

# HOUSE . . . . . No.

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OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE · BOSTON, MA 02133  
(617) 725-4000

**MAURA T. HEALEY**  
GOVERNOR

**KIMBERLEY DRISCOLL**  
LIEUTENANT GOVERNOR

*January 29, 2026*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2026 to Provide for Supplementing Certain Existing Appropriations and for Responding to Recent Federal Actions.”

The supplemental budget filed today broadly focuses on responding to recent federal actions and \$411.3 million in time-sensitive appropriations for deficiencies that we would like to address by April 30.

Over the past year, our Administration has consistently taken proactive steps to assess, anticipate, and respond to federal actions that impact our residents, businesses, communities, and state operations. In the face of shifting federal policy, program eligibility changes, and national economic instability, we have acted to preserve public health; protect individual rights; lower the costs of housing, energy, and health care; and ensure Massachusetts remains strong.

It has become increasingly clear that the actions of President Donald Trump, Homeland Security Secretary Kristi Noem, and Immigrant and Customs Enforcement (ICE) pose a grave threat to the safety and wellbeing of Massachusetts residents. President Trump has sent ICE agents into communities across Massachusetts and across the country. Nationwide, and in Massachusetts, we have seen ICE and its agents ignoring constitutional rights and court orders, arresting and detaining people without due process or justification, and intimidating citizens and communities. These operations have become increasingly lawless, violent, and even deadly. They have sowed fear, deep anxiety, and in many cases chaos. Throughout, the federal government’s own data has shown that the vast majority of the people being arrested by ICE in

Massachusetts and across the country have no criminal background whatsoever and pose no threat.

Here in Massachusetts, I have heard and seen the chilling impacts of ICE's enforcement activity, with people afraid to send their children to school and daycare, afraid to go to church or to doctor's appointments, afraid to report crimes or testify in court. It is making us all less safe – and we need to act.

The bill I am filing today includes provisions to protect the people of Massachusetts from abuses by ICE. This legislation would keep ICE away from courthouses, schools, child care centers, health care facilities and houses of worship; make it unlawful for another state's Governor to deploy their National Guard in Massachusetts without our permission; and allow parents to pre-arrange guardianship for their children in case they are detained or deported.

These proposals will also ensure that state and local law enforcement in Massachusetts can do their jobs, without having their resources drained by ill-conceived, poorly executed, and politically motivated ICE operations. I am deeply grateful to the brave men and women of law enforcement who work hard every day to protect the people of Massachusetts and hold criminals accountable. As a former Attorney General and prosecutor, I take this seriously. It is why our Department of Correction honors requests from ICE for those who have been convicted of a serious crime. But we cannot and will not tolerate the repeated targeting of members of our communities who live here, work here, go to school here, have families here and have no criminal background.

Other policy components of this bill include, but are not limited to:

- Veterans benefits access reforms to ensure eligible veterans are able to obtain state benefits notwithstanding changes at the federal level;
- Indemnification provisions to protect public employees acting within the scope of their duties in connection with federal investigations; and
- Technical and privacy-related amendments affecting higher education access and student records.

This supp also includes an important time-sensitive proposal that allows for the Joint Hazard Incident Response Team to proactively work together and coordinate for large scale events, such as the World Cup or Tall Ships. Finally, this supp also ratifies several collective bargaining agreements.

In addition to these policy measures, the bill includes supplemental appropriations for a limited number of time-sensitive deficiencies that we would like to address prior to April 30, in some cases to avoid service disruptions. Filing for these amounts now will allow us to avoid program shutoffs, delayed payments, or other avoidable consequences.

