

HOUSE No. 5594

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 22, 2026.

The committee on Children, Families and Persons with Disabilities, to whom was referred the petition (accompanied by bill, Senate, No. 3095) of Sal N. DiDomenico for legislation to significantly alleviate poverty, reports recommending that the accompanying bill (House, No. 5594) ought to pass.

For the committee,

JAY D. LIVINGSTONE.

HOUSE No. 5594

The Commonwealth of Massachusetts

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

An Act significantly alleviating poverty.

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

1 SECTION 1. Chapter 23B of the General Laws is hereby amended by adding the
2 following section:-

3 Section 31. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Disposable menstrual products”, products used by a menstruating individual including,
6 but not limited to, sanitary napkins, tampons and underwear liners.

7 “Menstruating individual”, a person who menstruates.

8 (b) Any provider of temporary housing assistance, including, but not limited to, a family
9 shelter, a shelter for adults, a hotel used for emergency shelter, an emergency apartment, a
10 domestic violence shelter, a runaway and homeless youth shelter or a safe house for refugees,
11 shall provide disposable menstrual products at no cost to a menstruating individual. The

disposable menstrual products shall be available in a convenient manner that does not stigmatize the individual seeking such products.

SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after section 3 the following section:-

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

“Disposable menstrual products”, products used by a menstruating individual including, but not limited to, sanitary napkins, tampons and underwear liners.

“Menstruating individual”, a person who menstruates.

(b) Every primary and secondary school shall provide disposable menstrual products at no cost to students. The disposable menstrual products shall be available in a convenient manner that does not stigmatize the individual seeking such products, including, but not limited to, in restrooms for menstruating individuals.

SECTION 3. Chapter 127 of the General Laws is hereby amended by adding the following section:-

Section 170. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

“Administrator”, the keeper of a lock-up facility under chapter 40, the superintendent of a correctional facility under chapter 125, a sheriff or special sheriff in charge of a jail, house of correction or regional lock-up facility under chapter 126, the colonel of state police and any other

official who oversees a facility used for the detention of persons arrested and held in custody or serving a sentence.

“Disposable menstrual products”, products used by a menstruating individual including, but not limited to, sanitary napkins, tampons and underwear liners.

“Menstruating individual”, a person who menstruates.

(b) The administrator shall provide disposable menstrual products to menstruating individuals held or housed in the facility overseen by the administrator at no cost. The disposable menstrual products shall be available in a convenient manner that does not stigmatize the individual seeking such products.

SECTION 4. Section 2 of chapter 118 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:--

Notwithstanding any general or special law to the contrary, the payment standards for monthly benefits for the program not including the rental allowance shall be increased effective July first of each year beginning with July 1, 2025 by 20 percent above the payment standard in effect in the previous fiscal year until the payment standard for the household size equals 50 percent of the federal poverty level for the household size; provided further, that once the payment standard for the household size equals 50 percent of the federal poverty level for the household size, the payment standard shall be increased effective July first of each year in order that the payment standard shall be no less than 50 percent of the poverty level for the household size as determined by the federal Department of Health and Human Services; provided further, that the need standard and the payment amounts shall be further increased by the amount of a

54 clothing allowance in the month for which it is paid and by the rental allowance for households
55 incurring a rent or mortgage expense and not residing in public or subsidized housing.

56 SECTION 5. Section 1 of chapter 117A of the General Laws is hereby amended by
57 inserting after the first paragraph the following new paragraph:-

58 Notwithstanding any general or special law to the contrary, the payment standards for
59 monthly benefits for the program shall be increased effective July first of each year beginning
60 with July 1, 2025 by 20 percent above the payment standard in effect in the previous fiscal year
61 until the payment standard for the household size equals 50 percent of the federal poverty level
62 for the household size; provided further, that once the payment standard for the household size
63 equals 50 percent of the federal poverty level for the household size, the payment standard shall
64 be increased effective July first of each year in order that the payment standard shall be no less
65 than 50 percent of the poverty level for the household size as determined by the federal
66 Department of Health and Human Services.

67 SECTION 6. Notwithstanding any general or special law to the contrary, the department
68 of transitional assistance shall provide financial assistance to an otherwise eligible pregnant
69 person with no dependent child beginning when the pregnancy is verified, provided that such
70 assistance shall be the amount for one person under the transitional aid to families with
71 dependent children program.

72 SECTION 7. Section 2 of chapter 118 of the General Laws is hereby amended by
73 inserting after the words “estate of the recipient.”, the following new paragraph:-

74 The department shall pay a \$50-per-month rental allowance to households incurring a
75 rent or mortgage expense and not residing in public or subsidized housing. The department shall

also pay a nonrecurring children's clothing allowance of \$500 to each child eligible under this program on September first of the calendar year.

SECTION 8: Section 7 of chapter 118A of the General Laws is hereby amended by inserting after section 7, the following new subsection:-

Section 7(a) The department shall pay a \$50-per-month rental allowance to recipients incurring a rent or mortgage expense and not residing in public or subsidized housing.

SECTION 9. Chapter 18 of the General Laws is hereby amended by striking section 18A and inserting in place thereof the following new section:-

Section 18A. (a)(1). The department shall impose the sanction required by federal law on any recipient of public assistance funded under Title IV-A of the Social Security Act who, without good cause, does not cooperate with the IV-D agency specified in chapter 119A to establish paternity or to establish, modify, or enforce a child support order on behalf of a child for whom the recipient receives such public assistance.

(2) The department shall determine that a recipient has good cause for not cooperating with the IV-D agency for purposes of this section if:

(A) The child was conceived as a result of incest or rape;

(B) Proceedings for the adoption of the child are pending or under consideration;

(C) Cooperation risks discouraging the noncustodial parent or other relatives of the child from maintaining a relationship with the child or providing emotional or other support;

(D) Cooperation risks physical or emotional harm to or retaliation against the child or the relative with whom the child resides; or

(E) Cooperation is otherwise not in the child's best interest.

SECTION 10. Section 2 of chapter 118 of the General Laws is hereby amended by inserting at the end of the first paragraph the following:-

Child support collected on behalf of a recipient of benefits under this chapter shall be paid to the family. In determining the family's countable income, the department shall disregard child support paid to the family that is below the monthly federal poverty level for the family size.

SECTION 11. Section 2 of chapter 119A of the General Laws is hereby amended by inserting at the end of subsection (b) the following:- Pursuant to Title IV, Part D of the Social Security Act, in the case of former recipients of assistance, the IV-D agency shall pay to the family all support payments collected, including payments on arrears assigned to the state and payments collected through federal tax refund offset.

SECTION 12. Paragraph (1) of subsection (h) of section 6 of chapter 62 of the General Laws, as amended by section 11 of chapter 50 of the acts of 2023, is hereby further amended by striking out the figure "40" each time it appears, and inserting in place thereof, in each instance, the following figure: -50.

SECTION 13. Said paragraph (1) of said subsection (h) of said section 6 of said chapter 62, as so amended, is hereby further amended by inserting at the end of said paragraph the following sentence: -A taxpayer may claim a credit under this section using either a Social

Security Number or an Individual Taxpayer Identification Number, if but for section 32(m) of the Code, the taxpayer would be eligible to claim the credit. In the case of a taxpayer with a qualifying child for the Earned Income Tax Credit but who is ineligible for a Social Security Number or Individual Taxpayer Identification Number, the DOR shall issue said child a tax identification number.

SECTION 14. Said paragraph (1) of said subsection (h) of said section 6 of said chapter 62, as so amended, is hereby further amended by inserting, in line 252 after the word “year” the following words: -provided however that for each additional qualifying child, as defined in section 32(b) of the Code, above three children, the percent of the federal credit shall increase by 5 percentage points per qualifying child.

SECTION 15: Said subsection (h) of said section 6 of said chapter 62, as so amended, is hereby further amended by inserting the following paragraph (3): For the purposes of this subsection, an individual who has attained 18 or, if the individual is married, either spouse has attained 18 before the close of the taxable year, shall be deemed to have satisfied all eligibility requirements under subsection (c)(1)(A)(ii)(II) of section 32 of the Code.

SECTION 16. Section 6 of said chapter 62, as most recently amended by section 49 of chapter 50 of the acts of 2023, is hereby further amended by striking out subsection (x) and inserting in place thereof the following subsection:-

(x) (1) For the purposes of this subsection, "maintains a household" shall have the same meaning as in section 21 of the Code. With respect to a taxpayer who is a non-resident for part of the taxable year, the credit shall be further limited to the amount of allowable credit multiplied by a fraction, the numerator of which shall be the number of days in the taxable year the person

resided in the commonwealth and the denominator of which shall be the number of days in the taxable year. A taxpayer who maintains a household that includes as a member at least 1 individual: (i) who qualifies for exemption as a dependent under section 151 of the Code; or (ii) who is a qualifying individual as defined in said section 21 of the Code; or (iii) who (A) is not less than 65 years of age or is disabled and (B) qualifies as a dependent under section 152 of the Code, shall be allowed a credit in an amount equal to \$600 for each such dependent or qualifying individual with respect to the taxpayer; provided, however, that if the taxpayer is married at the close of the taxable year, the credit provided in this subsection shall be allowed if: (a) the taxpayer and the taxpayer's spouse file a joint return for the taxable year; or (b) the taxpayer qualifies as a head of household under section 2(b) of the Code. For each taxable year, the commissioner shall increase the amount of the credit for each eligible dependent or qualifying individual as provided by this subsection by an amount equal to such credit multiplied by the cost-of-living adjustment for the calendar year in which such taxable year begins. A person who is a non-resident for the entire taxable year shall not qualify for the credit. If the amount of the credit allowed under this subsection exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an overpayment and shall pay the taxpayer the entire amount of the excess without interest.

(2) Upon request by a taxpayer eligible for the Child and Family Tax Credit but ineligible for a Social Security Number or Individual Taxpayer Identification Number, the DOR shall issue said taxpayer a tax identification number to enable the taxpayer to claim the credit.

(3) The commissioner may establish a process to allow taxpayers to elect to receive one or more advance payments of the credit under this subsection. The amount of advance payments must be based on the taxpayer and commissioner's estimate of the amount of credit for which the

taxpayer would be eligible in the taxable year beginning in the calendar year in which the payments were made. The commissioner shall not distribute advance payments to a taxpayer who does not elect to receive advance payments. The amount of a taxpayer's credit under this subsection for the taxable year is reduced by the amount of advance payments received by the taxpayer in the calendar year during which the taxable year began.

SECTION 17. In order to ensure the widest possible dissemination of state and federal tax credits that are aimed to reduce poverty, the department shall: (i) include multilingual information by video and text in its website about state and federal tax credits, free tax preparation services, and low-income taxpayer clinics; (ii) provide all employers with a multilingual poster and a notice that sets forth the rights under this chapter; (iii) require that all employers doing business in the commonwealth post information about tax credits in a conspicuous location at the place of employment; (iv) coordinate a notification system by the commonwealth about tax credit to applicants for and recipients of unemployment insurance under chapter 151A, applicants for and recipients of transitional assistance benefits, including food stamps, under chapter 18, and to recipients of subsidized health insurance under chapter 118E; and (v) collaborate with labor organizations, chambers of commerce, municipalities, community-based organizations, and taxpayer advocates to disseminate information about tax credits. The multilingual poster and notice requirement in clause (i) shall comply with the requirements for employer's unemployment notices under clauses (i) and (iii) of subsection (d) of section 62A of chapter 151A.

SECTION 18. Chapter 119 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 23C the following section:-

Section 23D. (a) The department shall, subject to appropriation, provide a cash stipend of \$1,000 per month for 5 years to any individual who was formerly under the custody, care or responsibility of the department but has transitioned from the custody, care or responsibility of the department any time between the ages of 18 and 23. Should such an individual at any time return to the custody, care, or responsibility of the department, that individual's monthly stipend will be put on hold until such time as the individual again transitions from the custody, care or responsibility of the department; provided, however, that no individual is eligible for more than 60 total monthly payments of this stipend during the individual's lifetime.

(b) Notwithstanding any general or special law to the contrary, this stipend shall not be considered income for purposes of determining eligibility for any other benefit provided by the Commonwealth.

(c) The department shall inform all eligible foster care youth, in person and by writing, and their counsel as appointed under section 29 of chapter 119, of the availability of this cash stipend within 30 days of the youth attaining the age of 17 years and 6 months. The department shall provide appropriate case management to support eligible youth within the department's custody, care, or responsibility in applying for this cash stipend and other support needed to assist the youth in making the transition from foster care to a successful adulthood, including setting up a personal bank account where this cash stipend may be deposited, making the youth aware of other state benefits for which the youth may be eligible, and connecting youth to financial literacy education or training.

(d) The department shall not terminate or suspend the payment of this cash stipend for any reason other than the return of the individual to the custody, care, or responsibility of the department.

(e) The department shall take steps to notify eligible former foster care youth of the existence and availability of this cash stipend and shall publish data as to the number of eligible young adults receiving this cash stipend.

SECTION 19. Section 27C of chapter 149 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the words “subsection (a)”, in line 58, the following words:- , or section 100, 148E or 150C.

SECTION 20. Said section 27C of said chapter 149, as so appearing, is hereby further amended by striking out, in line 159, the words “Civil and criminal” and inserting in place thereof the following word:- Criminal.

