SENATE DOCKET, NO. 2872 FILED ON: 5/1/2025

SENATE . . . . . No.

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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

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

An Act significantly alleviating poverty.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Sal N. DiDomenico	*Middlesex and Suffolk*	
Joan B. Lovely	*Second Essex*	*5/15/2025*

SENATE DOCKET, NO. 2872 FILED ON: 5/1/2025

SENATE . . . . . No.

By Mr. DiDomenico, a petition (accompanied by bill) (subject to Joint Rule 12) of Sal N. DiDomenico and Joan B. Lovely for legislation to significantly alleviate poverty. The Judiciary.

The Commonwealth of Massachusetts

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

An Act significantly alleviating poverty.

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

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

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

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

"Menstruating individual", a person who menstruates.

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

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

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

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

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

20 "Menstruating individual", a person who menstruates.

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

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

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

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

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

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

36 "Menstruating individual", a person who menstruates.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

113 SECTION 13. Said paragraph (1) of said subsection (h) of said section 6 of said chapter
114 62, as so amended, is hereby further amended by inserting at the end of said paragraph the
115 following sentence: -A taxpayer may claim a credit under this section using either a Social

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

121 SECTION 14. Said paragraph (1) of said subsection (h) of said section 6 of said chapter
122 62, as so amended, is hereby further amended by inserting, in line 252 after the word "year" the
123 following words: -provided however that for each additional qualifying child, as defined in
124 section 32(b) of the Code, above three children, the percent of the federal credit shall increase by
125 5 percentage points per qualifying child.

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

131 SECTION 16. Section 6 of said chapter 62, as most recently amended by section 21 of
132 chapter 40 of the acts of 2023, is hereby further amended by striking out subsection (x) and
133 inserting in place thereof the following subsection:-

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

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

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

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

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

166 SECTION 17. In order to ensure the widest possible dissemination of state and federal
167 tax credits that are aimed to reduce poverty, the department shall: (i) include multilingual
168 information by video and text in its website about state and federal tax credits, free tax
169 preparation services, and low-income taxpayer clinics; (ii) provide all employers with a
170 multilingual poster and a notice that sets forth the rights under this chapter; (iii) require that all
171 employers doing business in the commonwealth post information about tax credits in a
172 conspicuous location at the place of employment; (iv) coordinate a notification system by the
173 commonwealth about tax credit to applicants for and recipients of unemployment insurance
174 under chapter 151A, applicants for and recipients of transitional assistance benefits, including
175 food stamps, under chapter 18, and to recipients of subsidized health insurance under chapter
176 118E; and (v) collaborate with labor organizations, chambers of commerce, municipalities,
177 community-based organizations, and taxpayer advocates to disseminate information about tax
178 credits. The multilingual poster and notice requirement in clause (i) shall comply with the
179 requirements for employer's unemployment notices under clauses (i) and (iii) of subsection (d)
180 of section 62A of chapter 151A.

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

183 Section 23D. (a) The department shall, subject to appropriation, provide a cash stipend of
184 $1,000 per month for 5 years to any individual who was formerly under the custody, care or
185 responsibility of the department but has transitioned from the custody, care or responsibility of
186 the department any time between the ages of 18 and 23. Should such an individual at any time
187 return to the custody, care, or responsibility of the department, that individual's monthly stipend
188 will be put on hold until such time as the individual again transitions from the custody, care or
189 responsibility of the department; provided, however, that no individual is eligible for more than
190 60 total monthly payments of this stipend during the individual's lifetime.

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

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

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

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

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

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

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

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

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

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

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

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

239 "Lead contractor", a person, regardless of form, that obtains, engages or is provided with
240 1 or more individuals, directly from a labor contractor or indirectly from a labor subcontractor, to
241 perform labor or services that have a significant nexus with the lead contractor's business
242 activities, operations, or purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

442 (2) For purposes of public enforcement actions brought pursuant to this section,
443 whenever the attorney general is authorized to assess or seek civil remedies, including penalties,
444 equitable and declaratory relief, and other civil relief, for a violation of section 21, 26-27H, 52D,
445 100, 148, 148A, 148B, 148C, 148E, 150A, 150C, 152, 152A, 159C, or 190 of this chapter, or of
446 chapter 151, a court is hereby authorized to assess the same civil remedies. Where the section of
447 chapter 149 or chapter 151 establishes an employer’s obligation to maintain certain working
448 conditions, but no civil penalty is specifically provided for a breach of that obligation, there is
449 hereby established a civil penalty of $500 for each aggrieved person per two-week period in
450 which the breach occurred. All civil penalties shall be awarded for each person aggrieved by the
451 violation during each two-week period in which the violation occurred.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

514 (e) (1) No public enforcement action pursuant to this section may be commenced prior to
515 60 days after written notice of the claim has been filed by the relator with the attorney general.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

618 "the minimum wage set forth in section 1 of this chapter".

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

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

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

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

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

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

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

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

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

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

643 "Fund", means the Massachusetts Baby Bonds Trust Fund.

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

647 (2) The state treasurer shall administer the fund. The state treasurer may contract with
648 practitioners, administrators, investment managers and other entities in order to design,
649 administer and provide investment options for the fund. The provisions of section 38 of chapter
650 29 of the general laws shall not apply to the investment of the fund.

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

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

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

661 return generated by the principal of said fund during the prior 12-month period ending on June
662 30.

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

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

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

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

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

694 (e)(1) At any time upon their reaching the age of 18 and prior to their reaching the age of
695 35, a designated beneficiary may submit a claim to distribute, in whole or in part, their
696 accounting; provided, however, that the designated beneficiary shall demonstrate that the
697 distribution will be applied toward an eligible expenditure; provided further, that, at the time of
698 the application, the designated beneficiary is a resident of the commonwealth.

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

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

704 (4) In the case of the death of a designated beneficiary prior to their reaching the age of
705 35, upon receipt of notification of such individual's death, their accounting shall be credited back
706 to the assets of the fund.

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

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

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

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

725 office of the state treasurer to document the data sharing procedures and the information to be
726 shared.

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

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

731 Section 70.

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

734 "Account holder", a household that is an eligible participant.

