

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel M. Donahue

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 improving accessibility in the creative economy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act improving accessibility in the creative economy.

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 6 Section 186 of the General Laws is hereby amended by adding
2 the following section:-

3 Section 1 (a). There shall be established and set up on the books of the Commonwealth a
4 separate fund, upon passage of this legislation, to be known as the Accessibility in the Creative
5 Economy (ACE) grant program, to be administered by the Office on Disability for the purposes
6 of supporting capital improvements and projects to improve programmatic access and or remove
7 barriers encountered by persons with disabilities in applicant for-profit, non-profit and public
8 organizations throughout the Commonwealth that are part of the arts, humanities and interpretive
9 sciences sector.

10 (b) The fund shall be held in trust by the Office on Disability exclusively for the purposes
11 established in section (a). The fund shall be administered by the Office on Disability, which will
12 serve as treasurer and custodian of the fund and shall have the custody of its monies and
13 securities, in consultation with the commission established in section (c). As custodian of the

14 fund, the Office on Disability may accept monetary donations to the fund from individuals,
15 organizations, associations, non-profits, businesses, estates, foundations or other entities. Under
16 this program, one tenth of one per cent of the funds appropriated for the Executive Office of
17 Health and Human Services shall be designated for the ACE grant program.

18 In addition to the funds referenced above, the fund shall also include: (i) income derived
19 from the investment of any amounts credited to the fund; and (ii) all other monies credited to or
20 transferred to the fund from any other fund or source. The comptroller may certify amounts for
21 payment in anticipation of expected receipts; provided, however, that no expenditure shall be
22 made from the fund that shall cause the fund to be deficient at the close of a fiscal year. Amounts
23 credited to the fund shall be available for expenditure, without further appropriation, by the
24 Office on Disability, and any money remaining in the fund shall not revert to the general fund
25 and may be used in subsequent fiscal years for investments including, but not limited to,
26 supporting capital improvements and projects to improve programmatic access and or remove
27 barriers encountered by persons with disabilities in applicant for-profit, non-profit and public
28 arts, humanities and interpretive science organizations throughout the Commonwealth.

29 (c) There shall be established a new commission to be known as the ACE Commission,
30 hereinafter called the commission, consisting of a majority of individuals with disabilities and
31 individuals with experience advocating on behalf of individuals with disabilities. The board shall
32 consist of: 3 persons appointed by the Governor; 2 persons appointed by the Speaker of the
33 House of Representatives; 2 persons appointed by the Senate President; the Director of the
34 Office on Disability or a designee; the Managing Director of Open Door Arts or a designee; 1
35 person from the Disability Law Center; and the Executive Director of Mass Cultural Council or a
36 designee.

37 (d) The commission shall make recommendations to the Office on Disability on the
38 criteria for making grants available to communities and organizations. Eligible uses shall
39 include, but not be limited to: (i) training or comprehensive support for for-profit, non-profit and
40 public organizations providing creative services; (ii) individualized consulting services related to
41 improving accessibility that are created and led by members of the disabilities community; (iii)
42 capital improvements specifically dedicated to improving access or removing barriers
43 encountered by persons with disabilities in applicant facilities, including but not limited to
44 increasing both physical and programmatic access through the addition of features such as
45 ramps, elevators, power lifts and limited use/limited application elevators (LULAs), signage,
46 Assistive Listening Systems, curb cuts or any other features that are designed to improve
47 architectural access or programmatic access; (iv) planning for updating or creating a self-
48 evaluation or transition plan as required under the Administrative Requirements of Title II of the
49 ADA and section 504 of the Rehabilitation Act and recommended under Title III of the ADA;
50 and (v) in selecting applicant organizations for capital improvements or programmatic projects,
51 the commission shall give preference to organizations located in the Commonwealth. Grants will
52 be awarded on a competitive basis to projects that demonstrate real and tangible positive impacts
53 to persons with disabilities. The distribution of grants from the fund shall consider racial
54 diversity and equity, geographic diversity, and programmatic diversity within the cultural sector.

55 (e) The commission shall submit an annual report to the Director of the Office on
56 Disability, the House and Senate Committees on Ways and Means, the Joint Committee on
57 Tourism, Arts and Cultural Development, and the Joint Committee on Children, Families and
58 Persons with Disabilities no later than December 31 detailing the expenditure of the funds,
59 including the amount of assistance provided to qualified organizations and a list of grant

60 recipients. Said report shall also include the unexpended balance of the fund. This report shall be
61 considered a public record.

62 (f) The ACE Commission shall be established no later than December 1, 2026.