SECTION 21. Said section 27C of said chapter 149, as so appearing, is hereby further amended by adding the following subsection:-

(d) As a further alternative to initiating criminal proceedings pursuant to subsection (a) or civil proceedings pursuant to subsection (b), the attorney general may file a civil action for injunctive relief, for any damages incurred, and for any lost wages and other benefits on behalf of an employee or multiple, similarly situated employees. If the attorney general prevails in such an action, the employee or employees on whose behalf the attorney general brought the civil action shall be awarded treble damages, for any lost wages and other benefits, and the attorney general shall also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 22. Chapter 149 of the General Laws is hereby amended by inserting after section 148D the following 3 sections:-

Section 148E. (a) As used in this section and sections 148F to 148H, inclusive, the following words shall have the following meanings unless the context clearly indicates otherwise:-

“Labor contractor”, (1) an individual who is not an employee of a lead contractor, as defined by section 148B of chapter 149, or a corporation, partnership, firm or other business entity, (2) who obtains, engage or provides 1 or more individuals to perform labor services, with or without a written contract, directly or indirectly, to a lead contractor or from a labor subcontractor for the benefit of the lead contractor’s business activities, operations, or purposes.

“Labor subcontractor”, (1) an individual who is not an employee of a labor contractor or lead contractor, as defined by section 148B of chapter 149, or a corporation, partnership, firm or other business entity, (2) who engages or provides 1 or more individuals to perform labor or services, with or without a written contract, directly or indirectly, to a labor contractor for the benefit of the lead contractor’s business activities, operations, or purposes.

“Lead contractor”, a person, regardless of form, that obtains, engages or is provided with 1 or more individuals, directly from a labor contractor or indirectly from a labor subcontractor, to perform labor or services that have a significant nexus with the lead contractor’s business activities, operations, or purposes.

“Wage theft”, a violation of sections 27, 27F, 27G or 27H, the first and third sentences and the fourth paragraph of section 148, sections 148B or 148C, the fourth sentence of section

245 150, section 152A, subsections (c) or (d) of section 159C, sections 1, 1A, 1B, 2A or 7 of chapter
246 151, clauses (4) or (5) of section 19 of chapter 151 or section 20 of chapter 151.

247 (b) An employer, except a staffing agency as defined by section 159C that is licensed or
248 registered pursuant to sections 46A to 46R, inclusive, of chapter 140, shall provide each
249 employee, not later than 10 days after the commencement of employment, with written notice in
250 the language the employer normally uses to communicate employment-related information to the
251 employee, of the following information: (i) the rate or rates of pay and the basis for those rates,
252 whether paid by the hour, shift, day, week, salary, piece, commission or otherwise, including
253 methods of calculation for overtime, if applicable; (ii) allowances, if any, claimed as part of the
254 minimum wage, including meal, tip or lodging allowances; (iii) the regular pay day designated
255 by the employer; (iv) the name of the employer, including any “doing business as” names used
256 by the employer; (v) the physical address of the employer’s main office or principal place of
257 business and mailing address, if different; (vi) the telephone number of the employer; and (vii)
258 the name, address, and telephone number of the employer’s workers’ compensation insurance
259 carrier.

260 (c) A lead contractor shall be subject to joint and several liability with a labor contractor
261 and a labor subcontractor. For purposes of this section, the president and treasurer of a
262 corporation and any officers or agents having the management of such corporation shall also be
263 deemed civilly liable for a wage theft violation hereunder.

264 (d) Nothing in this section shall limit the availability of other civil claims and remedies
265 at law or in equity whether provided under the general laws or common law.

(e) A successor entity to any lead contractor, labor contractor or labor subcontractor subject to liability under this section shall also be liable under this section if that entity: (i) has 1 or more of the same principals or officers as the person or entity subject to liability; and (ii) is engaged in the same or equivalent trade or activity as the person or entity subject to liability.

(f) A person or entity that has been found to have committed wage theft in the previous 3 years shall notify a lead contractor or labor contractor prior to entering into an agreement to engage or provide 1 or more individuals, directly or indirectly, to a lead contractor or labor contractor. A lead contractor or labor contractor that was jointly and severally liable under subsection (c) but was not the entity that committed the wage theft shall not be required to provide notice under this subsection.

(g) When an individual applies for unemployment benefits pursuant to chapter 151A, and wage theft occurred during the base period as determined based on credible evidence, the individual's unemployment benefits shall be calculated as if wages had been timely and lawfully paid.

(h) The attorney general shall enforce this section, and may obtain injunctive or declaratory relief. Violation of this section shall be subject to paragraphs (1), (2), (4) and (7) of subsection (b) of section 27C, and subsection (d) of section 27C, except in cases where the lead contractor, labor contractor or labor subcontractor provides payment in full during the 15-day notice period for any wages allegedly owed, as described in subsection (c).

(i) No person or entity shall by contract or any other means be exempted from subsections (a), (b), (c), (e), (f), (g), (h), or (i) or from sections 148F or 148G. Nothing in this

chapter shall limit the availability of other civil claims remedies at law or equity whether provided under the General Laws or by common law.

(j) The attorney general may promulgate regulations to implement this section.

Section 148F. (a) The attorney general may investigate an employer's failure to obtain unemployment insurance as required under chapter 151A. Upon finding a violation of section 15 or section 47 of chapter 151A, the attorney general may issue a stop work order to an employing unit and the officer or agent of the employing unit, requiring the cessation of all business operations of the violating person or entity as to the specific place of business and employment for which the violation exists.

Not less than 5 days before the commencement of a stop work order under this section, the attorney general shall notify the violating person or entity of the intended action and give the person or entity an opportunity to confer with the attorney general in person or through counsel or other representative as to the proposed action. Notice shall be given to the person or entity by mail, postage prepaid, to the usual place of business or, if there is no usual place of business, to the last known address.

The stop work order may be issued only against the person or entity found to be in violation of section 15 or section 47 of chapter 151A and only as to the specific place of business or employment for which the violation exists. The stop work order shall be effective 24 hours after it is served upon the violator or the place of business or employment. A stop work order may be served in hand or at a place of business, employment or job site by posting a copy of the stop work order in a conspicuous location. The stop work order shall be in effect, subject to an

308 appeal under subsection (b), until the attorney general issues an order to release the stop work
309 order upon a finding that the violation has been corrected.

310 (b) A person or entity aggrieved by the imposition of a stop work order shall have 10
311 days from the date of its service to make a request for a hearing to be held in a manner
312 determined by the attorney general. A person or entity that timely files such an appeal shall be
313 granted a hearing in accordance with chapter 30A not later than 21 days after receipt of the
314 appeal. The stop work order shall not be in effect during the pendency of a timely filed appeal.

315 (c) A stop work order imposed against a person or entity shall be effective against any
316 successor person or entity that: (i) has at least 1 of the same principals or officers as the person or
317 entity against whom the stop work order was issued; and (ii) is engaged in the same or equivalent
318 trade or activity as the person or entity for which the stop work order was imposed.

319 (d) An employee affected by a stop work order pursuant to this section shall be paid for
320 the period the stop work order is in place or the first 10 days the employee would have been
321 scheduled to work if the stop work order had not been issued, whichever is less, by the person or
322 entity that was served the stop work order. Time lost by an employee affected by a stop work
323 order pursuant to this section, not exceeding 10 days, shall be considered time worked under
324 chapters 149 and 151. Subsection (c) of section 148E shall not apply to wages due and payable
325 under this subsection.

326 (e) The attorney general may promulgate regulations to implement this section.

327 Section 148G. (a) Upon finding that any person or entity has engaged in a wage theft
328 violation, the attorney general may issue a stop work order to an employing unit and the officer
329 or agent of the employing unit, requiring the cessation of all business operations of the violating

person or entity as to the specific place of business and employment for which the violation exists.

Not less than 5 days before the commencement of a stop work order under this section, the attorney general shall notify the violating person or entity of the intended action and give the person or entity an opportunity to confer with the attorney general in person or through counsel or other representative as to the proposed action. Notice shall be given to the person or entity by mail, postage prepaid, to the usual place of business, or if there is no usual place of business, to the last known address.

The stop work order may be issued only against the person or entity found to be in violation, and only as to the specific place of business and employment for which the violation exists. The stop work order shall be effective 24 hours after it has been served upon the violator or the place of business and employment. A stop work order may be served in hand or at a place of business, employment or job site by posting a copy of the stop work order in a conspicuous location. The stop work order shall be in effect, subject to an appeal under subsection (b), until the attorney general issues an order to release the stop work order upon a finding that the violation has been corrected.

(b) A person or entity aggrieved by the imposition of a stop work order shall have 10 days from the date of its service to make a request for a hearing to be held in a manner determined by the attorney general. A person or entity that timely files such an appeal shall be granted a hearing in accordance with chapter 30A not later than 21 days after receipt of the appeal. The stop work order shall not be in effect during the pendency of a timely field appeal.

(c) A stop work order imposed under this section against a person or entity shall be effective against any successor person or entity that: (i) has at least 1 of the same principals or officers as the person or entity against whom the stop work order was issued; and (ii) is engaged in the same or equivalent trade or activity as the person or entity for which the stop work order was imposed.

(d) An employee affected by a stop work order pursuant to this section shall be paid for the period the stop work order is in place or the first 10 days the employee would have been scheduled to work if the stop work order had not been issued, whichever is less, by the person or entity that was served the stop work order. Time lost by an employee affected by a stop work order issued pursuant to this section, not exceeding 10 days, shall be considered time worked under chapters 149 and 151. Subsection (c) of section 148E shall not apply to wages due and payable under this subsection.

(e) The attorney general may promulgate regulations to implement this section.

SECTION 23. Section 150 of said chapter 149, as appearing in the 2022 Official Edition, is hereby amended by inserting, in line 22, after the word “148C” the following word:- , 148E.

SECTION 24. Section 150C of said chapter 149, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 9, the words “one thousand dollars,” and inserting in place thereof the following words:- \$1,000 or shall be subject to a civil citation or order as provided in subsection (b) of section 27C.

SECTION 25. Said section of 150C of said chapter 149, as so appearing, is hereby further amended by adding the following sentence:- The president and treasurer of a corporation

and any officers or agents having the management of such corporation shall be considered the employers of the employees of the corporation for the purposes of this section.

Nothing in this section shall limit parties aggrieved by an employer's failure to make insurance benefit contributions utilizing other remedies at law or equity afforded by other chapters of the general laws, the common law, or federal law.

SECTION 26. Said chapter 149 of the General Laws is hereby amended by striking out section 148A and inserting in place thereof the following section:-

Section 148A. (a) Any person or entity, including an employer or its agent, who in any manner discriminates or takes adverse action, or threatens to discriminate or take adverse action, against any person because that person has opposed a violation of this chapter, complained to the attorney general or to any other person of a violation of this chapter, assisted any other person in exercising rights under this chapter, informed any other person of rights under this chapter, or instituted, assisted in, or testified in any investigation or proceedings under or related to this chapter, or because of a belief that the person may in the future engage in any such actions, shall have violated this section and shall be punished or subject to civil proceedings as provided in subsection (b) or subsection (d) of section 27C, or section 150, and shall recover actual damages, compensatory damages, punitive damages, injunctive relief or any other appropriate relief.

(b) There shall be a rebuttable presumption of a violation of this section is a person or entity discriminates or takes adverse action, or threatens to discriminate or take adverse action, against any person within 90 days of that person's exercise of rights under this chapter, including activity protected by this section. This presumption may be rebutted by clear and convincing

evidence that the action was taken for a permissible purpose and that it would have been taken in the absence of the protected activity.

SECTION 27. Section 19 of chapter 151 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out subsection (1) and inserting in place thereof the following subsection:-

(1)(a) Any person or entity, including an employer or its agent, who in any manner discriminates or takes adverse action, or threatens to discriminate or take adverse action, against any person because that person has opposed a violation of this chapter, complained to the attorney general or any other person of a violation of this chapter, assisted any other person in exercising rights under this chapter, informed any other person of rights under this chapter, or instituted, assisted in, or testified in any investigation or proceedings under or related to this chapter, or because of a belief that the person may in the future engage in any such actions, shall have violated this section and shall be punished or subject to civil proceedings as provided in subsection (b) or subsection (d) of section 27C, or section 150, and shall recover actual damages, compensatory damages, punitive damages, injunctive relief or any other appropriate relief.

(b) There shall be a rebuttable presumption of a violation of this subsection if a person or entity discriminates or takes adverse action, or threatens to discriminate or take adverse action, against any person within 90 days of that person's exercise of rights under this chapter, including activity protected by this subsection. This presumption may be rebutted by clear and convincing evidence that the action was taken for a permissible purpose and that it would have been taken in the absence of the protected activity.

SECTION 28. Chapter 149 of the General Laws, as so appearing, is hereby amended by inserting after section 148G the following section 148H:-

(a) For purposes of this section, the following terms shall have the following meanings:

(1) “Aggrieved person”, any employee, prospective or former employee, or person providing services for remuneration to another against whom one or more of the alleged violations was committed by the alleged violator, whether or not employed by the violator at the time an action is filed, including any person who is not classified by an employer as an employee but who claims to be an employee and whose claims against the purported employer related to such alleged misclassification.

(2) “Public enforcement action”, a civil action brought by a relator under this section to enforce protections enforceable by the attorney general.

(3) “Relator”, a whistleblower or representative organization that acts as a plaintiff in a public enforcement action under this section.