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

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

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

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

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

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

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

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

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

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

764 (ii) the deposit of matching funds by the fiscal intermediary into a designated account at a
765 financial institution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

806 (d) Policy

807 1. Contributions

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

811 2. Matching funds

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

814 3. Interest

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

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

819 (1) The fiscal intermediary matches amounts deposited by the account holder according

820 to a formula established by the fiscal intermediary. The fiscal intermediary shall deposit
821 up to $4 into the account for each $1 deposited by the account holder.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

937 SECTION 34. Section 18 ¾ of chapter 6A of the General Laws, as so appearing, is
938 hereby amended by inserting after the last paragraph the following paragraph:-

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

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

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

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

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

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

980 occurred not less than 7 years prior to the sealing; and (3) the person has not been found guilty of
981 any criminal offense in the commonwealth in the case of a misdemeanor, 3 years prior to the
982 sealing, and in the case of a felony, 7 years prior to the sealing. This section shall apply to court
983 appearances and dispositions of all offenses, with the exception of convictions for violations of
984 sections 121 to 129, inclusive, sections 131A to 131D, inclusive, and section 131F of chapter
985 140, and convictions for violations of chapter 268 and chapter 268A, which are all excluded
986 from sealing, except for convictions for resisting arrest. A person with a possession of marijuana
987 offense that was later decriminalized, is not precluded from seeking earlier and immediate
988 sealing of the records, if the person files a request for such sealing on a form that shall be
989 provided by the commissioner.

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

993 SECTION 37. Section 100B of said chapter 276, as so appearing, is hereby amended by

994 striking out the first paragraph, and inserting in place thereof the following two
995 paragraphs:-

996 Notwithstanding any law to the contrary, a person charged as a delinquent or youthful
997 offender shall not be required to file a petition or other form of request in order to seal any record
998 of criminal court appearances and dispositions related to a juvenile court offense. The
999 commissioner of probation shall establish and implement an automated process for sealing of
1000 such records. The commissioner shall seal said records in the commonwealth on file with the
1001 commissioner within 30 days after any records become eligible for sealing after the applicable 3-

1002 year waiting period. The records shall become eligible for sealing when: (1) any court
1003 appearance or disposition including court supervision, probation, commitment or parole for the
1004 records to be sealed, terminated not less than 3 years earlier; and (2) said person has not been
1005 adjudicated delinquent or as a youthful offender, found guilty of any criminal offense in the trial
1006 court of the commonwealth, or been committed as a juvenile or imprisoned within the
1007 commonwealth in the preceding 3 years. In the event that records of any offense required to be
1008 sealed under this section without a petition are not sealed due to an error or omission or lack of
1009 availability of a court record based on the age of said record, a person with such an offense shall
1010 not be precluded from seeking relief, and the commissioner of probation shall seal such records
1011 forthwith upon receipt of a request to seal said records from the person or the person's legal
1012 representative.

1013 The commissioner of probation shall provide all individuals at the time of an adjudication
1014 or other final disposition of their offense or offenses with a notice that the offenses may be
1015 sealed in the future without the necessity of filing a petition to seal the records, a brief summary
1016 of the sealing law, and a list of resources related to sealing of records. The clerk's office of any
1017 division of the trial court, the commissioner of probation, or any other criminal justice agency,
1018 upon request of a person whose offense or offenses are sealed, or the person's legal
1019 representative, shall provide access to the sealed records to the person or the person's legal
1020 representative without said person, attorney or legal representative obtaining a court order or
1021 having to unseal the record.

1022 SECTION 38. Section 100B of said chapter 276, as so appearing, is hereby amended by
1023 inserting after the word "files", in line 28, the following words:- within 30 days of notification of
1024 such record sealing.

1025 SECTION 39. Said section 100B of said chapter 276, as so appearing, is hereby further
1026 amended by striking out, in lines 21, 37, 38 and 40, the word “delinquency” each time it appears
1027 and inserting in place thereof the following words:- juvenile court

1028 SECTION 40. Said section 100B of said chapter 276, as so appearing, is hereby further
1029 amended by striking out in the fourth paragraph the words “a delinquent” and inserting in place
1030 thereof the following words:- by the juvenile court

1031 SECTION 41. Section 100Q of chapter 276, as so appearing, is hereby further amended
1032 by striking out the words “or section 100B” and inserting in place thereof the following words:- ,
1033 section 100B or section 100C.

1034 SECTION 42. Notwithstanding any general law or special law to the contrary, as soon as
1035 practicable, and not later than 3 months after the effective date of this act, the commissioner of
1036 probation shall seal any other records in its computerized database of: (i) all past criminal court
1037 appearances and dispositions in the commonwealth on file with the commissioner that are
1038 eligible for sealing under section 100A of chapter 276; and (ii) all past juvenile court offenses in
1039 the commonwealth on file with the commissioner that are eligible for sealing under section 100B
1040 of chapter 276. In the event that records of any offense that is eligible for sealing are not sealed,
1041 a person with such records shall not be precluded from seeking other relief, and the
1042 commissioner of probation shall seal such records forthwith upon receipt of any request to seal
1043 said records from the person or the person’s legal representative.

1044 SECTION 43. Chapter 6 of the General Laws is hereby amended by inserting after
1045 section 222 the following section:-

1046 Section 223. The office of access and opportunity.

1047 (a) There shall be within the office of the governor an office of access and opportunity
1048 (the "OAO") to ensure ready access to the status of and advise on the work conducted by the
1049 OAO.

1050 (b) The OAO shall be led by a deputy chief, access and opportunity (the "deputy chief"),
1051 who shall be appointed by the governor and directly report to the governor's chief of staff. The
1052 deputy chief shall advise the governor and the cabinet and work to foster within state
1053 government non-discrimination and equal opportunity for all irrespective of race, color, age,
1054 gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry,
1055 national origin, disability, veteran or active military status (including Vietnam-era veterans), or
1056 socio-economic background.

