SENATE . . . . No. 3178

The Commonwealth of Massachusetts

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

SENATE, July 16, 2026.

The committee on Senate Ways and Means to whom was referred the House Bill relative to economic development in the commonwealth (House, No. 5576); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3178. [This legislation authorizes $325,100,000 in bond obligations and $100,000,000 in direct fiscal year 2026 appropriations from the Education and Transportation Fund].

For the committee,
Michael J. Rodrigues

SENATE . . . . No. 3178

The Commonwealth of Massachusetts

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

SECTION 1. 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 section 2A are hereby appropriated from the Education and Transportation Fund established in section 2BBBBBB of chapter 29 of the General Laws unless specifically designated otherwise in this act, for the several purposes and subject to the conditions specified in this act and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2026. Except as otherwise provided, these sums shall be made available through the fiscal year ending June 30, 2029.

SECTION 2A.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1596-7066 For a bridge funding reserve to support public institutions of higher education in the commonwealth to enable them to: (i) adapt to federal funding uncertainty or for the loss or diminishment of federal research funding; (ii) encourage advancement of scientific research, enhance employment opportunities and talent development; and (iii) enable participation in partnerships and joint ventures related to research and innovation; provided, that the funds shall be administered by the executive office for administration and finance, in consultation with the executive office of education, the executive office of labor and workforce development and the executive office of economic development; provided further, that funds may be expended as flexible funding support for public institutions of higher education in the commonwealth to fund direct and indirect costs of research to retain talent and preserve the pace of scientific discovery in the commonwealth; provided further, that funds may be expended as a talent retention and extension reserve to fund positions in research and teaching, including graduate, post doctorate and other early career research professionals, that would otherwise be unfunded due to reductions in federal indirect rates and to build a bridge to future funding levels and sources; provided further, that funds may be expended for research opportunities, partnerships and joint ventures to support research activity and employment and advance innovation and opportunity in the commonwealth including, but not limited to, opportunities related to advanced manufacturing and technology, agricultural science and technology, bioengineering and life sciences, civil engineering and advanced construction materials, climate and environmental science, ecology, education and child development, electronics, energy, fisheries and wildlife science and management, forestry science and management, marine science and technology, medical science and technology, meteorology and atmospheric science, nursing science, public health and applied health sciences and robotics; provided further, that prior to the receipt of funds from this item, public institutions of higher education shall submit a federal funding disruption mitigation plan to the executive office for administration and finance and the house and senate committees on ways and means, which shall include, but not be limited to, the planned needs and projected expenditures for each fiscal year in which funds are made available under this item; provided further, that funds from this item shall be expended in a manner that prioritizes a public institution of higher education's loss or diminishment of federal research funding that will impact prospective research opportunities and the pace of discovery; provided further, that funds shall be further prioritized in a manner that provides bridge funding over multiple fiscal years in which funds are made available under this item; provided further, that funds shall be expended by public institutions of higher education in a manner that is consistent with the institutions' federal funding mitigation plan unless otherwise authorized by the secretary of administration and finance; and provided further, that the secretary of administration and finance may transfer funds from this item to other items as necessary …………………………………………………………………………………..$100,000,000

SECTION 3A. To provide for a program of community development, economic opportunities, support for local governments, increased industry innovation, job creation and the promotion of economic reinvestment through the funding of infrastructure improvements, the sums set forth in this section for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items. The sums set forth in this section shall be made available until June 30, 2036.

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary

7002-8046 For the growth capital division of the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws for a program to provide matching grants to community development financial institutions certified by the United States

Treasury or community development corporations certified under chapter 40H of the General Laws to leverage federal or private investment for the purpose of making loans to small businesses; provided, that such grants shall prioritize socially or economically disadvantaged businesses, which may include, but shall not be limited to, minority-owned, women-owned, worker-owned, veteran-owned or immigrant-owned small businesses that have historically faced obstacles to accessing capital; and provided further, that not less than $10,000,000 shall be expended to The Massachusetts Business Development Corporation for the Massachusetts Capital Access program to support loans to eligible businesses for start up costs, equipment purchases, real estate acquisitions and other business expenses...…………….……$20,000,000

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

7002-8080 For a grant program to be administered by the executive office of economic development to support the development and application of artificial intelligence technologies in strategically important sectors of the state's economy including, but not limited to, life sciences, healthcare, advanced manufacturing, climatetech, quantum, defense technology, transportation and robotics; provided, that grants may be awarded from this item to public entities, non-profit entities and private businesses; and provided further, that, at the discretion of the secretary of economic development, grant funding may be administered by the Massachusetts Technology Park Corporation, the Massachusetts Life Sciences Center, the Massachusetts Technology Development Corporation or the Massachusetts Clean Energy Technology Center...$75,000,000

7002-8081 For a capital grant program to be administered by the executive office of economic development to support the construction, fit-out and improvement of 1 or more sites where early stage and high growth business ventures are encouraged to establish operations in the commonwealth; provided, that the executive office may contract with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, or any other state authority as defined in section 1 of chapter 29 of the General Laws, to administer the grants or other financial assistance from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity…………………………..$20,000,000

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

7002-8083 For a grant program to be administered by the executive office of economic development to support food science, agricultural enterprises, resilient and sustainable food innovation, food and agricultural technology and related sectors; provided, that the executive office may contract with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, or any other state authority as defined in section 1 of chapter 29 of the General Laws, to administer the grants from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity……………………………………………………………………………..$10,000,000

7002-8084 For a competitive program to be administered by the Massachusetts Technology Park Corporation established in section 3 of chapter 40J of the General Laws to provide capital grants to support research and development of robotics technology including, but not limited to, robotics incubation, testing, training, workforce development, research and development and commercialization activities; provided, that grants may be awarded to nonprofit entities, public or private universities or private business entities..............................$25,000,000

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

7002-8086 For a capital grant program to be administered by the executive office of economic development to enhance the arts, culture and the creative economy in the commonwealth including, but not limited to, grants to cities and towns for public realm and streetscape improvements that enhance downtown vibrancy, rehabilitation of historic districts, wayfinding and signage to support cultural institutions, improvements to public gathering and performance spaces and permanent public art installations; provided, that the executive office may contract with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, Massachusetts Cultural Council, or any other state authority as defined in section 1 of chapter 29 of the General Laws, to administer the grants from this item; and provided further, that grants shall be awarded in a manner that promotes geographic equity……………..…………………………………………………………….…..$25,000,000

7002-8087 For local economic development grants……………………….....$100,000

SECTION 4. Subsection (b) of section 204 of chapter 6 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 20 to 21, the words “but shall not serve for longer than 8 consecutive years”.

SECTION 5. Subsection (c) of section 16I of chapter 6A of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the words “housing and”.

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

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

Section 4U. Notwithstanding any general or special law to the contrary, the secretary, in consultation with the deputy commissioner of local services and the secretary of housing and livable communities, shall direct all departments, commissions, offices, boards, divisions, institutions or other agencies administering discretionary or competitive grant programs for which eligible recipients include municipalities or other public instrumentalities to establish a preference modifier for applicants or prospective recipients that have zoning or land use policies that encourage the production of housing sufficient to meet commonwealth housing goals as determined by the executive office of housing and livable communities; provided, however, that such polices may include, but shall not be limited to, as-of-right zoning capacity for multifamily housing that provides opportunity to build housing in appropriate areas, the elimination of parking minimums for residential use, the elimination of restrictive lot size requirements and wastewater and wetlands standards that do not exceed state health or environmental standards. A regional or other partnership of not less than 2 municipalities shall only be eligible for such preference modifier if the applicable requirements in all included municipalities are met. The executive office for administration and finance, in consultation with the executive office of energy and environmental affairs and the executive office of housing and livable communities, shall issue guidelines to implement this section.

SECTION 8. Section 35FF of chapter 10 of the General Laws is hereby repealed.

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

There shall be within the executive office a housing appeals committee, consisting of 5 members to be appointed by the secretary or their designee, of whom 1 shall be an officer or employee of the executive office or any agency or division within the executive office, and 2 members to be appointed by the governor, of whom 1 shall be a current or recent member of a select board and 1 shall be a current or recent member of a city council or similar governing body of a city. The members shall serve for terms of 2 years each and the secretary or their designee shall designate the chairperson. A member of the committee shall receive no compensation for such services but shall be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of official duties. Said committee shall hear all petitions for review filed under section 22 of chapter 40B and shall conduct said hearings in accordance with rules and regulations established by the secretary or the secretary’s designee; provided, however, that the committee may hear multiple such petitions concurrently and any such petition shall be heard by not less than 3 members, not less than 2 of whom have been appointed by the secretary or the secretary's designee and at least 1 of whom has been appointed by the governor, as assigned by the chair.

SECTION 10. The definition of "Cultural facility" in subsection (b) of section 42 of chapter 23G of the General Laws, as so appearing, is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence:- The term cultural facility may include, but shall not be limited to, museums, historical sites, zoos, aquariums, nature or science centers, theaters, concert halls, exhibition spaces, classrooms and auditoriums suitable for presentation of performing or visual arts; provided, however, that municipally-owned buildings, structures or sites shall have not less than 50 per cent of their usable floor area or outside space dedicated to such use to qualify under this definition.

SECTION 11. Section 5 of chapter 23I of the General Laws, as so appearing, is hereby amended by striking out, in line 37, the word "3F" and inserting in place thereof the following word:- 3C.

SECTION 12. Subsection (b) of said section 5 of said chapter 23I, as so appearing, is hereby amended by adding the following 2 sentences:- The decision by the center to certify or deny certification of a life sciences company and the decision to award or deny any incentives pursuant to subsections (c) or (d), including, but not limited to, the amount of such award and any conditions or limitations on such authorization, shall be decisions that are at the sole discretion of the center. Such decision by the center shall be final and shall not be subject to administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause of action or legal or equitable claim or remedy.

SECTION 13. Said section 5 of said chapter 23I, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d)(1) There shall be a life sciences tax incentive program. The center, in consultation with the department, may authorize incentives, including incentives carried forward or refunded pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph 17 of section 30 of chapter 63, the second time it appears, section 31M of said chapter 63, the second time it appears, paragraph 6 of subsection (f) of section 38 of said chapter 63, subsection (k) of section 38M of said chapter 63, section 38U of said chapter 63, section 38V of said chapter 63, section 38W of said chapter 63, section 38CC of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (xx) of section 6 of chapter 64H in a cumulative amount, including the current year cost of incentives allowed in previous years, that shall not exceed $40,000,000 annually. The center may authorize incentives to a life sciences company that spans multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap. The center shall determine the amount and type of any such incentive to authorize and the schedule on which those incentives may be claimed. The center may, in consultation with the department, limit any incentive to a specific dollar amount or time duration or in any other manner deemed appropriate by the department; provided, however, that the department shall only allocate any such incentives among commonwealth certified life sciences companies pursuant to subsection (b) and shall award such tax incentives pursuant to subsection (c).