(4) “Representative organization”, an organization that is tax-exempt under subsection (c)(3), (c)(4) or (c)(5) of the federal Internal Revenue Code, 26 U.S.C. section 501, and that regularly advocates on behalf of employees or that regularly assists in enforcement of this chapter or chapter 151 and that has been selected by an aggrieved individual to initiate a public enforcement action on the aggrieved person’s behalf, in writing in a form prescribed by the attorney general. In such cases, the aggrieved party’s name and personal identifying information shall be kept confidential if the aggrieved party so chooses.

(5) “Whistleblower”, an aggrieved individual or any current or former employee, contractor, subcontractor, employee of a contractor or subcontractor of the defendant, vendor, or client with knowledge of the alleged violations that is independent of and materially adds to any publicly disclosed information about the alleged violations.

(b)(1) A relator, on behalf of the attorney general, may initiate a public enforcement action pursuant to the procedures and subject to the limitations specified in subsection (e) of this section. Such action may be brought in any court of competent jurisdiction. Such an action may allege multiple violations that have affected different parties aggrieved by the same defendant.

(2) For purposes of public enforcement actions brought pursuant to this section, whenever the attorney general is authorized to assess or seek civil remedies, including penalties, equitable and declaratory relief, and other civil relief, for a violation of section 21, 26-27H, 52D, 100, 148, 148A, 148B, 148C, 148E, 150A, 150C, 152, 152A, 159C, or 190 of this chapter, or of chapter 151, a court is hereby authorized to assess the same civil remedies. Where the section of chapter 149 or chapter 151 establishes an employer’s obligation to maintain certain working conditions, but no civil penalty is specifically provided for a breach of that obligation, there is hereby established a civil penalty of \$500 for each aggrieved person per two-week period in which the breach occurred. All civil penalties shall be awarded for each person aggrieved by the violation during each two-week period in which the violation occurred.

(3) When a civil remedy is recovered pursuant to decision or settlement in any public enforcement action, the relator shall be awarded reasonable attorneys’ fees and costs.

(4) Nothing in this section shall operate to limit an aggrieved party’s right to pursue a private action based on the same violation or injury.

(5) Nothing in this section shall operate to limit the attorney general's right to seek restitution and damages, where available, for aggrieved parties as part of a public enforcement action in which it has intervened.

(6) Civil remedies recovered in a public enforcement action or settlement of a proposed action shall be distributed as follows:

(i) Where the attorney general has not intervened, 30 percent to the relator and 70 percent to the attorney general for enforcement of and education about the rights and obligations enforceable under this chapter and chapter 151. Twenty-five percent of the attorney general's share shall be reserved for providing funding to community-based outreach and enforcement activities under subsection (f) of this section. The attorney general shall promulgate regulations relative to further distribution and disbursement of recoveries. Any funding received by the attorney general under this section shall be continuously appropriated to supplement, and not supplant, other funding for those purposes;

(ii) Where the attorney general has intervened, 20 percent to the relator and 80 percent to the attorney general for enforcement of and education about the rights and obligations enforceable under this chapter and chapter 151. Twenty-five percent of the attorney general's share shall be reserved for providing funding to community-based outreach and enforcement activities under subsection (f) of this section. The attorney general shall promulgate regulations relative to further distribution and disbursement of recoveries. Any funding received by the attorney general under this section shall be continuously appropriated to supplement, and not supplant, other funding for those purposes;

(7) The right to bring a public enforcement action under this section shall not be impaired by any special contract.

(8) Notwithstanding any other provision of law, a public enforcement action authorized by this section shall be commenced within the same period of time that the attorney general has to take enforcement action under this chapter or chapter 151. The statute of limitations for bringing a public enforcement action under this section shall be tolled from the date that a relator files a notice pursuant to subsection (e) of this section with the attorney general, or the date that the attorney general commences an investigation, whichever is earlier.

(c)(1) Notwithstanding the provisions of subsection (b) of this section, no public enforcement action may be brought by a relator:

(i) If the attorney general, on the same facts and theories, cites a person or entity within the time periods set forth in subsection (e) of this section for a violation of the same section or sections of the General Laws under which such relator is attempting to recover a civil penalty or other remedy on behalf of aggrieved employees or others, or files a proceeding to assess penalties or to enforce other remedies available to the attorney general, provided that the attorney general serves notice to the relator pursuant to subsection (e) of this section. Public enforcement actions belong to the attorney general and preclude subsequent attorney general enforcement efforts based on the same facts and law, whether brought by the attorney general or a relator under this section. However, nothing in this section shall operate to limit the attorney general's right to seek additional civil remedies for aggrieved parties as part of a public enforcement action in which it has intervened.

(ii) For any violation of a posting, notice, agency reporting, or filing requirement, except where the filing or reporting requirement involves mandatory payroll reporting.

(2) The attorney general shall establish a publicly available online database of public enforcement actions brought pursuant to this section, which shall include the names of the parties, the date filed, the disposition, and any other information that the attorney general shall by regulation prescribe.

(d) (1) No one shall retaliate or take adverse action in any manner against an aggrieved person or whistleblower, or threaten to retaliate or take adverse action, because:

(i) the aggrieved person or whistleblower has brought a public enforcement action;

(ii) the aggrieved person or whistleblower has cooperated with a relator in a public enforcement action or the attorney general in investigating, prosecuting, or intervening in a public enforcement action; or

(iii) it is believed that the aggrieved person or whistleblower may bring a public enforcement action or cooperate with one.

(2) Any person aggrieved by a violation of this subsection may enforce it as provided by section 27C or section 150 of this chapter, or as provided by section 19 of chapter 151.

(e) (1) No public enforcement action pursuant to this section may be commenced prior to 60 days after written notice of the claim has been filed by the relator with the attorney general.

(2) The relator shall submit a filing fee of 75 dollars with each filing of notice subject to waiver in accordance with regulations promulgated by the attorney general. Notice and

519 submission of the filing fee shall toll the statute of limitations on the enforcement action for
520 which notice has been provided.

521 (3) The attorney general shall establish an online portal to provide for efficient electronic
522 filing of the notice.

523 (4) The notice shall be construed in the light most favorable to the relator, and shall
524 include:

525 (i) The name, address and contact information of the alleged violator.

526 (ii) The name and contact information of the relator.

527 (iii) The name, address, and contact information of the relator's legal counsel, should
528 one exist.

529 (iv) A concise statement of the underlying claim reasonably calculated to apprise the
530 attorney general of the substance and nature of the claim.

531 (5) The attorney general shall, by regulation, provide for the right of a relator to furnish
532 an amended notice, if the attorney general determines that the relator's original notice pursuant
533 to paragraph (1) of this subsection was not in compliance with this section or the regulations
534 issued thereunder. Such determination by the attorney general shall identify with particularity the
535 deficiencies in the original notice. If such determination and the opportunity to amend are not
536 provided by the attorney general within thirty days of the original notice, the original notice shall
537 be deemed to comply with this section. The relator shall have thirty days from receiving the
538 determination of the attorney general of noncompliance with this section to amend the notice.
539 The amended notice with relate back to the original notice.

(6) If the attorney general intends to investigate the alleged violation, it shall notify the relator of its decision within 30 calendar days of the date of the notice received pursuant to paragraph (1) of this subsection. Within 120 calendar days of that decision, the attorney general may investigate the alleged violation and issue any appropriate citation. If the attorney general, during the course of its investigation, determines that additional time is necessary to complete the investigation, it may extend the time by not more than 30 additional calendar days and shall issue a notice of the extension. If the attorney general determines that a citation shall not be issued, it shall notify the relator of that decision within five business days thereof by certified mail.

(7) Upon receipt of notice that no citation will be issued, or if no citation is issued by the attorney general within the time limits prescribed herein, or if the attorney general fails to provide timely or any notification, the relator may commence a public enforcement action.

(8) If the attorney general does not object to the filing of a public enforcement action pursuant to this section, but objects to the attorney general represented by a particular attorney proposed by the relator, the attorney general may, within the time limits set forth in paragraph (6) of this subsection, may put the relator on notice of the attorney general's objection. The attorney general will establish regulations for notice and a hearing, for purposes of reviewing the attorney general's objection to counsel. Upon finding, after notice and hearing, that, based on the attorney's past conduct while representing a client or clients, the attorney does not meet the required professional standards of representatives, or, alternatively, if the attorney fails to zealously pursue the remedies available under this section, the attorney general may order that the public enforcement shall not be filed by the particular attorney on behalf of the relator.

(9) The attorney general may intervene in a public enforcement action and proceed with any and all claims in the action:

(i) As of right within 30 days after the filing of the action;

(ii) For good cause shown, as determined by the court, after the expiration of the 30-day period after the filing of the action.

(10) If the attorney general intervenes in an action it shall have primary responsibility for prosecuting the action and shall not be bound by an act of the relator bringing the action. In such cases, the relator shall remain a party to the action. The attorney general may move to dismiss or settle the action after the relator has been notified of the filing of the motion and has been provided with an opportunity to be heard, and the court determines that such dismissal or settlement is fair, adequate, reasonable, and in the public interest. Any disposition by the attorney general shall provide compensation for reasonable attorneys' fees and costs expended on behalf of the relator in instituting the action.

(11) If the attorney general does not intervene in the action, the relator shall have the right to conduct such an action subject to the following limitations:

(i) The court shall review and approve any settlement of any action filed pursuant to this section. The proposed settlement shall be submitted to the attorney general concurrent with submission to the court. The court shall approve a settlement of the action only upon a determination that such settlement or voluntary dismissal is fair, adequate, reasonable, and in the public interest.

(ii) If the attorney general so requests, it shall be served with copies of all pleadings filed in the action and shall be supplied with copies of all deposition transcripts. The attorney general shall bear any costs associated with service of such pleadings and depositions.

(12) No public enforcement action brought pursuant to this section shall be subject to the requirements of rule 23 of the Massachusetts rules of civil procedure.

(f) (1) The Community Outreach and Labor Education Fund is established as a special fund, separate and distinct from the general fund. Interest earned by the Community Outreach and Labor Education Fund shall be credited to the same fund. All moneys in the Community Outreach and Labor Education Fund shall be continuously appropriated for the purpose of awarding grants as provided in paragraph (3) of this subsection.

(2) The 25 percent of the attorney general's share of recoveries reserved for providing funding to community-based outreach and enforcement activities pursuant to paragraph (6) of subsection (b) of this section shall be reported to the treasurer of the commonwealth, who shall credit such amount to the Community Outreach and Labor Education Fund.

(3) Money in the Community Outreach and Labor Fund shall be granted from time to time by the attorney general to organizations that are tax-exempt under subsection (c)(3), (c)(4) or (c)(5) of the federal Internal Revenue Code, 26 U.S.C. section 50, for purposes of funding outreach, education, and technical assistance to Massachusetts workers pertaining to workplace rights.

(4) Grants provided from the Community Outreach and Labor Education fund shall be used for activities to assist workers in enforcing employment rights, including outreach,

603 community-based education events, training materials, technical assistance, counseling, research
604 and referral services.

605 (5) When considering applications for grants, the attorney general shall give priority to
606 projects that provide services to especially vulnerable workers.

607 (g) (1) If any word, phrase, clause, sentence, paragraph, section or part of this section or
608 the application thereof to any person or circumstances shall be adjudged invalid by a court of
609 competent jurisdiction, such order or judgment shall be confined in its operation to the
610 controversy in which it was rendered, and shall not affect or invalidate the remainder of this
611 section, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph,
612 section or part thereof directly involved in the controversy in which such judgment shall have
613 been rendered.

614 (2) This section shall be liberally construed in light of its remedial purposes to expand
615 the enforcement of statutes protecting workers in the commonwealth.

616 SECTION 29. Section 2A of Chapter 151 of the General Laws, as appearing in the 2022
617 Official Edition is hereby amended by striking out, in the second sentence, the word “\$8.00” and
618 replacing it with the following words:-

619 “the minimum wage set forth in section 1 of this chapter”.

620 SECTION 30. Chapter 151 of the General Laws, as appearing in the 2022 Official
621 Edition, is hereby amended by striking out the following words:-

622 “, or of an employee whose earning capacity is impaired by age or physical or mental
623 deficiency or injury, or of an employee who is certified by the secretary of health and human
624 services or his designee as a handicapped person,”

625 SECTION 31. Chapter 10 of the General Laws is hereby amended by adding after
626 section 78 the following section:-

627 Section 79. (a) As used in this section the followings words and terms shall have the
628 following meanings:

629 “Accounting”, a designated beneficiary’s pro rata share of the fund, as determined by the
630 state treasurer.

631 “Board”, means the Massachusetts Baby Bonds Trust Fund Advisory Board.

632 “Committee”, means the Massachusetts Baby Bonds Community Advisory Committee.

633 “Designated beneficiary”, means any individual who: (i) is born on or after July 1, 2024;
634 and (ii) receives cash assistance under transitional aid to families with dependent children or is a
635 child under the care or custody of the Massachusetts department of children and families within
636 the first twelve months of their life.

637 “Eligible expenditure”, means an expenditure associated with any of the following: (i)
638 post-secondary education of a designated beneficiary at a vocational or apprentice program,
639 community college, or university that is located in and licensed, approved, or accredited by the
640 commonwealth; (ii) investment in an entity doing business in the commonwealth by a designated
641 beneficiary; (iii) purchase of a home in the commonwealth by a designated beneficiary; or (iv)

any investment in financial assets or personal capital that provides long-term gains to wages or wealth, as defined by regulation promulgated by the state treasurer.