1057 (c) There shall be a steering committee on access and opportunity (the "steering
1058 committee") which the deputy chief will chair and convene regularly for advice on the state of
1059 access and opportunity across the executive branch and how best to achieve goals of the OAO.
1060 The steering committee shall include: the chief human resources officer, human resources
1061 division; assistant secretary, operational services division; executive director of the
1062 Massachusetts supplier diversity office; director of office of diversity and equal opportunity;
1063 director of Massachusetts office on disability; commissioner, division of capital asset
1064 management and maintenance; director, compliance unit, division of capital asset management
1065 and maintenance; the chief operating officer, Massachusetts Department of Transportation;
1066 deputy director, office on diversity and civil rights, Massachusetts Department of Transportation;
1067 secretary of the Executive Office of Labor and Workforce Development or their designee;
1068 secretary of the Executive Office of Veterans' Services or their designee; and representative(s)
1069 designated by the Secretary of the Executive Office of Education.

1070 (d) The deputy chief shall have the following responsibilities:

1071 (1) collaborate with and maximize relevant initiatives, work and potential of all existing
1072 executive branch agencies, offices and resources with the explicit goal of:

1073 (i) increasing the total number of and dollar volume earned by MBEs, WBEs, and DBEs
1074 contracting with or doing business for the state; and

1075 (ii) maintaining or increasing the number of minorities, veterans and individuals with
1076 disabilities who are state employees;

1077 (2) develop with partnering agencies and offices, in consultation with the Steering
1078 Committee:

1079 (i) an integrated body of policies and actions that reflect best practices and remove
1080 barriers to advance non-discrimination and equity in access to and opportunity in employment,
1081 procurement and the provision of services within state government;

1082 (ii) ideas on how best to implement and incentivize compliance with such policies and
1083 procedures; and

1084 (iii) performance metrics focused on outcomes, such as increasing the total number of
1085 and dollar volume earned by MBEs, WBEs, DBEs contracting with or doing business for the
1086 state; and maintaining or increasing the number of minority, veterans and individuals with
1087 disabilities who are state employees;

1088 (3) convene meetings of key offices, individuals and external stakeholders as needed to
1089 accomplish specified objectives, resolve issues, and make and implement recommendations;

1090 (4) identify state laws and regulations that obstruct or frustrate the state's ability to
1091 provide within its own operations equity in access and opportunity for all persons;

1092 (5) serve as a liaison to pertinent commissions, councils, task forces and offices
1093 throughout state government as needed to accomplish and advance the OAO's goals; and

1094 (6) develop for adoption administrative orders and bulletins to further the OAO's goals,
1095 and prepare such other reports necessary to keep the Governor appropriately apprised of the
1096 work of the OAO.

1097 (e) All state agencies shall provide assistance to the OAO by sharing information and
1098 expertise, as requested.

1099 SECTION 44. The General Laws are hereby amended by inserting after chapter 6E the
1100 following chapter:

1101 CHAPTER 6F.

1102 LANGUAGE ACCESS AND INCLUSION.

1103 Section 1. Definitions. For the purposes of sections , the following terms shall have the
1104 following meanings—

1105 "Auxiliary aids and services" mean items, equipment or services that provide effective
1106 communication access for persons with communication disorders including but not limited to
1107 persons who are deaf, hard of hearing, late deafened or blind.

1108 "Culturally competent" means having a set of behaviors, attitudes and policies that
1109 enables effective work in cross-cultural situations which respects and responds to an individual

1110 person's culture and language, in a nonjudgmental and supportive manner, considering the
1111 service recipient as an individual and not making assumptions based on perceived or actual
1112 membership in any group or class.

1113 "Equal access" means to be informed of, participate in, and benefit from public programs
1114 or services offered by a public-facing state agency, at a level equal to English proficient persons.

1115 "Language access plan" is an administrative blueprint that defines the obligations and
1116 action plan of a public-facing state agency to comply with sections 43 to 45 inclusive. The plan
1117 shall outline all policies, procedures, and guidance enacted to ensure the provision of language
1118 access services as a constitutive element of equal access to state benefits, services, and activities.
1119 The plan shall also establish deadlines by which remedial or proactive actions to ensure language
1120 access will be taken, identify personnel responsible for implementation of the plan and establish
1121 priorities relative to the implementation of these plans.

1122 "Language access services" means oral language services and written translation
1123 services, including auxiliary aids and services.

1124 "Limited English proficient" or "LEP" are persons whose primary language is not
1125 English or who have a limited ability to speak, read, write or understand English.

1126 "Machine translation" is when computer software is utilized for the automated translation
1127 of a text from one language to another and vice versa without human intervention.

1128 "Oral interpretation" means the act of listening, understanding and analyzing a spoken
1129 message in one language and re-expressing that message faithfully, accurately and objectively in

1130 another language and vice versa, enabling communication between two or more persons who do
1131 not speak one another's languages.

1132 "Oral language services" means the various methods of providing verbal information and
1133 interpretation through staff interpreters, bilingual or multilingual staff, telephone interpreter
1134 services, or private interpreter services.

1135 "Outside service providers" include, but are not limited to, organizations or other persons
1136 that formally or informally, through direct or in-kind compensation, contracts, provides, or
1137 administers services which the relevant public-facing state agency is required to provide or
1138 requires, recommends or refers its clients to utilize.

1139 "Primary language" means the language in which an LEP person can most effectively
1140 and comfortably communicate.

1141 "Public contact position" means a position determined by the public-facing state agency
1142 to be one that includes meeting, contacting and dealing with the public in the performance of the
1143 agency's functions.

1144 "Public-facing state agency" means a Massachusetts executive office, department, or
1145 division thereof that provides assistance, services or information to the public. Any state agency
1146 included in the implementation schedule of sections 43 to 45 inclusive shall be identified as a
1147 "public-facing state agency" or when deemed as such under Section 9(a)(6) of sections 43 to 45
1148 inclusive.

1149 “Qualified bilingual employee” means a staff person who is proficient in both the English
1150 language and a non-English language. Qualified bilingual employees may be categorized as
1151 “Tier 1 Bilingual Employees” or “Tier 2 Bilingual Employees”.

1152 “Qualified interpreter” is a person who is fluent in both the English language and a non-
1153 English language and who, by certification, training or experience, is able to (1) perform
1154 consecutive interpretation; (2) maintain the tone, style, and complex meaning of speech from one
1155 language to another and vice versa; (3) convey cultural nuances; and (4) remain impartial in all
1156 interpreted interactions.