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

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

SECTION 14. Subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby amended by striking out paragraphs (1) and (2) and inserting in place thereof the following 2 paragraphs:-

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

(2) The certification of a life sciences company may be revoked by the center after an investigation and determination that representations made by the certified life sciences company in its certification proposal or written agreement pursuant to paragraph (2) of subsection (d) are

materially at variance with the conduct of the life sciences company after receiving certification; provided, however, that the center shall review the certified life sciences company at least annually; provided further, that the center shall have the discretion to determine whether the material variance shall result in revocation of a project certification, taking into account: (i) the conduct of the certified life sciences company subsequent to the project certification; (ii) the extent to which the material variance is the result of unforeseen conditions that are outside the control of the certified life sciences company; and (iii) other considerations as the center shall establish by policy. If center revokes certification of a life sciences company, the center shall provide its reasons for the decision in writing to the secretary of administration and finance, the commissioner of revenue and the clerks of the house of representatives and the senate, who shall forward the same to the house and senate committees on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies. The center shall post these reasons on the internet for public access.

SECTION 15. Said subsection (e) of said section 5 of said chapter 23I, as so appearing, is hereby further amended by striking out paragraph (4) and inserting in place thereof the following 2 paragraphs:-

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

Tax credits shall be rescinded or recaptured by sending a written notice to the certified life sciences company and the department. Where applicable, the department shall recapture tax credits in accordance with subsection (r) of section 6 of chapter 62 or section 38CC of chapter 63.

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

SECTION 16. Said section 5 of said chapter 23I, as so appearing, is hereby amended by striking out, in lines 149 and 150, the word “independent”.

SECTION 17. Section 1 of chapter 23J of the General Laws, as so appearing, is hereby amended by striking out the definition of “Fund” and inserting in place thereof the following definition:-

“Fund”, the Climatetech Investment Fund established in section 15.

SECTION 18. Said section 1 of said chapter 23J, as so appearing, is hereby further amended by striking out the definition of “Trust fund.”

SECTION 19. Section 2 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 13 to 15, inclusive, the words “, in collaboration with the Massachusetts Renewable Energy Trust Fund established in section 4E of chapter 40J,”.

SECTION 20. Said section 2 of said chapter 23J, as so appearing, is hereby further amended by striking out the second paragraph.

SECTION 21. Section 3 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 65 to 66, the words "Massachusetts Alternative and Clean Energy Investment Trust Fund" and inserting in place thereof the following word:- fund.

SECTION 22. Subsection (a) of said section 3 of said chapter 23J, as so appearing, is hereby amended by striking out paragraphs (26) and (31).

SECTION 23. Section 5 of said chapter 23J, as so appearing, is hereby amended by striking out, in lines 16 to 19, inclusive, the words "and the trust fund over the previous fiscal year, the ability of the fund to meet the requirements in section 35FF of chapter 10 and the ability of the trust fund to meet the requirements in section 9" and inserting in place thereof the following words:- over the previous fiscal year, the ability of the fund to meet the requirements in section 15.

SECTION 24. Section 9 of said chapter 23J is hereby repealed.

SECTION 25. Section 11 of said chapter 23J, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 2 and 3, the words "the fund and the trust fund" and inserting in place thereof the following words:- any trust funds administered by the center under this chapter.

SECTION 26. Section 15 of said chapter 23J, as so appearing, is hereby amended by striking out, in line 6, the words "and (iii)" and inserting in place thereof the following words:- (iii) all amounts collected under section 20 of chapter 25; and (iv).

SECTION 27. Subsection (b) of section 16 of said chapter 23J, as so appearing, is hereby amended by adding the following 2 sentences:- The decision by the center to certify or deny certification of a climatetech company and the decision to award or deny any incentives pursuant to subsection (d), including without limitation the amount of such award, and any conditions or limitations on such authorization, shall be decisions that are in the sole discretion of the center. Such decision by the center shall be final and shall not be subject to administrative appeal or judicial review pursuant to chapter 30A or give rise to any other cause of action or legal or equitable claim or remedy.

SECTION 28. Subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

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

SECTION 29. Said section 16 of said chapter 23J, as so appearing, is hereby further amended by inserting after the word "proposal", in line 56, the following words:- or written agreement pursuant to paragraph (3) of subsection (d).

SECTION 30. Subsection (c) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (3) and inserting in place thereof the following 2 paragraphs:-

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

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

SECTION 31. Section (d) of said section 16 of said chapter 23J, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

(1) The center, in consultation with the department of revenue, may authorize incentives, including those established in subsections (gg) and (hh) of section 6 of chapter 62, subsection (k) of section 38M of chapter 63, section 38RR of said chapter 63, section 38SS of said chapter 63, section 38TT of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (yy) of section 6 of chapter 64H, that shall not exceed $30,000,000 annually. The center may authorize incentives to a certified climatetech company that spans

multiple years if the total amount of incentives due to be taken in any single calendar year does not exceed the applicable cap; provided, however, that the center shall determine the amount and type of any such incentive authorized and the schedule on which such incentives may be claimed. The center, in consultation with the department of revenue, may limit the incentives to a specific dollar amount, for a specific period of time or in any other manner deemed appropriate by the department of revenue; provided, however, that the department of revenue shall only allocate the incentives among certified climatetech companies.

SECTION 32. Said section (d) of said section 16 of said chapter 23J, as so appearing, is hereby further amended by adding the following paragraph:-

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

SECTION 33. Said chapter 23J is hereby further amended by adding the following section:-

Section 17. (a) Unless otherwise provided, the words used in this section shall have the meanings ascribed to them in section 1 of chapter 164.

(b) For purposes of this section, “gridtech solution” shall mean novel technologies, novel applications of technologies and other innovative approaches including, but not limited to, novel retail rate designs, distributed energy resource wiring configurations or customer energy solutions.

(c) There shall be a gridtech deployment advisory board, which shall be tasked with: (i) exploring opportunities for public-private partnerships to test or deploy at scale gridtech; (ii) facilitating connections between gridtech companies and relevant distribution companies; and (iii) identifying and proposing solutions to barriers in the existing practices of an electric company or the department of public utilities; provided, however, that such solutions are permissible under state law. The advisory board shall prioritize, where appropriate, the deployment of gridtech that reduce electric distribution and transmission grid costs and support achievement of the statewide greenhouse gas emissions limits and sublimits under chapter 21N.

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

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

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

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

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

SECTION 34. Section 20 of chapter 25 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

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

SECTION 35. Said section 20 of said chapter 25, as so appearing, is hereby further amended by striking out, in line 22, the words “Massachusetts Renewable Energy Trust” and inserting in place thereof the following words:- Climatetech Investment Fund.

SECTION 36. Said section 20 of said chapter 25, as so appearing, is hereby amended by inserting after the words “from”, in line 24, the following words:- revenues from mandatory charges held by.

SECTION 37. Said section 20 of said chapter 25, as so appearing, is hereby further amended by striking out, in line 28, the word “collaborative” and inserting in place thereof the following words:- Massachusetts clean energy technology center.

SECTION 38. Section 2EEEEEE of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in line 73, the words “and (iii)” and inserting in place thereof the following words:- (iii) protecting the commonwealth from the elimination, reduction or material delay of federal funds upon a determination by the secretary that the elimination, reduction or material delay of such federal funds would materially impact public health, safety or welfare or the fiscal stability of the commonwealth or any of its political subdivisions, in accordance with guidance issued by the executive office for administration and finance; (iv) improving the financial stability of hospitals and community health centers in the commonwealth that provide health care to low-income, uninsured or underinsured residents, including by transferring any amounts in the fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E, in accordance with guidance issued by the executive office for administration and finance in consultation with the executive office of health and human services; (v) funding pay-as-you-go capital for any capital project or program up to the amount otherwise authorized by the general court for such project or program in chapter 238 of the acts of 2024, in accordance with guidance issued by the executive office for administration and finance; and (vi).

SECTION 39. Section 8C of chapter 40 of the General Laws, as so appearing, is hereby amended by inserting after the word “thereof”, in line 72, the following words:- ; provided, however, that the commission shall retain a record of any such rules and regulations and any other applicable ordinance or by-law, subject to the provisions of section 7 of chapter 4, which denotes whether each such rule, regulation, ordinance or by-law is more restrictive than the requirements of section 40 of chapter 131 and any accompanying regulations promulgated by the department of environmental protection.

SECTION 40. Section 54A of said chapter 40 is hereby repealed.

SECTION 41. Section 1A of chapter 40A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of “As of right” the following definition:-

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

SECTION 42. Said section 1A of said chapter 40A, as so appearing, is hereby further amended by inserting after the definition of "Permit granting authority" the following definition:-

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

SECTION 43. Section 3 of said chapter 40A, as so appearing, is hereby amended by inserting the following paragraphs:-

No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special permit or other discretionary zoning approval for the use of land or structures for a single duplex on lots zoned for residential use, or the rental thereof; provided, that the use of land or structures for duplexes may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq., if applicable, site plan review and regulations concerning dimensional setbacks and the bulk and height of structures; provided further, that regulations concerning the height of a duplex do not limit height to less than 3 stories; provided further, that municipalities may establish uniform design guidelines for projects built under this paragraph. A local regulation, ordinance, or by-law shall not be more restrictive of duplexes than of single-family dwellings, and shall not, individually or cumulatively, render the development of a duplex physically or financially infeasible. A local regulation that is more restrictive than state minimum requirements shall be presumed unreasonable unless it addresses a specific, articulable concern that cannot be addressed by less restrictive means. Said regulations either individually or cumulatively shall not render the development of land for duplexes physically or financially infeasible and may impose restrictions and prohibitions on the operation of short-term rentals, pursuant to section 14 of chapter 64G and other applicable laws. For the purposes of this paragraph, duplexes shall mean 2 dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy. The executive office of housing and livable communities may issue guidelines or promulgate regulations to administer this paragraph.

SECTION 44. Said chapter 40A is hereby further amended by inserting after section 3B the following section:-

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

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

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

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

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

“Commercial use”, the use of land or structures for non-residential uses including, but not limited to offices, retail, dining establishments and other similar uses as authorized by the executive office in consultation with the executive office of economic development.

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

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

“Executive office”, the executive office of housing and livable communities.

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

“Financially infeasible”, a condition or requirement imposed by the board of appeals that adds unreasonable costs or unreasonably diminishes the economic feasibility of a commercial conversion.

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

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

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

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

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

(b)(1) A city or town subject to this chapter may, pursuant to section 5, amend zoning to allow commercial conversion as of right on every commercially-zoned lot; provided, however, that a city or town that adopts as of right zoning under this section shall provide not less than 1 adaptive reuse incentive pursuant to subsection (c); and provided further, that as of right zoning established pursuant to this section shall include, but not be limited to, for adaptive reuse, allowing: (i) existing building setbacks to remain and be considered lawfully nonconforming pursuant to section 6; provided, however, that a municipality may prohibit any additional encroachments into any nonconforming setback, unless otherwise required pursuant to clause (ii) or permitted by zoning; (ii) such development to exceed the existing footprint of the building to accommodate upgrades related to building code, fire code and utility requirements; and (iii) such development to exceed the maximum height of the existing zoning district if the structure in existence prior to the adaptive reuse exceeds the maximum height of the existing zoning district. Adaptive reuse for multi-family housing, new multi-family housing and new-construction of mixed-use developments shall be exempt from residential parking requirements that exceed 1 parking space per residential dwelling unit; provided, however, that such commercial conversion projects on lots that are partially or entirely located within a 0.5 mile radius of a transit station shall be exempt from any residential parking requirements.