“Fund”, means the Massachusetts Baby Bonds Trust Fund.

(b)(1) There shall be a Massachusetts Baby Bonds Trust Fund for the exclusive purpose of assisting designated beneficiaries in pursuing opportunities for education, housing, and entrepreneurship, in order to create opportunities for financial independence.

(2) The state treasurer shall administer the fund. The state treasurer may contract with practitioners, administrators, investment managers and other entities in order to design, administer and provide investment options for the fund. The provisions of section 38 of chapter 29 of the general laws shall not apply to the investment of the fund.

(3) The state treasurer may accept moneys from public and private sources, including, but not limited to gifts, grants and donations, but not in lieu of contribution by the General Court. The state treasurer may expend moneys from the fund for all reasonable and necessary direct costs and expenses incurred with the management and investment of the fund.

(4) Moneys deposited in the fund shall not be subject to further appropriation and any moneys that are unexpended at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the following fiscal year. No expenditure made from the fund shall cause the fund to become deficient at any point.

(5) The state treasurer shall report annually on or before December 31 to the governor and house and senate committees on ways and means: (i) the balance of the fund and (ii) the total

return generated by the principal of said fund during the prior 12-month period ending on June 30.

(c)(1) There shall be a Baby Bonds Trust Fund Advisory Board. The board shall meet from time to time to assist the state treasurer in the development of general policy regarding the fund and shall provide technical advice and input to the state treasurer. Matters considered by the board shall include, but not be limited to: (i) identification of eligible expenditures; (ii) development of mitigation measures to prevent fraud, scams, or financial exploitation of designated beneficiaries related to eligible expenditures; and (iii) partnerships with individuals and communities disproportionately impacted by the racial wealth gap in program expansion and development, including, but not limited to, regular collaboration with the Massachusetts Baby Bonds Community Advisory Committee established in subsection (d).

(2) The board shall consist of 17 members. There shall be 6 nonvoting members, 2 of whom shall be appointed by the president of the senate, 1 of whom shall be appointed by the minority leader of the senate, 2 of whom shall be appointed by the speaker of the house of representatives and 1 of whom shall be appointed by the minority leader of the house. There shall be 11 voting members: the state treasurer, or a designee, who shall serve as chair; the secretary for administration and finance, or a designee; the secretary of education, or a designee; the attorney general, or a designee; 2 members of the Baby Bonds Community Advisory Committee established in subsection (d), selected by said committee; and 4 members appointed by the state treasurer 2 of whom shall be experts in economics and socio-economic policy and 2 of whom shall be individuals from, or who have experience advocating on behalf of, a census tract where over 20 per cent of the populations fall below the federal poverty line. The appointed members shall each serve for a term of 5 years and shall be eligible for reappointment. The board

685 shall serve without compensation but shall be reimbursed for necessary expenses incurred in the
686 performance of their duties.

687 (3) The board shall report annually on or before December 31 to the governor and the
688 house and senate committees on ways and means.

689 (d) There shall be in the office of the treasurer and receiver general a Massachusetts
690 Baby Bonds Community Advisory Committee which shall facilitate regular community
691 engagement and outreach concerning the administration and allocation of the Baby Bonds Trust
692 Fund. The committee shall be comprised of individuals and interested stakeholders from
693 geographically diverse regions of the commonwealth. The committee shall serve without
694 compensation but shall be reimbursed for necessary expenses incurred in the performance of
695 their duties.

696 (e)(1) At any time upon their reaching the age of 18 and prior to their reaching the age of
697 35, a designated beneficiary may submit a claim to distribute, in whole or in part, their
698 accounting; provided, however, that the designated beneficiary shall demonstrate that the
699 distribution will be applied toward an eligible expenditure; provided further, that, at the time of
700 the application, the designated beneficiary is a resident of the commonwealth.

701 (2) A designated beneficiary may not assign, alienate or otherwise dispose of any portion
702 of or interest in such accounting to another individual at any time prior to receiving the full
703 distribution of the amounts in their accounting.

704 (3) If a designated beneficiary fails to submit a valid claim prior to their reaching age 35,
705 their accounting shall be credited back to the assets of the fund.

(4) In the case of the death of a designated beneficiary prior to their reaching the age of 35, upon receipt of notification of such individual's death, their accounting shall be credited back to the assets of the fund.

(5) The state treasurer shall seek to develop and make regularly available relevant resources and supports designed to assist in making financial decisions to designated beneficiaries and their households. The state treasurer shall encourage and incentivize designated beneficiaries to utilize said resources and supports prior to the distribution of funds to support an eligible expenditure.

(f) (1) Notwithstanding any general or special law to the contrary, no moneys invested in the fund shall be considered an asset for purposes of determining an individual's or the individual's household's eligibility for, or amount of, any benefit or service, including, but not limited to: temporary assistance for needy families and need-based, institutional aid grants offered to an individual at the public educational institutions in the commonwealth.

(2) Notwithstanding any general or special law to the contrary, contributions to an accounting on behalf of a designated beneficiary shall not be included in calculating the gross income of the designated beneficiary under chapter 62.

(g) To carry out the purposes of this section, the Massachusetts department of transitional assistance, the Massachusetts department of children and families, the Massachusetts department of elementary and secondary education, and the Massachusetts department of public health shall provide to the office of the state treasurer any information it deems necessary to fund, coordinate, and evaluate activities of the fund. Said agencies shall enter an agreement with

727 the office of the state treasurer to document the data sharing procedures and the information to be
728 shared.

729 (h) The state treasurer may promulgate rules and regulations as necessary or proper for
730 the administration and enforcement of subsections (a) through (g), inclusive.

731 SECTION 32. Chapter 23A of the General Laws is hereby amended by adding the
732 following three sections:-

733 Section 70.

734 (a) As used in this section, the following words shall, unless the context clearly requires
735 otherwise, have the following meanings:

736 “Account holder”, a household that is an eligible participant.

737 “Eligible participant”, a household which has an income that does not exceed 80 percent
738 of the median income for the area, as such median shall be determined from time to time by the
739 secretary of the United States Department of Housing and Urban Development pursuant to 42
740 U.S.C. 1437(a)(B)(2) or any successor legislation and the regulations promulgated thereunder;
741 provided however, that:

742 notwithstanding any federal law or rule to contrary, a person shall not be denied
743 assistance under this chapter based wholly or in part on the amount of the person’s assets;

744 that any income generated by such assets may be treated as countable income;

745 receipt of federal, state or local public assistance of any form shall not make a person
746 ineligible to be an account holder.

“Community-based organization”, a public or private nonprofit organization that is exempt from taxation under 26 U.S.C. 501(c)(3), a community foundation, housing authority, a city or town with demonstrated effectiveness in representing a community or a significant segment of a community and providing educational or related social services to individuals in that community.

“Fiscal intermediary”, a Massachusetts nonprofit organization that is exempt from taxation under 26 U.S.C. 501(c)(3) with demonstrated effectiveness in matched-savings account management.

“Financial institution”, a bank, credit union, any association or corporation chartered by the commonwealth under chapter 168, 170, 171 or 172, or an individual, association, partnership or corporation incorporated or doing a banking business in the commonwealth subject to the supervision of the commissioner.

“Matched-savings account”, a contract between an account holder and a fiscal intermediary to increase their economic mobility.

(b) (1) A person who qualifies to become an account holder may establish a matched-savings account. The matched-savings account shall permit the account holder to work towards approved savings goals set forth in subsection (c).

(2) A matched-savings account shall provide for the deposit of funds into 2 accounts at a financial institution: (i) a designated account at a financial institution by the account holder and; (ii) the deposit of matching funds by the fiscal intermediary into a designated account at a financial institution.

(3) Before creating a matched-savings account, a person shall create a savings plan developed by the participant and a community-based organization. The plan shall provide the participant with the appropriate financial education, counseling and asset-specific training designed to increase the economic mobility of the participant's household.

(c) Approved savings goals shall serve to increase economic mobility including, but not limited to:

(1) the acquisition of post-secondary education or job training;

(2) if the account holder has established the account for the benefit of a household member who is under the age of 18 years, the payment of extracurricular non-tuition expenses designed to prepare the member for post-secondary education or job training;

(3) if the account holder has established a savings plan authorized under 26 U.S.C. 529 or prepaid tuition plan on behalf of a designated beneficiary, the participant shall provide accurate account statements to the fiduciary organization in order to earn match;

(4) the purchase of a primary residence; provided further, that account moneys under this paragraph shall be broadly construed to include, but not be limited to: (i) payment on the purchase price of the residence; and (ii) any usual or reasonable settlement, financing, or other closing costs;

(5) the rental of a primary residence; provided further, that account moneys under this paragraph shall be broadly construed to include, but not be limited to: (i) security deposits; (ii) first month's rent; (iii) prepayment of last month's rent; (iv) application fees; (v) major

788 appliances not included in the lease necessary to move into the primary residence; and
789 (vi) moving expenses;

790 (6) the capitalization of a small business; provided further, that account moneys under
791 this paragraph shall be broadly construed to include, but not be limited to: (i) capital, plant,
792 equipment, and inventory expenses, (ii) hiring employees upon capitalization of the small
793 business; (iii) working capital;

794 (7) improvements, repairs, or modifications to a home already owned and occupied as a
795 primary residence in Massachusetts by the account holder;

796 (8) the purchase of equipment, adaptive technology or specialized training required to
797 become competitive in obtaining or maintaining employment, or to start or maintain a business,
798 or to increase the economic mobility of the account holder;

799 (9) the purchase or repair of a vehicle, as specified in the account holder's matched-
800 savings plan for increasing the economic mobility of the person;

801 (10) the saving of funds for a qualified individual retirement account;

802 (11) the payment of debts owed when the account holder is saving for another allowable
803 purpose, as specified in the account holder's matched-savings plan; provided further, a non-profit
804 organization with demonstrated expertise shall provide credit counseling;

805 (12) the creation or improvement of a credit score by obtaining a secured credit-builder
806 loan or a financial product that is designed to improve credit, as specified in the account holder's
807 matched-savings plan for increasing the economic independence of the person.

808 (d) Policy

809 1. Contributions

810 Any earnings an individual contributes to their Matched-savings account are deducted
811 from their wages in determining countable income. An individual's contribution that are
812 deposited in a Matched-savings account are excluded from resources.

813 2. Matching funds

814 Any matching funds that are deposited in a Matched-savings account are excluded from
815 income and resources.

816 3. Interest

817 Any interest earned on the individual's own contributions and on the matching funds that
818 are deposited in a Matched-savings account is excluded from income and resources.

819 (e) A fiscal intermediary may qualify as the recipient of account contributions only if the
820 fiscal intermediary structures the accounts to have the following features:

821 (1) The fiscal intermediary matches amounts deposited by the account holder according
822 to a formula established by the fiscal intermediary. The fiscal intermediary shall deposit
823 up to \$4 into the account for each \$1 deposited by the account holder.

824 (2) The matching deposits by the fiscal intermediary to the matched-savings account are
825 placed in a savings account that is controlled by the fiscal intermediary and is separate from the
826 savings account of the account holder.

827 (e)(1) If an emergency occurs, an account holder may withdraw all or part of the account
828 holder's deposits to a matched-savings account for a purpose not described in subsection (c). A

financial emergency is a disruption to the account holder's economic circumstances including but not limited to: (i) making payments for necessary medical expenses; (ii) avoiding eviction of the account holder from the account holder's residence; (iii) for necessary living expenses following a change in economic circumstances.

(2) The account holder shall resume contributions to the account holder's savings account after the account holder deems that the financial emergency has been resolved. The account holder may choose to continue to pursue the savings plan through the appropriate financial education, counseling and asset-specific training in coordination with the account holder's community-based organization while experiencing the financial emergency.

(3) If an account holder withdraws funds from a matched-savings account for other than an approved purpose, the fiscal intermediary may remove the account holder from the program.

(f)(1) If the account holder of an account established for the purpose set forth in the third paragraph through the tenth paragraph, inclusive, of subsection (c) has achieved the account's approved purpose in accordance with the matched-savings plan developed by the account holder, the account holder may withdraw, or authorize the withdrawal of, the remaining amount of all deposits, including matching deposits, and interest in the account as follows: (i) for an account established for the purpose set forth in subsection (c)(3) of this section, by rolling over the entire withdrawal amount into one or more savings plans authorized under 26 U.S.C. 529, the establishment of which is the purpose of the matched-savings account; or (ii) for an account established for the purpose set forth in subsection (c)(10) of this section, by rolling over the entire withdrawal amount into an individual retirement account, a retirement plan or a similar account or plan established under the Internal Revenue laws of the United States.

(2) Upon withdrawal of all funds in the matched-savings account as provided in the first paragraph of this subsection, the account relationship shall terminate.

(g) (1) If an account holder moves from the area where the program is conducted or is otherwise unable to continue in the program, the fiscal intermediary may remove the account holder from the program.

(2) If the fiscal intermediary removes an account holder from the program, all matching deposits in the account and all interest earned on matching deposits shall revert to the fiscal intermediary. The fiscal intermediary shall use the reverted funds as a source of matching deposits for other accounts.

(h) (1) The executive office of housing and livable communities may select a fiscal intermediary to administer moneys directed by the commonwealth to matched-savings account purposes.