1157 “Qualified multilingual employee” means a staff person who is proficient in the English
1158 language and more than one non-English language. Qualified multilingual employees may be
1159 categorized as “Tier 1 Multilingual Employees” or “Tier 2 Multilingual Employees”.

1160 “Qualified translator” means a person who is fluent in writing, reading and proofreading
1161 in both the English language and a non-English language and who, by certification, training or
1162 experience is able to (1) render a text from one language into another language and vice versa;
1163 (2) maintain the tone, style and complex meaning of the original text from one language to
1164 another and vice versa; (3) convey cultural nuances; and (4) remain impartial in the translation
1165 process.

1166 “Vital document” means a document or communication, in print or digital form,
1167 containing information that, if not provided accurately or in a timely manner, affects a person’s
1168 rights or access to, retention in, denial or termination of services, benefits or programs,
1169 including, but not limited to, applications, consent forms; complaint forms; intake forms;
1170 informational material on eligibility for benefits; notices; requests for documentation or

1171 information; documents that must be provided by law; and notices regarding the availability of
1172 free language assistance services for LEP persons.

1173 "Written translation" means the rendering of a written text from one language to an
1174 equivalent written text of another language.

1175 Section 2. Communications with the public.

1176 (a) A public-facing state agency shall provide equal access to services, programs, and
1177 activities serving limited English proficient and deaf or hard of hearing persons by the provision
1178 of the following services:

1179 (1) Oral interpretation and auxiliary aids and services

1180 (i) A public-facing state agency shall provide timely, culturally competent oral language
1181 services to all LEP persons or auxiliary aids and services to deaf or hard of hearing persons who
1182 seek to access state services, programs, or activities or those of outside service providers.

1183 (ii) A public-facing state agency shall notify every person of their right to timely oral
1184 interpretation in their primary language or auxiliary aids and services, regardless of their status
1185 as an inquirer into, applicant for, recipient or beneficiary of a state service, program, or
1186 information.

1187 (iii) A public-facing state agency shall utilize qualified interpreters or Tier 1 bilingual or
1188 multilingual employees to provide oral language services or auxiliary aids and services.

1189 (iv) A public-facing state agency may contract with telephone-based interpretation
1190 services or community-based organizations to provide interpretation to LEP and deaf or hard of
1191 hearing persons or utilize Tier 1 bilingual or multilingual employees.

1192 (v) A public-facing state agency that contracts or utilizes an outside service provider to
1193 fulfill the agency's responsibilities to the public shall ensure that the outside service provider
1194 implements the requirements of Section 2(a)(1) of sections 43 to 45 inclusive.

1195 (2) Written translation

1196 (i) A public-facing state agency shall issue vital documents in the following languages:
1197 Arabic, Cape Verdean Creole, Chinese (Simplified and Traditional), French, Haitian Creole,
1198 Khmer, Korean, Portuguese, Russian, Spanish, Vietnamese and any other languages deemed
1199 necessary by the agency's assessments required under Section 4 of sections 43 to 45 inclusive.

1200 (ii) A public-facing state agency shall translate all notices and materials that explain its
1201 services in the languages stated in Section 2(a)(2)(i) of sections 43 to 45 inclusive.

1202 (iii) A LEP person whose primary language is not required to be translated into writing
1203 under Section 2(a)(2)(i) of sections 43 to 45 inclusive is entitled to the oral interpretation of vital
1204 documents, notices and materials into their primary language.

1205 (iv) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or
1206 multilingual employees, to translate vital documents.

1207 A) State agencies shall not solely rely on machine translation to translate vital documents.

1208 B) State agencies shall have qualified translators or Tier 1 bilingual or multilingual
1209 employees verify all translations of vital documents generated through machine translation
1210 before such documents are published, conveyed, sent, or posted.

1211 (v) A public-facing state agency that contracts or utilizes an outside service provider to
1212 fulfill the agency's responsibilities to the public shall ensure that the outside service provider
1213 implements the requirements of Section (2)(a)(2) of sections 43 to 45 inclusive.

1214 (3) Websites

1215 (i) If a public-facing state agency maintains one or more websites for use by the public,
1216 the agency shall provide the website in the following languages: Arabic, Cape Verdean Creole,
1217 Chinese (Simplified and Traditional), French, Haitian Creole, Khmer, Korean, Portuguese,
1218 Russian, Spanish, Vietnamese and any other languages deemed necessary by the agency's
1219 assessments required under Section 4 of sections 43 to 45 inclusive.

1220 A) The state agency shall ensure that its websites and online application materials are
1221 mobile compatible and that they satisfy or exceed the official Federal Plain Language
1222 Guidelines, March 2011, Rev. 1, May 2011 for the Plain Writing Act of 2010.

1223 (ii) Agencies shall not solely rely on machine translation to translate its websites.

1224 A) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or
1225 multilingual employees to verify the translation of its websites for accuracy.

1226 (iii) A public-facing state agency that maintains one or more websites for use by the
1227 public shall (1) provide forms and instructions for submitting complaints of alleged violations of
1228 sections 43 to 45 inclusive; (2) link such and instructions on the homepage of the state agency's
1229 website; and (3) translate all such forms and instructions into the languages listed in Section
1230 2(a)(3)(i) of sections 43 to 45 inclusive.

1231 Section 3. Language access plan.

1232 (a) A public-facing state agency shall develop a language access plan every 2 years based
1233 on community and agency assessments required by Section 4 of sections 43 to 45 inclusive, to
1234 guide the provision of language access services to LEP and deaf or hard of hearing persons.
1235 When drafting the language access plan, a public-facing state agency shall ensure that:

1236 (1) a summary of the rights of LEP and deaf or hard of hearing persons to oral
1237 interpretation or auxiliary aids and services, respectively, and the public-facing state agency's
1238 obligations to protect these rights are detailed at the outset of the language access plan;

1239 (2) the mandated translated languages are listed, as required by Section 2(a)(2)(i) and
1240 Section 2(a)(3)(i);

1241 (3) a plan of action is instituted for the implementation of all provisions of Sections 2, 4,
1242 5 and 7 of sections 43 to 45 inclusive;

1243 (4) the plan is made publicly available in the translated languages required by Section
1244 2(a)(2) on the main page of the public-facing state agency's website and in its central and local
1245 offices; and

1246 (5) a complaint process is developed with complaint forms that are publicly accessible on
1247 the main page of the public-facing state agency's website and in its central and local offices.

