

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 27, 2024

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JOURNAL OF THE SENATE

Thursday, June 27, 2024.

Met at eight minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the Chair (Ms. Creem) handed the gavel to Mr. Rodrigues for the purpose of an introduction. Mr. Rodrigues then introduced, in the rear of the Chamber, the Mayor of Vila do Porto, Santa Maria Island, Portugal, Barbara Pereira Torres de Medeiros Chaves. Mayor Chaves was recognized for her distinguished career as a member of the Island Secretariat of the Socialist Party in Santa Maria, a member of the Vila do Porto Municipal Assembly, Director of Santa Maria's Environmental Services, Chair of the Committee on Parliamentary Affairs, Environment and Sustainable Development and the Economy Committee of the Legislative Assembly of the Autonomous Region of the Azores. She was accompanied by President of the Municipal Assembly of Santa Maria Island, John Fontes and the Consul General of Portugal, in Boston Tiago Araujo. They were welcomed with applause, Mayor Chaves signed the guest book and they withdrew from the Chamber.

Mayor Barbara Pereira Torres de Medeiros Chaves.

Communication.

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Senator Ryan C. Fattman (pursuant to Section 23 of Chapter 88 of the Acts of 2024) to the special commission to study and make recommendations on: (i) the sustainability, efficiency and effectiveness of the emergency housing assistance program (received June 27, 2024),-- was placed on file.

Emergency housing assistance program.

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Division of Banks (pursuant to Section 13 of Chapter 167 of the General Laws) submitting its 2023 annual report (received June 26, 2024); and

DOB,-- 2023 annual report. SD3312 DPH,-- facility inspection. SD3313

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the Essex County Women in Transition, Salisbury (received June 27, 2024).

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Minority Leader:

Representative Paul K. Frost of Auburn has been appointed to serve as his designee on the special commission established (under Section 23 of Chapter 88 of the Acts of 2024)

Emergency housing commission,-- appointment.

UNCORRECTED PROOF.

to study and make recommendations on: (i) the sustainability, efficiency and effectiveness of the emergency housing assistance program; (ii) how to best support and ensure the long-term sufficiency of those seeking shelter; and (iii) creating a regional based response to support families in need of shelter.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4796) of James C. Arena-DeRosa (by vote of the town) that the town of Sherborn be authorized to convert one license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises;

Sherborn,-- liquor license.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4797) of Joseph D. McKenna, Paul K. Frost and Ryan C. Fattman (by vote of the town) that the town of Oxford be authorized to continue the employment of Craig Gagner, a member of the police department of said town;

Oxford,-- Craig Gagner employment.

To the committee on Public Service.

Bills

Criminalizing sexual assault by fraud of a medical professional (House, No. 4350,-- on Senate, No. 1122 and House, No. 1550);

Sexual assault,-- medical professional. Supplemental appropriations.

Making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4799,-- on House, No. 4496, in part,-- being a message from Her Excellency the Governor);

Relative to municipal tax lien procedures and protections for property owners in the Commonwealth (House, No. 4801,-- on Senate, Nos. 921, 1774, 1794, 1876, and 1953, and House, Nos. 2883, 2907 and 2937);

Municipal tax lien,-- procedures.

Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills

Relative to student mental health (House, No. 1999,-- on petition);

Mental health,-- students. Fire protection.

Relative to enhanced fire protection in new one- and two-family dwellings (House, No. 2289,-- on petition);

Relative to fire protection (House, No. 2290,-- on petition); and

Designating Domestic Workers' Rights Day (House, No. 3091,-- on petition);

Id. Domestic workers' rights day.

Were severally read and, under Senate Rule 26, referred to the committee on Rules.

Bills

Providing for the retirement of William R. Cushing Jr., a police officer in the city known as the town of Braintree (House, No. 4214,-- on petition) [Local approval received]; and

Braintree,-- William R. Cushing, Jr.

Relative to the filling of vacancies in the office of mayor of the city of Revere (House, No. 4551,-- on petition) [Local approval received];

Revere,-- mayoral vacancies.

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were

UNCORRECTED PROOF.

severally passed to be enacted and were signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation, to wit:

Expanding the Historic Beacon Hill District (see House, No. 4076); and

Bills laid before the Governor.

Authorizing the town of Somerset to acquire interests in land for sewer purposes (see House, No. 4273).

A Bill designating a portion of state highway Route 23 west and 41 south in the town of Egremont as the George McGurn memorial highway (House, No. 4619, amended,-- on petition),-- was read.

Egremont,-- George McGurn Memorial highway.

There being no objection, the rules were suspended, on motion of Mr. Keenan, and the bill was read a second time and ordered to a third reading.

A Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Lancaster to Robert F. Kennedy Community Alliance, Inc. (House, No. 4795,-- on House, No. 3070),-- was read.

Lancaster,-- land.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

Reports of a Committees.

The following reports were laid before the Senate, the time within which the said committee was required to report having expired

Of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10) on the petition (accompanied by bill, Senate, No. 225) of John J. Cronin for legislation to improve the economy of the commonwealth.

Economy,-- improve.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the matter was considered forthwith.

On further motion of Mr. Keenan, the bill was substituted for the report of the committee. The bill (Senate, No. 225) was read and, under Senate Rule 27 referred to the committee on Ways and Means.

Of the committee on Labor and Workforce Development, ought NOT to pass (under Joint Rule 10) on the petition (accompanied by bill, Senate, No. 1233) of John C. Velis for legislation relative to community college tuition.

MA Workforce Opportunity Scholarship.

There being no objection, the rules were suspended, on motion of Mr. Eldridge, and the matter was considered forthwith.

On motion of Mr. Velis, the petition was recommitted to the Joint Committee on Labor and Workforce Development.

PAPER FROM THE HOUSE.

The House Bill honoring, empowering, and recognizing our servicemembers and veterans (House, No. 4671),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2817, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Michael Moran of Boston, Cassidey of Brockton and Xiarhos of Barnstable had been appointed the committee on the part of the House.

Veterans and servicemembers.

On motion of Ms. Lovely, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Velis, Rush and Fattman were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Eldridge) “congratulating the Santa Maria Holy Ghost Society of Hudson on its fiftieth anniversary.”

Santa Maria Holy Ghost Society of Hudson.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill changing the term of the elected office of moderator in the town of Stoneham (House, No. 4075) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Stoneham,-- town moderator.

Orders of the Day.

The Orders of the Day were considered as follows:

Unfinished Business.

The Senate Bill authorizing the town of Milton to use certain property for school purposes (Senate, No. 2549),-- was read a third time.

Milton,-- school land.

Pending the question on passing the bill to be engrossed, Mr. Timilty moved to amend the bill by substituting new draft with the same title (Senate, No. 2840).

The amendment was adopted.

The bill (Senate, No. 2840) was then passed to be engrossed. Sent to the House for concurrence.

A Bill relative to the city employment and candidacy in the offices of mayor, city councillor-at-large, ward councillor and school committee in the city of Revere (House, No. 4638),-- **was read a second time and ordered to a third reading.**

Second reading bill.

A Bill directing the fire department of the town of Burlington to waive the maximum age requirement for firefighters for Ryan DeCoste (House, No. 4405) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Burlington,-- firefighter Ryan DeCoste.

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was read a second time.

Affordable Homes Act.

There being no objection, during consideration of the Orders of the Day, the following matter was considered:

PAPER FROM THE HOUSE.

Ms. Creem in the Chair, a Bill making certain appropriations for Fiscal Year 2025 before final action on the General Appropriation Bill (printed in, House, No. 4786,-- being a message from Her Excellency the Governor),-- was read.

1/12th budget.

There being no objection, the rules were suspended, on motion of Mr. Rodrigues, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:-

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

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After remarks, pending the question on adoption of the amendment previously recommended by the committee on Senate Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2834, and pending the main question on ordering the bill to a third reading, Messrs. Cyr and Eldridge moved that the proposed new text be amended by adding the following section:-

“SECTION XX. Chapter 40A of the General Laws is hereby amendment by inserting after section 3A the following sections:-

‘Section 3B. (a) All municipalities within the commonwealth having a population of greater than 2,000 shall have a zoning ordinance or by-law that provides for no less than 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A.

(b) The executive office of housing and livable communities shall promulgate guidelines assess municipalities’ compliance with this section.

(c) Municipalities may apply to the executive office for a waiver from the requirements of this section. In deciding whether to grant the municipal's request for a waiver, the executive office shall base its decision on whether the municipality’s subsidized housing inventory eligible housing units exceed 10 per cent of its total housing units pursuant to section 20 of chapter 40B of the Generals Laws and 760 CMR 56.00.

(d) A municipality that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of chapter 23A, or (iv) the HousingWorks infrastructure program established in section 27 of chapter 23B.

Section 3C. Each municipality in the commonwealth shall enact zoning ordinances and by-laws, subject to the procedure established under section 5 of this chapter, that set forth a minimum lot size for real property classified as Class One, residential of no greater than 1 acre, except when required to maintain compliance with 310 CMR 15.000 of the State Environmental Code.’”

After remarks, the amendment was *rejected*.

There being no objection, during consideration of the Orders of the Day, the following matter was considered:

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill making certain appropriations for Fiscal Year 2025 before final action on the General Appropriation Bill (see printed in, House, No. 4786) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Ms. Creem) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the**

Bill laid before the Governor.

Governor for her approbation.

Orders of the Day.

The Orders of the Day were further considered as follows:-

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

Mr. Cyr and Ms. Rausch moved that the proposed new text be amended by adding the following section:-

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

‘Section 5P. (a) In any city or town that accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a bifurcated or progressive property tax rate on real property classified as class one, residential property as defined under this chapter for the purposes of administering different property tax rates to such class one, residential properties based on whether said properties are occupied on a year-round basis or subject to periods of vacancy.

(b) The commissioner of revenue shall, as needed for each city or town that accepts this section, adjust the minimum residential factor under section 1A of Chapter 58.’”

After remarks, the amendment was *rejected*.

Recess.

