

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 6, 2025.

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JOURNAL OF THE HOUSE.

Thursday, February 6, 2025.

Met according to adjournment at eleven o'clock A.M. with Mr. Garballey of Arlington in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Garballey), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

During the session (Mr. Donato of Medford being in the Chair), at the request of Representatives Saunders of Belchertown and Duffy of Holyoke, the members, guests, and employees stood in a moment of silent tribute in respect to the memory of Doug Stefancik, who passed away unexpectedly at the age of 54 on January 28th, 2025.

Doug
Stefancik.

Doug was a lifelong resident of Holyoke and dedicated his professional life to public service serving nearly 20 years as town planner in the town of Ludlow. Among his accomplishments, Doug's efforts helped develop renewable energy projects and the revitalization of the Ludlow Mills.

He is survived by his mother Florence J. Stefancik of Holyoke, his sister Karin S. Kane and her husband former Representative Michael Kane of Holyoke, his brother Glen J. Stefancik of Holyoke as well as many members of his extended family. He will be greatly missed.

Member Qualified.

The Chair (Mr. Garballey of Arlington) announced that the special committee of the House appointed at the sitting of January 6, 2025, relative to the qualification of Carol A. Doherty, member-elect from the Third Bristol District, had reported that on Wednesday, February 5, 2025, Representative Doherty had taken and subscribed the necessary oaths of office, and was now duly qualified as a member of the House of Representatives.

Representative
Carol A.
Doherty,—
qualification.

Appointment of the Speaker.

The Speaker announced that (under the provisions of Section 32 of Chapter 23B(c) of the General Laws) he had appointed Representative Luddy of Orleans to the Seasonal Communities Advisory Council, to serve in the position previously held by Representative Diggs of Barnstable.

Seasonal
communities.

Appointment of the Minority Leader.

The Minority Leader announced that (under the provisions of Section 69 of Chapter 3 of the General Laws) he had re-appointed former Representative John A. Lepper of Attleboro to the Commission on the Status of Grandparents Raising Grandchildren.

Grandparents raising grandchildren.

Communications.

Communications

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Barnstable County Correctional Facility for the third quarter of calendar year 2024;

Barnstable,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Berkshire County Correctional Facility for the third quarter of calendar year 2024;

Berkshire,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Bristol County Correctional Facility for the third quarter of calendar year 2024;

Bristol,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Dukes County Correctional Facility for the third quarter of calendar year 2024;

Dukes,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Essex County Correctional Facility for the third quarter of calendar year 2024;

Essex,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Franklin County Correctional Facility for the third quarter of calendar year 2024;

Franklin,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Hampden County Correctional Facility for the third quarter of calendar year 2024;

Hampden,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Hampshire County Correctional Facility for the third quarter of calendar year 2024;

Hampshire,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Middlesex County Correctional Facility for the third quarter of calendar year 2024;

Middlesex,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Norfolk County Correctional Facility for the third quarter of calendar year 2024;

Norfolk,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Plymouth County Correctional Facility for the third quarter of calendar year 2024;

Plymouth,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Suffolk County Correctional Facility for the third quarter of calendar year 2024; and

Suffolk,—
correctional facility data.

From the Massachusetts Sheriffs' Association (see Section 40 of Chapter 126 of the General Laws) submitting the aggregate data on the population of the Worcester County Correctional Facility for the third quarter of calendar year 2024;

Worcester,—
correctional facility data.

Severally were placed on file.

Papers from the Senate.

The following notices were received from the Clerk of the Senate, to wit:—

February 4, 2025.

Honorable Timothy Carroll
Clerk of the House of Representatives
Room 145 State House
Boston, MA 02133

Dear Mr. Clerk:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate made the following appointments:

Senator Mark C. Montigny (pursuant to Section 32 of Chapter 197 of the Acts of 2024) to the Assisted Living Residence commission;

Assisted Living commission.

Re-appointment of Guimel DeCarvalho (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women;

Status of Women.

Re-appointment of Meegan Best-Simpson (pursuant to Section 69 of Chapter 3 of the General Laws) to the commission on the status of grandparents raising grandchildren;

Grandparents raising grandchildren.