A city or town may: (i) require that adequate infrastructure, including roads, water and sewage systems, shall be available to support commercial conversion; (ii) restrict development on lots where industrial and manufacturing uses are permitted and where such uses have a substantial and demonstratable likelihood of resulting in impacts that are incompatible with residential use, such as air, noise or odor; (iii) impose affordable housing requirements on commercial conversion through an inclusionary zoning ordinance or by-law to the extent that such affordable housing requirements require not more than 10 per cent of the residential units within a commercial conversion to be subject to such affordable housing requirements and that such affordable housing requirements do not limit eligibility to households with income of not more than 80 per cent area median income; provided, however, that the executive office, in its discretion, may approve a greater percentage of affordable units or greater affordability requirements for some or all of the affordable units upon request by a city or town as to an individual project in a form as may be designated by the executive office.

Notwithstanding any special or general law, rule or regulation to the contrary, an adaptive reuse commercial conversion under this section shall comply with the base energy code of the state building code but shall not be required to comply with the specialized stretch energy code or the municipal opt-in specialized stretch energy code established pursuant to section 6 of chapter 25A.

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

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

(ii) the ability of the board of appeals to request representatives of local boards to attend the hearing on an application.

Notwithstanding section 7, the board of appeals shall have the same power to issue permits or approvals as any local board or official authorized to act with respect to such application, including, but not limited to, the power to attach to said permit or approval conditions and requirements that are not financially infeasible. The board of appeals, in making a decision on an application, shall take into consideration the recommendations of the local boards and the testimony of any consultants, if applicable. The board of appeals shall render a decision within 60 days of receipt of an application; provided, however, that if a decision is not rendered within such time. unless the time has been extended by mutual agreement between the board of appeals and the applicant, the application shall be deemed to have been allowed and the permit or approval shall issue.

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

(d) The executive office may establish additional incentives for cities and towns that adopt zoning and a local contribution pursuant to this section. Such incentives for cities and towns may include, but shall not be limited to, a preference for financial assistance pursuant to section 271/2 of chapter 23B, a preference for tax credits authorized pursuant to subsection (ee) of section 6 of chapter 62 and section 38OO of chapter 63 and other incentives identified by the executive office in consultation with the executive office of economic development and the executive office for administration and finance.

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

(f) Any zoning adopted pursuant to paragraph (1) of subsection (b) may be repealed in accordance with section 5.

SECTION 45. Section 5 of said chapter 40A, as appearing in the 2024 Official Edition, is hereby amended by inserting after the word “appeals”, in line 6, the following words:- , a mayor.

SECTION 46. Said section 5 of said chapter 40A, as so appearing, is hereby further amended by striking out, in line 92, the words “or (c) open-space residential development” and inserting in place thereof the following words:- (c) open-space residential development; or (d) commercial conversion pursuant to section 3C.

SECTION 47. Section 6 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “to”, in line 13, the following words:- a structure used for commercial conversion pursuant to section 3C or.

SECTION 48. Said section 6 of said chapter 40A, as so appearing, is hereby further amended by striking out, in lines 34 to 38, inclusive, the words “or site plan approval pursuant to the local ordinance or by-law shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit or site plan approval” and inserting in place thereof the following words:- , site plan approval pursuant to the local ordinance or by-law or a permit for commercial conversion issued pursuant to section 3C shall conform to any subsequent amendment of the zoning ordinance or by-law or of any other local land use regulations unless the use or construction is commenced within a period of 3 years after the issuance of the special permit, site plan approval or permit for commercial conversion.

SECTION 49. Said chapter 40A is hereby further amended by inserting after section 7 the following section:–

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

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

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

(b) Substantive provisions of site plan review, including content of submission requirements and applicable performance standards, governing site plan review and approval by the designated authority or authorities shall be as set forth within a local ordinance or by-law adopted pursuant to section 5. Performance standards shall be reasonably definite and objective so that any applicant has knowledge of such standards prior to application submission. No zoning ordinance or by-law may include performance standards governing the aesthetics of structures. The designated authority may, where such action is in the public interest and not inconsistent with the intent and purpose of this section, waive strict compliance with the performance standards for site plan review. The designated authority may adopt, and from time to time amend, written procedural rules and regulations to implement the local site plan review ordinance or by-law, including provisions for the imposition of reasonable fees for the employment of outside consultants in the same manner as set forth in section 53G of chapter 44.

(c) A zoning ordinance or by-law may establish applicability standards for projects that are subject to site plan review, which may include a category of projects that are subject to a minor or administrative site plan review process. The zoning ordinance or by-law may require a public hearing in accordance with section 11 for projects that meet or exceed specified thresholds under the zoning ordinance or by-law. The decision of the designated authority for a use allowed as of right, or for a use requiring a special permit but reviewed by a separate designated authority, shall require a simple majority vote of the designated authority and shall be made within the time limits prescribed by ordinance or by-law, not to exceed 90 days from the date of filing of a complete application or such extended time as may be agreed in writing by the petitioner. The submission and review process for a site plan required in connection with the issuance of a special permit, and subject to review by the same permit granting authority as the special permit application, shall be conducted with the review of the special permit application in a coordinated process and may require the same vote required for approval of a special permit. The ordinance or by-law may establish the designated authority to be the building commissioner, director of planning or other municipal official who coordinates administrative site plan review with other municipal employees, in which instance there shall be no vote requirement for site plan review. Any appeal from administrative site plan review shall be in accordance with section 17 unless an ordinance or by-law first provides for an appeal to another public body of the municipality. In no instance shall the issuance or denial of a building permit be a prerequisite to filing a civil action under this section.

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

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

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

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

SECTION 50. Section 14 of said chapter 40A, as appearing in the 2024 Official Edition, is hereby amended by inserting after clause (4) the following clause:- (5) To hear and decide applications for commercial conversion upon which the board is empowered to act under paragraph (2) of subsection (b) of section 3C.

SECTION 51. Section 15 of said chapter 40A, as so appearing, is hereby amended by striking out, in lines 36 and 37, the words "The board of appeals shall hold a hearing on any appeal, application or petition within sixty-five" and inserting in place thereof the following words:- Except as provided under clause (i) of paragraph (2) of subsection (b) of section 3C, the board of appeals shall hold a hearing on any appeal, application or petition within 65.

SECTION 52. The fifth paragraph of said section 15 of said chapter 40A, as so appearing, is hereby amended by striking out the first to seventh sentences, inclusive, and inserting in place thereof the following 7 sentences:-

All hearings of the board of appeals shall be open to the public and shall be opened within 30 days of any petition or application. Any such hearing shall extend for not more than 60 days from the date the hearing is opened. The decision of the board shall be made within 100 days after the date of the filing of an appeal, application or petition, except in regard to permits for commercial conversion, as provided for in clause (iv) of paragraph (2) of subsection (b) of section 3C, and special permits, as provided for in section 9. The required time limits for a public hearing and said decision may be extended by written agreement between the applicant and the board of appeals. A copy of such agreement shall be filed in the office of the city or town clerk. Failure by the board to act within the times prescribed or extended time agreed upon, if applicable, shall be deemed to be the granting of the appeal, application or petition. The applicant who seeks such approval by reason of the failure of the board to act within the time prescribed shall notify the city or town clerk, in writing, within 14 days from the expiration of said period or extended time, if applicable, of such approval and that notice has been sent by the applicant to parties in interest.

SECTION 53. The fourth paragraph of section 4 of chapter 40G of the General Laws, as so appearing, is hereby amended by striking out clause (8) and inserting in place thereof the following clause:-

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

SECTION 54. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 68, the words "(1) Not more than $1,000,000" and inserting in place thereof the following words:- Not more than $2,000,000.

SECTION 55. Said section 4 of said chapter 40G, as so appearing, is hereby further amended by striking out, in line 69, the figure "$2,000,000" and inserting in place thereof the following figure:- $4,000,000.

SECTION 56. The last paragraph of said section 4 of said chapter 40G, as so appearing, is hereby amended by striking out clause (2).

SECTION 57. Section 6 of said chapter 40G, as so appearing, is hereby amended by striking out, in line 2, the word "ninety," and inserting in place thereof the following figure:- 120.

SECTION 58. Said section 6 of said chapter 40G, as so appearing, is hereby further amended by striking out, in lines 5 to 7, inclusive, the words "and the number of persons hired as a result of the activities of the corporation who were recipients of programs provided for in chapter 115, 117A, or 118".

SECTION 59. Chapter 40J of the General Laws is hereby further amended by striking out section 3, as so appearing, and inserting in place thereof the following section:-

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

The corporation shall be governed, and its corporate powers exercised, by a board of directors, which shall consist of the secretary of economic development or their designee, the secretary of administration and finance or their designee, the commissioner of higher education or their designee and 15 persons to be appointed by the governor, 2 of whom shall be appointed from a list of persons nominated by the president of the senate, 2 of whom shall be appointed from a list of persons nominated by the speaker of the house of representatives, 2 of whom shall be chief executive officers of post-secondary educational institutions or distinguished members of the engineering or scientific faculties of those institutions, or members of other appropriate faculties, and of those 2, at least 1 shall represent a public post-secondary educational institution and 6 of whom shall represent businesses concerned with any technology that may be subject to this chapter, and 2 of whom shall be recommended by the Massachusetts AFL-CIO. Each director appointed from the list of nominations provided by the president of the senate and the speaker of the house of representatives shall serve a term of 2 years to be coterminous with the legislative session of the general court. All other directors appointed by the governor shall serve for a term of 5 years and thereafter until the director's successor is appointed. A person appointed to fill a vacancy on the board shall be appointed in a like manner and shall serve for the unexpired term of the predecessor director. A director shall be eligible for reappointment. A director may be removed by the governor for cause. Nine directors shall constitute a quorum and the affirmative vote of a majority of the directors present and eligible to vote at a meeting shall be necessary for any action to be taken by the board. The directors shall serve without compensation, but each director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties. The board shall meet not less than 4 times each year and shall have final authority over the activities of the corporation.

The secretary of economic development or their designee shall serve as chair. The board shall biennially elect from among its members a vice-chair and may designate a treasurer and a secretary, who need not be members of the board. The secretary of the board shall keep a record of the proceedings of the corporation and shall be the custodian of all books, documents and papers filed with the corporation and its official seal. The secretary of the board shall cause copies to be made of all minutes and other records and documents of the corporation and shall certify that such copies are true copies and all persons dealing with the corporation may rely upon such certification. The treasurer of the board shall be the chief financial and accounting officer of the corporation and shall be in charge of its funds, books of account and accounting records.

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

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

Chapter 268A shall apply to all directors, officers and employees of the corporation except that the corporation may purchase from, sell to, borrow from, contract with or otherwise deal with an organization in which a director of the corporation is in any way interested or involved; provided, however, that such interest or involvement is disclosed in advance to the directors and recorded in the minutes of the proceedings of the corporation; and provided further, that no director having such an interest or involvement may participate in any decision relating to such organization.

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

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

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

SECTION 60. Section 56 of chapter 41 of the General Laws, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:-

This section shall not prohibit payment to be made for: (i) school travel prior to the date of travel; (ii) software licenses, software maintenance agreements or online subscription services for school curriculum prior to the fiscal year in which services shall be rendered; or (iii) estimates issued by utilities for make-ready work to facilitate access to utility poles, conduits, ducts or rights-of way related to broadband infrastructure projects.