There being no objection, at eighteen minutes before one o’clock P.M., the Chair (Ms. Creem) declared a recess, subject to the call of the Chair; and at twenty-seven minutes before three o’clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Recess.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation, to wit:

Changing the term of the elected office of moderator in the town of Stoneham (see House, No. 4075); and

Bills laid before the Governor.

Directing the fire department of the town of Burlington to waive the maximum age requirement for firefighters for Ryan DeCoste (see House, No. 4405).

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

There being no objection, the following amendments were considered as one, and *rejected* as follow:

Ms. Miranda and Messrs. Eldridge, Payano and Montigny moved that the proposed new text be amended in section 2, in item 7004-0081, by inserting after the phrase “for first-time homebuyers and social and economically disadvantaged individuals” the following:- “in a gateway municipality as defined in Section 3A of Chapter 23A or in the city of

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Boston”.

The amendment was *rejected*.

Messrs. Cronin, Finegold, Mark, Oliveira, Moore, Eldridge, Feeney, Kennedy, Gomez, Payano, Brady, Pacheco and Montigny moved that the proposed new text be amended by adding the following sections:-

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“SECTION 17A. Section 38R of chapter 63 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 38, the figure ‘2027’ and inserting in place thereof the following figure:- ‘2030’.

SECTION 17B. Said section 38R of said chapter 63, as so appearing, is hereby further amended by striking out, in line 40, the figure ‘\$55,000,000’ and inserting in place thereof the following figure:- ‘\$110,000,000’.

Section XX. Section 6J of Chapter 62, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 39, the figure ‘2027’ and inserting in place thereof the following figure:- ‘2030’. and

Section XX. Said Section 6J of Chapter 62, as appearing in the 2022 Official Edition, is hereby further amended by striking out, in line 41, the figure ‘\$55,000,000’ and inserting in place thereof the following figure:- ‘\$110,000,000’.”

The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended by inserting after section 131 the following section:-

31

“SECTION XX. Section 15B of chapter 186 of the General Laws is hereby amended by inserting at the end thereof the following:- ‘(10) A lessor, or agent thereof, of a residential property shall not require the signing of a lease more than three months in advance of the termination date of the current lease.’”

The amendment was *rejected*.

Mr. Finegold and Ms. Rausch moved that the proposed new text be amended by adding the following 2 sections:-

34

“SECTION XX. Section 1F of chapter 164 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended in paragraph (2) by striking the first sentence and inserting in place thereof the following:- ‘Pursuant to this paragraph, the department shall promulgate rules and regulations which shall include, but not be limited to, the following provisions: (i) a requirement that all distribution companies, generation companies, aggregators, marketers and suppliers notify their customers in writing of the terms of their agreement to provide service at the time service is initiated; (ii) a requirement that any such provider which agrees to furnish service to a new residential, commercial or industrial development shall notify the relevant customer in writing of the estimated date on which service shall be initiated; (iii) a formal procedure allowing a customer to file a complaint against a distribution or generation company, aggregator or supplier; and (iv) a formal dispute resolution procedure developed in consultation with the Massachusetts office of dispute resolution, which shall include options for mediation, arbitration, facilitation or other dispute resolutions methods.’

SECTION XX. Said section 1F of said chapter 164, as so appearing, is hereby further amended by inserting at the end thereof the following new paragraph:-

‘(11) The department shall ensure that all written complaints under this section in relation to new multi-family housing, as that term is defined in section 1A of chapter 40A, low or moderate income housing, as that term is defined in section 20 of chapter 40B, or any other facility which is primarily residential in nature which is in development or has been completed and not yet occupied are investigated and a response to the complainant provided no later than 30 days after receipt of such complaint; provided, however, that such response may include a decision of the department to continue said investigation and the reasons therefor; and provided further, that said investigation shall be initiated by the

department no later than 10 days after receipt of said complaint if said complaint concerns a failure by a distribution company, generation company, aggregator, marketer or supplier to: (i) provide the notice required in clause (ii) of paragraph (2) of this section; or (ii) show reasonable effort to adhere to the estimated date therein.’.”

The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended by inserting the following section:-

45

“SECTION XX. Chapter 40B of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, after section 21, the following new section:-

‘Section 21A. All low or moderate income housing constructed under a comprehensive permit must remain affordable in perpetuity.’.”

The amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended by adding the following section:-

55

“SECTION XX. Section 2, line item 7008-1116, of chapter 28 of the Acts of 2023 is hereby amended by inserting after the word ‘Spencer’ the following words:- ‘and such funds shall be made available until June 30, 2025’.”

The amendment was *rejected*.

Messrs. Durant and Montigny moved that the proposed new text be amended by adding the following section:-

57

“SECTION XX. Section 23B of the General Laws is hereby amended by adding the following section:-

‘Section 31. (a) There shall be a commission to study the most effective and efficient ways to ensure seniors in the Commonwealth can stay in their homes. There shall be 13 appointees: The secretary of housing and livable communities, the secretary of elder affairs or their designee, 3 people appointed by the secretary of elder affairs, 2 people appointed by the governor, who specializes in senior housing, 2 people appointed by Senate President, 2 people appointed by the Speaker of the House, 2 people appointed by both the House and Senate Minority Leaders.

(b) Members shall serve terms of 2 years. Vacancies in the membership of the commission shall be filled by the original appointing authority for the balance of the unexpired term.

(c) The commission shall elect from among its members a chair, a vice chair, a treasurer and any other officers it deems necessary.

(d) The members of the commission shall receive no compensation for their services, but shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(e) The commission shall be a resource to the commonwealth on issues affecting seniors in the commonwealth. In furtherance of that responsibility, the commission shall: (1) foster unity among senior communities and organizations in the commonwealth by promoting cooperation and sharing of information and encouraging collaboration and joint activities; (2) serve as a liaison between government and private interest groups with regard to matters of unique interest and concern to senior housing in the commonwealth; (3) assess programs and practices in all state agencies as they affect senior housing and ensuring seniors stay in their homes, as the commission deems necessary and appropriate; (4) advise executive and legislative bodies of the potential effect of proposed legislation on senior housing, as the commission deems necessary and appropriate; (5) investigate the merits of the establishment of a state agency dedicated to senior housing issues and determine how such agency would be set up; and (6) identify issues that are faced by relatives helping a senior maintain housing.

(f) The powers of the commission shall include, but not be limited to, the following:

(1) to use such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and required, including provision of meeting places and refreshments; (2) to hold regular, public meetings and to hold fact-finding hearings and other public events as the commission deems necessary; (3) to enact by-laws for its own governance but not inconsistent with any general or special law; and (4) to recommend policies and make recommendations to agencies and officers of the commonwealth and local subdivisions of government to effectuate the purposes of this commission.

(g) The commission may accept and solicit funds, including any gifts, donations, grants or bequests, or any federal funds for any of the purposes of this section. Such funds shall be deposited into a separate account with the state treasurer, received by said treasurer on behalf of the commonwealth, and expended by the commission in accordance with law.

(h) Not later than December 31 of each year, the commission shall report its findings and activities of the preceding year, as well as any policy recommendations, to the governor, the clerks of the senate and the house and the joint committee on elder affairs and the joint committee on housing.’”

The amendment was *rejected*.

Messrs. Durant and Keenan moved that the proposed new text be amended by adding the following section:-

58

“SECTION XX. Section 14 of Chapter 235 of the Acts of 2014 is hereby amended by inserting after the word ‘authorities’ the following:-

‘The applicant’s preference list shall be limited to 10 housing authorities. The housing authorities must be in the county in which the applicant lives or the housing authority must be within 10 miles of the county boundary limit where the applicant lives.’”

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting after section __ the following 9 sections:-

65

“SECTION __. Section 14 of chapter 61A of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the figure ‘120’, each time it appears, and inserting in place thereof, in each instance, the following figure:- ‘180’.

SECTION __. Said section 14 of said chapter 61A, as so appearing, is hereby further amended by striking out the figure ‘90’, the first and second time it appears, and inserting in place thereof, in each instance, the following figure:- ‘120’.

SECTION __. The sixteenth paragraph of said section 14 of said chapter 61A, as so appearing, is hereby further amended by adding the following sentence:- ‘The landowner shall respond no later than 30 days after having received the purchase and sale contract.’

SECTION __. The twenty-third paragraph of said section 14 of said chapter 61, as so appearing, is hereby further amended by adding the following sentence:- ‘The city or town shall not be required to exercise the option to purchase any property not classified under this chapter.’

SECTION __. Section 9 of chapter 61B of the General Laws, as so appearing, is hereby amended by striking out the figure ‘120’, each time it appears, and inserting in place thereof, in each instance, the following figure:- ‘180’.

SECTION __. Said section 9 of chapter 61B, as so appearing, is hereby further amended by striking out the figure ‘90’, the first and second time it appears, and inserting in place thereof, in each instance, the following figure:- ‘120’.

SECTION __. The sixteenth paragraph of said section 9 of said chapter 61B, as so appearing, is hereby amended by adding the following sentence:- ‘The landowner shall respond no later than 30 days after having received the purchase and sale contract.’

SECTION __. The twenty-fourth paragraph of said section 9 of said chapter 61B, as so appearing, is hereby amended by adding the following sentence:- ‘The city or town shall

not be required to exercise the option to purchase any property not classified under this chapter.’

SECTION __. This section shall take effect upon its passage.”

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended in section 2, in item 7004-0072, by adding the following words:- “Preference shall be given to organizations that have existing programing to support grandfamilies, including but not limited to, an area’s agency on aging.”

66

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting at the end of section 10 the following sentence:- “Notwithstanding the foregoing, no board of health, or its authorized agent, shall prevent or prohibit occupancy of an accessory dwelling unit on the basis of non-compliance with 310 CMR 15.000 et seq.”

70

The amendment was *rejected*.

Mr. Cronin moved that the proposed new text be amended by adding the following sections:-

73

“SECTION __. For the 1:1 matching program established by section 31A of chapter 21 of the general laws; provided the department shall prioritize the applications of communities are seeking admission to or additional water supply from a regional water authority because their local sources are impacted by water quality issues, their water supply is located in a stressed basin, or local economic development is significantly constrained by their existing water supply\$10,000,000.