Re-appointment of Senator Julian Cyr (pursuant to Section 69 of Chapter 3 of the General Laws) to the permanent commission on the status of grandparents raising grandchildren; and

Id.

Senators John F. Keenan and Lydia Edwards (pursuant to Section 148 of Chapter 135 of the Acts of 2024) to the special commission to investigate and study emerging firearm technology.

Emerging firearm technology.

Respectfully,

MICHAEL D. HURLEY,
Clerk of the Senate.

February 4, 2025.

Honorable Timothy Carroll
Clerk of the House of Representatives
Room 145 State House
Boston, MA 02133

Dear Mr. Clerk:

I have the honor to inform you that the Honorable Bruce E. Tarr, Minority Leader of the Senate made the following commission appointment:

Anthony Amore (pursuant to Section 214 of chapter 140 of the acts of 2024) to the special commission to study and examine opportunities for collaboration and

Correctional consolidation.

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consolidation among the department of correction, the county sheriffs, the parole board and the office of community corrections;

Hirak Shah (pursuant to Executive Order 639) to the K-12 Statewide Education Council;

Rita Blanter, replacing Mark Freedman, to the Special Commission on Combatting Antisemitism in the Commonwealth; and

Salisbury Police Chief Tom Fowler (pursuant to Section 198 of Chapter 140 of the Acts of 2024) to the task force to study post-retirement employment of public employees.

Education council.

Antisemitism commission.

Post-retirement employment task force.

Respectfully,

MICHAEL D. HURLEY,
Clerk of the Senate.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House recessed until one o'clock P.M.; and at a half past one o'clock the House was called to order with Mr. Garballey in the Chair.

Recess.

Report of Committee.

Prior to the noon recess, Mr. Michlewitz of Boston, for the temporary committee on Ways and Means, on House, No. 51, reported, in part, a Bill making appropriations for the fiscal year 2025 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 57) [Total appropriation: \$425,000,000.00] [Representatives Smola of Warren, Berthiaume of Spencer, Sullivan-Almeida of Abington, Vaughn of Wrentham and Xiarhos of Barnstable dissenting], which was read.

Supplemental appropriations.

Under suspension of the rules, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated (Ms. Hogan of Stow being in the Chair), under suspension of the rules, on motion of Mr. Michlewitz of Boston the bill (having been certified by House Counsel to be correctly drawn) was read a third time.

After remarks on the question of passing the bill to be engrossed, Mr. Vaughn of Wrentham moved to amend it by adding the following 3 sections:

“SECTION 8. There shall be established a working group to decide how to utilize the Bay State Shelter following its use as a shelter.

SECTION 9. The working group shall consist of a Representative who represents a town that hosts a temporary respite shelter, appointed by the House Minority Leader; a Senator who represents a town that hosts a temporary respite shelter, appointed by the Senate President; a Town Administrator or manager for a town that hosts a temporary respite shelter, appointed by the Executive Director of the Massachusetts Municipal Association; a Select Board member for a town that hosts a temporary respite center, appointed by the Speaker of the House; and a School Committee member for a town that hosts a temporary respite center, appointed by the Senate Minority Leader.

SECTION 10. The working group shall submit its report, along with any recommendations, one year from the passage of this act.”.

The amendment was rejected.

There being no objection,— Mr. Jones of North Reading and other members of the House then moved to amend the bill by striking out section 3 and inserting in place thereof the following section:

“SECTION 3. Section 30 of chapter 23B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after paragraph (C) the following paragraph:

(C 1/2)(1) The executive office shall require each individual adult applicant or beneficiary to disclose on their initial or subsequent application for emergency housing assistance benefits all prior criminal convictions, whether in the commonwealth or another jurisdiction. The executive office shall not require prior convictions that have been sealed or expunged to be disclosed. Any adult applicant or beneficiary who fails to disclose prior criminal convictions consistent with this paragraph shall not be eligible for benefits and any existing benefits shall be terminated.

(2) The executive office shall require criminal background checks for each individual adult applicant or beneficiary prior to placement into the emergency housing assistance program. The executive office shall establish, through regulations, protocols on information received through these background checks.