SECTION 61. Chapter 59 of the General Laws is hereby amended by inserting after section 5O the following section:-

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

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

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

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

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

SECTION 62. Section 17 of chapter 61A of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding the previous paragraph, if the portion of land is contiguous land not actively devoted to agricultural or horticultural uses and is so separated to serve as the site of a renewable energy generating source, as defined in subsection (b) of section 11F of chapter 25A, the land so separated shall not be subject to the option to purchase under section 14 and liability for conveyance or roll-back taxes otherwise applicable at such time; provided, however, that such land so separated shall instead be subject to liability for 50 per cent of such otherwise applicable roll-back taxes, which shall be due and payable at the time it commences serving as the site of a renewable energy generating source. If the use of the land so separated as a renewable energy generating source permanently ceases, or does not commence, and the land so separated is sold for or converted to a use other than agricultural or horticultural, the land so separated shall become subject to the option to purchase and conveyance or roll-back taxes shall be assessed for the balance of the amount that would have been assessed at the time of the separation. The land so separated subject to this paragraph shall not exceed 10 per cent of the land valued, assessed and taxed under this chapter from which it was separated and not greater, in total, than 15 acres of the contiguous portion of such land not actively devoted to agricultural or horticultural uses.

SECTION 63. Subsection (r) of section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

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

SECTION 64. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out, in line 920, the figure "50" and inserting in place thereof the following figure:- 25.

SECTION 65. Said subsection (r) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

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

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

SECTION 66. Said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the word "facility", in line 1687, the following words:- in the case of an owner and not more than 50 per cent of the owner and tenant's combined total capital investment in a climatetech facility in the case of a tenant.

SECTION 67. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out, in line 1702, the words "has made a" and inserting in place thereof the following words:- and tenant have made a combined.

SECTION 68. Subsection (hh) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:-

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

SECTION 69. Said subsection (hh) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

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

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

SECTION 70. Section 6J of said chapter 62, as so appearing, is hereby amended by inserting after the word "criteria", in line 46, the following words:- , and there shall be a preference for projects that are adaptive reuse allowed as-of-right in commercially zoned districts pursuant to section 3C of chapter 40A.

SECTION 71. Subsection (b) of section 21 of chapter 62C of the General Laws, as so appearing, is hereby amended by adding the following 3 paragraphs:-

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

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

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

SECTION 72. Section 38R of chapter 63 of the General Laws, as so appearing, is hereby amended by inserting, after the word "criteria", in line 45, the following words:- and there shall be a preference for projects that are adaptive reuse allowed as-of-right in commercially zoned districts pursuant to section 3C of chapter 40A.

SECTION 73. Section 38U of said chapter 63, as so appearing, is hereby amended by striking out, in lines 51 and 52, the words "neither credit allowed by section 31A nor section 31H is taken" and inserting in place thereof the following words:- the credit allowed by section 31H is not taken.

SECTION 74. Section 38CC of said chapter 63, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

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

SECTION 75. Said section 38CC of said chapter 63, as so appearing, is hereby further amended by striking out, in line 7, the figure "50" and inserting in place thereof the following figure:- 25.

SECTION 76. Subsection (c) of said section 38CC of said chapter 63, as so appearing, is hereby amended by adding the following sentence:- If the taxpayer is subject to a minimum excise under this chapter, the amount of the credit allowed by this section shall not reduce the excise to an amount less than the minimum excise.

SECTION 77. Said section 38CC of said chapter 63, as so appearing, is hereby further amended by striking out, in line 20, the figure “$30,000,000” and inserting in place thereof the following figure:- $40,000,000.

SECTION 78. Said section 38CC of said chapter 63, as so appearing, is hereby further amended by adding the following 2 subsections:-

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

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

SECTION 79. Section 38RR of said chapter 63, as so appearing, is hereby amended by inserting after the word “facility”, in line 29, the following words:- in the case of an owner and not more than 50 per cent of the owner and tenant’s combined total capital investment in a climatetech facility in the case of a tenant.

SECTION 80. Said section 38RR of said chapter 63, as so appearing, is hereby further amended by striking out, in lines 44 to 45, the words "owner's total capital investment in the facility equals" and inserting in place thereof the following words:- owner and tenant have made a combined total capital investment in the facility that is.

SECTION 81. Section 38TT of said chapter 63, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

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

SECTION 82. Said section 38TT of said chapter 63, as so appearing, is hereby further amended by adding the following 2 subsections:-

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

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

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

SECTION 83. Subsection (qq) of section 6 of chapter 64H of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Sales of gas, steam, electricity or heating fuel for use by any business that has not more than10 employees and that had gross income of not more than $2,000,000 for the preceding calendar year and that reasonably expects gross income of not more than $2,000,000 for the current calendar year.

SECTION 84. Section 2 of chapter 70B of the General Laws, as so appearing, is hereby amended by striking out, in lines 46 and 47, the words "and which meet the purposes of subsection (c) of section 9 of chapter 23J".

SECTION 85. Section 1 of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after the definition of "Class 2 electric bicycle" the following definition:-

"Class 3 electric bicycle", an electric bicycle or tricycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches or exceeds the speed of 28 miles per hour.

SECTION 86. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of "Cross-over mirror" the following definition:-

"Cycle", a powered or unpowered device with functional human-powered pedals or a device without human-powered pedals on which a rider is seated during operation, including bicycles as defined in section 1 of chapter 90E.

SECTION 87. Said section 1 of said chapter 90, as so appearing, is hereby further amended by striking out, in line 104, the words "or a class 2 electric bicycle" and inserting in place thereof the following words:- , a class 2 electric bicycle or a class 3 electric bicycle; provided, however, that "electric bicycle" shall not include a motorized bicycle.

SECTION 88. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of "Massachusetts license" the following definition:-

"Micromobility device", a small, lightweight transportation device intended for personal use as an alternative to motor vehicles for travel in public access areas, including ways and bikeways, and as may be further defined by regulations promulgated by the registrar; provided, however, that a "micromobility device" shall not include a motor vehicle, motorcycle, motorized bicycle or moped, low speed vehicle, limited use motorcycle or low speed motorcycle.

SECTION 89. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of "Mobile telephone" the following definition:-

"Mobility aid device", a device used by a pedestrian with a mobility disability to assist with indoor and outdoor locomotion, including an electric personal assistive mobility device used by a vulnerable user, a group wheelchair, a mobility cart and other such devices.

SECTION 90. Said section 1 of said chapter 90, as so appearing, is hereby further amended by striking out the definition of “Motorized bicycle” and inserting in place thereof the following definition:-

“Motorized bicycle” or “moped”, a pedal bicycle that has a helper motor or a non-pedal bicycle that: (i) has a motor, with a cylinder capacity not exceeding 50 cubic centimeters or the hybrid or electric powered equivalent; (ii) has an automatic transmission; and (iii) is capable of a maximum speed of not more than 30 miles per hour; provided, however, that “motorized bicycle” shall not include an electric bicycle.

SECTION 91. Said section 1 of said chapter 90, as so appearing, is hereby further amended by striking out the definition of “Motorized scooter”.

SECTION 92. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of “Motor vehicles” the following definition:-

“Nationally recognized testing laboratory”, as defined in 29 C.F.R 1910.7.

SECTION 93. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of “Police officer” the following definition:-

“Powered micromobility device”, a micromobility device that has an onboard motor capable of delivering tractive power to the device as power-assist to human-powered propulsion or as sole propulsion or throttle; provided, however, that “powered micromobility device” shall include electric scooters, skateboards, hoverboards and unicycles with onboard motors; and provided further, that “powered micromobility device” shall not include mobility aid devices.

SECTION 94. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of “School pupil” the following definition:-

“Scooter”, a powered or unpowered device without pedals where the rider can sit or stand on a footboard for typical operation.

SECTION 95. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of “Semi-trailer unit” the following definition:-

“Solely human-powered micromobility device” or “unpowered micromobility device”, a micromobility device propelled exclusively by human muscular effort that has no onboard motor capable of delivering tractive power to the device; provided, however, that “solely human powered micromobility device” shall include, but shall not be limited to, non-electric bicycles, unpowered scooters, skateboards, longboards, unicycles, roller skates, inline skates and other such unpowered micromobility devices; and provided further, that “solely human-powered micromobility device” or “unpowered micromobility device” shall not include mobility aid devices.

SECTION 96. The first paragraph of section 1B of said chapter 90, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following 2 sentences:- A motorized bicycle shall not be operated upon any way within the commonwealth without obtaining an annual registration and sticker or plate bearing a distinctive number, by an application as prescribed by the registrar. Motorized bicycles shall be excluded from operating on bike lanes and off-street recreational bicycle paths.

SECTION 97. Said section 1B of said chapter 90, as so appearing, is hereby further amended by adding the following paragraph:-

No motorized bicycle shall be registered under this section unless the application is accompanied by a certificate as defined in section 34A or unless the registrar is otherwise satisfied that the applicant and motorized bicycle have compulsory liability insurance.

SECTION 98. Section 1C of said chapter 90, as so appearing, is hereby amended by striking out, in line 1, the words “and motorized scooters”.

SECTION 99. Section 1E of said chapter 90 is hereby repealed.

SECTION 100. Said chapter 90 is hereby further amended by inserting after section 2 the following section:-

Section 21/2. (a) The registrar of motor vehicles may issue number or registration plates for motor vehicles or micromobility devices not otherwise defined in section 1; provided, however, that a motor vehicle or micromobility device shall not be eligible to be registered pursuant to chapter 90B.

(b) The registrar, in consultation with the division of insurance, may promulgate regulations, including, but not limited to: (i) definitions for each type of motor vehicle or micromobility devices not otherwise defined in section 1; (ii) requirements for registration and operation; (iii) any restrictions for registration and operation; (iv) equipment requirements; (v) inspection requirements; and (vi) insurance required for such motor vehicles and micromobility devices.

SECTION 101. Section 2F of said chapter 90, as appearing in the 2024 Official Edition, is hereby amended by striking out, in line 4, the figure “$100,000” and inserting in place thereof the following figure:- $50,000.

SECTION 102. Section 8B of said chapter 90, as so appearing, is hereby amended by striking out, in line 20, the words "or motorized scooter".

SECTION 103. Said chapter 90 is hereby further amended by adding the following section:-

Section 64. (a) For purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Maximum designed speed tier classification system", the system by which micromobility devices are categorized according to the maximum speed, measured in miles per hour, that the manufacturer designed the device to attain on a flat surface in normal conditions by an average rider.

"Shared use path", a path intended for transportation or recreational use that is designed for people of all ages and abilities on foot or using motorized or non-motorized micromobility devices and is physically separated from motorized vehicle traffic within a highway right-of-way or an independent right-of-way with few crossflows with motor vehicles.

"Speed tier 0", all unpowered micromobility devices and powered micromobility devices with a maximum manufacturer assisted or designed speed, whichever is higher, of not more than 20 miles per hour, including, but not limited to, unpowered micromobility devices, class 1 and class 2 electric bicycles and mobility aid devices.