SECTION __. Section 31A of chapter 21 of the general laws, as appearing in the 2022 official edition, is hereby stricken and replaced with the following new section:-

‘Section 31A. Subject to appropriation, the department of environmental protection shall administer a matching grant program for communities who desire to join any regional system for wastewater, drinking water or for both wastewater and drinking water except for the Massachusetts water resources authority. Each grant shall match, on a 1:1 basis, money committed by a local government unit or a regional local governmental unit, as defined in section 1 of chapter 29C, to pay the fees or infrastructure costs required to join a regional system. The department shall award grants only to a local governmental unit or regional local governmental unit that satisfies the department that it has committed funds to join said regional system. Should the local governmental unit or regional local governmental unit fail to join a regional system after receiving a grant under this section, the local governmental unit or regional local governmental unit shall return money granted under this section to the department. For the purpose of this section, the term ‘regional system’ shall include any system established by mutual agreement of 2 or more municipalities or by a county in which all municipalities of said county have an agreement to provide drinking water or wastewater services, or both, through shared facilities, sources or distribution networks.’.”

The amendment was *rejected*.

Messrs. Moore, Gomez, Durant, Cronin, Brady and Lewis and Ms. Moran moved that the proposed new text be amended in section 2, in item 7004-0073, in line 295, by inserting after the words “30 per cent” the following words:- “but less than 80 per cent”; and

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By inserting, in line 296, after the words “United States Department of Housing and Urban Development” the following words:- “; provided further, that not less than \$15,000,000 shall be expended for non-profit repair programs delivering affordable homeownership units to all communities in the commonwealth;”.

The amendment was *rejected*.

Mr. Cronin moved that the proposed new text be amended by adding the following sections:-

81

“SECTION XX. Chapter 93A of the General Laws is hereby amended by adding the following section:-

‘Section 12. (a) Every licensed building contractor who renovates or remodels a house or condominium that they own and later sell in the Commonwealth of Massachusetts shall be deemed to have made an Implied Warranty of Habitability to the purchaser of the property.

(b) The Implied Warranty of Habitability shall be deemed to be a part of every such contract and shall be enforceable by the purchaser of the property, regardless of whether the warranty is expressly set forth in the contract.

(c) The Implied Warranty of Habitability shall require the licensed building contractor to renovate or remodel the property in a manner that is fit for human habitation and complies with all applicable building codes and regulations, just as builder/vendors of new houses and condominiums and landlords are required to do.

(d) The Implied Warranty of Habitability shall apply for three years from date of sale of the renovated/remodeled house or condominium by the Commonwealth licensed contractor. No parties involved in the transaction have the power to void or overlook this warranty.

(e) Any licensed building contractor who breaches the Implied Warranty of Habitability shall be liable to the purchaser of the property for all damages arising from the breach, including, but not limited to, damages for personal injury, property damage, and consequential damages.

(f) The remedies provided for in this section shall be in addition to any other remedies available to the purchaser of the property under the law, including, but not limited to, the provisions of Chapter 93A.

(g) The Legislature 6-year ‘statute of repose’ defense for Chapter 93A if licensed home improvement contractors who do not obtain the required inspections and permits on properties they renovate and later sell to 6-year from date of sale. Otherwise, there is no reasonable way to discover dangerous electrical, gas or structural that are hidden behind walls or ceilings nor to determine the actual date of the renovation/remodeling occurred since there is no record. A date of sale could easily be established from the Registry of Deeds.

There would be no change to the 6-year ‘statute of repose’ for contractors who properly obtained the required inspections and permits.’

SECTION XX. This act shall take effect upon its passage.”

The amendment was *rejected*.

Ms. Miranda, Ms. Jehlen and Messrs. Gomez, Feeney, Payano and Montigny moved that the proposed new text be amended in section 2, in item 7004-0072, by striking out the figure “\$50,000,000” and inserting in place thereof the figure:-“\$100,000,000”.

84

The amendment was *rejected*.

Mr. Cronin, Ms. Rausch and Messrs. Feeney and Oliveira moved that the proposed new text be amended in section 2, in item 7004-0800, in line 502, by striking out the figure “100,000,000” and inserting in place thereof the following figure:- “\$500,000,000”.

85

The amendment was *rejected*.

Ms. Miranda, Mr. Cyr and Ms. Jehlen moved that the proposed new text be amended by adding the following sections:-

87

“SECTION XX. Findings and Purpose. The general court finds and declares that a serious state of emergency exists in the city of Boston with respect to housing, whereby there is an inadequate supply of affordable housing, which is impacting quality of life and public health, contributing to housing insecurity, rent burden, homelessness, and increasing evictions, that rising housing costs and speculative real estate practices disproportionately impact protected classes, including households of color, and further finds that imposition

of a fee on certain real estate transfers shall be applied, at the discretion of the city and with exemptions as detailed in this act, in order to mitigate the impacts of speculative market practices through the production of affordable and deeply affordable housing and by discouraging rapid repeat sales of property.

Additionally, outdated income and asset restrictions for senior tax exemptions are restricting exemption relief, resulting in higher ownership costs and risking the displacement of a vulnerable population.

SECTION XX. Transfer Fee. Except where otherwise exempted pursuant to this act, the city of Boston may impose a fee of up to 2 percent of the purchase price upon the transfer of any real property interest in any real property in the city of Boston, or the transfer of a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest in any real property situated in the city of Boston. The fee shall be payable by the seller. In the case of a transfer of a controlling interest, the city of Boston may define by ordinance what constitutes a controlling interest and the calculation of the fee.

SECTION XX. Exempted Value. The first \$2,000,000 of the purchase price of any transfer of any real property interest, or the transfer of a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest in any real property situated in the city of Boston shall be exempted from the transfer fee. The amount of the purchase price exempted from the transfer fee shall be evaluated every three (3) years, and may be adjusted by the City Council with the approval of the Mayor every three (3) years based on the percentage increase in the median citywide sales price for all properties, but shall not be reduced.

SECTION XX. Payment of Fees to City. Fees established pursuant to this act shall be paid to the city of Boston; provided that, the city of Boston may, in lieu of collecting such fees, enter into an agreement with the Suffolk county registry of deeds regarding the collection of such fees. The city is authorized to adopt an ordinance to provide for the collection and lien of any outstanding transfer fee. The city shall have such remedies to collect said amount as provided by law with respect to the collection of real property taxes.

The city shall deposit all fees received pursuant to this act into the neighborhood housing trust established by the city pursuant to chapter 665 of the acts of 1956, provided that, in order to address a range of housing needs, the city may, in an ordinance accepting the provisions of this act, or in an ordinance amending that acceptance, reserve and appropriate through the city's annual budgetary filings, a portion of fees received pursuant to this act for programs designed to further housing acquisition, affordability, creation, preservation, senior homeowner stability, low-income renter stability, or related purposes and to address disparities in housing access and opportunity.

SECTION XX. Affidavit and Deed. A copy of the deed or other instrument evidencing each transfer subject to the transfer fee shall be provided to the city and shall be accompanied by, (a) an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price, (b) the applicable fee owed, and (c) the basis, if any, upon which the transfer, or one or both of the parties to the transfer, is claimed to be exempt in whole or in part from said fee or fees. Upon receipt of such payment and/or satisfactory evidence of exemption, the city or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the purchaser or seller, or the transfer, is exempt from the fee. The Suffolk county register of deeds shall not record or register a deed unless the deed is accompanied by such certificate.

SECTION XX. Exempt Transfers. The following transfers of real property interests shall be exempt from the fee established by this act: (1) transfers between family members, as may be defined by ordinance; (2) transfers of convenience, as may be defined by ordinance; or (3) transfers to the government of the United States or any other

instrumentality, agency or subdivision thereof, or the commonwealth or any instrumentality or subdivision thereof.

SECTION XX. Acceptance of Fee by Ordinance; Further Exemptions and Regulation. The city may, by ordinance, accept and determine the amount of the fee and adjust the exempted value, pursuant to the structure detailed in sections 2 and 3, and may adopt additional exemptions for economically vulnerable populations, affordable housing developments, units of housing subject to deed restrictions, homeowners or beneficiaries of a city-approved homebuyer program, or other parties. The city may also specify requirements or conditions under which exemptions are granted and adopt regulations to implement or enforce said fee, consistent with this act.

SECTION XX. Annual Report. The city shall prepare and issue an annual report that (i) identifies fee receipts by payer category including buyers and sellers, location and unit type; and (ii) quantifies senior tax relief and affordable housing programs funded, including type and purpose.

SECTION XX. Senior Homeowner Property Tax Exemption. Notwithstanding clause 41C of section 5 of chapter 59 or any other general or special law to the contrary, with respect to real property in the City of Boston the following factors determining exemption for real property under clause 41C of section 5 of chapter 59 shall be adjusted as follows: (1) increasing the sum of \$500 contained in the first sentence of clause 41C to \$1500; (2) increasing the amounts contained in subclause (B) of said first sentence whenever they appear in said subclause from \$13,000 dollars and from \$15,000 dollars to fifty percent of Area Median Income as adjusted for household size, as is published annually by the U.S. Department of Housing and Urban Development, as required by Section 8 of the Federal Housing Act of 1937 (42 USC Section 1437f), as amended, and the relevant year of the calculation shall be the most recent figure available as of July 1 of the start of the fiscal year to which the exemption is sought; and (3) increasing the amounts contained in subclause (C) of said first sentence whenever they appear in said subclause from \$28,000 dollars to not more than \$80,000 and from \$30,000 to not more than \$110,000. These adjustments shall not be further modified by the second sentence of clause 41C of section 5 of chapter 59.

SECTION XX. Severance Clause. The determination or declaration that any provision of this act is beyond the authority of the general court or is preempted by law or regulation shall not affect the validity or enforceability of any other provisions.

SECTION XX. Effective Date. This act shall take effect immediately upon signing by the Governor.”

The amendment was *rejected*.