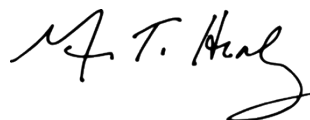
The bill includes supplemental funding for the following purposes:

- \$300 million for Group Insurance Commission costs driven by higher-than-anticipated utilization and pharmaceutical expenses;
- \$41.7 million for Department of Transitional Assistance staffing, supporting caseworkers responsible for administering core assistance programs, and implementing recent federal eligibility changes;
- \$31 million for Department of Correction operations, reflecting funding shortfalls identified after the enactment of the FY26 General Appropriation Act primarily due to increased health care contract costs;
- \$25 million for judgments and settlements;
- \$12.3 million for Committee for Public Counsel Services court costs, including expert witness and vendor services tied to elevated caseloads;
- \$600,000 for budget-neutral adjustments to maximize federal rebates for the Women, Infants and Children (WIC) program;
- \$500,000 to support for the recently announced Health Care Affordability Working Group established to develop concrete proposals to reduce health system costs and make health care more affordable for patients, families, and employers; and
- \$212,000 for the Board of Bar Examiners operations, including increased costs associated with test administration and accessibility requirements.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I respectfully urge you to enact this legislation promptly to address the urgent policy and funding matters described above and to ensure the continued delivery of essential services to residents of the Commonwealth. We expect to file a subsequent supplemental budget later this fiscal year to address additional needs with less time-sensitive runout dates.

I look forward to working with you to advance this supplemental budget and appreciate your continued partnership during a period of significant federal uncertainty.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. T. Healey", with a stylized flourish at the end.

Maura T. Healey,  
*Governor*

# HOUSE . . . . . No.

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## The Commonwealth of Massachusetts

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

An Act making appropriations for the fiscal year 2026 to provide for supplementing certain existing appropriations and for responding to recent federal actions.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2026 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2   and other appropriation acts for fiscal year 2026, the sums set forth in section 2 are hereby  
3   appropriated from the General Fund or the Transitional Escrow Fund established in section 16 of  
4   chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless  
5   specifically designated otherwise in this act or in those appropriation acts, for the several  
6   purposes and subject to the conditions specified in this act or in those appropriation acts, and  
7   subject to the laws regulating the disbursement of public funds for the fiscal year ending June  
8   30, 2026. These sums shall be in addition to any amounts previously appropriated and made  
9   available for the purposes of those items. These sums shall be made available through the fiscal  
10   year ending June 30, 2026.

11 SECTION 2.

12 JUDICIARY

13 *Board of Bar Examiners*

14 0321-0100 Board of Bar Examiners.....\$211,857

15 *Committee for Public Counsel Services*

16 0321-1520 Indigent Persons Fees and Court Costs.....\$12,300,000

17

18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 *Group Insurance Commission*

20 1108-5200 Group Insurance Premium and Plan Costs.....\$300,000,000

21 OFFICE OF THE COMPTROLLER

22 1599-3384 Settlements and Judgments.....\$25,000,000

23 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

24 *Department of Transitional Assistance*

25 4400-1100 DTA Caseworkers.....\$41,651,558

26 *Department of Public Health*

27 4513-1012 WIC Program Manufacturer Rebates Retained Revenue.....\$600,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*Department of Correction*

8900-0001 Department of Correction Facility Operations.....\$31,009,996

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2026. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2027.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-0511 For a reserve to support the operations of the Healthcare Affordability Working Group; provided, that the secretary of administration and finance may transfer from the sum appropriated in this item to other items of appropriation as necessary.....\$500,000

SECTION 3. Section 5B of chapter 15A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 8 to 15, inclusive, the words “provided, however, that if the individual is not a citizen or legal permanent resident of the United States, the application for financial assistance shall be submitted with an affidavit signed under the pains and penalties of perjury stating that the individual has applied for citizenship or legal permanent residence or will apply for citizenship or legal permanent residence in

accordance with federal statute and federal regulations within 120 days of eligibility for such status;” and inserting in place thereof the following words:- provided, however, that individuals seeking to participate in the program pursuant to paragraph 5 of section 9 shall submit documentation consistent with the requirements of said paragraph;.

SECTION 4. Section 9 of said chapter 15A, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Any information obtained in the implementation of this paragraph shall not be a public record and shall be protected from disclosure under subclause (c) of clause Twenty-sixth of section 7 of chapter 4, section 10 of chapter 66, chapter 66A, chapter 93H and other applicable privacy laws.