"Speed tier 1", powered micromobility devices with a maximum manufacturer assisted or designed speed, whichever is higher, of not less than 21 miles per hour and not more than 30 miles per hour, including, but not limited to, class 3 electric bicycles.

"Speed tier 2", powered micromobility devices with a maximum manufacturer assisted or designed speed, whichever is higher, of not less than 31 miles per hour and not more than 40 miles per hour; provided, however, that "speed tier 2" shall not include low speed vehicles, limited use motorcycles or low speed motorcycles.

"Speed tier 3", powered micromobility devices with a maximum manufacturer assisted or designed speed, whichever is higher, greater than 40 miles per hour.

(b) Except as otherwise provided by state or federal law or regulations of the registrar, powered micromobility devices sold, leased, rented or operated in the commonwealth shall have a minimum battery rating of UL 2271 or equivalent standard, as certified by a nationally recognized testing laboratory.

(c) Except as otherwise provided by state or federal law or regulations of the registrar, powered micromobility devices sold, leased, rented or operated in the commonwealth, except electric bicycles, shall have a minimum electrical system level rating of UL 2272 or equivalent standard, as certified by a nationally recognized testing laboratory. Electric bicycles sold, leased, rented or operated in the commonwealth shall have a minimum electrical system level rating of UL 2849 or equivalent standard, as certified by a nationally recognized testing laboratory.

(d) Except as otherwise provided by state or federal law or regulations of the registrar, motorized bicycles or mopeds powered by a lithium-ion battery sold, leased, rented or operated in the commonwealth shall have a minimum electrical system level rating UL 2850 or equivalent standard, as certified by a nationally recognized testing laboratory.

(e)(1)(A) Except as otherwise required by state or federal law or regulations of the registrar, speed tier 0 and speed tier 1 micromobility devices sold, leased, rented or operated in the commonwealth shall be equipped with lights, brakes and an audible warning that satisfy the requirements of section 11B of chapter 85 and federal requirements for bicycle reflectors and brakes established in 16 C.F.R. 1512.

(B) Except as otherwise required by state or federal law or regulations of the registrar, speed tier 2 and speed tier 3 micromobility devices sold, leased, rented or operated in the commonwealth shall be equipped with lights, brakes and a horn that satisfy the requirements for motor vehicles established in 49 C.F.R. 571.

(2)(A) Except as otherwise provided by state or federal law or regulations of the registrar, any person 16 years of age or younger operating a speed tier 0 micromobility device, except for a mobility aid device, or being carried as a passenger on such micromobility device on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the micromobility device is being operated and shall meet the standards for helmets established by the United States Consumer Product Safety Commission pursuant to 16 C.F.R. 1203. This subparagraph shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in a crash.

(B) Except as otherwise provided by state or federal law or regulations of the registrar, any person operating a speed tier 1, 2 or 3 micromobility device or riding as a passenger on a micromobility device shall wear protective headgear conforming with such minimum standards of construction and performance as the registrar may prescribe and no person operating such a micromobility device shall permit any other person to ride as a passenger on such micromobility device unless such passenger is wearing such protective headgear. The registrar may, by regulation, vary any such requirement by speed tier, device type, or circumstances of operation.

(3) Except as otherwise required by state or federal law or regulations of the registrar, it shall be unlawful for any person who is not more than 16 years of age to purchase, rent, lease or operate any micromobility device designated as a speed tier 1, speed tier 2 or speed tier 3 micromobility device; provided, however, that this restriction shall not apply to mobility aid devices.

(4) Except as otherwise required by state or federal law or regulations of the registrar, it shall be unlawful for any person who is not more than 14 years of age to purchase, rent, lease or operate any powered micromobility device, motorized bicycle or moped designated as a speed tier 0, speed tier 1, speed tier 2 or speed tier 3 micromobility device; provided, however, that this restriction shall not apply to solely human-powered micromobility devices, unpowered micromobility devices or mobility aid devices.

(5) It shall be unlawful to operate a micromobility device with more passengers than the device was designed to accommodate by the manufacturer, except as may be allowed by regulation.

(6)(A) Except as otherwise provided by state or federal law or regulations of the registrar, speed tier 0 micromobility devices and the operator of a speed tier 0 micromobility device shall be afforded all of the rights and privileges and shall be subject to all of the duties of the operator of a bicycle or duties related to a bicycle set forth in sections 11B and 11B1/2 of chapter 85 or any other general or special law, regulation or local ordinance.

(B) Except as otherwise provided by state or federal law or regulations of the registrar, speed tier 1 micromobility devices and the operator of such speed tier 1 micromobility device shall be afforded all of the rights and privileges and shall be subject to all of the duties of the operator of an electric bicycle or duties related to an electric bicycle set forth in section 11B3/4 of chapter 85 or any other general or special law, regulation or local ordinance.

(C) Except as otherwise provided by state or federal law or regulations of the registrar, it shall be unlawful for any speed tier 2 or speed tier 3 micromobility devices to travel on sidewalks, bike lanes, bike paths, bike routes, separated micromobility lanes or shared use paths.

(f) It shall be unlawful to make any aftermarket modifications to a micromobility device, including aftermarket modifications made to the device’s battery, to increase either the manufacturer-designed: (i) speed, range or propulsion power of a micromobility device; or (ii) passenger capacity of a micromobility device, except as may be allowed by regulation.

(g) No micromobility device shall be sold, rented, leased or operated in the commonwealth if it does not satisfy the requirements of this section for the device’s respective speed tier based on the device’s maximum manufacturer assisted or designed speed, whichever is higher.

(h) Micromobility devices shall be subject to any speed limits and speed restrictions for motor vehicles established by: (i) municipalities or the division of highways of the Massachusetts Department of Transportation pursuant to sections 17 and 18; (ii) regulations of the department under chapter 90E; or (iii) rules or regulations of the department of conservation. Violation of such speed limits and speed restrictions shall be subject to all civil and criminal fines applicable to the operation of a motor vehicle in violation of such speed limits and restrictions. Micromobility devices shall be subject to all civil and criminal fines and penalties applicable to the operation of a motor vehicle under sections 24 to 24R, inclusive, 24V and 25; provided, however, that administrative penalties shall not apply, unless provided by regulations of the registrar. No micromobility device shall be subject to insurance requirements relative to said sections unless so provided by regulations promulgated by the registrar.

(i) The registrar, in consultation with the division of insurance, may promulgate regulations establishing registration, licensure, insurance, fines and other requirements for micromobility devices necessary to promote public and roadway safety.

SECTION 104. Chapter 90E of the General Laws is hereby amended by striking out section 1, as appearing in the 2024 Official Edition, and inserting in place thereof the following section:-

Section 1. For the purposes of this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

“Bicycle”, a 2-wheel nonmotor-powered vehicle.

“Bicycle parking facility”, any facility for the temporary storage of bicycles or micromobility devices that allows the frame and the wheels of the bicycle or micromobility device to be locked so as to minimize the risk of theft and vandalism.

“Bike lane”, a lane on a street restricted to bicycles and speed tier 0 or speed tier 1 micromobility devices as defined in section 64 of chapter 90 and so designated by means of painted lines, pavement coloring or other appropriate markings; provided, however, that motorized bicycles shall not be permitted to use bike lanes.

"Bike path", a route for the exclusive use of bicycles and speed tier 0 or speed tier 1 micromobility devices, separated by grade or other physical barrier from motor traffic; provided, however, that motorized bicycles shall not be permitted to use bike paths.

"Bike route", a roadway shared by bicycles, micromobility devices and other forms of transportation designated by the means of signs or pavement markings.

"Bikeway", bike paths, bike lanes and bike routes.

"Commissioner", the administrator for highways.

"Department", the division of highways.

"Shared use path", a path intended for transportation or recreational use that is designed for people of all ages and abilities on foot or using motorized or non-motorized micromobility devices and is physically separated from motorized vehicle traffic within a highway right-of-way or an independent right-of-way with few crossflows with motor vehicles.

SECTION 105. Section 2 of said chapter 90E, as so appearing, is hereby amended by adding the following paragraph:-

The maximum speed for micromobility devices, as defined in section 1 of chapter 90, on shared use paths shall be 20 miles per hour, unless decided otherwise by the municipality in which the shared use path is located. Nothing in this paragraph shall be construed as prohibiting or limiting a municipality from setting a maximum speed for a shared use path located within its boundaries.

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

CHAPTER 93M.

Transparency in Frontier Artificial Intelligence Act

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

"Affiliate", a person controlling, controlled by or under common control with a specified person, directly or indirectly, through 1 or more intermediaries.

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

"Catastrophic risk", a foreseeable and material risk that a frontier developer's development, storage, use or deployment of a frontier model will materially contribute to the death of, or serious injury to, not less than 50 people or not less than $1,000,000,000 in damage to, or loss of, property arising from a single incident involving a frontier model that: (i) provides expert-level assistance in the creation or release of a chemical, biological, radiological or nuclear weapon; (ii) engages in conduct with no meaningful human oversight, intervention or supervision that is either a cyberattack or, if the conduct had been committed by a human, would constitute the crime of murder, assault, extortion or theft, including theft by false pretense; or (iii) evades the control of its frontier developer or user; provided, however, that "catastrophic risk" shall not include a foreseeable and material risk from: (A) information that a frontier model outputs if the information is otherwise publicly accessible in a substantially similar form from a source other than a foundation model; (B) lawful activity of the federal government; or (C) harm caused by a frontier model in combination with other software if the frontier model did not materially contribute to the harm.

"Critical safety incident", any: (i) unauthorized access to, modification of, inadvertent release of or exfiltration of, the model weights of a frontier model; (ii) harm resulting from the materialization of a catastrophic risk; (iii) loss of control of a frontier model that causes death or bodily injury or that demonstrates materially increased catastrophic risk; or (iv) instance where a frontier model that uses deceptive techniques against the frontier developer to subvert the controls or monitoring of its frontier developer outside of the context of an evaluation designed to elicit this behavior and in a manner that demonstrates materially increased catastrophic risk.

"Deploy", to make a frontier model available to a third party for use, modification, copying or combination with other software; provided, however, that "deploy" shall not include making a frontier model available to a third party for the primary purpose of developing or evaluating the frontier model.

"Foundation model", an artificial intelligence model that is: (i) trained on a broad data set; (ii) designed for generality of output; and (iii) adaptable to a wide range of distinctive tasks.

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

"Frontier developer", a person who has trained, or initiated the training of, a frontier model for which the person has used, or intends to use, at least as much computing power to train the frontier model as would meet the technical specifications of a frontier model.

"Frontier model", a foundation model that has been trained using a quantity of computing power greater than 10^26 integer or floating-point operations; provided, however, that the quantity of computing power shall include computing for the original training run and for any subsequent fine-tuning, reinforcement learning or other material modifications the developer applies to a preceding foundation model.

"Large frontier developer", a frontier developer that together with its affiliates collectively has annual gross revenues greater than $500,000,000.

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

"Property", tangible or intangible property.