1248 Section 4. Assessments.

1249 (a) Community needs assessment.

1250 (1) A public-facing state agency shall conduct a community needs assessment every 2
1251 years that compiles data on the language composition of the agency's eligible populations,
1252 including American Sign Language. The community needs assessment shall also collect data on

1253 the engagement and interaction of eligible populations with the public-facing state agency. The
1254 agency shall determine:

1255 (i) the percentage of the eligible service population who are LEP or deaf or hard of
1256 hearing;

1257 (ii) the primary languages used by LEP or deaf or hard of hearing persons in all
1258 geographic areas the agency serves its eligible populations ;

1259 (iii) the frequency with which the agency provides services to LEP or deaf or hard of
1260 hearing persons;

1261 (iv) all points of contact whereby the eligible populations can engage with the public-
1262 facing state agency; and

1263 (v) all potential language or language-related barriers that may arise in the engagement of
1264 eligible populations with the public-facing state agency.

1265 (b) Internal state agency assessments.

1266 (1) A public-facing state agency shall conduct a language services inventory every 2
1267 years to identify available language services and staff to serve LEP persons and deaf or hard of
1268 hearing persons. A public-facing state agency shall:

1269 (i) determine the number of qualified bilingual or multilingual employees in public
1270 contact positions in each central and local office, who can provide linguistically, culturally and
1271 technically proficient language access services. This data shall be disaggregated by language and
1272 by the Tier 1 and Tier 2 classification required by Section 5(b)(3) of sections 43 to 45 inclusive.

1273 (ii) detail the language access services, including technology and equipment, available
1274 within the state's resources or under state contracts, including in-person interpretation, telephone
1275 interpretation, video interpretation, translation and auxiliary aids and services.

1276 (2) A public-facing state agency shall generate a language access status report every 2
1277 years of each of its statewide and local offices evaluating the agency's capacities in serving LEP
1278 and deaf or hard of hearing persons. This status report shall include the following:

1279 (i) a calculation of the percentage of LEP and deaf or hard of hearing persons presently
1280 served by the public-facing state agency's central and local offices, categorized by primary
1281 language;

1282 (ii) a determination of whether the current oral language and written translation services
1283 are effectively meeting the language needs of LEP persons served by the public-facing state
1284 agency;

1285 (iii) a determination of whether the current auxiliary aids and services are effectively
1286 meeting the language needs of deaf or hard of hearing persons served by the public-facing state
1287 agency;

1288 (iv) a description of the agency's procedures for identifying vital documents for
1289 translation;

1290 (v) an evaluation of whether contracted interpreter services are effectively meeting the
1291 language needs of LEP and deaf or hard of hearing persons;

1292 (vi) an evaluation of operational protocols for staff to effectively access language access
1293 services as outlined in Section 5(c) of sections 43 to 45 inclusive;

1294 (vii) an evaluation of staff proficiency to effectively and appropriately utilize language
1295 access services as outlined in Section 5(c) of sections 43 to 45 inclusive;

1296 (viii) a description of any language access training the public-facing state agency
1297 provides to its staff to ensure the agency is effectively serving provision of services to LEP and
1298 deaf or hard of hearing persons individuals, including the frequency of training, and date of most
1299 recent training;

1300 (ix) a determination of whether the allocation and assignment of qualified bilingual and
1301 multilingual employees to central and local offices is effectively meeting the identified language
1302 needs in those offices;

1303 (x) an evaluation of agency procedures for recruiting and retaining qualified bilingual or
1304 multilingual employees in central and local offices; and

1305 (xi) a description of the public-facing state agency's procedures for receiving and
1306 resolving complaints regarding language access as well as the number of complaints received.

1307 (c) The assessments in this Section shall be completed prior to the drafting of the
1308 language access plan as required by Section 3 of sections 43 to 45 inclusive. The results of these
1309 assessments shall inform all content, policies, recommendations and guidance in the language
1310 access plan.

1311 Section 5. Personnel.

1312 (a) Language access coordinator.

1313 (1) A public-facing state agency shall designate a language access coordinator whose sole
1314 responsibility on a full-time basis shall be to address language access needs and the public-facing

1315 state agency's compliance with sections 43 to 45 inclusive, in consultation with the language
1316 access advisory board established in Section 6 of sections 43 to 45 inclusive.

1317 (2) Language access coordinators shall maintain a centralized, electronic, searchable
1318 language access database of the following:

1319 (i) all formal and informal requests for language access services and the status of those
1320 requests;

1321 (ii) all language access-related complaints, including complaints of language
1322 discrimination and/or disability discrimination in cases of the deaf or hard of hearing;

1323 (iii) the status and progress of all such requests and complaints;

1324 (iv) the resolution of all such requests and complaints, including decisions by the regional
1325 and central offices;

1326 (v) the reasons for full and partial denials of requests for language services; and

1327 (vi) the office(s) handling the relevant case or request for service.

1328 (3) A public-facing state agency may also designate regional language access
1329 coordinators to address the language access needs of relevant regions and train the regions' staff
1330 on compliance with sections 43 to 45 inclusive.

1331 (i) Regional language access coordinators shall report to the language access coordinator
1332 of their respective public-facing state agency's central office.

1333 (b) Staffing.

1334 (1) A public-facing state agency shall employ a sufficient number of qualified bilingual
1335 or multilingual employees in public contact positions or as interpreters to assist employees in
1336 public contact positions, to ensure the provision of information and services in a person's
1337 primary language.

1338 (2) A bilingual or multilingual staff member shall not provide interpretation in adversarial
1339 proceedings when the public-facing state agency that employs the bilingual or multilingual staff
1340 member is a party to the proceedings.