(a) For the purposes of this section, ‘Background Check’ shall be defined as a ‘a comprehensive review of an individual’s personal, criminal, and financial history, including but not limited to: criminal records at the state, federal, and international levels; employment history; education verification; immigration or residency status; financial history, including credit checks; presence on international or domestic criminal watch lists.’

(b) The background check shall be conducted by an approved and licensed entity that complies with federal, state, and local laws governing background investigations, including but not limited to the United States Fair Credit Reporting Act.

(c) The required background check shall include, but is not limited to: criminal history review, including state, national, and international records; verification of employment and education history; immigration and residency status verification through the Department of Homeland Security or its equivalent; review of financial history, including creditworthiness, if applicable to program eligibility criteria; social security number verification and identification validation; and, screening against state and federal sex offender registries and other public safety databases.

(d) Law enforcement agencies accessing data under this provision shall adhere to all applicable state and federal privacy and data protection laws.

(e) Individuals with criminal convictions related to violent crimes, sexual offenses, fraud, or other serious offenses committed within the past 10 years may be deemed ineligible for housing program participation, subject to review by the administering agency.

(f) All information obtained through the background check process and data access under this section shall be kept confidential and used solely for the purposes provided in this section.

(g) Administering agencies and law enforcement must establish secure systems for the storage and handling of sensitive information.

(h) Background check and data access procedures under this section shall comply with all applicable state and federal privacy laws, including but not limited to the General Data Protection Regulation (GDPR) for international applicants.

(i) Any agency or entity administering housing programs or managing data found in violation of this section shall be subject to penalties, including fines, suspension of funding, or other sanctions as determined by the Executive Office of Housing and Livable Communities or other applicable authorities.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 26 members voted in the affirmative and 126 in the negative.

[See [Yea and Nay No. 1](#) in Supplement.]

Therefore the amendment was rejected.

There being no objection,— Mr. Jones and other members of the House then moved to amend the bill in section 2A, in line 30, by striking out the figures: “425,000,000” and inserting in place thereof the figures: “200,000,000”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Muradian of Grafton; and on the roll call 26 members voted in the affirmative and 126 in the negative.

[See [Yea and Nay No. 2](#) in Supplement.]

Therefore the amendment was rejected.

There being no objection,— Mr. Xiarhos of Barnstable then moved to amend the bill by adding the following section:

“SECTION 8. Section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, is hereby further amended by adding the following sentence:

Notwithstanding any general or special law, rule, or regulation to the contrary, the emergency housing assistance program established herein shall be available only to residents of the commonwealth who are citizens of the United States.”.

The amendment was rejected.

There being no objection,— Mr. Frost of Auburn and other members of the House then moved to amend the bill in section 6, in line 106, by inserting after the word “commonwealth” the following: “who have established Massachusetts residency for at least 12 consecutive months immediately prior to the date of application,”, and in lines 124 to 132, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(5) require each applicant for benefits under the emergency housing assistance program to establish Massachusetts residency for at least 12 consecutive months immediately prior to the date of application. Acceptable proof of continuous legal residency in Massachusetts must consist of one of the following forms of documentation, issued at least 12 months before the application date including but not limited to: (i) filed Massachusetts state income tax return for the most recent tax year; (ii) valid REAL ID-compliant Massachusetts driver’s license issued at least one year prior; (iii) utility bill, lease, or mortgage statement in the applicant’s name, dated at least one year prior; Or (iv) pay stubs showing continuous Massachusetts employment for at least 12 months. An applicant shall be required to show an intent to remain in Massachusetts, which may be shown through sources of verification accepted by the executive office. The executive office shall promulgate regulations on sources of acceptable verification which shall include, but shall not be limited to, documentation showing a person receives MassHealth, documentation showing a person receives public benefits in Massachusetts, a bill or other insurance documentation with an address, email, letter or statement from a licensed health care worker on office letterhead or office email stating that the person lives in Massachusetts or a Massachusetts photo identification. For purposes of this section, a residency requirement shall not be required for victims of domestic violence; or a person whose

Amendment
rejected,—
yea and nay
No. 1.