Section 2. (a) A large frontier developer shall write, implement, comply with and clearly and conspicuously publish on its internet website a frontier AI framework that applies to the large frontier developer's frontier models and describes in detail how the large frontier developer handles:

(i) incorporating national standards, international standards and industry-consensus best practices into its frontier AI framework;

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

(iii) applying mitigations to address the potential for catastrophic risks based on the results of assessments undertaken pursuant to clause (ii);

(iv) assessing the ability of the large frontier developer's frontier models to automate artificial intelligence research and development and any increased potential for catastrophic risks or challengers to risk monitoring, assessment or mitigation resulting from such ability;

(v) reviewing assessments and adequacy of mitigations as part of the decision to deploy a frontier model or use it extensively internally;

(vi) using third parties to assess the potential for catastrophic risks and the effectiveness of mitigations of catastrophic risks;

(vii) revisiting and updating the frontier AI framework, including any criteria that trigger updates and how the large frontier developer determines when its frontier models are substantially modified enough to require disclosures required in subsection (c);

(viii) cybersecurity practices to secure unreleased model weights from unauthorized modification or transfer by internal or external parties;

(ix) identifying and responding to critical safety incidents;

(x) instituting internal governance practices to ensure implementation of these processes; and

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

(b) A large frontier developer shall review and, as appropriate, update its frontier AI framework not less than annually; provided, however, that if a large frontier developer makes a material modification to its frontier AI framework, the developer shall clearly and conspicuously publish the modified frontier AI framework and a justification for such modification not less than 30 days after such modification.

(c)(1) Before, or concurrently with, deploying a new frontier model or a substantially modified version of an existing frontier model, a frontier developer shall clearly and conspicuously publish on its website a transparency report containing: (i) the website address of the frontier developer; (ii) a mechanism that enables a natural person to communicate with the frontier developer; (iii) the release date of the frontier model; (iv) the languages supported by the frontier model; (v) the modalities of output supported by the frontier model; (vi) the intended uses of the frontier model; and (vii) any generally applicable restrictions or conditions on uses of the frontier model.

(2) Before, or concurrently with, deploying a new frontier model or a substantially modified version of an existing frontier model, a large frontier developer shall include in the transparency report required by paragraph (1) summaries of: (i) assessments of catastrophic risks from the frontier model conducted pursuant to the large frontier developer's frontier AI framework; (ii) the results of such assessments; (iii) the extent to which third-party evaluators were involved; and (iv) any other steps taken to fulfill the requirements of the frontier AI framework with respect to the frontier model.

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

(4) A frontier developer may make disclosures described in this subsection that are consistent with, or superior to, industry best practices.

(d) A large frontier developer shall transmit to the attorney general a summary of any assessment of catastrophic risk resulting from internal use of its frontier models every 3 months or pursuant to another reasonable schedule as agreed to by the attorney general and large frontier developer.

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

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

(3) This subsection shall not apply to a statement that was made in good faith and was reasonable under the circumstances.

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

(2) If a frontier developer redacts information in a document pursuant to this subsection, the frontier developer shall describe the character and justification of the redaction in any published version of the document to the extent permitted by the concerns that justify redaction and shall retain the unredacted information for 5 years.

Section 3. (a) The attorney general shall establish a mechanism to be used by a frontier developer or a member of the public to report a critical safety incident that includes: (i) the date of the critical safety incident; (ii) the reasons the incident qualifies as a critical safety incident;

(iii) a short and plain statement describing the critical safety incident; and (iv) whether the incident was associated with internal use of a frontier model.

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

(2) The attorney general shall take all reasonable precautions to limit access to any reports related to internal use of frontier models to personnel authorized to access the information, in the attorney general's discretion, and to protect the reports from unauthorized access.

(c)(1) A frontier developer shall report any critical safety incident pertaining to 1 or more of its frontier models to the attorney general within 15 days of discovering the critical safety incident; provided, however, that if a frontier developer discovers that a critical safety incident poses an imminent risk of death or serious physical injury, the frontier developer shall disclose that incident within 24 hours to an authority, including any law enforcement agency or public safety agency with jurisdiction, that is appropriate based on the nature of that incident and as required by law.

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

(3) A frontier developer may report critical safety incidents pertaining to foundation models that are not frontier models.

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

(e)(1) The attorney general may transmit reports of critical safety incidents, summaries of any assessments of catastrophic risk from internal use of frontier models and reports from covered employees to the general court, the governor or appropriate federal or state agencies.

(2) The attorney general may consider any risks related to trade secrets, public safety, cybersecurity of a frontier developer, or national security when transmitting reports.

(f) A report of a critical safety incident submitted to the attorney general pursuant to this section, a report of assessments of catastrophic risk from internal use and a covered employee report shall be exempt from clause Twenty-sixth of section 7 of chapter 4 and chapter 66.

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

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

(3) The attorney general shall submit the report to the clerks of the senate and house of representatives and to the governor.

(h) For the purposes of subsection (i), the attorney general shall promulgate regulations designating federal laws, regulations or guidance documents that:

(i) impose or state standards or requirements for critical safety incident reporting that are substantially equivalent to, or stricter than, those required by this section; provided, however, that such law, regulation or guidance shall not need to require critical safety incident reporting to the commonwealth; and (ii) is intended to assess, detect or mitigate the catastrophic risk.

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

(2) After a frontier developer has declared its intent pursuant to paragraph (1), the frontier developer shall be deemed in compliance with this section to the extent that the frontier developer meets the standards of, or complies with the requirements imposed or stated by, the federal law, regulation, or guidance document designated pursuant to subsection (h) until the frontier developer declares the revocation of that intent to the attorney general or the attorney general revokes an applicable regulation pursuant to subdivision (j); provided, however, that failure by a frontier developer to meet the standards of, or comply with the requirements stated by, the federal law, regulation or guidance document designated pursuant to subsection (h) shall constitute a violation of this chapter.

(j) The attorney general shall revoke a regulation adopted under subdivision (h) if the requirements of said subdivision (h) are no longer met by the designated federal law, regulation or guidance document.

Section 4. (a) Annually, the attorney general shall assess recent evidence and developments relevant to the purposes of this chapter and shall make recommendations about whether and how to update any of the following definitions for the purposes of this chapter to ensure that they accurately reflect technological developments, scientific literature, and widely accepted national and international standards:

(i) “Frontier model” so that it applies to foundation models at the frontier of artificial intelligence development.

(ii) “Frontier developer” so that it applies to developers of frontier models who are themselves at the frontier of artificial intelligence development; and

(iii) “Large frontier developer” so that it applies to well-resourced frontier developers.

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

(i) similar thresholds used in international standards or federal law, guidance or regulations for the management of catastrophic risk;

(ii) input from stakeholders, including academics, industry, the open-source community and governmental entities;

(iii) the extent to which a person will be able to determine, before beginning to train or deploy a foundation model, whether that person will be subject to the definition as a frontier developer or as a large frontier developer with an aim toward allowing earlier determinations if feasible;

(iv) the complexity of determining whether a person or foundation model is covered, with an aim toward allowing simpler determinations if feasible; and

(v) the external verifiability of determining whether a person or foundation model is covered, with an aim toward definitions that are verifiable by parties other than the frontier developer; provided, however that the attorney general shall recommend alignment with a definition adopted in a federal law or regulation to the extent that it is consistent with the purposes of this chapter.

(c) The attorney general shall submit a report with the recommendations and information compiled pursuant to subsection (a) to the clerks of the senate and house of representatives.

(d) Annually, the attorney general shall produce a report with anonymized and aggregated information about reports from covered employees that have been reviewed by the attorney general since the preceding report. The attorney general shall not include information in a report pursuant to this subdivision that would compromise the trade secrets or cybersecurity of a frontier developer, confidentiality of a covered employee, public safety, or the national security of the United States or that would be prohibited by any federal or state law. The attorney general shall submit the report to the clerks of the senate and house of representatives and to the governor.

Section 5. (a) A large frontier developer that fails to publish or transmit a compliant document required to be published or transmitted under this chapter, makes a statement in violation of this chapter, fails to report an incident as required by this chapter, or fails to comply with its own frontier AI framework shall be subject to a civil penalty of not more than $1,000,000 for a first violation and not more than $3,000,000 for subsequent violations.

(b) A civil penalty described in this section may only be recovered in a civil action brought by the attorney general.

Section 6. The loss of value of equity shall not constitute damage to or loss of property for the purposes of this chapter.

Section 7. (a) A frontier developer shall not make, adopt, enforce, or enter into a rule, regulation, policy or contract that prevents a covered employee from disclosing or retaliates against a covered employee for disclosing, information to the attorney general, a federal authority, a person with authority over the covered employee or another covered employee who has authority to investigate, discover or correct the reported issue, if the covered employee has reasonable cause to believe that the information discloses either: (i) the frontier developer's activities pose a specific and substantial danger to the public health or safety resulting from a catastrophic risk; or (ii) the frontier developer has violated this chapter.

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

(c) A frontier developer shall provide a clear notice to all covered employees of their rights and responsibilities under this section, which may include but shall not be limited to: (i) permanently posting and displaying within any workplace maintained by the frontier developer a notice to all covered employees of their rights under this section, ensuring that any new covered employee receives equivalent notice and ensuring that any covered employee who works remotely periodically receives an equivalent notice; or (ii) at least once each year, providing written notice to each covered employee of the covered employee's rights under this section and ensuring that the notice is received and acknowledged by all of those covered employees.

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

(2) Except as provided in paragraph (B), the disclosures and responses of the process required by this subsection shall be shared with officers and directors of the large frontier developer at least once each quarter; provided, however, that if a covered employee has alleged wrongdoing by an officer or director of the large frontier developer in a disclosure or response, this paragraph shall not apply with respect to that officer or director.

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

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

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

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

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

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

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

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

(j)(1) This section shall not impair or limit the applicability of any other applicable law.

(2) The remedies provided by this section shall be cumulative to each other and the remedies or penalties available under all other general laws.

Section 8. The attorney general may promulgate, amend or rescind regulations for the implementation, administration and enforcement of this chapter.

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

Section 250. The commissioner of public health shall promulgate regulations for the annual health inspection of food trucks. The commissioner shall prescribe rules and regulations relative to inspection schedules, documentation of inspections, standards for acceptable cleanliness and the costs of such inspections.

SECTION 108. Section 75 of chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by adding the following paragraph:-

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

SECTION 109. Section 222 of said chapter 112, as so appearing, is hereby amended by adding the following subsection:-

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

SECTION 110. Section 3 of chapter 121C of the General Laws, as so appearing, is hereby amended by striking out, in line 55, the word "MOBD" and inserting in place thereof the following words:- the secretary.

SECTION 111. Section 4 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 9, the words ", MOBD and to the director," and inserting in place thereof the following words:- and secretary.

SECTION 112. Section 5 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 21, the words "MOBD and" and inserting in place thereof the following word:- the.

SECTION 113. Said section 5 of said chapter 121C, as so appearing, is hereby further amended by striking out, in lines 67 and 68, the words "MOBD and the director" and inserting in place thereof the following words:- the secretary.

SECTION 114. Said section 5 of said chapter 121C, as so appearing, is hereby further amended by striking out, in lines 81 and 82, the words "MOBD and director" and inserting in place thereof the following words:- the secretary.

SECTION 115. Section 6 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 28, the words "MOBD and director" and inserting in place thereof the following words:- the secretary.

SECTION 116. Said section 6 of said chapter 121C, as so appearing, is hereby further amended by striking out, in lines 44 and 45, the words "department of housing and community development" and inserting in place thereof the following words:- secretary.