1341 (3) A bilingual or multilingual staff member may provide language services to LEP and
1342 deaf or hard of hearing persons, in accordance with their skill level as determined by the
1343 language access coordinator. A state agency shall classify bilingual or multilingual employees
1344 into one of two tiers, and shall only provide interpretation services in accordance with that tier as
1345 follows:

1346 (i) Tier 1 bilingual or multilingual employee: Tier 1 employees must have formal
1347 certification, training, or sufficient experience in interpretation in the specific subject matter. If
1348 the employer does not regularly employ a person that may be classified as a Tier 1 employee, the
1349 employer must hire a third-party contractor to fulfill the need for interpretation services Tier 1
1350 employees shall agree to abide by the ethical and confidentiality requirements for interpreters
1351 and translators in accordance with the American Translators Association Code of Ethics and
1352 Professional Practice.

1353 (ii) Tier 2 bilingual or multilingual employee: Tier 2 employees have the language
1354 proficiency to communicate directly with LEP or deaf or hard of hearing persons regarding

1355 routine or common business matters. Tier 2 employees shall not serve as interpreters or
1356 translators.

1357 (4) An employee of a public-facing state agency who regularly acts as an interpreter or
1358 translator shall be reasonably compensated for that additional work.

1359 (5) A public-facing state agency shall ensure that all processes and procedures for staff to
1360 request language access services require minimal approval or documentation and are not overly
1361 burdensome.

1362 (c) Training.

1363 (1) Language access coordinators shall train employees about all processes and
1364 procedures needed to effectively obtain and utilize all language access services mandated by
1365 Section 2 of sections 43 to 45 inclusive as part of an employee's onboarding process and on an
1366 annual basis thereafter.

1367 (i) Training shall include (1) instruction on process and procedures for requesting
1368 language access service, (2) guidance on how to effectively work with interpreters or translators
1369 and (3) explanation of procedures for reporting deficiencies to language access services.

1370 (2) A public-facing state agency shall ensure the provision of language access training for
1371 an outside service provider.

1372 Section 6. Language access advisory board.

1373 (a) Mission, organization and institution.

1374 (1) There shall be a language access advisory board to provide guidance and technical
1375 assistance to public-facing state agencies in order to ensure equal access for LEP and deaf or
1376 hard of hearing persons to services, programs, and activities offered by a public-facing state
1377 agency.

1378 (2) The board shall be co-chaired by a staff member from the office of access and
1379 opportunity, and one other member of the advisory board elected by the board.

1380 (3) The members of the advisory board shall be appointed within 6 months of the
1381 effective date of sections 43 to 45 inclusive, and shall serve 4-year terms. Members whose terms
1382 have expired may serve until a successor is appointed.

1383 (4) The board shall meet no less than 4 times annually.

1384 (b) Composition.

1385 (1) The language access advisory board shall include: 3 members appointed by the
1386 Massachusetts Immigrant and Refugee Advocacy Coalition from prevalent LEP populations
1387 within Massachusetts, as determined by the most recent United States Census data; 1 member
1388 appointed by the Disability Law Center from the deaf or hard of hearing community; 1 member
1389 appointed by the Massachusetts Law Reform Institute; 1 member appointed by the
1390 Massachusetts Appleseed Center for Law & Justice; 1 member appointed by the Massachusetts
1391 Language Access Coalition; 1 member appointed by Greater Boston Legal Services; 1 member
1392 appointed by the Justice Center of Southeast Massachusetts; 1 member appointed by MetroWest
1393 Legal Services; 1 member appointed by the Central West Justice Center; and 1 member
1394 appointed by the Northeast Justice Center.

1395 (c) Advisory board responsibilities.

1396 (1) The advisory board shall support public-facing state agencies to achieve compliance
1397 with sections 43 to 45 inclusive by:

1398 (i) providing guidance and technical assistance to the state agencies;

1399 (ii) advising language access coordinators of public-facing state agencies in the
1400 development and review of language access plans;

1401 (iii) reviewing all assessments and surveys from state agencies as required by Section 4
1402 of sections 43 to 45 inclusive; and

1403 (iv) providing recommendations to state agencies to reduce identified barriers for the LEP
1404 and deaf or hard of hearing persons.

1405 (2) The language access advisory board, in formulating its recommendations, shall take
1406 into account the best practices and policies in other states and jurisdictions, and may undertake
1407 further steps to help state agencies achieve compliance with sections 43 to 45 inclusive.

1408 Section 7. Reporting requirements.

1409 (a) Upon a public-facing state agency's full implementation of sections 43 to 45 inclusive
1410 as required by Section 11 and every 2 years thereafter, the agency shall submit to the office of
1411 access and opportunity and the language access advisory board the following:

1412 (1) the community needs assessment as stated in Section 4(a)(1);

1413 (2) the language services inventory as stated in Section 4(b)(1); and

1414 (3) the language access plan as stated in Section 3.

1415 (b) Upon a public-facing state agency's full implementation of sections 43 to 45 inclusive
1416 as required by Section 11 and every 2 years thereafter, the agency shall submit the language
1417 access status report required by Section 4(b)(2) of sections 43 to 45 inclusive to the joint
1418 committee on ways and means, the joint committee on state administration and regulatory
1419 oversight, the office of access and opportunity and the language access advisory board.

1420 (c) Upon a public-facing state agency's full implementation of sections 43 to 45 inclusive
1421 as required by Section 11 and every year thereafter, the agency shall submit the language access
1422 database as outlined in Section 5(a)(2) to the office of access and opportunity and the language
1423 access advisory board.

1424 (d) A public-facing state agency shall ensure, in reporting of all materials outlined in this
1425 Section, that the following standards are maintained:

1426 (1) all data is disaggregated and cross-tabulated by primary language, disability status,
1427 race, ethnicity, age, gender and low-income status;

1428 (2) all materials are made publicly available in the list of translated languages required by
1429 Section 2(a)(2);

1430 (3) all materials are presented in plain language; and

1431 (4) all data is presented in a manner that protects the privacy of all surveyed persons.

1432 Section 8. Relief.

1433 (a) Any person claiming to be aggrieved by a public-facing state agency for failure in the
1434 provision of language access services in order to provide equal access to services, programs, and
1435 activities of a public-facing state agency according to the provisions of sections 43 to 45
1436 inclusive shall have the right to initiate and prosecute a civil action in the district, superior,
1437 housing, probate and family, Boston municipal or land court department for injunctive and other
1438 appropriate equitable relief or an award of actual and consequential damages.