Amendment
rejected,—
yea and nay
No. 2.

living situation has been affected by a fire or other natural disaster that occurred in Massachusetts.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Frost; and on the roll call (Mr. Donato of Medford being in the Chair) 26 members voted in the affirmative and 126 in the negative.

[See [Yea and Nay No. 3](#) in Supplement.]

Therefore the amendments were rejected.

There being no objection,— Mr. Frost of Auburn and other members of the House then moved to amend the bill in section 6, in line 106, by inserting after the word “commonwealth” the words “whose cause of homelessness resulted within the commonwealth of Massachusetts,” and in line 125, by inserting after the word “show” the words “that their cause of homelessness resulted within the commonwealth of Massachusetts, and”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Frost; and on the roll call 25 members voted in the affirmative and 127 in the negative.

[See [Yea and Nay No. 4](#) in Supplement.]

Therefore the amendments were rejected.

There being no objection,— Mr. Frost of Auburn and other members of the House then moved to amend the bill in section 6 by adding the following paragraph:

“(6) require that for any state funded housing program that provides long-term, permanent and stable housing within the commonwealth, the executive office prioritizes benefits to applicants who have established legal residency in Massachusetts and whose initial cause of homelessness and application for such benefits occurred while residing legally in the commonwealth of Massachusetts.”.

The amendment was rejected.

There being no objection,— Mr. Soter of Bellingham then moved to amend the bill by adding the following 3 sections:

“SECTION 8. Chapter 276 of the General Laws is hereby amended by inserting after section 20R the following section:

Section 20S. (a) Any employee of the Commonwealth considered a court officer pursuant to Sections 69A, 70A, or 71A of Chapter 221 or any state, county or local law enforcement officer, who has lawful custody of a person may, upon receipt of a written request from United States Immigration and Customs Enforcement requesting detention of such person on the grounds that there is probable cause that such person is a removable alien, detain such person for a reasonable period of time after such person would otherwise be released from custody in order to transfer custody of such person to United States Immigration and Customs Enforcement, provided that such person be provided with a copy of such written request; and further provided that in no circumstances shall such detention exceed 36 hours.

(b) This section shall not be construed to give rise to a private right of action and shall not be construed so as to make unlawful any arrest in this commonwealth which would otherwise be lawful.

SECTION 9. Chapter 276 of the General Laws is hereby amended by inserting at the end the following section: -

Section 104. In determining original bail, and any subsequent bail pursuant to sections 20D, 20E, 20F, 29, 42, 42A, 56A, 57, 60, 61, 62, 63, 64 68, 70, 82, 82A, of Chapter 276 the Judicial Officer presiding over the status of the bail hearing of the individual shall consider the existence of an Immigrations and Customs Enforcement Detainer request from the United States Immigrations and Customs Enforcement

Amendments
rejected,—
yea and nay
No. 3.

Amendments
rejected,—
yea and nay
No. 4.

Office. If a written request from United States Immigration and Customs Enforcement requesting detention of such person on the grounds that there is probable cause that such person is a removable alien and (2) an administrative warrant for arrest or warrant of deportation exists then the Judicial Officer shall have grounds to withhold or modify bail pending action on the request from Immigrations and Customs Enforcement.

SECTION 10. The provisions of these sections shall go into effect on the effective date of this act.”

Ms. Peisch of Wellesley thereupon raised a point of order that the amendment offered by the gentleman from Bellingham was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Mr. Jones of North Reading thereupon appealed from the decision of the Chair; and the appeal was seconded by Ms. Ferguson of Holden.

Appeal from decision of Chair.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”

On the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 128 members voted in the affirmative and 24 in the negative.

Decision of Chair sustained,—yea and nay No. 5.

