a proceeding to approve, deny or modify such proposal. The department may only approve such proposal if it finds that the proposed economic development rate and guidance does not shift costs to or increase costs for other Massachusetts utility customers and either supports or does not hinder the achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

SECTION 170. Section 2 of chapter 498 of the acts of 1993, as most recently amended by chapter 238 of the acts of 2024, is hereby amended by striking out the definition of "Bank or Government land bank" and inserting in place thereof the following definition:-

"Bank" or "Government land bank," shall mean and refer to the Massachusetts Development Finance Agency, the independent authority established by section 23G of the General Laws, and successor to the Government Land Bank pursuant to chapter 289 of the Acts of 1998.

SECTION 171. Said chapter 498 of the acts of 1993, as so amended, is hereby further amended by inserting after section 10 the following section:-

SECTION 10A. Notwithstanding anything to the contrary in section 10, from and after January 1, 2027, any substantial amendment to the Reuse Plan or By-laws shall be proposed by MassDevelopment, and MassDevelopment shall hold no fewer than two public hearings in Devens to receive public comment on the proposed amendment to the Reuse Plan or By-laws. Notice of said public hearings shall be provided in a newspaper or newspapers of general circulation in the Devens Region at least 14 days prior to the dates established for said public hearings, and a copy of said notice shall also be provided to each of the Towns for posting in their respective town halls as they may see fit. Within 30 days of the last public hearing held by MassDevelopment, MassDevelopment shall convene a single meeting to consider the proposed substantial amendment to the Reuse Plan of By-laws, which single meeting shall be held at a location within Devens designated by MassDevelopment, or if it is infeasible to hold the meeting within Devens, then at another location reasonably accessible to the residents of the Towns. Any person registered to vote in any of the Towns, including but not limited to any person with a place of residence in Devens, shall be eligible to vote at said meeting and the clerks of the Towns shall verify the voter registration status of all attendees at the meeting. MassDevelopment shall pay the reasonable costs incurred by the clerks of the Towns that are directly attributable to the verification of voter registration status at the meeting. Any proposed amendment to the Reuse Plan or By-laws shall be presented at said meeting by MassDevelopment, and no revision to the proposed amendment shall be permitted at the meeting. At any such single meeting to consider a substantial amendment to the Reuse Plan or By-laws, 50 voters registered to vote in any of the Towns, including but not limited to any resident of Devens, and present at the single meeting, shall constitute a quorum. No business, other than adjournment, shall be transacted unless a quorum is present. A proposed amendment to the Reuse Plan or By-laws shall be effective upon

a majority vote of the registered voters attending the single meeting. If an amendment is approved at the meeting, MassDevelopment shall, within 7 days of said meeting, provide a certified copy of said amendment to the Commission, which shall revise the Reuse Plan or By-laws in accordance therewith within 7 days of receipt of said certified copy.

SECTION 172. Item 7002-1509 of section 2 of chapter 140 of the acts of 2024 is hereby amended by adding the following words:- or other similar visa programs.

SECTION 173. Item 7002-1522 of section 2 of chapter 238 of the acts of 2024 is hereby amended by striking out the words “technologies developed with the assistance of” and inserting in place thereof the following words:- technologies, with preference for companies receiving.

SECTION 174. Item 7002-1523 of said section 2 of said chapter 238 is hereby amended by striking out the words “proteins developed with the assistance of” and inserting in place thereof the following words:- proteins, with preference for companies receiving.

SECTION 175. Sections 320 and 324 of said chapter 238 are hereby repealed.

SECTION 176. Section 97 of chapter 14 of the acts of 2025 is hereby amended by striking out the words “January 1, 2026” and inserting in place thereof the following words:- “September 1, 2027”.

SECTION 177. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 180 days after the effective date of this act: 7002-8041 and 7002-8049.

SECTION 178. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $305,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "An Act Relative to Massachusetts Winning Global Investment, Talent, and Innovation" and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2061. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 179. Notwithstanding any general or special law to the contrary, the annual report required under subsection (g) of section 17 of chapter 23J of the General Laws, as inserted by section 32, shall be due 1 year from the effective date of this act.

SECTION 180. Subsection (ii) of section 6 of chapter 62 of the General Laws, as inserted by section 194 of said chapter 238 of the acts of 2024, shall take effect for taxable years beginning on or after January 1, 2027.

SECTION 181. Section 38UU of chapter 63 of the General Laws, inserted by section 212 of said chapter 238 of the acts of 2024, shall take effect for taxable years beginning on or after January 1, 2027.

SECTION 182. Section 316 of said chapter 238 of the acts of 2024 shall take effect on January 1, 2033.

SECTION 183. Not less than 270 days after the effective date of this act, each electric company shall share with the board established in section 17 of chapter 23J as inserted by section 32 of this act, the processes they plan to implement to address gridtech deployment barriers internal to the electric company. Such processes shall include procedures for addressing barriers identified by the board pursuant to subsection (g) of section 17 of chapter 23J as inserted by section 32 of this act. Such processes shall be as similar between the investor-owned electric companies as practicable.

SECTION 184. Not less than 270 days after the effective date of this act, the board established in section 17 of chapter 23J as inserted by section 32 of this act shall develop and vote to file with the department of public utilities a process for the department to review, on an expedited basis, requests for limited waivers of prior department orders that will alleviate gridtech deployment barriers. Such process shall be limited to reviewing waivers of prior department orders that are time-bound and finite in scope.

SECTION 185. Sections 40, 41, and 47 shall take effect for all municipalities upon the effective date of this act; provided, however, that in municipalities that adopted a zoning ordinance or by-law requiring some form of site plan review prior to the effective date of this act, the provisions of this section shall not be effective with respect to such zoning ordinance or by-law until the date that is one year after the effective date of this act.

SECTION 186. The commissioner of public health shall promulgate the regulations set forth to Section 244, Chapter 111 of the General Laws, inserted by section 107, not more than 12 months after the effective date of this act.

SECTION 187. Section 108 shall take effect 12 months after the effective date of this act.

SECTION 188. Every hospital and freestanding ambulatory surgical center shall report to the department of public health by April 1, 2027, regarding the policies they have adopted to comply with said section 245 of said chapter 111, inserted by Section 108 of this act.

SECTION 189. Sections 122 and 123 are hereby repealed.

SECTION 190. Section 159 shall take effect on January 1, 2027.

SECTION 191. Section 8 shall take effect on January 1, 2027

SECTION 192. Sections 122 and 123 shall take effect on January 1, 2027.

SECTION 193. Sections 41, 44, 45, 46, 48, and 58 shall take effect on July 1, 2027.

SECTION 194. Section 189 shall take effect on December 31, 2030.