SECTION 5. Chapter 15D of the General Laws is hereby amended by adding the following section:-

Section 22. (a) For the purposes of this section, the following words shall have the following meanings, unless the context clearly requires otherwise:

“Civil immigration enforcement”, any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law.

“Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a judge or magistrate sitting in the judicial branch of a local or state government or of the federal government, authorizing an arrest.

“Premises”, the private residence or the facility that is licensed for the early care and education of children, and the outdoor space on which the residence or facility is located.

(b) Except as required by state or federal law or as required to administer a state or federally supported or funded program, arrests for civil immigration enforcement shall not be permitted on the premises of a licensed child care center, family child care home or school-aged child care program without a valid judicial warrant or judicial order. In accordance with the foregoing, child care center directors and program staff, family child care home providers and staff, and school-aged child care program site coordinators or school age administrators and staff shall not allow a law enforcement agent engaged in civil immigration enforcement to enter the premises of a child care center, family child care home or school-aged child care program without: (i) a valid judicial warrant or judicial order and (ii) receiving prior approval from the director of the licensed child care center, the licensed family child care home provider or the site coordinator or school age administrator of the school-aged child care program. A law enforcement agent permitted to enter the premises of a licensed child care center, family child care home or school-aged child care program in accordance with this section shall, except as required by judicial warrant or judicial order, be limited to areas where children are not present.

(c) Each licensed child care center, family child care home and school-aged child care program shall adopt and implement a policy regarding interactions with law enforcement agents involved in civil immigration enforcement which shall include, at a minimum, but not be limited to: (i) the designation of a contact person or persons to be notified of the presence of, or information requests from, law enforcement agents engaged in civil immigration enforcement; (ii) procedures to verify the identity and authority of any law enforcement agent engaged in civil immigration enforcement at a licensed child care center, family child care home or school-aged child care program; (iii) procedures to verify the validity of any judicial warrant or judicial order provided to a licensed child care center, family child care home or school-aged child care



92 program; (iv) procedures to obtain approval from a director of a licensed child care center, or  
93 their designee; family child care home provider, or their designee; or school-aged child care  
94 program site coordinator or school age administrator, or their designee, as applicable, prior to  
95 allowing a law enforcement agent engaged in civil immigration enforcement to enter the  
96 premises of a child care center, family child care home or school-aged child care program; (v)  
97 procedures for documenting all interactions with law enforcement agents engaged in civil  
98 immigration enforcement and (vi) procedures for informing the director and program staff of the  
99 licensed child care center, the provider and staff of a family child care home or the site  
100 coordinator or school age administrator and staff of a school-aged child care program on how to  
101 respond to requests relating to civil immigration enforcement.

102 (d) The department, in consultation with the attorney general, shall prepare and publish  
103 on its website model policies consistent with the requirements of this section. The department, in  
104 consultation with the attorney general, shall also prepare and publish a model training for  
105 informing directors and program staff of licensed child care centers, family child care home  
106 providers and staff and school-aged child care program site coordinators and school age  
107 administrators and staff on how to respond to requests relating to civil immigration enforcement.

108 (e) The requirements of subsections (b) and (c) shall apply regardless of whether a  
109 licensed child care center, family child care home or school-aged child care program has adopted  
110 the policy required by subsection (c).

111 (f) An individual aggrieved by a violation of this section may apply for a writ of habeas  
112 corpus if such person has reasonable cause to believe that a civil arrest in violation of this section  
113 has occurred.

114 (g) Nothing in this section shall be interpreted to require a state or local law enforcement  
115 officer to interfere with or assist the actions of a federal official engaged in civil immigration  
116 enforcement. Nothing in this section shall be interpreted to confer upon any state or local law  
117 enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise,  
118 assess compliance with or prevent conduct governed by this section.