Ms. Miranda and Mr. Payano moved that the proposed new text be amended in section 2, in item 7004-0081, by inserting after the word “program” the following:- “; provided further, that not less than 50 percent of funds in this item be provided to projects in communities with one or more of the following: the annual median household income is not more than 65 percent of the statewide annual median household income; minorities comprise 40 percent or more of the population; 25 percent or more of households lack English language proficiency, or minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income”.

92

The amendment was *rejected*.

Mr. Eldridge and Ms. Miranda moved that the proposed new text be amended by inserting after line item 7004-0098 the following line item:-

104

“xxxx-xxxx For a program to promote housing cooperatives throughout the commonwealth for low to moderate income people, including, but not limited to acquiring real estate to establish housing cooperatives, preserving,

rehabilitating and satisfying the capital needs of existing cooperatives through programs administered by the executive office of housing and livable communities directly or through 1 or more of the following: (i) Massachusetts Housing Finance Agency; (ii) Massachusetts Housing Partnership; and (iii) Community Economic Development Assistance Corporation \$50,000,000”.

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided not less than \$4,000,000 shall be expended for the city of Worcester’s Down Payment Assistance Program”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$5,000,000”.

108

The amendment was *rejected*.

Mr. Oliveira moved that the proposed new text be amended in section 10, by striking out the words “.5 miles” and inserting in place thereof the following words:- “1 mile”.

109

The amendment was *rejected*.

Messrs. Eldridge and Keenan, Ms. Comerford and Messrs. Gomez, Feeney and Payano moved that the proposed new text be amended in line item 7004-0071, by striking out the figure:- “\$55,000,000” and inserting in place thereof the following figure:- “\$100,000,000”.

130

The amendment was *rejected*.

Ms. Miranda and Messrs. Eldridge and Payano moved that the proposed new text be amended by inserting the following section:-

132

“SECTION XX. Section 1 of chapter 64D of the General Laws is hereby amended by striking out the words ‘two dollars’ after the words ‘remaining thereon at the time of the sale, exceeds one hundred dollars and does not exceed five hundred dollars,’ and replacing thereof with the words:- ‘two dollars and fifty cents’, and said section of chapter 64D is further amended by striking out the word ‘two dollars’ after the words ‘; and for each additional five hundred dollars or fractional part thereof,’ and replacing thereof with the words:-‘two dollars and fifty cents’. Said section 1 of chapter 64D is hereby further amended by inserting after the words ‘or the United States or any of their agencies are a party.’ the following words:- ‘The Executive Office of Housing and Livable Communities (EOHLC) shall equally divide such tax revenue between gateway cities and rural communities.’.”

The amendment was *rejected*.

Ms. Miranda, Ms. Jehlen and Messrs. Gomez and Keenan moved that the proposed new text be amended by adding at the end the following sections:-

133

“SECTION XX. Section 30 of chapter 23B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after subsection A, paragraph (e) the following:-

(f) for re-housing, short-term housing transition program benefits, which shall be available initially for 24 months and then in 12-month, renewable allotments, to eligible families.

The executive office shall provide further allotments of household assistance from the Massachusetts short-term housing transition program to families that received household assistance in a prior period to prevent eviction from existing housing or to relocate to another housing situation in cases where a.) the family complied with their rehousing plan during the prior period of assistance and b.) continues to include a child under the age of 21 or a pregnant person.

The executive office shall not impose income eligibility restrictions on families once they are enrolled in the program.

The executive office shall not require families to be evicted from their existing housing

or to otherwise establish that they fall into one of the four categories of affirmative eligibility for emergency assistance shelter currently listed in item 7004-0101.

Families in summary process commenced for a reason determined by the executive office to be a no fault or excused fault reason for eviction can apply and be found eligible for short-term transition program benefits in order to prevent eviction from existing housing or permit the family to relocate to another housing situation. The executive office shall allow families to apply and be found eligible for this short-term housing benefit after the summons and complaint is filed in court. Families shall be found eligible for short-term housing transition benefits if, but for feasible alternative housing, they meet the requirements for family shelter.

The executive office shall provide household assistance in an amount up to \$30,000 in the first 24-month period, or a higher cap as established in line item 7004-0108, and up to \$15,000, or higher cap as established in line item 7004-0108, in subsequent 12-month periods to eligible families.

The executive office shall allow families to combine and maximize benefits under the Massachusetts short-term housing transition program and residential assistance for families in transition funds from line item 7004-9316 if families are eligible for both programs, such funds are needed to promote housing stability, and the assistance is non-duplicative.”

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended by inserting the following section:-

136

“SECTION XX. (a) Notwithstanding any general or special law to the contrary, there shall be a special commission to study and make recommendations on Rent stabilization in the commonwealth. The commission’s review shall include, at a minimum, understanding different strategies or choices for rental caps, rental cap exceptions, housing stock exemptions, and compliance and education. (b) The commission shall consist of the secretary of housing and livable communities or a designee, who shall serve as chair; the chairpersons of the joint committee on housing or their designees; the chairpersons of the joint committee on housing or their designees; 1 member who shall be appointed by the minority leader of the house of representatives; 1 member who shall be appointed by the minority leader of the senate; 1 member shall be a representative of economic and education advocates.; 4 members shall be representatives of statewide organizations focusing on tenants’ rights organizations; and 2 members shall be representatives of nonprofit housing developers.; 2 members shall be a representative of labor advocates; 1 member shall be a representative of housing legal advocates; and 1 member shall be a representative of landlord advocates (c) The study shall include, but not be limited to: i. Mapping out the economic impact of the current statewide ban on rent control or stabilization and rental caps. ii. the impact of vacancy decontrol. iii. Determining consequences and incentives. iv. Identifying exceptions to rent caps. v. compliance and education vi. A review of barriers to necessary housing modifications and potential funding sources. (d) Not later than June 30, 2025, the commission shall file a report with the clerks of the senate and house of representatives, the senate and house chairs of the joint committee on housing.”

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting after section 109 the following section:-

138

“SECTION 109A. Notwithstanding any general or special law to the contrary, all contractors and subcontractors at any level engaged in a construction, development, renovation, remodeling, reconstruction, rehabilitation or redevelopment project receiving funds pursuant to items 7004-0074 and 7004-0075 of this act must, at the time of bidding for said project, maintain or participate in a bona fide apprentice training program as defined under G.L. c. 23, §§11H and 11I for each apprenticeable trade or occupation represented in

their workforce that is approved by the Division of Apprentice Standards of the Executive Office of Labor and Workforce Development, and must register all apprentices with the Division and abide by the apprentice to journeyman ratio for each trade prescribed therein in the performance of any work on the project. This provision does not require the program to qualify as an employee welfare benefit plan under the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §§1001-1461. Notwithstanding the provisions of this section, any requirement to maintain or participate in a bona fide apprentice training program shall be subject to the determination of the Division of Apprentice Standards of the Executive Office of Labor and Workforce Development. In making such determination, the Division shall assess factors which may impact the execution of a procurement, such as availability or redundancy of approved apprentice training programs to new or small businesses, particularly minority and women owned businesses.”

The amendment was *rejected*.

Messrs. Moore and Keenan moved that the proposed new text be amended by inserting after section __ the following section:-

139

“SECTION __. (a) Notwithstanding section 14 of chapter 235 of the acts of 2014 or any other general or special law, regulation or rule to the contrary, every housing authority, as defined by section 1 of chapter 121B, shall utilize local wait lists for the selection of public housing tenants to fill vacancies within state-aided public housing subject to all other requirements and preferences applied as required by law.

(b) The executive office shall transmit a notice to each housing authority notifying them of this section and provide guidance on avoiding conflicts of interest, nepotism and favoritism.

(c) The executive office of housing and livable communities shall provide monthly reports to the house and senate clerks office and the joint committee on housing on the progress of filling state-aided public housing units, including but not limited to, for each housing authority: (1) the total number of units; (2) the number of all vacant units; (3) the number of operational vacant units; (4) the number of units filled within the previous month; and (5) statistics on the waitlist for state-aided public housing.

(d) Upon repeal of this section all housing authorities shall resume use the centralized wait list for selection of public housing tenants pursuant to section 14 of chapter 235 of the acts of 2014.

SECTION __. Section __ is hereby repealed.

SECTION __. Section __ shall be effective two years after the effective date of this act.”

The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by striking, in lines 682 and 683, the following words:- “ and (iii) housing for individuals who, by vocation, produce or support artistic and literary activities;”.

142

The amendment was *rejected*.

Mr. DiDomenico, Ms. Miranda, Ms. Jehlen and Mr. Eldridge moved that the proposed new text be amended in item 7004-0078 by inserting after the word “guidelines”, in line 500, the following words:- “There shall be set upon the books of the Commonwealth a separate fund to be known as the Social Housing Production Revolving Loan Fund. The purpose of said fund shall be to facilitate a mixed income social housing pilot program in which a local or regional housing authority or other public or quasi-public entity maintains majority ownership or control of such housing. The Executive Office of Housing and Livable Communities shall engage relevant stakeholders and promulgate regulations relative to the operation of said fund by September 30, 2025; provided further, that the authorization of funding for a social housing pilot program in line item 7004-0078 may be used to capitalize said fund.”

143

The amendment was *rejected*.

Messrs. Mark and Brady and Ms. Comerford moved that the proposed new text be amended by inserting at the end thereof the following section:-

147

“SECTION XX. Section 30 of chapter 266 of the General Laws, as appearing in the XXX Official Edition, is hereby amended by striking the following second sentence of subsection 3:- ‘The larceny may be from a wife in possession, if she is authorized by law to hold such property as if sole, otherwise her occupation may be the possession of the husband.’”

The amendment was *rejected*.

Mr. Mark moved that the proposed new text be amended in section 1, in item 7004-0078 by striking out the words “that the financial subsidy for the commercial portion of a project shall not exceed the lower of 25 per cent of the total development cost of the commercial portion of the project or \$1,000,000”; and inserting in place thereof the following words:- “that the financial subsidy for the commercial portion of a project shall not exceed the lower of 25 per cent of the total development cost of the commercial portion of the project or \$1,000,000, unless the program is a designated rural area as defined under M.G.L. Section 66 of Part I Title II Chapter 23A;”.