1439 (1) Should the person or persons prevail, they shall be entitled to an award of actual and
1440 consequential damages, that is the costs of the litigation including expert witness fees, reasonable
1441 attorneys' fees in an amount to be fixed by the court, and prejudgment and post judgment
1442 interest.

1443 (b) The Massachusetts commission against discrimination may commence a civil action
1444 to seek relief for a violation of sections 43 to 45 inclusive.

1445 (c) The attorney general may also commence a civil action to seek relief for a violation of
1446 sections 43 to 45 inclusive.

1447 Section 9. Office of access and opportunity.

1448 (a) The office of access and opportunity within the governor’s office shall have the
1449 following responsibilities:

1450 (1) accept and investigate complaints submitted to the office of access and opportunity by
1451 persons who have been unable to obtain timely language access services in any public-facing
1452 state agency;

1453 (2) provide copies of all complaints annually as required by Section 5(a)(2) of sections 43
1454 to 45 inclusive to the language access advisory board;

1455 (3) eliminate the language access barrier when an agency does not provide equal access
1456 using informal methods, including conference, conciliation, mediation, or persuasion. Where the
1457 language access barrier cannot be eliminated by informal methods, the office of access and
1458 opportunity shall submit written compliance requirements to the public-facing state agency. The
1459 office of access and opportunity may request the public-facing state agency to notify it within a
1460 specified time of any action taken on its requirements, and may require a public-facing state
1461 agency to increase the frequency of reporting required by Section 9(a)(2) of sections 43 to 45
1462 inclusive every six months, as needed, or as requested by the language access advisory board;

1463 (4) create, in consultation with the language access advisory board, multilingual signage
1464 informing LEP and deaf or hard of hearing persons of their right to free oral language services or
1465 auxiliary aids and services, for dissemination to state agencies

1466 (5) shall promulgate regulations no later than 1 year after the effective date of sections 43
1467 to 45 inclusive after receiving input from stakeholders and the language access advisory board;
1468 and

1469 (6) identify additional state agencies that shall be subject to sections 43 to 45 inclusive
1470 upon its determination in consultation with the language access advisory board.

1471 (i) This determination shall be made:

1472 A) in the 5th year following the enactment of sections 43 to 45 inclusive and every 5
1473 years thereafter or at the discretion of the office of access and opportunity in consultation with
1474 the language access advisory board; and,

1475 B) by conducting an inventory and evaluation of newly formed and existing state
1476 agencies' engagement with the public.

1477 Section 10. Conflicting law.

1478 (a) In the event any law of the Commonwealth prescribes stronger protections, the
1479 services, programs and activities of public-facing state agencies required by sections 43 to 45
1480 inclusive shall be subject to the stronger protections.

1481 SECTION 45. Public-facing state agencies shall comply with the requirements set forth
1482 in Sections 2, 3, 4, 5 and 7 of SECTION 44 of this act in the manner established by the following
1483 implementation schedule:

1484 (a) On or before the second year after enactment, there shall be implementation by each
1485 of the following public-facing state agencies and their divisions thereof:

1486 (1) MassHealth;

1487 (2) the department of children and families;

1488 (3) the department of transitional assistance;

1489 (4) the department of unemployment assistance; and

1490 (5) all departments, divisions and offices within the executive office of housing and
1491 livable communities that administer emergency shelter assistance, rental assistance, housing
1492 subsidies or other housing benefits to state residents.

1493 (b) On or before the third year after enactment, there shall be implementation by each of
1494 the following public-facing state agencies and their divisions thereof:

1495 (1) the department of early education and care

1496 (2) the registry of motor vehicles;

1497 (3) the department of public health; and

1498 (4) the department of mental health.

1499 (c) On or before the fourth year after enactment, there shall be implementation by each of
1500 the following public-facing state agencies and their divisions thereof:

1501 (1) the child support enforcement division of the department of revenue;

1502 (2) the department of elementary and secondary education;

1503 (3) the Massachusetts office on disability;

1504 (4) the department of public utilities; and

1505 (5) MassDigital.

1506 (d) On or before the fifth year after enactment, there shall be implementation by each of
1507 the following public-facing state agencies and their divisions thereof:

1508 (1) the department of revenue;

1509 (2) the executive office of health and human services, specifically,

1510 (i) the department of youth services,

1511 (ii) the department of developmental services,

1512 (iii) the executive office of elder affairs,

1513 (iv) MassAbility,

1514 (v) the office for refugees and immigrants;

1515 (3) the executive office of labor and workforce development, specifically,

1516 (i) the department of family and medical leave,

1517 (ii) the department of industrial accidents; and

1518 (4) the executive office of public safety and security, specifically,

1519 (i) the Massachusetts department of correction,

1520 (ii) the department of fire services,

1521 (iii) the Massachusetts state police,

1522 (iv) the Massachusetts emergency management agency,

1523 (v) the state 911 department.

1524 SECTION 46. Section 2 of chapter 18 of the General Laws is hereby amended by

1525 inserting after subsection (B)(s), the following new subsection:-

1526 Subsection (t). promptly replace the full amount of financial assistance or nutrition
1527 benefits stolen through electronic benefit transfer card skimming, card cloning or other
1528 fraudulent methods, including organized identity theft schemes, to the extent the federal
1529 government fails to provide federal funds to replace stolen benefits, provided that the thefts have
1530 been reported to or identified by the Department in accordance with procedures for making and
1531 verifying replacement claims established by the department.

1532 SECTION 47. Chapter 6A of the General Laws, as appearing in the 2024 Official
1533 Edition, is hereby amended by inserting after section 16 the following section:-

1534 Section 16.5. (a) There is hereby established and set up on the books of the
1535 commonwealth a separate fund, to be administered by the executive office of health and human
1536 services (EOHHS), which shall be known as the Engaging Neighborhoods, Organizations,
1537 Unions, Governments and Households (ENOUGH) Grant Fund. The fund shall be credited with:
1538 (i) appropriations, bond proceeds or other money authorized or transferred by the general court
1539 and specifically designated to be credited to the fund; (ii) funds from public and private sources,
1540 including, but not limited to gifts, grants and donations; and (iii) any interest earned on such
1541 money. Amounts credited to the fund shall not be subject to further appropriation and any money
1542 remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall
1543 remain available for purposes pursuant to paragraph (b) of this section.

