

Massachusetts House of Representatives Bill Summary

Bill #: H.2293

Title: An Act requiring municipal spending reports on the use of opioid settlement funds

Sponsor: Rep. Bradley Jones

Committee: Municipalities and Regional Government

Hearing Date: June 24, 2025

Current Law: MGL Chapter 44, Section 53 provides that most funds received by a city or town are to be treated as general revenue unless such funds are exempted, such as insurance payments not to exceed \$150,000 to replace damaged equipment or property, highway money, water pollution control grants, or school books and materials. Such money may be used for those purposes without further appropriation.

Section 197 of Chapter 77 of the Acts of 2023 (FY2023 supplemental budget bill) states that notwithstanding the laws governing stabilization funds or the rescission of laws previously accepted, or any other general or special law to the contrary, any city, town or district that has accepted the fourth paragraph of said section 5B of said chapter 40 (governing the establishment of stabilization funds), and thereby dedicated statewide opioid settlement receipts to a stabilization fund, may vote to revoke said acceptance at any time. Upon such revocation, the city, town or district may, without further appropriation, account for all statewide opioid settlement receipts previously received, including those already in a stabilization fund, in accordance with section 53 of chapter 44 of the General Laws, unless already certified as free cash. Unless otherwise reserved, any city, town or district may account for all statewide opioid settlement receipts previously received in accordance with the municipal finance law, unless already certified as free cash. Any statewide opioid settlement receipts already certified as free cash may be appropriated to the separate statewide opioid settlement revenue account established pursuant to the municipal finance law.

On December 4th, 2023, Governor Healey signed Chapter 77 of the Acts of 2023. Section 9 of the law provides, in part, for an exception to the legal requirement that all receipts are to be recorded as general fund revenue per G.L. c. 44, § 53 for Opioid Settlement Receipts. Municipalities now have the option to account for these receipts in a special revenue fund.

Summary:

This legislation would require any municipality that receives a portion of the statewide opioid settlement funds to submit a report each year by July 1 to the state Department of Public Health explaining how they plan to spend those funds in the upcoming fiscal year.

The legislation specifies that the report filed by such municipalities shall include the total amount of abatement money received from the settlement fund, and a description of the programs and initiatives that will use such money to mitigate the impact of the opioid crisis in their communities. The first report may be a preliminary submission.

Municipalities that spend less than half of the annual allocation of money would need to include their plans to utilize the rest of the funds and identify any barriers that prevent the funds from being used.

Notes:

According to the Municipal Opioid Abatement Funds Data Dashboard, in FY2024, 336 communities received a total of \$49,663,224 in settlement funds. Of those, 208 were required to submit reports to the Executive Office of Health and Human Services because they received \$35,000 or more in funds.

Cities and towns that receive annual abatement distributions of \$35,000 or more, whether individually or pooled through OLRH Shared Service arrangements, will be required to submit annual reports of their Municipal Abatement Fund expenditures in the prior fiscal year to EOHHS, starting in FY2023. The reports shall include but not be limited to: municipal abatement funds received; an itemized list of the funds expended for abatement and administrative costs, if applicable; the unexpended balance; a brief description of the funded abatement strategies and efforts to direct resources to vulnerable and underserved communities. Additional reporting-related guidance shall be provided. All municipalities must: maintain, for a period of at least 5 years after funds are received, documents sufficient to reflect that Municipal Abatement Funds were utilized for the Municipal Abatement Strategies listed herein.