119 SECTION 6. Section 2 of chapter 22D of the General Laws, as appearing in the 2024  
120 Official Edition, is hereby amended by inserting, in line 11, after the word “teams”, the  
121 following words:- and the joint hazard incident response team, which shall be composed of  
122 hazardous materials technicians designated by the marshal, and members of the Massachusetts  
123 state police bomb squad designated by the colonel of the department of state police.

124 SECTION 7. Chapter 33 of the General Laws is hereby amended by adding the following  
125 section:-

126 Section 140. No military force from another state, territory or district is permitted to enter  
127 the commonwealth for the purpose of doing military duty therein, without the permission of the  
128 governor, unless such force has been called into active service of the United States and is acting  
129 under lawful authority of the president of the United States. The national guard, with the  
130 approval of the governor, shall issue guidance implementing this section.

131 SECTION 8. Chapter 71 of the General Laws is hereby amended by adding the following  
132 section:-

133 Section 102. (a) For the purposes of this section, the following words shall have the  
134 following meanings, unless the context clearly requires otherwise:

135           “Charter school”, commonwealth charter schools and Horace Mann charter schools  
136 established pursuant to section 89.

137           “Civil immigration enforcement”, any and all efforts to investigate, enforce or assist in  
138 the investigation or enforcement of any federal civil immigration law.

139           “Collaborative school”, a school operated by an educational collaborative established  
140 pursuant to section 4E of chapter 40.

141           “Department”, the department of elementary and secondary education.

142           ”Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a  
143 judge or magistrate sitting in the judicial branch of a local or state government or of the federal  
144 government, authorizing an arrest.

145           “School”, a school administered by a school department of a city or town or regional  
146 school district, a county agricultural school, an independent vocational school or a vocational  
147 school operated by a county, a commonwealth charter school or Horace Mann charter school  
148 established pursuant to section 89, or an educational collaborative established pursuant to section  
149 4E of chapter 40.

150           “Grounds”, any building or property owned or controlled by a school within the same  
151 reasonably proximate geographic area of the school and used by the school in direct support of or  
152 in a manner related to the school’s educational or athletic purposes.

153           “School district”, the school department of a city or town, a regional school district, an  
154 independent vocational school, or a vocational school or agricultural school operated by a  
155 county.

(b) Except as required by state or federal law or as required to administer a state or federally supported or funded program, arrests for civil immigration enforcement shall not be permitted on school grounds without a valid judicial warrant or judicial order. In accordance with the foregoing, school officials and employees shall not allow a law enforcement agent engaged in civil immigration enforcement to enter a school's grounds without: (i) a valid judicial warrant or judicial order and (ii) receiving prior approval from the superintendent of the school district or their designee, the executive director of the charter school or their designee or the executive director of the collaborative school or their designee, as applicable. A law enforcement agent permitted to enter a school's grounds in accordance with this section shall, except as required by the judicial warrant or judicial order, be limited to areas where students are not present.

(c) Each school district, charter school, and collaborative school shall adopt and implement a policy regarding interactions with law enforcement agents involved in civil immigration enforcement which shall include, at a minimum, but not be limited to: (i) the designation of a contact person or persons to be notified of the presence of, or information requests from, law enforcement agents engaged in civil immigration enforcement; (ii) procedures to verify the identity and authority of any law enforcement agent engaged in civil immigration enforcement at the school; (iii) procedures to verify the validity of any judicial warrant or judicial order provided to the school; (iv) procedures to obtain approval from the superintendent of the school district or their designee, the executive director of the charter school or their designee, or the executive director of the collaborative school or their designee, as applicable, prior to allowing a law enforcement agent engaged in civil immigration enforcement to enter a school's grounds; (v) procedures for documenting all interactions with law enforcement agents

engaged in civil immigration enforcement and (vi) procedures for informing school officials and employees on how to respond to requests relating to civil immigration enforcement.

(d) The department, in consultation with the attorney general, shall prepare and publish on its website a model policy consistent with the requirements of this section. The department, in consultation with the attorney general, shall also prepare and publish a model training for informing school officials and employees on how to respond to requests relating to civil immigration enforcement.