149

The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by inserting after section 11, the following section:-

175

“SECTION 11A. Said section 3A of said chapter 40A, as so appearing, is hereby amended by adding at the end thereof the following subsection:

(a) For the purposes of this section, and regulations promulgated pursuant to this section, the following terms shall, unless the context clearly requires otherwise, have the following meanings:-

‘Bus rapid transport terminal’, shall mean a bus rapid transit stop serving as a point of embarkation along a bus rapid transit corridor for a high-capacity bus-based rapid transport system or the Massachusetts Bay Transportation Authority’s silver line.

‘Commuter rail station’, shall mean an MBTA commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service, including stations under construction but not including existing stations at which service will be terminated, or permanently reduced below regular year-round service.

‘Ferry terminal’, shall mean a transit stop where passengers board and disembark for a year-round Massachusetts Bay Transportation Authority ferry service.

‘High-capacity public transportation area’, shall mean a bus rapid transport terminal, a commuter rail station, a ferry terminal, or rapid transit station.

‘Rapid Transit station’, shall mean an MBTA subway station or MBTA Silver Line Rapid Bus Transit Station but shall not include trolley stations or the Ashmont-Mattapan High-Speed Trolley Line and associated stations.

‘Subway station’, shall mean an MBTA station with uninterrupted service running inbound-to, and outbound-from, Park Street Station, Government Center Station, Downtown Crossing Station, or State Street Station as part of the Red, Blue, Orange, or Green Lines.

‘Trolley station’, shall mean an MBTA station providing connecting service to a subway station that does not provide direct service inbound-to and outbound-from Park Street Station, Government Center Station, Downtown Crossing Station, or State Street Station.”

The amendment was *rejected*.

Messrs. Velis, Gomez, Eldridge and Payano moved that the proposed new text be amended in section 2, in line item 7004-0085, by striking out the figure “\$50,000,000” and inserting in place thereof the following figure:- “\$75,000,000”.

176

The amendment was *rejected*.

Ms. Miranda and Messrs. Eldridge, Gomez and Payano moved that the proposed new text be amended by adding the following section:-

183

“SECTION XX. Notwithstanding any general or special law to the contrary, there shall be established a special commission on racial equity in housing.

(a) Without limitation, the commission shall recommend policies, programs, and investments to remove barriers and close racial disparities in housing access, neighborhood investment, employment, procurement, wealth and asset building, and business resiliency.

(b) Membership of said commission shall be determined by the executive office of housing and livable communities in consultation with the members of the Massachusetts Black and Latino Legislative Caucus.

(c) The commission membership shall be determined and convened no later than December 15, 2024.

(d) Not later than June 30, 2025, the commission shall file its recommendations with the clerks of the senate and house of representatives, the joint committee on housing, and the joint committee on racial equity, civil rights, and inclusion.”

The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by striking out, in lines 971 and 972, the words “and may be subject to restrictions and prohibitions on short-term rental, as defined in section 1 of chapter 64G.” and inserting in place thereof the following words:- “; and provided further that that the use of land or structures for an accessory dwelling unit under this paragraph may be subject to an annual operational and occupancy permit for the enforcement of any ordinances, restrictions or bylaws including, without limitation, ordinances, restrictions or bylaws prohibiting or otherwise regulating short-term rentals as defined in section 1 of chapter 64G not otherwise prohibited by this section”.

185

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended in section 38, in line 1244 , by striking out the word “120” and inserting in place thereof the following word:- “150”.

188

The amendment was *rejected*.

Ms. Comerford, Mr. Cyr and Ms. Rausch moved that the proposed new text be amended in section 2A, in item 7004-0081, in lines 552 through 554, by striking out the words “provided further, that the minimum number of units for qualifying projects under the program shall be 10 units unless otherwise approved by the secretary of housing and livable communities;” and inserting in place thereof the following words:- “provided further, that the program shall be flexibly administered and shall accept applications for projects in economically distressed rural and geographically isolated communities, including projects with fewer than 10 units;”.

189

The amendment was *rejected*.

Mr. Barrett, Ms. Jehlen and Mr. Cyr moved that the proposed new text be amended by adding the following sections:-

192

“SECTION XX(a). There is hereby imposed a real estate transfer fee, hereafter ‘the fee,’ equal to 1 percent of the portion of the purchase price exceeding \$1,000,000 upon the transfer of (i) any real property interest in any residential property situated in the town of Concord, or (ii) a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest in any class of residential real property situated in the town of Concord. The fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the liability for the fee shall not affect such liability of the purchaser to the town. The town may define by bylaw what constitutes a controlling interest and the calculation of the fee.

UNCORRECTED PROOF.

SECTION XX(b). The following transfers of real property interests shall be exempt from the fee established in Section XX(a):

- (i) transfers to the federal government, the Commonwealth, the Town, and any of their instrumentalities, agencies or subdivisions, including the Concord Housing Authority and the Concord Municipal Affordable Housing Trust;
- (ii) transfers to the Concord Housing Development Corporation;
- (iii) transfers of real property subject to an affordable housing restriction;
- (iv) transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made;
- (v) transfers with consideration under \$100.00;
- (vi) transfers to a charitable organization, as defined in clause Third of section 5 of chapter 59 of the General Laws, or a religious organization, provided, however, that the real property interests so transferred will be held solely for public charitable or religious purposes; and
- (vii) transfers between family members, including spouses, parents and children, grandparents and grandchildren, step-parents and step-children, siblings or step-siblings.

SECTION XX(c). The fee shall be paid to the town of Concord. The town shall have such remedies to collect the fee as provided by law with respect to the collection of real property taxes. The town may, by bylaw, adopt additional requirements, exemptions, and regulations to implement or enforce said fee, consistent with this act. The town may not, by bylaw or otherwise, eliminate or reduce any exemption set forth in this act.

SECTION XX(d). All fees received pursuant to this act shall be deposited in the Concord Municipal Affordable Housing Trust Fund established pursuant to section 55C of chapter 44 of the General Laws and used for any purposes permitted thereunder.

SECTION XX(e). For the purposes of this act, 'affordable housing' shall mean housing with an affordable housing restriction recorded with the Middlesex South Registrar of Deeds that requires the housing to be rented or owned by families and individuals whose income at initial occupancy is no more than 150 percent of the area mean income as determined by the federal department of housing and urban development guidelines and adjusted for family size and that thereafter such units shall be rented or sold, subject to such restrictions on appreciation as determined by the municipality to be reasonable and necessary to maintain long term affordability, to families or individuals at incomes of no more than 150 percent of the area mean income.

SECTION XX(f). A copy of the deed or other instrument evidencing such transfer shall be provided to the town and shall be accompanied by (i) an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price; (ii) the applicable fee owed or, if applicable, an affidavit of intent to seek one of the permissible exemptions, as described in Section XX(b), for that property by the purchaser; and (iii) the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from said fee. Upon receipt of the transfer fee or satisfactory evidence of exemption, the town or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the transfer is exempt from the fee. The Middlesex South Registrar of Deeds shall not record or register a deed unless the deed is accompanied by such certificate.

SECTION XX(g). The town shall prepare and issue an annual report to that (i) identifies fee receipts; (ii) quantifies affordable housing programs funded, including type and purpose; and (iii) evaluates the impact of said affordable housing programs, including but not limited to, to the extent reasonably possible and permitted by applicable law, the number and demographics of individuals and families served as well as measures of housing stability and wealth generation in the community.

SECTION XX(h). Acceptance of this act by the town of Concord shall be first by vote

of approval at an annual or special Town Meeting. Sections XX(a) to XX(g), inclusive shall take effect 30 days after such acceptance by the town.”

The amendment was *rejected*.

Ms. Comerford, Mr. Cyr and Ms. Rausch moved that the proposed new text be amended in section 20, in lines 1085 and 1086, by striking out the words “of not less than 10 single-family dwellings”.

198

The amendment was *rejected*.

Messrs. Gomez and Payano moved that the proposed new text be amended by adding the following section:-

206

“SECTION XX. Chapter 23B of the General Laws is hereby amended by inserting the following section:-

Section 31. (a) There shall be within the executive office of housing and livable communities an office of tenant protections. The secretary of housing and livable communities shall appoint a director of the office who shall serve at the pleasure of the secretary.

(b) The office shall:

(i): enforce, concurrent with the Commissioner of Public Health and local boards of health, the minimum standards of fitness for human habitation as defined by 105 CMR 410.000 (State Sanitary Code, Chapter II)

(ii) have the powers necessary to enforce the standards set forth in subsection (b)(i), including:

(A) the power to inspect residences as defined by 105 CMR 410.010,

(B) the power to issue and serve orders of noncompliance with the minimum standards of fitness for human habitation,

(C) the power to hold hearings on the orders mentioned in subsection (b)(ii)(B),

(D) the power to issue fines for violations 105 CMR 410.000 in accordance with 105 CMR 400.700

(iii) enforce compliance with 940 CMR 3.17

(c) final decisions on noncompliance shall be subject to judicial appeal in the same manner as those made by boards of health under 105 CMR 400.600

(d) The executive office of housing and livable communities shall promulgate regulations or guidance to carry out this section.”

The amendment was *rejected*.

Mr. Gomez moved that the proposed new text be amended in section 2, in item 1599-1953, by adding the following:- “provided further, that not less than \$300,000 shall be expended to the city of Springfield to finish two section 8 projects at 2718 Main street and 17 East Hooker”.

207

The amendment was *rejected*.

Mr. Gomez moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting the following:- “provided further, not less than \$250,000 shall be expended to Home City Development, Inc. to support the creation of both first-time homebuyer opportunities and rental opportunities”.

208

The amendment was *rejected*.

Mr. Gomez, Ms. Rausch and Messrs. Lewis, Feeney and Payano moved that the proposed new text be amended by adding the following sections:-

209

“SECTION XX. Chapter 6A as appearing in the Official Edition of the General Laws shall be amended by inserting after section 16X the following new sections:-

SECTION 16XX. (a) The following terms, as used in this section, shall, unless the context requires otherwise, have the following meanings:-

‘Service provider’, a public or private nonprofit organization that provides supportive services to unaccompanied minors in need of shelter.