(2) In making the selection, the executive office of housing and livable communities shall consider factors related to its effectiveness including, but not limited to: (i) the ability of the fiscal intermediary to implement and administer the matched-savings program, including the ability to verify account holder eligibility, certify that matching deposits are used only for approved purposes and exercise general fiscal accountability; (ii) the capacity of the fiscal intermediary to convene and provide professional development opportunities that increase the capacity of community-based organizations to provide financial education, counseling, and asset-related training to account holders; (iii) the partnerships that the fiscal intermediary maintains with like-minded community-based organizations, government agencies, and other entities that support asset-building and wealth creation among the lower-income households across the

873 commonwealth; (iv) Subject to executive office of housing and livable communities rules, a
874 fiscal intermediary has sole authority over, and responsibility for, the administration of matched-
875 savings accounts.

876 (3) The fiscal intermediary may use at least 5 percent of the allocated moneys to the
877 matched-savings program for account management, compliance, and participation in audits.

878 (4) (i) The fiscal intermediary shall ensure that account holders include people of color
879 and women, at least in such proportion as these groups exist in the commonwealth's population
880 as periodically determined by the state secretary as the commonwealth's chief census officer. (ii)
881 The fiscal intermediary shall ensure that account holders represent diverse geographic areas of
882 the commonwealth, including urban, rural and suburban areas.

883 (5) The fiscal intermediary shall provide the executive office of housing and livable
884 communities with an annual report of the fiscal intermediary's matched-savings account program
885 activity. The fiscal intermediary shall file the report with the executive office of housing and
886 livable communities no later than 90 days after the end of the fiscal intermediary's fiscal year.
887 The report shall include, but is not limited to: (i) the number of matched-savings accounts
888 administered by the fiscal intermediary; (ii) the amount of deposits and matching deposits for
889 each account; (iii) the purpose of each account; (iv) the number of withdrawals made; and (v)
890 participant demographics including, but not limited to, race, ethnicity, age, gender identity and
891 sexual orientation, and any other information the executive office of housing and livable
892 communities may require for the purpose of making a return-on-investment analysis.

893 (i) (1) Subject to executive office of housing and livable communities rules, the
894 responsibility of the community-based organization extends to all aspects of operating the

895 matched-savings program, including, but not limited to: (i) marketing and outreach; (ii)
896 verification and enrollment of participants; (iii) financial education; (iv) one-on-one counseling;
897 (v) conducting asset-specific training; (vi) indirect costs; (vii) and other required verification and
898 compliance activities.

899 (2) There is no limit to how many community-based organizations work with the
900 selected fiscal intermediary if they satisfy the required qualifications. The executive office of
901 housing and livable communities can set how many community-based organizations
902 participating in offering the program.

903 (3) A community-based organization shall receive no more than 25 per cent of the
904 allocated monies for providing all activities set forth in the first paragraph. (j) The executive
905 office of housing and livable communities may issue regulations to implement this section.

906 Section 70. (a) There shall be a Matched Savings Trust Fund, which shall be
907 administered by the secretary of housing and livable communities. Monies in the trust fund shall
908 be deposited with the state treasurer in a manner that will secure the highest interest rate
909 available consistent with the safety of the trust fund.

910 (b) The secretary shall appoint the trustee of the fund, who shall serve until a successor is
911 appointed.

912 (c) There shall be credited to the trust fund:

913 (1) all funds appropriated by the general court; (2) federal funds directed to the trust
914 fund; (3) grants and any other funds directed to the trust fund; and (5) all interest earned on
915 monies in the trust fund.

(d) Expenditures from the fund shall not be subject to appropriation and balances remaining at the end of a fiscal year shall not revert to the General Fund. Expenditures from the fund shall be made for promoting economic mobility among account holders as defined in section 70. Expenditures from the fund may be made for satisfying the objectives of section, including but limited to, providing matches to account holder contributions to their accounts, financial education, counseling, asset-specific training, for program administration, the fiscal intermediary and for oversight by the executive office of housing and livable communities.

(e) Not later than August 1 of each fiscal year, the secretary shall submit a spending plan to the secretary of administration and finance and the house and senate committees on ways and means. For the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the secretary may incur obligations and the comptroller may certify payment amounts not to exceed the most recent revenue estimate submitted by the secretary and approved by the secretary of administration and finance but the fund shall be in balance by the close of each fiscal year.

SECTION 33. Section 172 of chapter 6 of the General Laws, as appearing in the 2022 Official edition, is hereby amended by inserting after the last paragraph the following paragraph:-

(p) The commissioner of probation shall add information in the commissioner's database upon said information's receipt as to the date of a person's release from a house of corrections, prison or jail to implement automated and expedited record sealing, and the department of criminal justice information services shall include the date of a person's release from a house of

937 corrections, prison, or jail for any offense as part of criminal offender record information if the
938 date is known to the department.

939 SECTION 34. Section 18 ³/₄ of chapter 6A of the General Laws, as so appearing, is
940 hereby amended by inserting after the last paragraph the following paragraph:-

941 (16) Notwithstanding any other provision of this section to the contrary, the secretary
942 shall forthwith establish and implement procedures for the department of correction, any house
943 of corrections and any jail to report on the seventh day of each month to the commissioner of
944 probation the names, personal identifying information, and the actual dates that any person was
945 released from the house of corrections, jail or the department of correction during the prior
946 month and also shall provide such information as to other dates of past release for other
947 individuals as requested or needed by the commissioner of probation to implement automated
948 and expedited sealing of records, and the inclusion of the dates a person was released from
949 custody or incarceration on criminal offender and juvenile court activity record information
950 reports.

951 SECTION 35. Section 100A of chapter 276 of the General Laws, as so appearing, is
952 hereby amended by striking the first paragraph and inserting in place thereof the following three
953 paragraphs:-

954 Notwithstanding any law to the contrary, a person shall not be required to file a petition
955 or other form of a request in order to seal any record of criminal court appearances and
956 dispositions related to a criminal offense in the commonwealth under this section after an
957 applicable waiting period, except as specified within this section. The commissioner of probation
958 shall establish and implement an automated process for sealing of such records. The

959 commissioner shall seal all such records within 30 days of the time that the records became
960 eligible for sealing under this section; provided, however, that sealing of any conviction for a sex
961 offense, as defined in section 178C of chapter 6, shall require that a person with such records file
962 a request for sealing of such convictions with the commissioner on a form provided by the
963 commissioner. In the event that records of any offense required to be sealed under this section
964 without a request are not sealed due to an error or omission or lack of availability of a court
965 record based on the age of said record, a person with such records shall not be precluded from
966 seeking relief, and the commissioner of probation shall seal such records forthwith upon receipt
967 of any request to seal said record from the person or the person's legal representative.

968 The commissioner of probation shall provide all defendants at the time of a conviction or
969 other disposition of their offense or offenses with a notice that the offense or offenses may be
970 sealed in the future without the necessity of filing a petition to seal the records, a brief summary
971 of the sealing law, and a list of resources related to sealing of records. The clerk's office of any
972 division of the trial court, the commissioner of probation, and any other criminal justice agency,
973 upon request of a person whose records are sealed, or the person's legal representative, shall
974 provide access to the sealed records to the person or the person's legal representative without
975 said person, or legal representative obtaining a court order or having to unseal the records.

976 The commissioner of probation shall seal records of any record of criminal court
977 appearances and dispositions related to a criminal offense or offenses in the commonwealth on
978 file with the commissioner provided that: (1) the person's court appearance and court disposition,
979 including any period of incarceration or custody for any misdemeanor record to be sealed
980 occurred not less than 3 years prior to the sealing; (2) the person's court appearance and court
981 disposition, including any period of incarceration or custody for any felony record to be sealed

occurred not less than 7 years prior to the sealing; and (3) the person has not been found guilty of any criminal offense in the commonwealth in the case of a misdemeanor, 3 years prior to the sealing, and in the case of a felony, 7 years prior to the sealing. This section shall apply to court appearances and dispositions of all offenses, with the exception of convictions for violations of sections 121 to 129, inclusive, sections 131A to 131D, inclusive, and section 131F of chapter 140, and convictions for violations of chapter 268 and chapter 268A, which are all excluded from sealing, except for convictions for resisting arrest. A person with a possession of marijuana offense that was later decriminalized, is not precluded from seeking earlier and immediate sealing of the records, if the person files a request for such sealing on a form that shall be provided by the commissioner.

SECTION 36. Section 100A of said chapter 276, as so appearing, is hereby amended by inserting after the word “files”, in line 60, the following words: within 30 days of notification of such record sealing.

SECTION 37. Section 100B of said chapter 276, as so appearing, is hereby amended by striking out the first paragraph, and inserting in place thereof the following two paragraphs:-

Notwithstanding any law to the contrary, a person charged as a delinquent or youthful offender shall not be required to file a petition or other form of request in order to seal any record of criminal court appearances and dispositions related to a juvenile court offense. The commissioner of probation shall establish and implement an automated process for sealing of such records. The commissioner shall seal said records in the commonwealth on file with the commissioner within 30 days after any records become eligible for sealing after the applicable 3-year waiting period. The records shall become eligible for sealing when: (1) any court

1004 appearance or disposition including court supervision, probation, commitment or parole for the
1005 records to be sealed, terminated not less than 3 years earlier; and (2) said person has not been
1006 adjudicated delinquent or as a youthful offender, found guilty of any criminal offense in the trial
1007 court of the commonwealth, or been committed as a juvenile or imprisoned within the
1008 commonwealth in the preceding 3 years. In the event that records of any offense required to be
1009 sealed under this section without a petition are not sealed due to an error or omission or lack of
1010 availability of a court record based on the age of said record, a person with such an offense shall
1011 not be precluded from seeking relief, and the commissioner of probation shall seal such records
1012 forthwith upon receipt of a request to seal said records from the person or the person's legal
1013 representative.

1014 The commissioner of probation shall provide all individuals at the time of an
1015 adjudication or other final disposition of their offense or offenses with a notice that the offenses
1016 may be sealed in the future without the necessity of filing a petition to seal the records, a brief
1017 summary of the sealing law, and a list of resources related to sealing of records. The clerk's
1018 office of any division of the trial court, the commissioner of probation, or any other criminal
1019 justice agency, upon request of a person whose offense or offenses are sealed, or the person's
1020 legal representative, shall provide access to the sealed records to the person or the person's legal
1021 representative without said person, attorney or legal representative obtaining a court order or
1022 having to unseal the record.

1023 SECTION 38. Section 100B of said chapter 276, as so appearing, is hereby amended by
1024 inserting after the word "files", in line 28, the following words:- within 30 days of notification of
1025 such record sealing.

1026 SECTION 39. Said section 100B of said chapter 276, as so appearing, is hereby further
1027 amended by striking out, in lines 21, 37, 38 and 40, the word “delinquency” each time it appears
1028 and inserting in place thereof the following words:- juvenile court

1029 SECTION 40. Said section 100B of said chapter 276, as so appearing, is hereby further
1030 amended by striking out in the fourth paragraph the words “a delinquent” and inserting in place
1031 thereof the following words:- by the juvenile court

1032 SECTION 41. Section 100Q of chapter 276, as so appearing, is hereby further amended
1033 by striking out the words “or section 100B” and inserting in place thereof the following words:- ,
1034 section 100B or section 100C.

1035 SECTION 42. Notwithstanding any general law or special law to the contrary, as soon as
1036 practicable, and not later than 3 months after the effective date of this act, the commissioner of
1037 probation shall seal any other records in its computerized database of: (i) all past criminal court
1038 appearances and dispositions in the commonwealth on file with the commissioner that are
1039 eligible for sealing under section 100A of chapter 276; and (ii) all past juvenile court offenses in
1040 the commonwealth on file with the commissioner that are eligible for sealing under section 100B
1041 of chapter 276. In the event that records of any offense that is eligible for sealing are not sealed,
1042 a person with such records shall not be precluded from seeking other relief, and the
1043 commissioner of probation shall seal such records forthwith upon receipt of any request to seal
1044 said records from the person or the person’s legal representative.

1045 SECTION 43. Chapter 6 of the General Laws is hereby amended by inserting after
1046 section 222 the following section:-

1047 Section 223. The office of access and opportunity.

1048 (a) There shall be within the office of the governor an office of access and opportunity
1049 (the “OAO”) to ensure ready access to the status of and advise on the work conducted by the
1050 OAO.

1051 (b) The OAO shall be led by a deputy chief, access and opportunity (the “deputy chief”),
1052 who shall be appointed by the governor and directly report to the governor’s chief of staff. The
1053 deputy chief shall advise the governor and the cabinet and work to foster within state
1054 government non-discrimination and equal opportunity for all irrespective of race, color, age,
1055 gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry,
1056 national origin, disability, veteran or active military status (including Vietnam-era veterans), or
1057 socio-economic background.

1058 (c) There shall be a steering committee on access and opportunity (the “steering
1059 committee”) which the deputy chief will chair and convene regularly for advice on the state of
1060 access and opportunity across the executive branch and how best to achieve goals of the OAO.
1061 The steering committee shall include: the chief human resources officer, human resources
1062 division; assistant secretary, operational services division; executive director of the
1063 Massachusetts supplier diversity office; director of office of diversity and equal opportunity;
1064 director of Massachusetts office on disability; commissioner, division of capital asset
1065 management and maintenance; director, compliance unit, division of capital asset management
1066 and maintenance; the chief operating officer, Massachusetts Department of Transportation;
1067 deputy director, office on diversity and civil rights, Massachusetts Department of Transportation;
1068 secretary of the Executive Office of Labor and Workforce Development or their designee;
1069 secretary of the Executive Office of Veterans’ Services or their designee; and representative(s)
1070 designated by the Secretary of the Executive Office of Education.