(e) The requirements of subsection (b) shall apply regardless of whether a school district, charter school, or collaborative school has adopted the policy required by subsection (c).

(f) An individual aggrieved by a violation of this section may apply for a writ of habeas corpus if such person has reasonable cause to believe that a civil arrest in violation of this section has occurred.

(g) Nothing in this section shall be interpreted to require a state or local law enforcement officer to interfere with or assist the actions of a federal official engaged in civil immigration enforcement. Nothing in this section shall be interpreted to confer upon any state or local law enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this section.

SECTION 9. Chapter 111 of the General Laws is hereby amended by adding the following section:-

Section 249. (a) For the purposes of this section, the following words shall have the following meanings, unless the context clearly requires otherwise:

“Civil immigration enforcement”, any and all efforts to investigate, enforce or assist in the investigation or enforcement of any federal civil immigration law; provided, however, that “civil immigration enforcement” shall not include efforts to provide or assist in providing medical care to a patient or detainee who is in the custody of an agency primarily charged with civil immigration enforcement.

“Covered healthcare provider”, a hospital, community health center, clinic, convalescent or nursing home, rest home, charitable home for the aged, emergency medical service or substance use disorder treatment program licensed by the by the department, and a public hospital operated by the department or by the department of mental health pursuant to chapter 19.

“Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a judge or magistrate sitting in the judicial branch of a local or state government or of the federal government, authorizing an arrest.

(b) Except as required by state or federal law or as required to administer a state or federally supported or funded program, arrests for civil immigration enforcement shall not be permitted in areas designated by covered health care providers as a nonpublic area without judicial warrant or judicial order. In accordance with the foregoing, a covered healthcare provider shall not grant access to nonpublic areas of their facilities for civil immigration enforcement without a judicial warrant or judicial order.

(c) Each covered healthcare provider shall adopt and implement a policy appropriate to the clinical setting regarding interactions with law enforcement agents involved in civil immigration enforcement which shall include, at a minimum: (i) the designation of a contact

person or persons to be notified of the presence of, or information requests from, law enforcement agents engaged in civil immigration enforcement; (ii) the designation of nonpublic areas where patients are receiving treatment or care, where patients discuss protected health information, or that are not otherwise open to the public; (iii) procedures to document attempts to verify the identity and authority of any law enforcement agent engaged in civil immigration enforcement at the covered healthcare provider; (iv) procedures to document attempts verify the validity of any judicial warrant or court order provided to the covered healthcare provider and (v) procedures for informing staff and volunteers on how to respond to requests relating to civil immigration enforcement.

(d) The department of public health and the department of mental health, in consultation with the attorney general, shall prepare and publish on its website a model policy consistent with the requirements of this section.

(e) Nothing in this section shall be interpreted to limit or interfere with the ability of a covered healthcare provider to provide medical care to a patient or detainee in the custody of an agency primarily charged with civil immigration enforcement; provided, however, that covered healthcare providers and their medical staff shall have the exclusive authority to recommend treatment options to patients and detainees and provide treatment to them.

(f) An individual aggrieved by a violation of this section may apply for a writ of habeas corpus if such person has reasonable cause to believe that a civil arrest in violation of this section has occurred.

(g) Nothing in this section shall be interpreted to require a state or local law enforcement officer to interfere with or assist the actions of a federal official engaged in civil immigration

enforcement. Nothing in this section shall be interpreted to confer upon any state or local law enforcement officer the authority, obligation or responsibility to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this section.

SECTION 10. Subsection (a) of section 16 of chapter 115 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the eleventh sentence the following sentence:- If the secretary approves the board's vote on the veteran's status, then that determination shall be the only proof required to show the veteran's character of discharge for any state program and service.