SECTION 117. Section 10 of said chapter 121C, as so appearing, is hereby amended by striking out, in line 5, the words "MOBD and the director" and inserting in place thereof the following words:- the secretary.

SECTION 118. Section 12 of chapter 138 of the General Laws, as so appearing, is hereby amended by striking out, in lines 119 to 121, inclusive, the words "and irrespective of any limitation of number of licenses contained in section seventeen".

SECTION 119. Said section 12 of said chapter 138, as so appearing, is hereby further amended by adding the following 4 paragraphs:-

A new license issued pursuant to this section in response to an application filed on or after January 1, 2027, pursuant to the municipal plan as required by section 17, shall be non-transferable and no licensing authority shall approve the transfer of such license.

If a license issued pursuant to this section is cancelled, revoked or no longer in use by the license holder, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority.

If a license holder closes or terminates the license holder's business or sells or transfers the license holder's business, the license holder shall return the license physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority.

SECTION 120. The first paragraph of section 14 of said chapter 138, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Special licenses for the sale of all alcoholic beverages or wine and malt beverages only may be issued, as determined by the municipality, by the local licensing authorities to the responsible manager of any indoor or outdoor activity or enterprise or to the responsible manager of any nonprofit organization conducting any indoor or outdoor activity or enterprise.

SECTION 121. Section 16A of said chapter 138, as so appearing, is hereby amended by striking out, in line 12, the word "so" and inserting in place thereof the following words:- as determined by a municipality to be.

SECTION 122. Said section 16A of said chapter 138, as so appearing, is hereby further amended by striking out, in lines 15 and 16, the words ", to the extent that the same are issuable under section seventeen".

SECTION 123. Said section 16A of said chapter 138, as so appearing, is hereby further amended by striking out, in line 19, the words "for the purposes of section seventeen".

SECTION 124. Section 17 of said chapter 138, as so appearing, is hereby amended by striking out the first 8 paragraphs and inserting in place thereof the following 3 paragraphs:-

A city or town shall determine the number of all alcoholic beverage or wines and malt beverage licenses to be issued by its local licensing authority under sections 12, 14 and 15F, including the number of seasonal licenses; provided, however, that for licenses issued under section 15, cities and towns may grant 1 such license for each population unit of 5,000 or any additional fraction thereof but may, regardless of population, grant at least 2 licenses under said section 15; provided further, that nothing in this section shall limit the city of Boston from granting at least 250 licenses for the sale of all alcoholic beverages under said section 15.

A city or town shall adopt and may amend a plan that is approved by the mayor and city council or select board, which shall determine the process for granting additional licenses; provided, however, that prior to adopting or amending the plan: (i) at least 1 public hearing regarding the plan shall be conducted by the city council, select board or legislative body of the city or town; and (ii) the city or town shall notify the alcoholic beverages control commission of the public hearing.

The mayor and city council or select board of a city or town shall hold a public hearing regarding a license application within 30 days of the date the application is filed.

SECTION 125. Sections 17A to 17C, inclusive, of said chapter 138 are hereby repealed.

SECTION 126. Section 29 of said chapter 138, as appearing in the 2024 Official Edition, is hereby amended by striking out, in lines 22 to 24, inclusive, the words "; but a license issued to a registered pharmacist under said section shall be included in computing the number of licenses that may be granted in any city or town as provided in section seventeen".

SECTION 127. Section 185A of chapter 140 of the General Laws, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following 2 subsections:-

(a) For the purposes of this section and sections 185B to 185G, inclusive, the following term shall have the following meaning unless the context clearly requires otherwise:-

"Live event", a musical performance, sporting event, theatrical production, comedy show or other entertainment event performed in person to an in-person audience in an arena, concert venue or other fixed location including, but not limited to, an event licensed under sections 181 and 182 or chapter 128A; provided, however, that "live event" shall not include: (i) a musical performance, sporting event, theatrical production, comedy show or other entertainment event performed in an arena, concert venue or other fixed location with a capacity of not more than 1,000 attendees; (ii) the broadcast or transmission of such an entertainment event attended exclusively via television, internet or other remote means; or (iii) in-person attendance at an entertainment event that consists of entertainment, whether live or recorded, that is observed by an audience solely via broadcast or transmission or by the playing of a recording, including, but not limited to, a showing of a film in a movie theater.

(a1/2) No person shall engage in the business of selling tickets or the business of reselling or facilitating a mechanism for 2 or more parties to participate in the resale of any ticket of admission to a live event, whether such business is conducted on or off the premises on which such ticket is to be used, without being licensed by the commissioner of occupational licensure.

SECTION 128. Said section 185A of said chapter 140, as so appearing, is hereby further amended by striking out, in line 12, the words “until the first day of January next after its date” and inserting in place thereof the following words:- for 2 years following its date of issuance.

SECTION 129. Said subsection (b) of said section 185A of said chapter 140, as so appearing, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:- The sale of a ticket, entitling the holder of said ticket to admission to any such live event upon payment either of nothing or a sum less than that demanded of the public generally shall be deemed to be a resale pursuant to subsection (a½).

SECTION 130. Section 185B of said chapter 140, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The fee for each license granted under section 185A and for each renewal thereof shall be determined by the secretary of administration and finance under section 3B of chapter 7 for the filing thereof.

SECTION 131. Section 185D of said chapter 140, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words “theatrical exhibition, public show or public amusement or exhibition” and inserting in place thereof the following words:- live event.

SECTION 132. Said section 185D of said chapter 140, as so appearing, is hereby further amended by striking out, in lines 10 to 12, inclusive, the words “theatrical exhibition, public show or public amusement or exhibition of any description” and inserting in place thereof the following words:- live event.

SECTION 133. Said chapter 140 is hereby further amended by striking out section 185G, as so appearing, and inserting in place thereof the following section:-

Section 185G. (a) Section 182A shall not apply to tickets or other evidences of entry to theatrical exhibitions, public shows or public amusements or exhibitions, all the proceeds of the sale or resale of which inure exclusively to the benefit of religious, educational or charitable institutions, societies or organizations or civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare or to associations of veterans of any wars of the United States, or to tickets or other evidences of entry to agricultural fairs, none of the profits of the sale or resale of which are distributed to stockholders or members of the association conducting the same.

(b) Sections 185A to 185F, inclusive, shall not apply to tickets to live events, all the proceeds of the sale or resale of which inure exclusively to the benefit of religious, educational or charitable institutions, societies or organizations or civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare or to associations of veterans of any wars of the United States, or to tickets to agricultural fairs, none of the profits of the sale or resale of which are distributed to stockholders or members of the association conducting the same.

SECTION 134. Section 100 of chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in lines 9 and 10, the words “other than the specialized stretch energy code” and inserting in place thereof the following words:- other than the current and future specialized stretch energy codes.

SECTION 135. Section 12 of chapter 156C of the General Laws, as so appearing, is hereby amended by striking out subsection (d) and inserting in place thereof the following 3 subsections:-

(d) The fee for the filing of the certificate of organization required by subsection (a) shall be $100. The fee for the filing of the annual report required by subsection (c) shall be $200 for the first annual report; $300 for the second annual report; $400 for the third annual report; and $500 for the fourth annual report and for each annual report filed thereafter. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

(e) Notwithstanding the fees set forth in subsection (d), if a limited liability company (i) is established for the purpose of holding title to real property; (ii) owns assets in excess of $1,000,000; or (iii) is expected to own assets in excess of $1,000,000 within the subsequent 12 month period, then the fee for the filing of the certificate of organization required by subsection (a) shall be $500; and the fee for the filing of each annual report required by subsection (c) shall be $500 beginning with the annual report that includes an affirmative attestation of any of the conditions set forth in clauses (i) to (iii). Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

(f) The person filing the certificate of organization or annual report shall attest at the time of filing as to whether the limited liability company: (i) is established for the sole purpose of holding title to real property; (ii) owns assets in excess of $1,000,000; or (iii) is expected to own assets in excess of $1,000,000 within the subsequent 12-month period. A person who makes an inaccurate attestation shall be subject to a civil penalty of $10,000 for each such inaccurate attestation. Such certification shall be the basis for determining eligibility under subsection (e).

SECTION 136. Section 134 of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out, in lines 103 and 104, the words "Massachusetts Renewable Energy Trust Fund, established pursuant to section 9" and inserting in place thereof the following words:- Climatetech Investment Fund established in section 15.

SECTION 137. Said Chapter 164 is hereby further amended by adding the following section:-

Section 152. (a) As used in this section, the followings words shall have the following meanings unless the context requires otherwise:

"Economic development rates", standardized utility tariffs and discounted rates offered by a distribution company designed to attract new businesses to the commonwealth and promote expansion by businesses already located in the commonwealth.

"Special contracts", discounted utility rates negotiated between distribution companies and large new businesses locating to Massachusetts or large new businesses expanding in the commonwealth.

(b) Each distribution company shall offer an economic development rate and special contracts. Each distribution company shall develop guidelines for large new businesses locating to the commonwealth or large new businesses expanding in the commonwealth to seek a special contract. Such rates, contracts and guidelines shall be as consistent as practicable between the distribution companies.

(c) Economic development rates and special contracts shall not shift costs to or increase costs for other commonwealth utility customers.

(d) Economic development rates may include associated requirements, including but not limited to, job creation or retention, capital investment commitments, participation in energy efficiency or demand response programs and periodic progress reporting on requirements.

(e) Distribution companies may request modifications to any approved economic development rate and guidelines to seek a special contract with the department of public utilities as necessary to accommodate changed circumstances.

(f) Each distribution company shall present the proposed rate and guidelines to the executive office of economic development and the executive office of energy and environmental affairs at least one month prior to filing a new or amended economic development rate or guidelines to seek a special contract with the department of public utilities.

SECTION 138. Section 2 of chapter 498 of the acts of 1993 is hereby amended by striking out the definition of “Bank” or “Government land bank” and inserting in place thereof the following definition:-

“Bank” or “Government land bank”, the Massachusetts Development Finance Agency established in section 23G of the General Laws as successor to the Government Land Bank pursuant to section 23 of chapter 289 of the acts of 1998.

SECTION 139. Item 7002-1509 of section 2 of chapter 140 of the acts of 2024 is hereby amended by adding the following words:- or other similar visa programs.

SECTION 140. Item 7002-1522 of section 2 of chapter 238 of the acts of 2024 is hereby amended by striking out the words “technologies developed with the assistance of” and inserting in place thereof the following words:- technologies, with preference for companies receiving.

SECTION 141. Item 7002-1523 of said section 2 of said chapter 238 is hereby amended by striking out the words "proteins developed with the assistance of" and inserting in place thereof the following words:- proteins, with preference for companies receiving.

SECTION 142. Section 320 of said chapter 238 is hereby repealed.

SECTION 143. Sections 324 of said chapter 238 is hereby repealed.

SECTION 144. Notwithstanding any general or special law to the contrary, the members serving on the advisory board on employee ownership appointed by the governor pursuant to subsection (a) of section 204 of chapter 6 of the General Lawson the effective date of this act shall continue to serve for the remainder of their remainder of their unexpired terms. Upon the expiration of the terms of such members, the governor shall appoint 2 members to serve for a term of 1 year, 3 members to serve for a term of 2 years, 3 members to serve for a term of 3 years and 3 members to serve for a term of 4 years. Upon the expiration of such terms, the governor shall appoint successor members to serve a term of 4 years.