[See [Yea and Nay No. 5](#) in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 8. Chapter 276 of the General Laws is hereby amended by inserting after section 20R the following section:

Section 20S. (a) Any employee of the Commonwealth, or a public instrumentality or political subdivision thereof, who holds police powers or the powers of a sheriff or deputy sheriff, including but not limited to municipal police officers, court officers, and state troopers, and who has lawful custody of a person may, upon receipt of (1) a written request from United States Immigration and Customs Enforcement requesting detention of such person on the grounds that there is probable cause that such person is a removable alien and (2) an administrative warrant for arrest or warrant of removal/deportation, detain such person for a reasonable period of time after such person would otherwise be released from custody in order to transfer custody of such person to United States Immigration and Customs Enforcement, provided that a supervisory officer of such employee’s agency has, in accordance with a policy promulgated in accordance with subsection (c), first determined that there are specific facts indicating that the person to be detained poses a threat to public safety; and further provided that such person be provided with a copy of such written request; and further provided that in no circumstances shall such detention exceed 12 hours unless an appropriate judicial officer shall have made a probable cause determination under the procedure set forth in subsection (d).

(b) As used in subsection (a), ‘specific facts indicating that the person to be detained poses a threat to public safety’ shall mean that, at a minimum, any of the following facts are true with respect to such person:

(1) the person has engaged in or is suspected of terrorism or espionage, or otherwise poses a danger to national security;

(2) the person has been convicted of an offense of which an element was active participation in a criminal street gang, as defined in 18 U.S.C. § 521(a);

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(3) the person has been convicted of an offense classified as a felony, other than a state or local offense for which an essential element was the person's immigration status;

(4) the person has been convicted of an aggravated felony, as defined under 8 U.S.C. § 1101(a)(43); or

(5) the person has been convicted of a crime of (i) domestic violence; (ii) sexual abuse or exploitation; (iii) trafficking in persons in violation of sections 50 or 51 of chapter 265 or like violations of the law of another state, the United States or a military, territorial or Indian tribal authority; (iv) burglary; (v) unlawful possession or use of a firearm; (vi) drug distribution or trafficking; (vii) second or subsequent operating or driving under the influence; or (viii) any other offense for which the person has been sentenced to time in custody of 180 days or more.

(c) Each agency of the Commonwealth or any public instrumentality or political subdivision of the Commonwealth that chooses to allow its employees to exercise the authority granted by subsection (a) shall promulgate a written policy designating which supervisory officers may make the determination required by subsection (a) before a person is detained and the criteria such supervisory officer shall use in making such determination.

(d) A determination of probable cause for detention shall be made by an appropriate judicial officer and promptly reduced to writing. The appropriate judicial officer shall consider any information presented by the detaining agency, whether or not known at the time of initial detention. The detaining agency shall present the information under oath or affirmation or under the pains and penalties of perjury, and may present the information orally, in person or by any other means, or in writing. If presented in writing, the information may be transmitted to the appropriate judicial officer by facsimile transmission or by electronic mail or by such other electronic means as may be found acceptable by the court. The determination of probable cause for detention shall be an ex parte proceeding. The person detained shall have no right to appear, either in person or by counsel. If the judicial officer determines that there is not probable cause to believe the person detained is a removable alien, then the judicial officer shall order that the person be released forthwith. Such a determination and order shall be filed in the District Court having jurisdiction over the location of the detention, together with all written information submitted by the detaining agency. Such documents shall be filed separately from the records of criminal cases, and shall be open for inspection by the public. If a determination under this subsection is necessary, the detaining agency shall present the information necessary to obtain such determination to the appropriate judicial officer as soon as reasonably possible after the detention begins, but no later than 12 hours after the detention begins.

(e) This section shall not be construed to give rise to a private right of action and shall not be construed so as to make unlawful any arrest in this commonwealth which would otherwise be lawful.”

Ms. Peisch of Wellesley thereupon raised a point of order that the amendment offered by the gentleman from North Reading was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of
order.

The Chair (Mr. Donato of Medford) stated that the amendment would impose requirements by law enforcement and judicial officers beyond what is contained in the original bill, clearly expanding on the provisions of the bill. Therefore the Chair ruled that the point of order was well taken; and the amendment was laid aside accordingly.