SECTION 11. Section 33 of chapter 148 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

The marshal may provide support to law enforcement agencies through use of the joint hazard incident response team, within the department of fire services hazardous materials response division. as established under section 2 of chapter 22D, for the purpose of technical or operational assistance for incidents or events involving potential reactive or energetic materials that may pose a risk to public health or safety. Any response action taken by a municipal firefighter as a member of the joint hazard incident response team at the direction of the marshal or their designee, shall be deemed to have been taken on behalf of the department of fire services and for the benefit of the commonwealth. Municipal firefighters who are members of the joint hazard incident response team are not considered law enforcement officers and shall not exercise police powers.



SECTION 12. Subsection (d) of section 5-202 of chapter 190B of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “death”, in line 21, the following words:- an adverse immigration action against the parent or guardian.

SECTION 13. Said subsection (d) of said section 5-202 of said chapter 190B, as so appearing, is hereby further amended by adding the following sentence:- For purposes of this section, “adverse immigration action” shall mean (i) detention or custody by the Department of Homeland Security or any other agency authorized or acting on behalf of the Department of Homeland Security on the basis of an alleged violation of federal immigration law; (ii) departure from the United States under an order of removal, deportation, exclusion, voluntary departure, or expedited removal, or a stipulation of voluntary departure or (iii) denial of admission or entry into the United States by the Department of Homeland Security.

SECTION 14. Subsection (f) of said section 5-202 of said chapter 190B, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- If both parents are dead, have been adjudged incapacitated persons or are subject to an adverse immigration action, an appointment by the last parent who dies, was adjudged incapacitated or was subject to an adverse immigration action has priority.

SECTION 15. The General Laws are hereby amended by inserting after chapter 221 the following chapter:-

#### CHAPTER 221A

#### CIVIL ARREST IN COURTS

Section 1. The following terms, as used in this chapter, shall have the following meanings unless the context clearly requires otherwise:

“Civil arrest”, an arrest that is not: (i) for the sole or primary purpose of preparing the person subject to such arrest for criminal prosecution, for an alleged violation of the criminal law of: (A) the commonwealth or another jurisdiction within the United States, for which a sentence of a term of imprisonment is authorized by law; or (B) the United States, for which a sentence of a term of imprisonment is authorized by law, and for which federal law requires an initial appearance before a federal judge, federal magistrate or other judicial officer, pursuant to the federal rules of criminal procedure that govern initial appearances; (ii) for contempt of court; (iii) for a capias issued by a judge of the commonwealth; (iv) for a parole warrant issued under section 149A of chapter 127 or a probation warrant issued under section 3 of chapter 279; (v) for a governor’s warrant of arrest issued under section 16 of chapter 276; or (vi) related to a petition or commitment under section 12 of chapter 123.

“Courthouse”, the interior of any facility or property in which a court of the commonwealth conducts business.

“Judicial warrant or judicial order”, an arrest warrant or other judicial order, issued by a judge or magistrate sitting in the judicial branch of state government or of the federal government, authorizing an arrest.

Section 2. (a) No representative of a local, state or federal law enforcement agency shall make a civil arrest of an individual present at a courthouse unless such representative: (i) is acting in the representative’s official capacity; and (ii) has provided documentation to a designated judge, justice or judicial magistrate sitting in the courthouse demonstrating that the

individual to be arrested is the subject of a judicial warrant or judicial order authorizing civil arrest. The designated judicial official shall promptly review such documentation. Except in extraordinary circumstances, as determined by the designated judicial official, civil arrests shall not be made by a representative of a law enforcement agency in a courtroom.

(b) The chief justice of the trial court may issue rules and notices to implement this act; provided, however, that the protections of this act shall apply regardless of whether the trial court implements this act by rule or notice.

(c) Copies of all warrants and orders authorizing arrest and provided to court personnel pursuant to this section shall be maintained by the chief justice of the trial court. Annually, not later than July 1, the trial court shall prepare, publish on the court's website and provide to the governor, the president of the senate, the speaker of the house of representatives, the clerks of the house and senate, and the chairs of the joint committee on the judiciary, a report containing information on the warrants and judicial orders received by each local and state court of the commonwealth pursuant to this section in the past calendar year. The report shall include, but not be limited to, the date each judicial warrant or judicial order was signed, the judge who issued such judicial warrant or judicial order and the name and location of the court that issued the warrant or order, as shown by such warrant or order, the date the judicial warrant or judicial order was presented to the court, a description of the type of judicial warrant or judicial order and, if known, whether or not an arrest occurred with respect to such warrant and the date and specific location of such arrest.