1071 (d) The deputy chief shall have the following responsibilities:

1072 (1) collaborate with and maximize relevant initiatives, work and potential of all existing

1073 executive branch agencies, offices and resources with the explicit goal of:

1074 (i) increasing the total number of and dollar volume earned by MBEs, WBEs, and DBEs

1075 contracting with or doing business for the state; and

1076 (ii) maintaining or increasing the number of minorities, veterans and individuals with

1077 disabilities who are state employees;

1078 (2) develop with partnering agencies and offices, in consultation with the Steering

1079 Committee:

1080 (i) an integrated body of policies and actions that reflect best practices and remove

1081 barriers to advance non-discrimination and equity in access to and opportunity in employment,

1082 procurement and the provision of services within state government;

1083 (ii) ideas on how best to implement and incentivize compliance with such policies and

1084 procedures; and

1085 (iii) performance metrics focused on outcomes, such as increasing the total number of

1086 and dollar volume earned by MBEs, WBEs, DBEs contracting with or doing business for the

1087 state; and maintaining or increasing the number of minority, veterans and individuals with

1088 disabilities who are state employees;

1089 (3) convene meetings of key offices, individuals and external stakeholders as needed to

1090 accomplish specified objectives, resolve issues, and make and implement recommendations;

1091 (4) identify state laws and regulations that obstruct or frustrate the state’s ability to
1092 provide within its own operations equity in access and opportunity for all persons;

1093 (5) serve as a liaison to pertinent commissions, councils, task forces and offices
1094 throughout state government as needed to accomplish and advance the OAO’s goals; and

1095 (6) develop for adoption administrative orders and bulletins to further the OAO’s goals,
1096 and prepare such other reports necessary to keep the Governor appropriately apprised of the
1097 work of the OAO.

1098 (e) All state agencies shall provide assistance to the OAO by sharing information and
1099 expertise, as requested.

1100 SECTION 44. The General Laws are hereby amended by inserting after chapter 6E the
1101 following chapter:

1102 CHAPTER 6F.

1103 LANGUAGE ACCESS AND INCLUSION.

1104 Section 1. Definitions. For the purposes of sections , the following terms shall have the
1105 following meanings—

1106 “Auxiliary aids and services” mean items, equipment or services that provide effective
1107 communication access for persons with communication disorders including but not limited to
1108 persons who are deaf, hard of hearing, late deafened or blind.

1109 “Culturally competent” means having a set of behaviors, attitudes and policies that
1110 enables effective work in cross-cultural situations which respects and responds to an individual

1111 person’s culture and language, in a nonjudgmental and supportive manner, considering the
1112 service recipient as an individual and not making assumptions based on perceived or actual
1113 membership in any group or class.

1114 “Equal access” means to be informed of, participate in, and benefit from public programs
1115 or services offered by a public-facing state agency, at a level equal to English proficient persons.

1116 “Language access plan” is an administrative blueprint that defines the obligations and
1117 action plan of a public-facing state agency to comply with sections 43 to 45 inclusive. The plan
1118 shall outline all policies, procedures, and guidance enacted to ensure the provision of language
1119 access services as a constitutive element of equal access to state benefits, services, and activities.
1120 The plan shall also establish deadlines by which remedial or proactive actions to ensure language
1121 access will be taken, identify personnel responsible for implementation of the plan and establish
1122 priorities relative to the implementation of these plans.

1123 “Language access services” means oral language services and written translation
1124 services, including auxiliary aids and services.

1125 “Limited English proficient” or “LEP” are persons whose primary language is not
1126 English or who have a limited ability to speak, read, write or understand English.

1127 “Machine translation” is when computer software is utilized for the automated
1128 translation of a text from one language to another and vice versa without human intervention.

1129 “Oral interpretation” means the act of listening, understanding and analyzing a spoken
1130 message in one language and re-expressing that message faithfully, accurately and objectively in

1131 another language and vice versa, enabling communication between two or more persons who do
1132 not speak one another's languages.

1133 "Oral language services" means the various methods of providing verbal information and
1134 interpretation through staff interpreters, bilingual or multilingual staff, telephone interpreter
1135 services, or private interpreter services.

1136 "Outside service providers" include, but are not limited to, organizations or other
1137 persons that formally or informally, through direct or in-kind compensation, contracts, provides,
1138 or administers services which the relevant public-facing state agency is required to provide or
1139 requires, recommends or refers its clients to utilize.

1140 "Primary language" means the language in which an LEP person can most effectively
1141 and comfortably communicate.

1142 "Public contact position" means a position determined by the public-facing state agency
1143 to be one that includes meeting, contacting and dealing with the public in the performance of the
1144 agency's functions.

1145 "Public-facing state agency" means a Massachusetts executive office, department, or
1146 division thereof that provides assistance, services or information to the public. Any state agency
1147 included in the implementation schedule of sections 43 to 45 inclusive shall be identified as a
1148 "public-facing state agency" or when deemed as such under Section 9(a)(6) of sections 43 to 45
1149 inclusive.

1150 “Qualified bilingual employee” means a staff person who is proficient in both the
1151 English language and a non-English language. Qualified bilingual employees may be categorized
1152 as “Tier 1 Bilingual Employees” or “Tier 2 Bilingual Employees”.

1153 “Qualified interpreter” is a person who is fluent in both the English language and a non-
1154 English language and who, by certification, training or experience, is able to (1) perform
1155 consecutive interpretation; (2) maintain the tone, style, and complex meaning of speech from one
1156 language to another and vice versa; (3) convey cultural nuances; and (4) remain impartial in all
1157 interpreted interactions.

1158 “Qualified multilingual employee” means a staff person who is proficient in the English
1159 language and more than one non-English language. Qualified multilingual employees may be
1160 categorized as “Tier 1 Multilingual Employees” or “Tier 2 Multilingual Employees”.

1161 “Qualified translator” means a person who is fluent in writing, reading and proofreading
1162 in both the English language and a non-English language and who, by certification, training or
1163 experience is able to (1) render a text from one language into another language and vice versa;
1164 (2) maintain the tone, style and complex meaning of the original text from one language to
1165 another and vice versa; (3) convey cultural nuances; and (4) remain impartial in the translation
1166 process.

1167 “Vital document” means a document or communication, in print or digital form,
1168 containing information that, if not provided accurately or in a timely manner, affects a person’s
1169 rights or access to, retention in, denial or termination of services, benefits or programs,
1170 including, but not limited to, applications, consent forms; complaint forms; intake forms;
1171 informational material on eligibility for benefits; notices; requests for documentation or

1172 information; documents that must be provided by law; and notices regarding the availability of
1173 free language assistance services for LEP persons.

1174 “Written translation” means the rendering of a written text from one language to an
1175 equivalent written text of another language.

1176 Section 2. Communications with the public.

1177 (a) A public-facing state agency shall provide equal access to services, programs, and
1178 activities serving limited English proficient and deaf or hard of hearing persons by the provision
1179 of the following services:

1180 (1) Oral interpretation and auxiliary aids and services

1181 (i) A public-facing state agency shall provide timely, culturally competent oral language
1182 services to all LEP persons or auxiliary aids and services to deaf or hard of hearing persons who
1183 seek to access state services, programs, or activities or those of outside service providers.

1184 (ii) A public-facing state agency shall notify every person of their right to timely oral
1185 interpretation in their primary language or auxiliary aids and services, regardless of their status
1186 as an inquirer into, applicant for, recipient or beneficiary of a state service, program, or
1187 information.

1188 (iii) A public-facing state agency shall utilize qualified interpreters or Tier 1 bilingual or
1189 multilingual employees to provide oral language services or auxiliary aids and services.

1190 (iv) A public-facing state agency may contract with telephone-based interpretation
1191 services or community-based organizations to provide interpretation to LEP and deaf or hard of
1192 hearing persons or utilize Tier 1 bilingual or multilingual employees.

(v) A public-facing state agency that contracts or utilizes an outside service provider to fulfill the agency's responsibilities to the public shall ensure that the outside service provider implements the requirements of Section 2(a)(1) of sections 43 to 45 inclusive.

(2) Written translation

(i) A public-facing state agency shall issue vital documents in the following languages: Arabic, Cape Verdean Creole, Chinese (Simplified and Traditional), French, Haitian Creole, Khmer, Korean, Portuguese, Russian, Spanish, Vietnamese and any other languages deemed necessary by the agency's assessments required under Section 4 of sections 43 to 45 inclusive.

(ii) A public-facing state agency shall translate all notices and materials that explain its services in the languages stated in Section 2(a)(2)(i) of sections 43 to 45 inclusive.

(iii) A LEP person whose primary language is not required to be translated into writing under Section 2(a)(2)(i) of sections 43 to 45 inclusive is entitled to the oral interpretation of vital documents, notices and materials into their primary language.

(iv) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or multilingual employees, to translate vital documents.

A) State agencies shall not solely rely on machine translation to translate vital documents.

B) State agencies shall have qualified translators or Tier 1 bilingual or multilingual employees verify all translations of vital documents generated through machine translation before such documents are published, conveyed, sent, or posted.

(v) A public-facing state agency that contracts or utilizes an outside service provider to fulfill the agency's responsibilities to the public shall ensure that the outside service provider implements the requirements of Section (2)(a)(2) of sections 43 to 45 inclusive.

(3) Websites

(i) If a public-facing state agency maintains one or more websites for use by the public, the agency shall provide the website in the following languages: Arabic, Cape Verdean Creole, Chinese (Simplified and Traditional), French, Haitian Creole, Khmer, Korean, Portuguese, Russian, Spanish, Vietnamese and any other languages deemed necessary by the agency's assessments required under Section 4 of sections 43 to 45 inclusive.

A) The state agency shall ensure that its websites and online application materials are mobile compatible and that they satisfy or exceed the official Federal Plain Language Guidelines, March 2011, Rev. 1, May 2011 for the Plain Writing Act of 2010.

(ii) Agencies shall not solely rely on machine translation to translate its websites.

A) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or multilingual employees to verify the translation of its websites for accuracy.

(iii) A public-facing state agency that maintains one or more websites for use by the public shall (1) provide forms and instructions for submitting complaints of alleged violations of sections 43 to 45 inclusive; (2) link such and instructions on the homepage of the state agency's website; and (3) translate all such forms and instructions into the languages listed in Section 2(a)(3)(i) of sections 43 to 45 inclusive.

Section 3. Language access plan.

(a) A public-facing state agency shall develop a language access plan every 2 years based on community and agency assessments required by Section 4 of sections 43 to 45 inclusive, to guide the provision of language access services to LEP and deaf or hard of hearing persons. When drafting the language access plan, a public-facing state agency shall ensure that:

(1) a summary of the rights of LEP and deaf or hard of hearing persons to oral interpretation or auxiliary aids and services, respectively, and the public-facing state agency's obligations to protect these rights are detailed at the outset of the language access plan;

(2) the mandated translated languages are listed, as required by Section 2(a)(2)(i) and Section 2(a)(3)(i);

(3) a plan of action is instituted for the implementation of all provisions of Sections 2, 4, 5 and 7 of sections 43 to 45 inclusive;

(4) the plan is made publicly available in the translated languages required by Section 2(a)(2) on the main page of the public-facing state agency's website and in its central and local offices; and

(5) a complaint process is developed with complaint forms that are publicly accessible on the main page of the public-facing state agency's website and in its central and local offices.

Section 4. Assessments.

(a) Community needs assessment.

(1) A public-facing state agency shall conduct a community needs assessment every 2 years that compiles data on the language composition of the agency's eligible populations, including American Sign Language. The community needs assessment shall also collect data on

1255 the engagement and interaction of eligible populations with the public-facing state agency. The
1256 agency shall determine:

1257 (i) the percentage of the eligible service population who are LEP or deaf or hard of
1258 hearing;

1259 (ii) the primary languages used by LEP or deaf or hard of hearing persons in all
1260 geographic areas the agency serves its eligible populations ;

1261 (iii) the frequency with which the agency provides services to LEP or deaf or hard of
1262 hearing persons;

1263 (iv) all points of contact whereby the eligible populations can engage with the public-
1264 facing state agency; and

1265 (v) all potential language or language-related barriers that may arise in the engagement
1266 of eligible populations with the public-facing state agency.

1267 (b) Internal state agency assessments.

1268 (1) A public-facing state agency shall conduct a language services inventory every 2
1269 years to identify available language services and staff to serve LEP persons and deaf or hard of
1270 hearing persons. A public-facing state agency shall:

1271 (i) determine the number of qualified bilingual or multilingual employees in public
1272 contact positions in each central and local office, who can provide linguistically, culturally and
1273 technically proficient language access services. This data shall be disaggregated by language and
1274 by the Tier 1 and Tier 2 classification required by Section 5(b)(3) of sections 43 to 45 inclusive.

(ii) detail the language access services, including technology and equipment, available within the state's resources or under state contracts, including in-person interpretation, telephone interpretation, video interpretation, translation and auxiliary aids and services.