There being no objection,— Mr. Xiarhos of Barnstable and other members of the House then moved to amend the bill by adding the following 3 sections:

“SECTION 8. Chapter 147 of the General Laws is hereby amended by adding the following new section:

Section 64. (a) As used in this section, the following words shall have the following meaning unless the context clearly requires otherwise:

‘Law enforcement agency in the commonwealth’, any state, municipal, college or university police department, sheriff’s department, correctional facility, prosecutorial office, court, probation office, or a program of more than one of any such entity, or any other non-federal entity in the commonwealth charged with the enforcement of laws or the custody of detained persons.

‘Detainer request’ a written request issued by the United States Immigration and Customs Enforcement agency, or any subdivision or bureau thereof, duly issued to any law enforcement agency of the commonwealth and directing said agency to provide notification before releasing an individual from custody, or to maintain custody of the individual for a period not to exceed 48 hours beyond the time the individual otherwise would be released, or both.

(b) Notwithstanding any general or special law to the contrary, no law enforcement agency of the commonwealth shall establish a policy or directive ordering its officers and employees to fail or refuse to comply with detainer requests pertaining to individuals within the custody of such agency, and no officer or employee of a law enforcement agency of the commonwealth, while acting under color of the law, shall knowingly fail or refuse to comply with the terms of any detainer request pertaining to any individual within the custody of said agency.

(c) Notwithstanding any general or special law to the contrary, a law enforcement agency of the commonwealth in receipt of a detainer request pertaining to an individual within its custody shall notify the United States Immigration and Customs Enforcement agency of any planned release or change in the custody status of said individual not less than 24 hours in advance of such planned release or change.

SECTION 9. All state and local officials with law enforcement responsibilities shall receive training on the requirements of the act within six months of its passage, including training on the legal basis for detainer requests and the procedural steps for compliance.

SECTION 10. Every law enforcement agency of the commonwealth shall provide a report to the secretary of the executive office of public safety and security on or before the fifteenth day of January of each year detailing the number of detainer requests received by such agency during the preceding calendar year, together with an explanation of how many said detainer requests were honored or not honored, and with an explanation for the reasons for any non-compliance, including but not limited to any policy or directive of the agency to dishonor or refuse to comply with such requests; provided, that no such report shall contain any personally-identifiable information concerning any individual subject to a detainer request. The secretary shall collect such information and submit a consolidated report as to the data for each individual law enforcement agency of the commonwealth to the Clerks of the House of Representatives and the Senate on or before the fifteenth day of February of each year.”

Ms. Peisch of Wellesley thereupon raised a point of order that the amendment offered by the gentleman from Barnstable was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

There being no objection,— Mr. Lombardo of Billerica and other members of the House then moved to amend the bill by adding the following section:

“SECTION 8. Require the executive office of housing and livable communities to engage with the United States Immigration and Customs Enforcement in regard to populations at state shelters and to act in compliance with the United States Immigration and Enforcement detainees.”.

Ms. Peisch of Wellesley thereupon raised a point of order that the amendment offered by the gentleman from Billerica was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of
order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken.

Mr. Lombardo thereupon appealed the decision of the Chair; and the appeal was seconded by Mr. McKenna of Webster.

Appeal from
decision of
Chair.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”.

After debate on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Lombardo; and on the roll call 128 members voted in the affirmative and 24 in the negative.

Decision
of Chair
sustained,—
yea and nay
No. 6.

[See [Yea and Nay No. 6](#) in Supplement.]

Therefore the decision of the Chair was sustained.

There being no objection,— Mrs. Sullivan-Almeida of Abington and other members of the House then then moved to amend the bill by adding the following section:

“SECTION 8. Chapter 276 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 20R the following section:

Section 20S. (a) For purposes of this section, the term ‘law enforcement agency’ shall include, but not be limited to, any state, municipal, college or university police department, sheriff’s department, correctional facility, prosecutorial office, court, probation office or any other non-federal entity in the commonwealth charged with the enforcement of laws or the custody of detained persons. Upon receipt of a written request from the United States Immigration and Customs Enforcement requesting detention of an individual on the grounds that there is probable cause that such person is a removable alien, law enforcement agencies shall comply with the terms of any detainer request received under any of the following circumstances:

(i) the individual has been convicted or charged with an aggravated felony offense as defined in 8 U.S.C. §1101(a)(43), including, but not limited to, murder, rape, sexual abuse of a minor, illicit drug trafficking and illicit firearms trafficking;

(ii) the individual has been convicted or charged with a violent crime as defined in 18 U.S.C. §16;

(iii) the individual has been convicted or charged with a criminal street gang offense as defined in 18 U.S.C. §521; and

(iv) the individual has been convicted or charged with a terrorism offense as defined in 18 U.S.C. Chapter 113B.