(d) An arrest or detention in violation of this section shall constitute contempt of court and false imprisonment; provided, however, that nothing in this section shall affect any right or

328 defense available to a person, police officer, peace officer or public officer or any court system  
329 personnel acting lawfully and in accordance with duties outlined in section 70A of chapter 221.  
330 The attorney general is authorized to enforce this chapter, including, but not limited to, through a  
331 suit in equity in the superior court.

332 (e) An individual may apply for a writ of habeas corpus if such person has reasonable  
333 cause to believe a violation of this section has occurred; and the attorney general may bring a  
334 civil action in the name of the people of the commonwealth to obtain appropriate equitable and  
335 declaratory relief if the attorney general has reasonable cause to believe that a violation of this  
336 section has occurred.

337 (f) Nothing in this section shall be construed to narrow or abrogate rights or privileges  
338 against civil arrest that exist under the common law.

339 (g) No action may be commenced pursuant to this section against the judicial branch or  
340 any officer or employee of the judicial branch acting lawfully and in good faith, pursuant to such  
341 officer's or employee's official duties and in accordance with this chapter and other applicable  
342 laws and regulations.

343 (h) Nothing in this section shall be interpreted to require any person, including any state  
344 or local law enforcement officer or court officer, to interfere with or assist the actions of a federal  
345 official engaged in civil immigration enforcement. Nothing in this section shall be interpreted to  
346 confer upon any state or local law enforcement officer the authority, obligation or responsibility  
347 to enforce, interpret, supervise, assess compliance with or prevent conduct governed by this  
348 section.

349           SECTION 16. Chapter 233 of the General Laws is hereby amended by inserting after  
350 section 20B the following section:-

351           Section 20B1/2. For purposes of this section, the following words shall, unless the  
352 context clearly requires otherwise, have the following meanings:

353           “Civil arrest”, an arrest that is not for the sole or primary purpose of preparing the person  
354 subject to such arrest for criminal prosecution, for an alleged violation of the criminal law of: (A)  
355 the commonwealth or another jurisdiction within the United States, for which a sentence of a  
356 term of imprisonment is authorized by law; or (B) the United States, for which a sentence of a  
357 term of imprisonment is authorized by law, and for which federal law requires an initial  
358 appearance before a federal judge, federal magistrate or other judicial officer, pursuant to the  
359 federal rules of criminal procedure that govern initial appearances.

360           “Place of worship”, a church, synagogue, mosque or other institution of worship,  
361 including, but not limited to, a building rented or used for a religious service during such  
362 services.

363           “Religious service”, means a meeting, gathering or assembly of two or more persons  
364 organized by a religious organization for the purpose of worship, teaching, training, providing  
365 educational services or conducting religious rituals, including, but not limited to, weddings and  
366 funerals.

367           A person shall be privileged from civil arrest in any place of worship during a religious  
368 service.

SECTION 17. Section 9 of chapter 258 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Public employers may indemnify public employees, and the commonwealth shall indemnify persons holding office under the constitution, from personal financial loss, all damages and expenses, including legal fees and costs, if any, in an amount not to exceed \$1,000,000 arising out of any claim, action, award, compromise, settlement or judgment by reason of an intentional tort, or by reason of any act or omission which constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official or holder of office under the constitution at the time of such intentional tort or such act or omission was acting within the scope of his official duties or employment; provided however, that with approval of the public employer, the attorney general, and the secretary of administration and finance, indemnification may exceed \$1,000,000 solely for loss, damages, or expenses, including legal fees and costs, if any, arising directly from an investigation, inquiry, or claim initiated by the federal government concerning acts or omissions within the scope of official duties or employment. No such employee or official, other than a person holding office under the constitution acting within the scope of his official duties or employment, shall be indemnified under this section for violation of any such civil rights or with respect to any federal investigation or inquiry if he acted in a grossly negligent, willful or malicious manner.