‘Supportive services’, interventions, services, or resources necessary to assist unaccompanied minors in need of shelter in acquiring or maintaining: (1) stable housing; (2) permanent connections, including ongoing attachments to families, communities, schools, and other positive social networks; (3) financial stability; (4) education, employment or income, including high performance in completion of education and training activities, especially for younger youth, and starting and maintaining adequate and stable employment, particularly for older youth; or (5) social and emotional wellbeing, including the development of key competencies, attitudes, and behaviors that equip a young person to succeed across multiple domains of daily life, including school, work, relationships, and community.

‘Mature child’, a child who is able to understand the circumstances and implications of the situation in which they are involved and is able to participate in the decision-making process without excessive anxiety or fear. A child who is 15 years of age or older is presumed to be a mature child.

(b) A mature child in need of supportive services may consent to such services if the service provider reasonably believes that: (1) the mature child understands the significant benefits, responsibilities, risks, and limits of the services and can communicate an informed consent; (2) the mature child understands the requirements and rules of receiving the services; and (3) the services are necessary to ensure the mature child’s safety and wellbeing.

(c) A mature child in need of supportive services who is a parent may consent to supportive services for their child.

(d) Any provider receiving funding from the Executive Office of Health and Human Services Homeless Youth Services Division may provide services to a mature child after they obtain informed and written consent from the mature child.

(e) The informed written consent from the mature child shall state their: (1) age; (2) guardianship status, if known; and (3) living situation.

(f) A service provider may not provide supportive services to a mature child if the service provider has knowledge that the minor: (1) knowingly provided false information in the written consent required under subsection (e) of this section; or (2) does not meet the definition of mature child in need of supportive services.

(g) Any provider who renders supportive services to a mature child in compliance with this section shall be immune from any civil or criminal liability, unless such liability arises from the provider’s gross negligence or willful or wanton acts or omissions.

(h) The Office of Children, Youth, and Families shall adopt regulations to carry out this Section.”

The amendment was *rejected*.

Messrs. Gomez, Eldridge and Payano moved that the proposed new text be amended in section 2, in item 7004-0085 by adding the following:- “provided further, that no less than \$500,000 be expended for Justice 4 Housing for affordable housing, anti-discrimination housing, and wrap-around supportive services for justice involved individuals”.

210

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended bill by inserting after section 10 the following section:-

216

“SECTION 10A. Said chapter 40A is hereby further amended by adding the following section:-

Section 18. (a) Notwithstanding any general or special law to the contrary, a city or town that permits or adopts inclusionary zoning, incentive zoning, a density bonus ordinance or by-law pursuant to this chapter or a housing production plan submitted to the executive office of housing and livable communities may enter into an agreement with a

housing developer or residential development owner to provide a preference for affordable housing to low- or moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4. The preference shall be for up to 10 per cent of the affordable units in a particular development.

(b) The preference under this section shall be established in the applicant selection process for available affordable units. Applicants who are veterans and who apply within 90 days of the initial marketing period of the development shall receive preference for the rental of up to 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of the units subject to the preference remain available, applicants from the general public shall be considered for occupancy. Following the initial marketing period, qualified applicants who are veterans shall be placed on a waiting list for the preference-occupied units for veterans and on any general waiting list. The veterans on the preference-occupied waiting list shall be given preference for affordable units, as the units become available, whenever the percentage of preference-occupied units falls below 10 per cent.

(c) Any agreement to provide affordable housing preferences for veterans pursuant to this section shall not affect a municipality's ability to receive credit for the unit for affordable housing pursuant to chapter 40B or any other law. The agreement may be monitored by a third party assigned by the municipality.

(d) This section shall not require an increase in the existing amount of affordable units set by the city or town.

(e) The city or town may require proof of veteran status and income eligibility as the city or town deems necessary."

The amendment was *rejected*.

Ms. Moran moved that the proposed new text be amended by adding the following sections:-

220

"SECTION X. (a) The department of environmental protection shall establish a grant program to provide funding to upgrade wastewater treatment plants to accommodate affordable housing developments.

(b) Eligible grantees shall include any person, entity, or state agency that owns or operates a wastewater treatment plant or modular wastewater treatment system whose sewer load would expand beyond the plant's maximum rated load capacity by serving future residents of a housing development proposal that has been approved by a municipality or the commonwealth under sections 20 to 23 of chapter 40B of the General Laws.

(c) Funding distributed pursuant to this section shall not be used for any other purpose besides physical upgrades to said wastewater treatment plant or modular wastewater treatment system or to expand operational capacity for management of said plant or system.

(d) Funding distributed pursuant to this section shall not exceed 100 thousand dollars.

(e) The department shall adopt regulations for the implementation and administration of this section.

SECTION X. Chapter 29C of the General Laws is hereby amended by inserting, after section 20, the following section:-

Section 21. Affordable Housing Septic and Sewer Loan Program

There shall be an affordable housing septic and sewer loan program administered by the department of housing and community development, in consultation with the department of environmental protection.

The program shall provide zero-interest loans to eligible loan applicants for upgrades to existing residential properties to ensure compliance with Title 5 of the state environmental code.

Eligible loan applicants shall be any public agency or limited dividend or nonprofit organization that owns or operates a residential housing facility that was previously

approved for construction under the requirements of sections 20 to 23 of chapter 40B of the General Laws and is currently designated as low or moderate income housing by the department of housing and community development on the state's subsidized housing inventory.

Loan funding distributed pursuant to this section shall only be used by an eligible loan applicant to conduct, or contract for the following upgrades to a residential housing facility that was previously approved for construction under the requirements of sections 20 to 23 of chapter 40B of the General Laws and is currently designated as low or moderate income housing by the department of housing and community development on the state's subsidized housing inventory:

(a) physical upgrades to the septic system of a residential housing facility to ensure compliance with Title 5 of the state environmental code; or

(b) transition of a residential housing facility from a septic system to a sewage system.

The department of housing and community development shall consult with the department of environmental protection and promulgate regulations for the administration of this section.”

The amendment was *rejected*.

Ms. Moran moved that the proposed new text be amended by adding the following sections:-

222

SECTION X. Chapter 64G of the General Laws is hereby amended by inserting, after section 3C, the following section:-

Section 3D. Short Term Rental Business Excise

(a) An operator of a short-term rental, as defined in section 1 of this chapter, shall pay an annual assessment of 5 per cent of the operator's gross revenues derived from operation of short-term rentals in the commonwealth.

(1) For the purposes of this section, an operator of a short-term rental shall not include any person operating an owner-occupied property.

(b) An operator shall pay the above assessment to the department of revenue annually, not later than the 30th of January in the following year.

(c) An operator shall submit to the department of revenue a full report of the revenues generated from each of the operator's short-term rental properties and the addresses of each of said properties.

(d) All monies derived from the assessment in this section shall be credited by the department of revenue to the municipal affordable housing trust fund, as authorized by section 55C of chapter 44, of the municipality in which the person operated said short-term rentals.

(e) If the municipality in which the person operated said short-term rentals has not established a municipal affordable housing trust fund, all monies derived from monetary penalties under this section shall be credited to the General Fund of the city or town, provided, however that all monies derived from monetary penalties under this section shall not be used for any other purpose besides the development of affordable housing within the municipality.

(f) If the person operated said short-term rentals in multiple municipalities, the monies shall be distributed among the municipalities proportionally based on the percentage of the operator's total properties in each municipality.

SECTION X. Section 6 of Chapter 64G of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, after the first sentence, the following:-

A person that operates a short-term rental without a certificate of registration shall be liable for a monetary penalty of 5 per cent of the person's gross annual revenues derived from operating short-term rentals within the commonwealth.

A person that operates a short-term rental without a certificate of registration shall be

liable for an additional monetary penalty of 1 per cent of the person's gross annual revenues derived from operating short-term rentals within the commonwealth for each successive year after the first year that the person operates a short-term rental without a certificate of registration, such that the monetary penalty for operating a short-term rental without a certificate of registration shall be 5 per cent of the person's gross annual revenues derived from operating short-term rentals within the commonwealth in the first year, 6 per cent in the second year, 7 per cent in the third year, and further.

A monetary penalty imposed on a person that operates a short-term rental without a certificate of registration pursuant to this section shall never exceed 15 per cent of the person's gross annual revenues derived from operating short-term rentals within the commonwealth.

The department of revenue shall enforce this section and shall distribute all monetary penalties collected pursuant to this section.

All monies derived from monetary penalties under this section shall be credited to the municipal affordable housing trust fund, as authorized by section 55C of chapter 44, of the municipality in which the person operated said short-term rentals.

If the municipality in which the person operated said short-term rentals has not established a municipal affordable housing trust fund, all monies derived from monetary penalties under this section shall be credited to the General Fund of the city or town, provided, however that all monies derived from monetary penalties under this section shall not be used for any other purpose besides the development of affordable housing within the municipality.

If the person operated said short-term rentals in multiple municipalities, the monies shall be distributed among the municipalities proportionally based on the percentage of the operator's total properties in each municipality.

Notwithstanding the provisions of this section, the department of revenue shall have the authority to enter into an agreement with an unregistered operator of a short-term rental that may exempt said operator from paying any monetary penalties derived from this section, provided that the terms of such agreement shall include that:

(a) said operator shall apply for a certificate of registration as detailed in section 67 of chapter 62C;

(b) said operator shall not further operate a short-term rental until said operator is granted said certificate of registration; and

(c) if said operator shall, upon obtaining a certificate of registration and resuming operations of a short term rental, fails to pay the assessment described in section 3D of chapter 64G, such failure shall constitute a violation of the terms of such agreement.

In accordance with section 1 of chapter 12, the Attorney General is authorized to enforce this section. The Attorney General may, within 7 years, bring an action to recover any unpaid assessments and monetary penalties, or enjoin the operations of any non-compliant entity, in any court of competent jurisdiction.

Any municipality or group of municipalities adversely impacted by the action, or failure to act, of any short-term rental operator under this section, may, within 10 years, bring an action to recover any unpaid assessments and monetary penalties, or enjoin the operations of any non-compliant entity, in any court of competent jurisdiction."