1544 (b) Amounts credited to the fund shall be used to administer and fund the ENOUGH
1545 Grant Fund (the fund). If the funds in this account are insufficient to fully fund the grant,
1546 EOHHS shall submit to the house and senate committees on ways and means a request for an
1547 additional appropriation to fully fund the grant.

1548 (c) EOHHS shall develop and administer the fund to support community-driven, place-
1549 based strategies aimed at reducing poverty. The purpose of the fund is to (i) reduce poverty and
1550 expand opportunity for people with low incomes, (ii) increase community health, well-being and
1551 safety, (iii) provide "cradle to career" access to high-quality education, training and care, (iv)
1552 connect residents to quality jobs and in-demand occupations, (v) enable family-sustaining
1553 income and access to quality early education and care, affordable housing, and health care,
1554 including reproductive, maternal, behavioral, and mental health care, (vi) provide high-quality
1555 support for people with disabilities, families involved with the child welfare system, and justice-
1556 involved youth and adults, (vii) connect individuals and families to appropriate benefits
1557 programs; and (viii) leverage federal, local and private funding for communities. The fund shall
1558 ensure that a comprehensive approach to reducing poverty, including childhood and
1559 intergenerational poverty, is applied across multiple sectors and systems, and is informed by
1560 data, evidence, research and best practices.

1561 (d) Grantees must be located in eligible communities, which are municipalities, or
1562 geographic regions that have a significant level of residents living in poverty, as determined by
1563 the executive office of health and human services. Eligible grantees shall include community-
1564 based nonprofit organizations, municipalities, or school districts, and proposals must include
1565 partnerships between at least these three entities.

1566 (e) Grants shall be provided in three tracks: (i) partnership development grants, which
1567 shall establish the foundation for proposed place-based strategy through activities that include
1568 convening partners, activating and engaging community leaders, and developing a formal
1569 partnership structure to conduct a shared vision for their community's success; (ii) plan
1570 development grants, which will use the formal partnership structure to conduct community asset

1571 mapping and needs assessment, and engage in participatory planning processes with community
1572 residents to develop comprehensive action plans to increase economic mobility and significantly
1573 reduce poverty; and (iii) implementation grants, which will launch approved action plans,
1574 leverage additional funding streams, conduct progress monitoring and continuous quality
1575 improvement, and adopt norms and structures for ongoing community leadership and
1576 implementation of the action plan.

1577 (f) EOHHS shall develop a transparent and competitive process for the award of the fund.
1578 The process shall include an annual request for applications, widely disseminated through
1579 appropriate channels in at least the top five spoken languages in the commonwealth, and EOHHS
1580 shall provide technical assistance and guidance for prospective applicants to ensure equitable
1581 access to funding opportunities. EOHHS shall develop a transparent and accountable process for
1582 reviewing applications that must include an interdisciplinary panel of reviewers, including
1583 subject matter experts and representatives from organizations that serve people in poverty.
1584 Expertise must cover a wide array of areas and issues that affect people in poverty, including but
1585 not limited to cash benefits and other income supports, tax credits and tax assistance, asset
1586 development and wealth building, early education and care and out-of-school time, K-12
1587 education including vocational education, higher education, workforce development and skills
1588 training, labor unions and apprenticeships, immigration and refugee settlement, housing and
1589 homelessness, nutrition and food security, public health, maternal health and infant support, early
1590 intervention, transportation, environmental justice, health care, behavioral and mental health
1591 care, trauma-sensitive intervention and violence prevention, social services, child welfare,
1592 broadband, justice-involved and re-entry services for youth and adults, legal services, and
1593 services for special populations such as children and adults with disabilities, the LGBTQ+

1594 community, veterans, elders, and youth aging out of foster care. At least 25% of the panel shall
1595 be composed of people with lived experience of poverty.

1596 Priority shall be given to eligible communities that have experienced long-term economic
1597 distress, have demonstrated a commitment to cross-sector collaboration and partnerships, and
1598 incorporate an equity lens as well as the engagement of people with lived experience in their
1599 proposal.

1600 Finalist applicants may be subject to site visits or interviews to assess readiness and
1601 community involvement.

1602 (g) Grantees shall be required to identify baseline and performance targets aligned with
1603 metrics determined by EOHHS. Performance targets must be aligned with at least the following
1604 general indicators of community well-being: poverty reduction, economic security, improved
1605 education outcomes, increased health outcomes, and safe and thriving communities.

1606 (h) EOHHS shall commission a third-party evaluator to conduct biennial assessments of
1607 the fund's effectiveness and use the findings to inform future funding allocations and policy
1608 improvements.

1609 (g) The General Court shall appropriate $20 million annually to the fund. EOHHS may
1610 accept and expend federal, state and private funds to supplement the annual appropriation. Funds
1611 from this item may be used to provide administrative support to grantees, including technical
1612 assistance, capacity building, and program evaluation. Grantees shall receive support including
1613 but not limited to training from experts on best practices in identifying inequities, prioritizing
1614 local needs, and making data-driven decisions.

1615 (h) Annually, not later than October 1, EOHHS shall report to the governor, the clerks of
1616 the house of representatives and the senate, and the house and senate committees on ways and
1617 means on the fund's activities. The report shall include the source and amount of funds received,
1618 the expenditures made from the fund, the anticipated funding obligation for the next fiscal year,
1619 recipients of grant funding, size of awarded grants by recipient, summaries of funded projects,
1620 performance data, challenges, and best practices. The report shall be publicly available online.

1621 SECTION 48. Sections 9 to 14 inclusive shall apply to tax years beginning on or after
1622 January 1, 2025.

1623 SECTION 49. Sections 30 to 38 inclusive shall take effect 18 months following passage
1624 of this act. The commissioner of probation shall commence the process of sealing records
1625 through the automated record sealing process on or before the effective date of this act.

1626 SECTION 50. Sections 41 to 43 inclusive shall take effect upon passage of this act.