SECTION 18. Item 4513-1012 of section 2 of chapter 9 of the acts of 2025 is hereby amended by striking out the figure “\$28,600,000”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$29,200,000.

SECTION 19. For fiscal year 2027, the Massachusetts Department of Transportation, with approval by the secretary of administration and finance, may include certain salaries of employees in the department's capital expenditures if such employees are assigned to a capital project or projects in the department's 5-year capital investment plan for the fiscal years 2026 through 2031, inclusive, notwithstanding the provisions of section 15 of chapter 6C of the General Laws; provided that prior to the inclusion of any salaries in capital expenditures under this clause, the department shall submit a plan for the approval of the secretary of administration and finance, including: (A) the total amount of salary expenses to be included by the department in capital expenditures; (B) the total number of department employee salaries included in capital expenditures, including a breakdown by division of the position titles, description of capital project-related job responsibilities, and accompanying salaries; (C) the total number of employees of the department assigned to capital projects; (D) a schedule of transportation capital projects where employee salaries are included in capital expenditures; (E) the status of said capital projects; (F) any projected cost savings; (G) the impact of including department employee salaries in capital expenditures on the ability of the department to plan, design, construct and complete transportation capital projects; and (H) a plan, not to exceed 36 months from the date of the plan or the completion date of the capital project to which each listed position is committed, whichever is longer, to restore the salaries related to such positions to the operating budget; provided further, that the department shall prepare a report including items (A) through (G), inclusive, and submit it to the chairs of the house and senate committees on ways and means and the chairs of the joint committee on transportation no later than 30 days after the approval of a plan by the secretary.

SECTION 20. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(1) the agreement between the Commonwealth of Massachusetts and the Massachusetts Nurses Association (MNA), Unit 7, effective from January 1, 2025 through December 31, 2027;

(2) the agreement between the Barnstable County Sheriff's Office (BCSO) and the Barnstable County Correctional Officers Union (BCCOU), S1B, effective from January 1, 2024 through June 30, 2027;

(3) the agreement between the Commonwealth of Massachusetts and the International Association of Fire Fighters (IAFF), Local S-28 and S-29, Unit 11, effective from January 1, 2025 through December 31, 2027;

(4) the agreement between the University of Massachusetts and the New England Police Benevolent Association (NEPBA) Local 190, Amherst Campus, Unit A07, effective from July 1, 2024 through June 30, 2027; and

(5) the agreement between the Commonwealth of Massachusetts and the Coalition of Public Safety, Unit 5, effective from July 1, 2025 through June 30, 2028.

SECTION 21. Notwithstanding any general or special law to the contrary, each licensed child care center, family child care home and school-aged child care program shall adopt a policy, as required by subsection (c) of section 22 of chapter 15D of the General Laws, as inserted by section 5, to be in effect not later than September 1, 2026 or the first day of the 2026-2027 school year, whichever is earlier.



434           SECTION 22. Notwithstanding any general or special law to the contrary, each school  
435   district, charter school and collaborative school shall adopt a policy, as required by subsection (c)  
436   of section 102 of chapter 71 of the General Laws, as inserted by section 8, to be in effect not later  
437   than September 1, 2026 or the first day of the 2026-2027 school year, whichever is earlier.

438           SECTION 23. The department of public health and the department of mental health, in  
439   consultation with the attorney general, shall issue a model policy pursuant to subsection (d) of  
440   section 249 of chapter 111 of the General Laws, as inserted by section 9, not more than 30 days  
441   after the effective date of this act.

442           SECTION 24. Covered healthcare providers shall adopt a provider-specific policy, as  
443   required by subsection (c) of section 249 of chapter 111 of the General Laws, as inserted by  
444   section 9, not more than 60 days after the effective date of this act.