(2) A public-facing state agency shall generate a language access status report every 2 years of each of its statewide and local offices evaluating the agency's capacities in serving LEP and deaf or hard of hearing persons. This status report shall include the following:

(i) a calculation of the percentage of LEP and deaf or hard of hearing persons presently served by the public-facing state agency's central and local offices, categorized by primary language;

(ii) a determination of whether the current oral language and written translation services are effectively meeting the language needs of LEP persons served by the public-facing state agency;

(iii) a determination of whether the current auxiliary aids and services are effectively meeting the language needs of deaf or hard of hearing persons served by the public-facing state agency;

(iv) a description of the agency's procedures for identifying vital documents for translation;

(v) an evaluation of whether contracted interpreter services are effectively meeting the language needs of LEP and deaf or hard of hearing persons;

(vi) an evaluation of operational protocols for staff to effectively access language access services as outlined in Section 5(c) of sections 43 to 45 inclusive;

1296 (vii) an evaluation of staff proficiency to effectively and appropriately utilize language
1297 access services as outlined in Section 5(c) of sections 43 to 45 inclusive;

1298 (viii) a description of any language access training the public-facing state agency
1299 provides to its staff to ensure the agency is effectively serving provision of services to LEP and
1300 deaf or hard of hearing persons individuals, including the frequency of training, and date of most
1301 recent training;

1302 (ix) a determination of whether the allocation and assignment of qualified bilingual and
1303 multilingual employees to central and local offices is effectively meeting the identified language
1304 needs in those offices;

1305 (x) an evaluation of agency procedures for recruiting and retaining qualified bilingual or
1306 multilingual employees in central and local offices; and

1307 (xi) a description of the public-facing state agency's procedures for receiving and
1308 resolving complaints regarding language access as well as the number of complaints received.

1309 (c) The assessments in this Section shall be completed prior to the drafting of the
1310 language access plan as required by Section 3 of sections 43 to 45 inclusive. The results of these
1311 assessments shall inform all content, policies, recommendations and guidance in the language
1312 access plan.

1313 Section 5. Personnel.

1314 (a) Language access coordinator.

1315 (1) A public-facing state agency shall designate a language access coordinator whose
1316 sole responsibility on a full-time basis shall be to address language access needs and the public-

1317 facing state agency's compliance with sections 43 to 45 inclusive, in consultation with the
1318 language access advisory board established in Section 6 of sections 43 to 45 inclusive.

1319 (2) Language access coordinators shall maintain a centralized, electronic, searchable
1320 language access database of the following:

1321 (i) all formal and informal requests for language access services and the status of those
1322 requests;

1323 (ii) all language access-related complaints, including complaints of language
1324 discrimination and/or disability discrimination in cases of the deaf or hard of hearing;

1325 (iii) the status and progress of all such requests and complaints;

1326 (iv) the resolution of all such requests and complaints, including decisions by the
1327 regional and central offices;

1328 (v) the reasons for full and partial denials of requests for language services; and

1329 (vi) the office(s) handling the relevant case or request for service.

1330 (3) A public-facing state agency may also designate regional language access
1331 coordinators to address the language access needs of relevant regions and train the regions' staff
1332 on compliance with sections 43 to 45 inclusive.

1333 (i) Regional language access coordinators shall report to the language access coordinator
1334 of their respective public-facing state agency's central office.

1335 (b) Staffing.

1336 (1) A public-facing state agency shall employ a sufficient number of qualified bilingual
1337 or multilingual employees in public contact positions or as interpreters to assist employees in
1338 public contact positions, to ensure the provision of information and services in a person's
1339 primary language.

1340 (2) A bilingual or multilingual staff member shall not provide interpretation in
1341 adversarial proceedings when the public-facing state agency that employs the bilingual or
1342 multilingual staff member is a party to the proceedings.

1343 (3) A bilingual or multilingual staff member may provide language services to LEP and
1344 deaf or hard of hearing persons, in accordance with their skill level as determined by the
1345 language access coordinator. A state agency shall classify bilingual or multilingual employees
1346 into one of two tiers, and shall only provide interpretation services in accordance with that tier as
1347 follows:

1348 (i) Tier 1 bilingual or multilingual employee: Tier 1 employees must have formal
1349 certification, training, or sufficient experience in interpretation in the specific subject matter. If
1350 the employer does not regularly employ a person that may be classified as a Tier 1 employee, the
1351 employer must hire a third-party contractor to fulfill the need for interpretation services Tier 1
1352 employees shall agree to abide by the ethical and confidentiality requirements for interpreters
1353 and translators in accordance with the American Translators Association Code of Ethics and
1354 Professional Practice.

1355 (ii) Tier 2 bilingual or multilingual employee: Tier 2 employees have the language
1356 proficiency to communicate directly with LEP or deaf or hard of hearing persons regarding

1357 routine or common business matters. Tier 2 employees shall not serve as interpreters or
1358 translators.

1359 (4) An employee of a public-facing state agency who regularly acts as an interpreter or
1360 translator shall be reasonably compensated for that additional work.

1361 (5) A public-facing state agency shall ensure that all processes and procedures for staff
1362 to request language access services require minimal approval or documentation and are not
1363 overly burdensome.

1364 (c) Training.

1365 (1) Language access coordinators shall train employees about all processes and
1366 procedures needed to effectively obtain and utilize all language access services mandated by
1367 Section 2 of sections 43 to 45 inclusive as part of an employee's onboarding process and on an
1368 annual basis thereafter.

1369 (i) Training shall include (1) instruction on process and procedures for requesting
1370 language access service, (2) guidance on how to effectively work with interpreters or translators
1371 and (3) explanation of procedures for reporting deficiencies to language access services.

1372 (2) A public-facing state agency shall ensure the provision of language access training
1373 for an outside service provider.

1374 Section 6. Language access advisory board.

1375 (a) Mission, organization and institution.

1376 (1) There shall be a language access advisory board to provide guidance and technical
1377 assistance to public-facing state agencies in order to ensure equal access for LEP and deaf or
1378 hard of hearing persons to services, programs, and activities offered by a public-facing state
1379 agency.

1380 (2) The board shall be co-chaired by a staff member from the office of access and
1381 opportunity, and one other member of the advisory board elected by the board.

1382 (3) The members of the advisory board shall be appointed within 6 months of the
1383 effective date of sections 43 to 45 inclusive, and shall serve 4-year terms. Members whose terms
1384 have expired may serve until a successor is appointed.

1385 (4) The board shall meet no less than 4 times annually.

1386 (b) Composition.

1387 (1) The language access advisory board shall include: 3 members appointed by the
1388 Massachusetts Immigrant and Refugee Advocacy Coalition from prevalent LEP populations
1389 within Massachusetts, as determined by the most recent United States Census data; 1 member
1390 appointed by the Disability Law Center from the deaf or hard of hearing community; 1 member
1391 appointed by the Massachusetts Law Reform Institute; 1 member appointed by the
1392 Massachusetts Appleseed Center for Law & Justice; 1 member appointed by the Massachusetts
1393 Language Access Coalition; 1 member appointed by Greater Boston Legal Services; 1 member
1394 appointed by the Justice Center of Southeast Massachusetts; 1 member appointed by MetroWest
1395 Legal Services; 1 member appointed by the Central West Justice Center; and 1 member
1396 appointed by the Northeast Justice Center.

1397 (c) Advisory board responsibilities.

1398 (1) The advisory board shall support public-facing state agencies to achieve compliance
1399 with sections 43 to 45 inclusive by:

1400 (i) providing guidance and technical assistance to the state agencies;

1401 (ii) advising language access coordinators of public-facing state agencies in the
1402 development and review of language access plans;

1403 (iii) reviewing all assessments and surveys from state agencies as required by Section 4
1404 of sections 43 to 45 inclusive; and

1405 (iv) providing recommendations to state agencies to reduce identified barriers for the
1406 LEP and deaf or hard of hearing persons.

1407 (2) The language access advisory board, in formulating its recommendations, shall take
1408 into account the best practices and policies in other states and jurisdictions, and may undertake
1409 further steps to help state agencies achieve compliance with sections 43 to 45 inclusive.

1410 Section 7. Reporting requirements.

1411 (a) Upon a public-facing state agency's full implementation of sections 43 to 45
1412 inclusive as required by Section 11 and every 2 years thereafter, the agency shall submit to the
1413 office of access and opportunity and the language access advisory board the following:

1414 (1) the community needs assessment as stated in Section 4(a)(1);

1415 (2) the language services inventory as stated in Section 4(b)(1); and

1416 (3) the language access plan as stated in Section 3.

1417 (b) Upon a public-facing state agency's full implementation of sections 43 to 45
1418 inclusive as required by Section 11 and every 2 years thereafter, the agency shall submit the
1419 language access status report required by Section 4(b)(2) of sections 43 to 45 inclusive to the
1420 joint committee on ways and means, the joint committee on state administration and regulatory
1421 oversight, the office of access and opportunity and the language access advisory board.

1422 (c) Upon a public-facing state agency's full implementation of sections 43 to 45
1423 inclusive as required by Section 11 and every year thereafter, the agency shall submit the
1424 language access database as outlined in Section 5(a)(2) to the office of access and opportunity
1425 and the language access advisory board.

1426 (d) A public-facing state agency shall ensure, in reporting of all materials outlined in this
1427 Section, that the following standards are maintained:

1428 (1) all data is disaggregated and cross-tabulated by primary language, disability status,
1429 race, ethnicity, age, gender and low-income status;

1430 (2) all materials are made publicly available in the list of translated languages required
1431 by Section 2(a)(2);

1432 (3) all materials are presented in plain language; and

1433 (4) all data is presented in a manner that protects the privacy of all surveyed persons.

1434 Section 8. Relief.

1435 (a) Any person claiming to be aggrieved by a public-facing state agency for failure in the
1436 provision of language access services in order to provide equal access to services, programs, and
1437 activities of a public-facing state agency according to the provisions of sections 43 to 45
1438 inclusive shall have the right to initiate and prosecute a civil action in the district, superior,
1439 housing, probate and family, Boston municipal or land court department for injunctive and other
1440 appropriate equitable relief or an award of actual and consequential damages.

1441 (1) Should the person or persons prevail, they shall be entitled to an award of actual and
1442 consequential damages, that is the costs of the litigation including expert witness fees, reasonable
1443 attorneys' fees in an amount to be fixed by the court, and prejudgment and post judgment
1444 interest.

1445 (b) The Massachusetts commission against discrimination may commence a civil action
1446 to seek relief for a violation of sections 43 to 45 inclusive.

1447 (c) The attorney general may also commence a civil action to seek relief for a violation
1448 of sections 43 to 45 inclusive.

1449 Section 9. Office of access and opportunity.

1450 (a) The office of access and opportunity within the governor's office shall have the
1451 following responsibilities:

1452 (1) accept and investigate complaints submitted to the office of access and opportunity
1453 by persons who have been unable to obtain timely language access services in any public-facing
1454 state agency;

1455 (2) provide copies of all complaints annually as required by Section 5(a)(2) of sections
1456 43 to 45 inclusive to the language access advisory board;

1457 (3) eliminate the language access barrier when an agency does not provide equal access
1458 using informal methods, including conference, conciliation, mediation, or persuasion. Where the
1459 language access barrier cannot be eliminated by informal methods, the office of access and
1460 opportunity shall submit written compliance requirements to the public-facing state agency. The
1461 office of access and opportunity may request the public-facing state agency to notify it within a
1462 specified time of any action taken on its requirements, and may require a public-facing state
1463 agency to increase the frequency of reporting required by Section 9(a)(2) of sections 43 to 45
1464 inclusive every six months, as needed, or as requested by the language access advisory board;

1465 (4) create, in consultation with the language access advisory board, multilingual signage
1466 informing LEP and deaf or hard of hearing persons of their right to free oral language services or
1467 auxiliary aids and services, for dissemination to state agencies

1468 (5) shall promulgate regulations no later than 1 year after the effective date of sections
1469 43 to 45 inclusive after receiving input from stakeholders and the language access advisory
1470 board; and

1471 (6) identify additional state agencies that shall be subject to sections 43 to 45 inclusive
1472 upon its determination in consultation with the language access advisory board.

1473 (i) This determination shall be made:

1474 A) in the 5th year following the enactment of sections 43 to 45 inclusive and every 5
1475 years thereafter or at the discretion of the office of access and opportunity in consultation with
1476 the language access advisory board; and,

1477 B) by conducting an inventory and evaluation of newly formed and existing state
1478 agencies' engagement with the public.

1479 Section 10. Conflicting law.

1480 (a) In the event any law of the Commonwealth prescribes stronger protections, the
1481 services, programs and activities of public-facing state agencies required by sections 43 to 45
1482 inclusive shall be subject to the stronger protections.

1483 SECTION 45. Public-facing state agencies shall comply with the requirements set forth
1484 in Sections 2, 3, 4, 5 and 7 of SECTION 44 of this act in the manner established by the following
1485 implementation schedule:

1486 (a) On or before the second year after enactment, there shall be implementation by each
1487 of the following public-facing state agencies and their divisions thereof:

1488 (1) MassHealth;

1489 (2) the department of children and families;

1490 (3) the department of transitional assistance;

1491 (4) the department of unemployment assistance; and

1492 (5) all departments, divisions and offices within the executive office of housing and
1493 livable communities that administer emergency shelter assistance, rental assistance, housing
1494 subsidies or other housing benefits to state residents.