(b) Any law enforcement agency employee shall comply with a United States Immigration and Customs Enforcement detention request if said employee determines that the alien poses a threat to public safety or other compelling argument supporting the alien’s detention.”.

Ms. Peisch of Wellesley thereupon raised a point of order that the amendment offered by the gentelady from Abington was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of
order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

There being no objection,— Mr. Markey of Dartmouth and other members of the House then moved to amend the bill in section 3, in line 43, by inserting after the word “program.” the following sentence:

“Such checks shall include data provided by the Massachusetts Department of Criminal Justice Information Services (DCJIS); the Massachusetts Department of Children and Families (DCF); the Massachusetts Sex Offender Registry Board (SORB); the state and national fingerprint databases; as well as all relevant state and national criminal history, child welfare and sex offender registries, databases and repositories.”.

The amendment was rejected.

There being no objection,— Representatives Markey and Garry of Dracut then moved to amend the bill in section 4, in line 62, by inserting after the word “women.” the following sentence:

“Failure by the executive office to provide such notice shall not be a basis for extending benefits beyond the time provided herein”.

The amendment was rejected.

There being no objection,— Ms. Decker of Cambridge and other members of the House then moved to amend the bill in section 4, in line 57, by striking out the following: “or (ii)” and inserting in place thereof the following: “(ii) under the age of 6; or (iii); and in line 121, by inserting after the word “violence” the following: “, families with a child under the age of 6”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 127 members voted in the affirmative and 25 in the negative.

[See [Yea and Nay No. 7 in Supplement.](#)]

Therefore the amendments were adopted.

There being no objection,— Mr. Consalvo of Boston and other members of the House then moved to amend the bill in section 4 by striking out the following: “or (iii) at imminent risk of harm due to domestic violence” (inserted by amendment) and inserting in place thereof the following:

“(iii) at imminent risk of harm due to domestic violence; or (iv) documented as having a disability.”; and

In section 6 by inserting after the figure: “6” (inserted by amendment) the words “, families with a family member who has a documented disability.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 8 in Supplement.](#)]

Therefore the amendments were adopted.

There being no objection,— Representatives Finn of West Springfield and Fiola of Fall River then moved to amend the bill by inserting after section 5 the following section:

“SECTION 5A. Section 19 of chapter 88 of the acts of 2024 is hereby amended by striking out the words ‘and (xvi) any efforts undertaken by the executive office for administration and finance to secure and maximize federal support and reimbursement for funds spent on the emergency housing assistance program’ and inserting in place thereof the following words:- (xvi) any efforts undertaken by the executive office for administration and finance to secure and maximize federal support and reimbursement for funds spent on the emergency housing assistance program; and (xvii) the total weekly number of families who have exited the emergency housing assistance program by durational limit termination.”.

Amendments
adopted,—
yea and nay
No. 7.

Amendments
adopted,—
yea and nay
No. 8.

UNCORRECTED PROOF.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 9](#) in Supplement.]

Therefore the amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 8. Notwithstanding any general or special law to the contrary, any funds expended for the purpose of providing services through or related to families and pregnant women served by the emergency housing assistance program pursuant to section 30 of chapter 23B of the General Laws shall be subject to a competitive bidding process.”.

On the question on adoption of the, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 10](#) in Supplement.]

Therefore the amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 126 members voted in the affirmative and 26 in the negative.

[See [Yea and Nay No. 11](#) in Supplement.]

Therefore the bill (House, No. 58, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Amendment
adopted,—
yea and nay
No. 9.

Amendment
adopted,—
yea and nay
No. 10.

Bill passed to
be engrossed,—
yea and nay
No. 11.

Next
sitting.

At five minutes after five o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.