SECTION 145. Notwithstanding any general or special law to the contrary, any unexpended funds held in the Massachusetts Alternative and Clean Energy Investment Trust Fund established in section 35FF of chapter 10 of the General Laws and the Renewable Energy Trust Fund established in section 9 of chapter 23J of the General Laws on the effective date of this act shall be transferred to the Climatetech Investment Fund established in section 15 of said chapter 23J.

SECTION 146. (a) Notwithstanding any general or special law to the contrary, if the economic assistance coordinating council awards less than the full amount of tax credits authorized by subsection (c) of section 3D of chapter 23A of the General Laws or if the

Massachusetts Life Science Center awards less than the full amount of tax credits authorized by subsection (d) of section 5 of chapter 23I of the General Laws or if the Massachusetts Clean Energy Center awards less than the full amount of tax credits authorized by subsection (d) of section 16 of said chapter 23J, then in each case, the balance of any unallocated tax credits and the funds budgeted to finance that balance may be carried forward to the next calendar year with the approval of the secretary of administration and finance, in consultation with the secretary of economic development.

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance, in consultation with the secretary of economic development, may reallocate some or all of the tax credits that are carried forward pursuant to subsection (a) among the tax credit programs established pursuant to section 3A of chapter 23A of the General Laws, section 5 of chapter 23I of the General Laws or section 16 of chapter 23J of the General Laws. Any credits carried forward or reallocated shall increase, for the calendar year in which the carry forward or reallocation occurs, the annual cap or limitation otherwise applicable to the receiving program by the amount of such credits carried forward or reallocated.

(c) Annually, not later than March 1, the secretary of administration and finance, in consultation with the secretary of economic development, shall submit a report to the house and senate committees on ways and means setting forth the amount of tax credits, if any, carried forward and reallocated pursuant to subsections (a) and (b) in the prior calendar year. The report shall state the adjusted cap applicable to each tax credit program for the upcoming calendar year.

SECTION 147. (a) As used in this section, the followings words shall have the following meanings unless the context clearly requires otherwise:

“Economic development rates”, standardized utility tariffs and discounted rates offered by a distribution company designed to attract new businesses to the commonwealth and promote expansion by businesses already located in the commonwealth.

“Special contracts”, discounted utility rates negotiated between distribution companies and large new businesses locating to the commonwealth or large new businesses expanding in the commonwealth.

(b) The department of public utilities shall initiate an investigation into electric distribution tariffs, rates, and interconnection requirements that support economic development by attracting new businesses to the commonwealth and promoting the expansion of existing businesses. The investigation shall be initiated more than 90 days after the effective date of this act.

(c) The department may consider rate design elements, tariff structures and customer eligibility frameworks, including but not limited to: (i) the establishment of separate customer classes or categories based on load characteristics; (ii) appropriate rate structures, including demand based or capacity based charges; (iii) potential economic development rates for qualifying new businesses; (iv) minimum demand requirements or other mechanisms to provide revenue certainty; (v) minimum terms of service, including provisions addressing load ramp up periods; (vi) exit fees, termination provisions or other forms of financial assurance; (vii) cost allocation methodologies; (viii) requirements for the use of special contracts; and (ix) mechanisms to ensure that proposed rates do not increase or shift costs to other ratepayers.

(d) The department shall ensure any rate structures developed pursuant to this section support economic development, maintain just and reasonable rates and avoid shifting costs to other customers.

(e) The department shall consult with the executive office of economic development to align regulatory frameworks with statewide economic development objectives. The executive office of economic development shall establish all necessary requirements and qualification criteria to ensure economic benefits for the commonwealth prior to the establishment of any economic development rates.

SECTION 148. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 180 days after the effective date of this act:

7002-8013

7002-8016

7002-8017

7002-8022

7002-8035

7002-8037

7002-8038

7002-8041

7002-8049

SECTION 149. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $325,100,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "An Act Relative to Massachusetts Winning Global Investment, Talent, and Innovation" and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution All such bonds shall be payable not later than June 30, 2061. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 150. Notwithstanding any general or special law to the contrary, the annual report required by subsection (g) of section 17 of chapter 23J of the General Laws shall be due not later than 1 year after the effective date of this act.

SECTION 151. Notwithstanding section 64 of chapter 90 of the General Laws or any other special or general law to the contrary, an electric bicycle purchased or acquired before the effective date of said section 64 of said chapter 90 may continue to be operated in the commonwealth without meeting the battery or electrical system safety standards required by subsections (b) and (c) of said section 64 of said chapter 90.

SECTION 152. (a) There shall be a working group on micromobility which shall consist of: the registrar of motor vehicles or a designee, who shall serve as chair; the administrator of highways in the Massachusetts Department of Transportation or a designee; the secretary of public safety and security or a designee; the commissioner of insurance or a designee; the commissioner of conservation and recreation or a designee; the commissioner of public health or a designee; 1 representative of the Massachusetts Municipal Association who shall appointed by the secretary of the of transportation; 2 persons to be appointed by the secretary of transportation, of whom 1 shall be a representative of the micromobility device industry and 1 shall be a representative of a citizen advocacy group 1 person who shall be a representative of the insurance industry who shall be appointed by the commissioner of insurance; and 2 persons to be appointed by the secretary of public safety and security, of whom 1 shall be a representative of the Fire Chiefs Association of Massachusetts and 1 hall be a representative of the Massachusetts Chiefs of Police Association.

(b) The working group shall develop recommendations for a regulatory scheme and legislation, if necessary, for the operation of micromobility devices as provided in the January 2026 special commission on micromobility report. The working group shall make recommendations for requirements for micromobility registration or an identification decal, licensure to operate, clarification of the roles of dealers and manufacturers, education, speed restrictions, signage, travel allowances, insurance requirements, fines and penalties and additional operation and safety standards and requirements for micromobility devices.

(c) The working group shall develop a standardized form to report crashes and incidents involving a motor vehicle, a vulnerable user as defined in section 1 of chapter 90 of the General Laws or any micromobility device as defined in said section 1 of said chapter 90. The standardized form shall be used by any municipal, county or state law enforcement official or emergency medical services provider who responds to a crash or incident involving a motor vehicle, a vulnerable user or a micromobility device. The corresponding report for each crash or incident shall be transmitted to the registrar of motor vehicles. The registrar of motor vehicles shall maintain a publicly accessible database of the standardized form reports; provided, however, that no personally identifying information shall be published in the database.

(d) Not later than December 31, 2027, the working group shall complete its work and issue a report of its findings, recommendations and any proposed legislation necessary to carry those recommendation into effect by filing the same with the clerks of the senate and house of representatives and the joint committee on transportation and publishing the same on its website.

SECTION 153. (a) There shall be a special commission to review and assess emerging issues in the state regulation of frontier artificial intelligence models. The review shall include, but not be limited to, investigating the feasibility and impact of requiring large frontier developers, as defined in section 1 of chapter 93M of the General Laws, to engage third-party auditors to assess frontier artificial intelligence models, as defined in said section 1 of said chapter 93M, to verify the developer's compliance with the requirements of a frontier AI framework, as defined in said section1, and assess whether the developer's risk mitigation efforts adequately address catastrophic risks, as defined in said section 1; the level of research spending, revenue or computing power to require higher level state scrutiny; and any other issues identified by the commission.

(b) The commission shall consist of: the attorney general or designee, who shall serve as chair; 1 member appointed by the senate president, 1 member appointed by the speaker of the house of representatives, and 6 members appointed by the governor, at least 1 of whom shall have experience in compliance auditing, at least 1 of whom shall have experience in the development of artificial intelligence models, and at least 1 of whom shall have experience in artificial intelligence safety. The commission shall study and make recommendations on: (i) the nature and magnitude of risks posed by frontier artificial intelligence models deployed in the commonwealth including, but not limited to, catastrophic risk and critical safety incidents; (ii) the availability of identifiable and measurable metrics to determine levels of risk; (iii) existing standards for technical, operational and other mitigation requirements for persons or entities that develop or deploy artificial intelligence models; (iv) current methodologies and sources used to evaluate the efficacy of such mitigation requirements; (v) practices and strategies employed in other states to assess artificial intelligence models' or applications' adherence to industry standards; and (vi) the fiscal impact of developing and implementing a framework for assessment of artificial intelligence models and applications through third party auditors.

(c) Not later than March 1, 2027, the commission shall submit a report of its findings and recommendations, including drafts of legislation necessary to carry those recommendations into effect, by filing the same to the clerks of the senate and house of representatives and the joint committee on advanced information technology, the internet and cybersecurity.

SECTION 154. Not less than 270 days after the effective date of this act, each electric company shall share with the board established in section 17 of chapter 23J the processes they plan to implement to address gridtech deployment barriers internal to the electric company. Such processes shall include procedures for addressing barriers identified by the board pursuant to subsection (g) of section 17 of chapter 23J. Such processes shall be as similar between the investor-owned electric companies as practicable.

SECTION 155. Not less than 270 days after the effective date of this act, the board established in section 17 of chapter 23J shall develop and vote to file with the department of public utilities a process for the department to review, on an expedited basis, requests for limited waivers of prior department orders that will alleviate gridtech deployment barriers. Such process shall be limited to reviewing waivers of prior department orders that are time-bound and finite in scope.

SECTION 156. Sections 40, 41, and 48 shall take effect for all municipalities upon the effective date of this act; provided, however, that in municipalities that adopted a zoning ordinance or by-law requiring some form of site plan review prior to the effective date of this act, the provisions of this section shall not be effective with respect to such zoning ordinance or by-law until the date that is one year after the effective date of this act.

SECTION 157. No plan by a city or town to change the number of licenses available under chapter 138 of the General Laws shall take effect prior to January 1, 2027. The number of licenses authorized under said chapter 138 for each city and town prior to January 1, 2027, shall remain unchanged unless changed by the mayor and city council or select board pursuant to a plan adopted under section 17 of said chapter 138.

SECTION 158. Not later than 1 year after the effective date of this act, the commissioner of public health shall promulgate regulations as required by section 250 of chapter 111 of the General Laws.

SECTION 159. Not later than January 1, 2028 the attorney general shall complete the first report required by subsection (a) of section 4 of chapter 93M of the General Laws.

SECTION 160. Not later than January 1, 2029 the attorney general shall complete the first report required by subsection (g) of section 3 and subsection (d) of section 4 of chapter 93M of the General Laws.

SECTION 161. Subsection (ii) of section 6 of chapter 62 of the General Laws, as inserted by section 194 of said chapter 238 of the acts of 2024, shall take effect for taxable years beginning on or after January 1, 2027.

SECTION 162. Section 38UU of chapter 63 of the General Laws shall take effect for taxable years beginning on or after January 1, 2027.

SECTION 163. Section 316 of chapter 238 of the acts of 2024 shall take effect on January 1, 2033.

SECTION 164. Sections 44, 46, 47, 48, 50, 51, 61, 70, 72 and 135 shall take effect on July 1, 2027.

SECTION 165. Sections 85 to 100, inclusive, and sections 102 to 106, inclusive, shall take effect on January 1, 2028.