The amendment was *rejected*.

Ms. Moran moved that the proposed new text be amended by adding the following sections:-

"SECTION X. Section 38Q of chapter 63 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, after the second sentence, the following sentences:-

An additional credit of 10 per cent of these costs shall be allowed for a corporation

which achieves and maintains a permanent solution or remedy operation status in compliance with chapter 21E and which develops the economically distressed area into housing accommodations with at least 30 per cent but not more than 40 percent of units eligible for designation as low or moderate income housing by the department of housing and community development. An additional credit of 15 per cent of these costs shall be allowed for a corporation which achieves and maintains a permanent solution or remedy operation status in compliance with chapter 21E and which develops the economically distressed area into housing accommodations with more than 40 per cent of developed units eligible for designated as low or moderate income housing by the department of housing and community development.

SECTION X. Chapter 63 of the General Laws is hereby amended by inserting, after section 38JJ, the following section:-

Section 38KK. Seasonal Employer Housing Tax Credit

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

‘Seasonal employer’, an employer that, because of climatic conditions or the nature of the product or service, customarily operates more than 70 percent of its business only during a regularly recurring period or periods of less than 20 weeks for all seasonal periods during a calendar year

‘Employment season’, any period of time of less than 20 weeks during a calendar year.

(b) There shall be established a seasonal employer housing tax credit program under which a seasonal employer may be allowed a refundable income tax credit based on the amount of rent paid to house any workers employed by the seasonal employer during the employment season. The credit may be claimed against the taxes due pursuant to this chapter.

(c) The tax credit shall only be claimed by the seasonal employer for rent paid to house employees during the employment season.

(d) The commissioner of revenue shall adopt regulations for the implementation, administration and enforcement of this section.

(e) The total cumulative value of the tax credits authorized pursuant to this section shall not exceed \$10,000 annually.

(f) If the amount of the credit allowed under this section exceeds the taxpayer's liability, the commissioner of revenue shall treat such excess as an overpayment and shall pay the taxpayer 100 per cent of the amount of such excess, without interest.

SECTION X. Chapter 63 of the General Laws is hereby amended by inserting, after section 38KK, the following section:-

Section 38LL. Affordable Housing Contractor Tax Credit

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

‘Affordable housing contractor’, a housing contractor contracted to construct housing accommodations that will be designated as low or moderate income housing by the department of housing and community development on the state’s subsidized housing inventory.

(b) There shall be established an affordable housing contractor tax credit program under which an affordable housing contractor may be allowed a refundable income tax credit based on the amount of rent paid to house any workers employed by the contractor. The credit may be claimed against the taxes due pursuant to this chapter.

(c) The tax credit shall only be claimed by the contractor for rent paid to house workers contracted for work on a project to construct housing accommodations that will be designated as low or moderate income housing by the department of housing and community development on the state’s subsidized housing inventory.

(d) The commissioner of revenue shall adopt regulations for the implementation, administration and enforcement of this section.

(e) The total cumulative value of the tax credits authorized pursuant to this section shall not exceed \$10,000 annually.

(f) If the amount of the credit allowed under this section exceeds the taxpayer's liability, the commissioner of revenue shall treat such excess as an overpayment and shall pay the taxpayer 100 per cent of the amount of such excess, without interest.”

The amendment was *rejected*.

Ms. Moran moved that the proposed new text be amended by adding the following sections:-

225

“SECTION X. Section 20 of Chapter 40B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, after the definition of ‘low or moderate income housing’, the following definition:-

‘Mixed use development’, a development containing a mix of residential uses and non-residential uses, including, without limitation: commercial, institutional, industrial or other uses; all conceived, planned and integrated to create vibrant, workable, livable and attractive neighborhoods.

SECTION X. Section 20 of Chapter 40B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, at the end of the definition of ‘consistent with local needs’, the following:-

Requirements or regulations shall be consistent with local needs if they impose a requirement that the development have all of the requirements for mixed use development, as defined by this section.

SECTION X. Notwithstanding any general or special law to the contrary, the department of housing and community development shall update the definition of ‘SHI Eligible Housing’ in 760 CMR 56.02 to include:

(a) Any manufactured home or unit of a manufactured home, as defined by section 32Q of chapter 140 of the General Laws;

(b) Any unit within an assisted living residence, as defined by section 1 of chapter 19D of the General Laws; and

(c) Any unit of elderly housing, as defined by section 1 of chapter 19D of the General Laws.

SECTION X. Section 20 of Chapter 40B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting, at the end of the definition of ‘consistent with local needs’, the following:-

A requirement that a housing proposal considered under sections 20 to 23 of this chapter include a stipulation that the proposed housing development shall not utilize a septic system for waste disposal and shall utilize a sewer system or modular wastewater treatment system for wastewater disposal shall be consistent with local needs if the proposed housing development would be partially or wholly located on a nitrogen-sensitive area, as designated by the department of environmental protection.”

The amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended by inserting the following section:-

229

“SECTION XX. Said chapter 40A is hereby further amended by adding the following section:-

Section 18. (a) Notwithstanding any general or special law to the contrary, a city or town that permits or adopts inclusionary zoning, incentive zoning, a density bonus ordinance or by-law pursuant to this chapter or a housing production plan submitted to the executive office of housing and livable communities may enter into an agreement with a housing developer or residential development owner to provide a preference for affordable

housing to low- or moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4. The preference shall be for up to 10 per cent of the affordable units in a particular development.

(b) The preference under this section shall be established in the applicant selection process for available affordable units. Applicants who are veterans over the age of 65, or their widow or widower, and who apply within 90 days of the initial marketing period of the development shall receive preference for the rental of up to 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of the units subject to the preference remain available, applicants from the general public shall be considered for occupancy. Following the initial marketing period, qualified applicants who are veterans shall be placed on a waiting list for the preference-occupied units for veterans and on any general waiting list. The veterans on the preference-occupied waiting list shall be given preference for affordable units, as the units become available, whenever the percentage of preference-occupied units falls below 10 per cent.

(c) Any agreement to provide affordable housing preferences for veterans pursuant to this section shall not affect a municipality’s ability to receive credit for the unit for affordable housing pursuant to chapter 40B or any other law. The agreement may be monitored by a third party assigned by the municipality.

(d) This section shall not require an increase in the existing amount of affordable units set by the city or town.

(e) The local housing authority, in conjunction with the local veteran service officer, must require proof of veteran status and income eligibility as the local housing authority deems necessary.”

The amendment was *rejected*.

Mr. Oliveira, Ms. Comerford, Mr. Feeney, Ms. Rausch and Mr. Keenan moved that the proposed new text be amended by adding the following section:-

239

“SECTION X. A rent control board of a manufactured housing community may limit annual rent increases to not more than 5 per cent and provided further that the notification time frame for rent increase shall occur not less than 90 days in advance.”

The amendment was *rejected*.

Ms. Comerford, Ms. Miranda, Messrs. Gomez and Lewis, Ms. Jehlen, Messrs. Cyr, Oliveira and Eldridge, Ms. Moran, Ms. Kennedy and Mr. Payano moved that the proposed new text be amended by inserting the text of Senate document numbered 2845, relative to local option transfer fee.

242

The amendment was *rejected*.

Mr. Feeney moved that the proposed new text be amended by inserting after section ___ the following sections:-

258

“SECTION __. Section 19G of Chapter 175 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking all references therein to ‘180A to 180L, inclusive’ and replacing such references with ‘180A to 180L3/4, inclusive’.

SECTION __. Section 19K of Chapter 175 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking all references therein to ‘180A to 180L, inclusive’ and replacing such reference with ‘180A to 180L3/4, inclusive’.

SECTION __. Section 180A of Chapter 175 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking all references therein to ‘180A to 180L1/2, inclusive’ and replacing such references with ‘180A to 180L3/4, inclusive’.

SECTION __. Section 180A of Chapter 175 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following definition:

‘Federal Home Loan Bank’, an institution chartered under the ‘Federal Home Loan Bank Act of 1932,’ 12 U.S.C. 1421, et seq.

SECTION __. Chapter 175 of the General Laws, as appearing in the 2010 Official

Edition, is hereby amended by inserting after section 180 L1/2, the following new section:-

Section 180L3/4. (a) Notwithstanding any other provision of sections 180A to 180L3/4, inclusive, no person, for more than ten days shall be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action under any pledge, security, credit, collateral, loan, advances, reimbursement or guarantee agreement or arrangement or any similar agreement, arrangement or other credit enhancement to which a federal home loan bank is a party.

(b) Notwithstanding any other provision of sections 180A to 180L3/4, inclusive, no receiver, rehabilitator, liquidator, or any other person shall avoid any transfer of, or any obligation to transfer, money or any other property arising under or in connection with any pledge, security, credit, collateral, loan, advances, reimbursement or guarantee agreement or arrangement or any similar agreement, arrangement or other credit enhancement to which a federal home loan bank, is a party, that is made, incurred or assumed before or after the commencement of a delinquency proceeding under this chapter; provided, however, that a transfer may be avoided under chapter 109A if the transfer was made with actual intent to hinder, delay or defraud the insurer, a receiver appointed for the insurer, or existing or future creditors.

(c) A federal home loan bank exercising its rights regarding collateral pledged by an insurer-member shall, within seven days of receiving a redemption request made by the insurer-member, repurchase any of the insurer-member's outstanding capital stock in excess of the amount the insurer-member must hold as a minimum investment. The federal home loan bank shall repurchase the excess outstanding capital stock only to the extent that it determines in good faith that the repurchase is both of the following:

(1) Permissible under federal laws and regulations and the federal home loan bank's capital plan;

(2) Consistent with the capital stock practices currently applicable to the federal home loan bank's entire membership.