1495 (b) On or before the third year after enactment, there shall be implementation by each of
1496 the following public-facing state agencies and their divisions thereof:

1497 (1) the department of early education and care

1498 (2) the registry of motor vehicles;

1499 (3) the department of public health; and

1500 (4) the department of mental health.

1501 (c) On or before the fourth year after enactment, there shall be implementation by each
1502 of the following public-facing state agencies and their divisions thereof:

1503 (1) the child support enforcement division of the department of revenue;

1504 (2) the department of elementary and secondary education;

1505 (3) the Massachusetts office on disability;

1506 (4) the department of public utilities; and

1507 (5) MassDigital.

1508 (d) On or before the fifth year after enactment, there shall be implementation by each of
1509 the following public-facing state agencies and their divisions thereof:

1510 (1) the department of revenue;

1511 (2) the executive office of health and human services, specifically,
1512 (i) the department of youth services,
1513 (ii) the department of developmental services,
1514 (iii) the executive office of elder affairs,
1515 (iv) MassAbility,
1516 (v) the office for refugees and immigrants;
1517 (3) the executive office of labor and workforce development, specifically,
1518 (i) the department of family and medical leave,
1519 (ii) the department of industrial accidents; and
1520 (4) the executive office of public safety and security, specifically,
1521 (i) the Massachusetts department of correction,
1522 (ii) the department of fire services,
1523 (iii) the Massachusetts state police,
1524 (iv) the Massachusetts emergency management agency,
1525 (v) the state 911 department.

1526 SECTION 46. Section 2 of chapter 18 of the General Laws is hereby amended by
1527 inserting after subsection (B)(s), the following new subsection:-

1528 Subsection (t). promptly replace the full amount of financial assistance or nutrition
1529 benefits stolen through electronic benefit transfer card skimming, card cloning or other
1530 fraudulent methods, including organized identity theft schemes, to the extent the federal
1531 government fails to provide federal funds to replace stolen benefits, provided that the thefts have
1532 been reported to or identified by the Department in accordance with procedures for making and
1533 verifying replacement claims established by the department.

1534 SECTION 47. Chapter 23B of the General Laws is hereby amended by adding the
1535 following 2 sections:-

1536 Section 37. (a) There is hereby established and set up on the books of the commonwealth
1537 a separate fund, to be administered by the Executive Office of Housing and Livable
1538 Communities and to be known as the Engaging Neighborhoods, Organizations, Unions,
1539 Governments and Households Fund (the ENOUGH fund or the fund). The fund shall be credited
1540 with: (i) appropriations, bond proceeds or other money authorized or transferred by the general
1541 court and specifically designated to the fund; (ii) funds from public and private sources,
1542 including, but not limited to, gifts, grants and donations; and (iii) any interest earned on such
1543 money. Amounts credited to the fund shall not be subject to further appropriation and any money
1544 remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall
1545 remain available for purposes of the fund.

1546 (b) Amounts credited to the fund shall be used to administer and fund the grant program
1547 described in this section. Funds from this item may be used to support all partner organizations,
1548 planning, operations and implementation, to include providing direct services to identified grant
1549 program constituents. Funds may also be used to provide direct or third-party administrative

1550 support to grantees, including technical assistance, capacity building and program evaluation.
1551 Grantees shall receive support including, but not limited to, training from experts on best
1552 practices in identifying inequities, prioritizing local needs, and making data-driven decisions. If
1553 the fund is insufficient to fully fund the grant program, the Executive Office of Housing and
1554 Livable Communities shall submit a request to the house and senate committees on ways and
1555 means requesting additional funding to fully fund the program.

1556 (c) The Executive Office of Housing and Livable Communities, in consultation with the
1557 ENOUGH fund advisory committee, shall develop a grant program to support community-
1558 driven, place-based strategies aimed at reducing poverty. The general purpose of the fund shall
1559 be to support collaborative efforts to improve outcomes and opportunities for children and
1560 families living in the state's most distressed neighborhoods and to transform those communities
1561 by aligning housing and community development investments with access to a community-based
1562 continuum of high-quality education, services, enrichment, and practices based on the best
1563 available evidence that will address needs from birth through college and career. Specific
1564 purposes of the grant program shall be to: (i) reduce concentrated poverty and expand economic
1565 opportunity for people with low incomes; (ii) increase community health, well-being and safety;
1566 (iii) provide cradle-to-career access to high-quality education, training and care; (iv) connect
1567 residents to quality jobs and in-demand occupations; (v) enable family-sustaining income and
1568 access to quality early education and care, affordable housing and health care, including
1569 reproductive, maternal, behavioral and mental health care; (vi) provide high-quality support for
1570 people with disabilities, families involved with the child welfare system, justice-involved youth
1571 and adults and other vulnerable populations; (vii) connect individuals and families to appropriate
1572 benefits and support programs; (viii) support students and children in attending and succeeding

1573 in K-12 school environments through the expansion of integrated student support services and
1574 enrichment programs; and (ix) leverage federal, local and private funding for communities and
1575 neighborhoods. The grant shall ensure that a comprehensive approach to reducing poverty,
1576 including childhood and intergenerational poverty, is applied across multiple sectors and systems
1577 and is informed by data, evidence, research and best practices.

1578 (d) Eligible entities must form place-based partnerships in geographically defined areas
1579 to apply for the grant program. Eligible entities shall include non-profit organizations,
1580 institutions of higher education, one or more public elementary, middle, or secondary schools,
1581 school districts or offices of a school district superintendent, offices of a chief elected official or
1582 city or town manager or units or agencies of local government, and community-based
1583 organizations, to include neighborhood-based non-profit organizations. To be eligible for
1584 funding, place-based partnerships must develop a comprehensive, effective continuum of
1585 coordinated services in the following geographically defined areas: communities where more
1586 than 20% of children live in poverty; communities with high concentrations of low-income
1587 individuals; and/or communities with multiple signs of distress, which may include high rates of
1588 concentrated poverty, childhood obesity, academic failure, chronic absenteeism, juvenile
1589 delinquency, adjudication or incarceration.

1590 (e) Grants shall be provided through the following tracks: (i) one-year partnership
1591 development grants, which shall establish the foundation for proposed place-based strategy
1592 through activities that include: convening partners, activating and engaging community leaders,
1593 developing a formal partnership structure to conduct a shared vision for their community's
1594 success, and forming a shared accountability framework, to be used throughout the planning and
1595 implementation phases; (ii) two-year plan development grants, which shall use the formal

partnership structure to conduct community asset mapping and needs assessment and engage in participatory planning processes with community residents to develop comprehensive action plans to increase economic mobility and significantly reduce poverty; and (iii) two-to-four-year implementation grants, which shall launch approved action plans, leverage additional funding streams, conduct progress monitoring and continuous quality improvement and adopt norms and structures for ongoing community leadership and implementation of the action plan. Implementation grants may be extended up to two years after the initial grant cycle provided accountability data supports grant extension request.

(f) The Executive Office of Housing and Livable Communities, in consultation with the ENOUGH fund advisory committee, created pursuant to section 38 of this chapter, shall develop a transparent and competitive process for the award of grants. The process shall include an annual request for applications, widely disseminated through appropriate channels in at least the top five spoken languages in the commonwealth. The Executive Office of Housing and Livable Communities shall provide technical assistance and guidance for prospective applicants to ensure equitable access to funding opportunities and shall, in consultation with the ENOUGH fund advisory committee, develop a transparent and accountable process for reviewing applications.

Priority shall be given to applicants serving communities that have experienced long-term economic distress, have demonstrated a commitment to cross-sector collaboration and partnerships, and incorporate an equity lens as well as the engagement of people with lived experience in their proposal.

Finalist applicants may be subject to site visits or interviews to assess readiness and community involvement.

(g) Grantees shall be required to identify baseline and performance targets aligned with metrics determined by the Executive Office of Housing and Livable Communities, in consultation with the ENOUGH fund advisory committee. Performance targets shall be aligned with poverty reduction, economic security, improved education outcomes, increased health outcomes and safe and thriving communities. Grantees may create research-practice partnerships to improve their understanding of the cradle-to-career pipeline at the municipal or community level. The ENOUGH fund advisory committee shall support these local efforts by coordinating with relevant state agencies to link local data to data systems maintained by state agencies, in compliance with all state and local federal laws to protect individual privacy.

(h) Annually, not later than October 1, the Executive Office of Housing and Livable Communities shall submit a report to the governor, the clerks of the senate and house of representatives and the senate and house committees on ways and means on the fund's activities. The report shall include: (i) the source and amount of funds received; (ii) the expenditures made from the fund; (iii) the anticipated funding obligation for the next fiscal year; (iv) recipients of grant funding; (v) size of awarded grants by recipient; (vi) summaries of funded projects; (vii) performance data; (viii) challenges; and (ix) best practices. The report shall be posted on the agency's website.

Section 38. There shall be an engaging neighborhoods, organizations, unions, governments and households (ENOUGH) fund advisory committee, the function of which shall be advisory to the Executive Office of Housing and Livable Communities in connection with the management, operation and awarding of the fund. The committee shall consist of the following members: the secretary of the Executive Office of Housing and Livable Communities or her designee; the secretary of the Executive Office of Health and Human Services or her designee;

1641 the secretary of the Executive Office of Education or her designee; the secretary of the Executive
1642 Office of Economic Development or her designee; the secretary of the Executive Office of Labor
1643 and Workforce Development or her designee; the secretary of the Massachusetts Department of
1644 Transportation or her designee; the commissioner of the Department of Transitional Assistance
1645 or her designee; the president of the Massachusetts Development Finance Agency or her
1646 designee; the director of rural affairs or her designee; 8 members to be appointed by the governor
1647 who shall collectively have expertise as subject matter experts, providers, or people with lived
1648 experience in a wide array of issues and areas that affect people in poverty, including but not
1649 limited to cash benefits and other income supports, tax credits and tax assistance, asset
1650 development and wealth building, early education and out-of-school time, K-12 education
1651 including vocational education, higher education, workforce development and skills training,
1652 labor unions and apprenticeships, immigration and refugee settlement, housing and
1653 homelessness, nutrition and food security, public health, maternal health and infant support, early
1654 intervention, transportation, environmental justice, health care, behavioral and mental health
1655 care, trauma-sensitive intervention and violence prevention, social services, child welfare, digital
1656 equity, justice-involved and re-entry services, legal services, and services for special populations
1657 such as children and adults with disabilities, the LGBTQIA+ community, veterans, elders, and
1658 youth aging out of foster care. All members shall be appointed for a term of 5 years, may be
1659 reappointed, and shall serve without compensation, but may be reimbursed from the fund for
1660 ordinary and reasonable in-state travel expenses. The committee may meet as often as the
1661 members may determine, but shall meet at least bi-annually, or at such other intervals as may be
1662 established by the agency in order to advise the agency, or such other qualified organization with
1663 which the agency contracts, with respect to the fund and to make any advisory recommendations

1664 with respect thereto to the agency. All grant applications recommended by the Executive Office
1665 of Housing and Livable Communities shall be reviewed and approved by the advisory
1666 committee.

1667 SECTION 47. Chapter 268 of the Acts of 2022 is hereby amended by striking out, in line
1668 item 4403-2001, the phrase “shall develop the pilot program that serves a demographically and
1669 geographically representative sample of individuals and families receiving transitional
1670 assistance” and replacing it thereof with the following;

1671 “shall develop the pilot program that serves a demographically and geographically
1672 representative sample of individuals and families receiving public assistance benefits including
1673 but not limited to transitional assistance, Supplemental Nutrition Assistance Program (SNAP),
1674 state and federal housing assistance, child care assistance, MassHealth, and Children’s Health
1675 Insurance Program.”

1676 SECTION 48. Item 4403-2001 of section 2A of chapter 268 of the acts of 2022, as
1677 amended by section 65 of chapter 2 of the acts of 2023, is hereby amended by striking out the
1678 words “the pilot program that serves a demographically and geographically representative
1679 sample of individuals and families receiving transitional assistance” and inserting in place
1680 thereof the following words:- shall develop the pilot program that serves a demographically and
1681 geographically representative sample of individuals and families receiving public assistance
1682 benefits including but not limited to transitional assistance, Supplemental Nutrition Assistance
1683 Program (SNAP), state and federal housing assistance, child care assistance, MassHealth and
1684 Children’s Health Insurance Program.

1685 SECTION 49. Said item 4403-2001 of said section 2A of said chapter 268 of the acts of
1686 2022, as so amended, is hereby further amended by inserting after the words “data collection
1687 purposes” the following words:- provided further, that, benefits received under the program shall
1688 be exempt from consideration and shall not be considered income for the purposes of
1689 determining an individual’s eligibility for state and federal income-based benefits, including but
1690 not limited to transitional assistance, Supplemental Nutrition Assistance Program (SNAP), state
1691 and federal housing assistance, child care assistance, MassHealth and Children’s Health
1692 Insurance Program; provided further, that the department shall establish a waiver program in
1693 collaboration with any other appropriate departments or agencies, to ensure the enforcement of
1694 the calculation and income exclusion of the program’s benefits pursuant to the preceding
1695 provision.

1696 SECTION 50. Sections 9 through 14, shall apply to tax years beginning on or after
1697 January 1, 2025.

1698 SECTION 51. Sections 30 through 38 shall take effect 18 months following passage of
1699 this act. The commissioner of probation shall commence the process of sealing records through
1700 the automated record sealing process on or before the effective date of this act.

1701 SECTION 52. Sections 41 through 43 shall take effect upon passage of this act.