

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Steven George Xiarhos and Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to background checks for individuals in Massachusetts housing programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>1/15/2025</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to background checks for individuals in Massachusetts housing programs.

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. For the purposes of this Act, the following terms shall have the following
2 meanings:-

3 “Housing Program”, any state-funded, federally-funded, or state-subsidized program that
4 provides housing assistance, including but not limited to public housing, rental assistance
5 programs, and transitional housing services.

6 “Background Check”, a comprehensive review of an individual’s personal, criminal, and
7 financial history, including but not limited to: criminal records at the state, federal, and
8 international levels; employment history; education verification; immigration or residency status;
9 financial history, including credit checks; presence on international or domestic criminal watch
10 lists.

11 “Applicant”, any individual applying for participation in a housing program, including
12 the head of household and any adult members of the applicant’s household.

13 “Registry of Motor Vehicles Data”, all information maintained by the Massachusetts
14 Registry of Motor Vehicles, including but not limited to driver’s license records, vehicle
15 registrations, and identification card records.

16 SECTION 2. (a) All applicants seeking entry into any housing program within the
17 Commonwealth shall be subject to a full and complete background check prior to acceptance.

18 (b) The background check shall be conducted by an approved and licensed entity that
19 complies with federal, state, and local laws governing background investigations, including but
20 not limited to the United States Fair Credit Reporting Act.

21 (c) The required background check shall include, but is not limited to: criminal history
22 review, including state, national, and international records; verification of employment and
23 education history; immigration and residency status verification through the Department of
24 Homeland Security or its equivalent; review of financial history, including creditworthiness, if
25 applicable to program eligibility criteria; social security number verification and identification
26 validation; and, screening against state and federal sex offender registries and other public safety
27 databases.

28 SECTION 3. (a) The Massachusetts Registry of Motor Vehicles shall provide full access
29 to its database to all local, state, and federal law enforcement agencies upon request for the
30 purpose of conducting background checks as required under this Act, assisting in criminal
31 investigations and public safety efforts, and verifying identity and residency of individuals
32 applying for housing programs or involved in law enforcement proceedings.

33 (b) Law enforcement agencies accessing data under this provision must adhere to all
34 applicable state and federal privacy and data protection laws.

35 (c) The Registrar of Motor Vehicles shall establish secure systems to ensure proper
36 tracking of data access and prevent unauthorized use.

37 SECTION 4. (a) Individuals with criminal convictions related to violent crimes, sexual
38 offenses, fraud, or other serious offenses committed within the past 10 years may be deemed
39 ineligible for housing program participation, subject to review by the administering agency.

40 (b) Immigration status shall be verified to ensure compliance with federal housing
41 program requirements, where applicable.

42 (c) Exceptions or appeals of eligibility under this section may be granted under limited
43 circumstances, at the discretion of the administering housing agency, upon demonstration of
44 rehabilitation, mitigating circumstances, or compelling need.

45 SECTION 5. (a) All information obtained through the background check process and
46 data access under this Act shall be kept confidential and used solely for the purposes outlined in
47 this Act.

48 (b) Administering agencies and law enforcement must establish secure systems for the
49 storage and handling of sensitive information.

50 (c) Background check and data access procedures under this Act shall comply with all
51 applicable state and federal privacy laws, including but not limited to the General Data
52 Protection Regulation (GDPR) for international applicants.

53 SECTION 6. (a) The Massachusetts Executive Office of Housing and Livable
54 Communities shall be responsible for implementing the provisions of this Act.

55 (b) The Massachusetts Registry of Motor Vehicles shall work in coordination with law
56 enforcement agencies to develop protocols for secure data access.

57 (c) The Executive Office of Housing and Livable Communities and the Registry of Motor
58 Vehicles shall conduct annual audits to ensure compliance with the provisions of this Act.

59 SECTION 7. (a) Any agency or entity administering housing programs or managing data
60 found in violation of this Act shall be subject to penalties, including fines, suspension of funding,
61 or other sanctions as determined by the Executive Office of Housing and Livable Communities
62 or other applicable authorities.