(d) (1) Not later than ten days after the date of appointment of a receiver, rehabilitator, or liquidator in a proceeding under section 180A to 180L3/4 involving an insurer-member of a federal home loan bank, the federal home loan bank shall provide to the receiver, rehabilitator, or liquidator a process and timeline for the following:

(i) The release of any collateral held by the federal home loan bank that exceeds the amount that is required to support the secured obligations of the insurer-member and that is remaining after any repayment of loans, as determined under the applicable agreements between the federal home loan bank and the insurer-member;

(ii) The release of any collateral of the insurer-member remaining in the federal home loan bank's possession following repayment in full of all outstanding secured obligations of the insurer-member;

(iii) The payment of fees owed by the insurer-member and the operation, maintenance, closure, or disposition of deposits and other accounts of the insurer-member, as mutually agreed upon by the receiver, rehabilitator, or liquidator and the federal home loan bank;

(iv) Any redemption or repurchase of federal home loan bank stock or excess stock of any class that the insurer-member is required to own under agreements between the federal home loan bank and the insurer-member.

(2) Upon the request of a receiver, rehabilitator, or liquidator appointed in a proceeding under sections 180A to 180L3/4 involving a federal home loan bank insurer-member, the federal home loan bank shall provide to the receiver, rehabilitator, or liquidator any available options for the insurer-member to renew or restructure a loan. In determining which options are available, the federal home loan bank may consider market conditions, the terms of any loans outstanding to the insurer-member, the applicable policies of the federal home loan bank, and the federal laws and regulations applicable to federal home

loan banks.

(e) As used in this section, ‘insurer-member’ means a member of the federal home loan bank in question that is an insurer.

SECTION __. Section 20 of Chapter 176G of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking all references therein to ‘180A to 180L, inclusive’ and replacing such references with “180A to 180L3/4, inclusive’.”

The amendment was *rejected*.

Mr. Feeney moved that the proposed new text be amended by inserting after section __ the following section:-

260

“SECTION __. Notwithstanding the provisions of any general or special law to the contrary, in order to ensure the creation of affordable, sustainable, and climate resilient multifamily housing, not later than 180 days after the effective date of this act, the secretary of housing and livable communities, in consultation with the office of climate innovation and resilience, shall promulgate rules or regulations to implement a cradle to grave life cycle assessment in accordance with ISO 14040 and ISO 14044; provided further, the full life cycle, encompassing resource extraction through to demolition and disposal, including but not limited to on-site construction, operations, maintenance and replacement, as well as material and product embodied acquisition, processing, and transportation energy, shall be adequately assessed; provided further, any entity engaged in the construction or development of a project with a minimum of ten new residential units and receiving funds pursuant to this act, shall be required to submit a life cycle assessment to the secretary of housing and livable communities prior to those funds being awarded.”

The amendment was *rejected*.

Ms. Kennedy and Messrs. Cyr and Gomez moved that the proposed new text be amended in section 2A, by inserting after item 7004-0098 the following item:-

271

“xxxx-xxxx For the housing and wraparound support service program, including but not limited to housing subsidies, housing search, stabilization services, and homelessness prevention resources, for youth and young adults experiencing homelessness established in section 16X of chapter 6A of the General Laws.....\$10,000,000”.

The amendment was *rejected*.

Ms. Kennedy moved that the proposed new text be amended in section 2, item 7004-0074, by adding the following words:- “provided further that contracts entered into in this item shall include state certified apprenticeship programs.”; and

277

By inserting after clause iii, in line 367, the following words:- “; and (iv) require that selected housing authorities use contractors that utilize state-certified apprenticeship programs.”

The amendment was *rejected*.

Ms. Kennedy, Ms. Miranda and Mr. Cyr moved that the proposed new text be amended by inserting after section XX, the following four sections:-

278

“SECTION XX. No licensed real estate broker or other person or entity engaged in the rental or leasing of residential real estate in the commonwealth as agent of the landowner, landlord, lessor, or sub-lessor shall demand, receive, or retain any payment, fee, commission or other charge from a tenant or prospective tenant for any services on behalf of such landowner, landlord, lessor, or sub-lessor for the listing, showing, qualifying of prospective tenants, preparation and execution of documents, or otherwise arising out of the leasing of a residential rental.

SECTION XX. No landowner, landlord, lessor, or sub-lessor shall demand or require that a tenant or prospective tenant retain, hire or engage a rental agent or broker and pay such agent or broker a fee or commission as a condition to applying for or leasing a residential rental unit in the commonwealth, and no such landowner, lessor, or sub-lessor

shall demand or require that a tenant or prospective tenant make any payment in violation of section XX.

SECTION XX. Violation of this act shall constitute an unfair or deceptive act or practice in the conduct of a trade or commerce in violation of section 2 (a) of chapter 93A.

SECTION XX. There shall be a fine established, for violation of this act, not to exceed \$1,000.00 per violation. Section XX, XX, XX shall take effect upon passage.”

The amendment was *rejected*.

Messrs. Feeney, Keenan and Gomez moved that the proposed new text be amended by inserting after section __ the following section:-

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

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

‘Congregate shelter’, any sheltering approach of mass dormitory-style bed space in which individuals are not each sheltered in an individual or shared bedroom demarcated by walls on all sides and a door.

‘Continuum of care’, has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations.

‘Non-congregate shelter’, a setting where a person experiencing homelessness is sheltered within an individual or shared bedroom with walls on all sides, a door, and preferably a bathroom.

‘Permanent supportive housing’, a model of housing that combines ongoing subsidized housing matched with flexible health, behavioral health, social and other support services.

‘Department of Housing and Community Development’ or ‘the department’, as defined in Section 1 of Chapter 23B of the Massachusetts General Laws.

(a) The department of housing and community development working closely with municipalities and the continuums of care shall conduct an objective and predictive study of future shelter and housing demand to determine the type and amount of permanent supportive housing, non-congregate and congregate shelter programmatic models necessary to reduce reliance on shelter and meet housing demand one year following the effective date of this section. This study shall determine housing and shelter capacity in every municipality in the commonwealth using calculations based on the ratio of the number of units to the overall population in order to ensure adequate capacity statewide.

(b) The department shall develop a plan to prioritize the building of permanent supportive housing and new non-congregate shelter solutions, that will supplement or replace existing congregate shelter programs, with a five-year implementation goal to meet the unmet needs of affordable housing capacity for each municipality in the commonwealth based on the ratio of the number of units to the overall population, in accordance with the findings of the study, in order to ensure adequate permanent supportive housing capacity statewide. The department shall determine benchmark goals for the implementation of said study recommendations within the five-year implementation goal to meet the permanent supportive housing needs for each municipality in the Commonwealth.

(c) The department shall create an inventory of existing congregate shelters, the cost to the commonwealth of these existing congregate shelters and conduct a feasibility study as to the extent these current resources can be converted to non-congregate shelter and/or permanent supportive housing. The department shall submit the plan to the chairs of the joint committee on housing and the continuums of care within one year following the effective date of this section.

(d) The department shall develop and provide a specific plan for unique housing responses specifically targeted to unaccompanied adult persons experiencing homelessness, including, but not limited to, long-term vouchers, shallow subsidy pools, rapid re-housing

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resources and permanent supportive housing. The department shall develop housing resources across a spectrum of need, but shall prioritize those elderly, disabled, medically complex, and LGBTQ+ persons experiencing homelessness. The department shall review and consider alternative construction models including, but not limited to, modular construction, micro-units, repurposed hotels or other alternatives capable of bringing homeless housing initiatives to an affordable scale necessary to end the homelessness of chronic and medically complex persons experiencing homelessness. The department shall submit a plan for the development of such housing to the chairs of the joint committee on housing and the continuums of care no later than one year following the effective date of this section.”

The amendment was *rejected*.

Mr. Feeney, Ms. Miranda, Messrs. Gomez, Collins, Oliveira, Mark, Cronin, Pacheco and Moore, Ms. Comerford, Messrs. Eldridge, Timilty and Brady, Ms. Rausch, Mr. Keenan, Ms. Moran and Messrs. O’Connor, Payano and Montigny moved that the proposed new text be amended by inserting after section 121 the following section:-

296

“SECTION 121A. (a) For purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

‘Bid,’ any bid, proposal, or quote rendered by a contractor at any level to the bidding authority or to another contractor for the performance of work on a project as defined herein.

‘Project,’ the construction, reconstruction, installation, demolition, maintenance or repair of any building.

(b) Notwithstanding any general or special law to the contrary, all contractors and subcontractors at any level engaged in a construction, development, renovation, remodeling, reconstruction, rehabilitation or redevelopment project receiving funds pursuant to items 7004-0074 and 7004-0075 of this act must, at the time of bidding for said project, maintain or participate in a bona fide apprentice training program as defined under G.L. c. 23, §§11H and 11I for each apprenticeable trade or occupation represented in their workforce that is approved by the Division of Apprentice Standards of the Executive Office of Labor and Workforce Development, and must register all apprentices with the Division and abide by the apprentice to journeyman ratio for each trade prescribed therein in the performance of any work on the project; provided, that the foregoing shall only apply to projects with a value in excess of \$1,000,000; and provided further, that in the event the awarding authority does not receive any bids from a qualified construction manager, general contractor or subcontractor maintaining or participating in such a program, the awarding authority may rebid the project without the requirements of this section. This section does not require the program to qualify as an employee welfare benefit plan under the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §§1001-1461.”

The amendment was *rejected*.

Mr. Mark moved that the proposed new text be amended in section 2A before item 7004-0096 by adding the following item:-

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“7004-0094 For the veterans supported housing initiative program established in section 36 of chapter 23B of the General Laws, inserted by section 5; provided, that the executive office of housing and livable communities shall partner with a qualified non-profit organization, as defined in said section 36 of said chapter 23B, to implement and operate the program; and provided further, that the qualified non-profit organization shall receive not more than \$20,000 in a 12-month period for each eligible veteran\$20,000,000”;

Section 36.

(a) As used in this section, the following words shall, unless the context

clearly requires otherwise, have the following meanings:

“Homeless”, a veteran: (i) who is undomiciled and unable to secure permanent and stable housing without special assistance, including, but not limited to, a veteran who is inappropriately housed in an institutional facility and can safely live in the community where services are provided; (ii) in a transitional housing facility without permanent domicile; (iii) in the community, released or discharged after incarceration and who is without permanent and stable housing; or (iv) who is in danger of becoming homeless due to circumstances and criteria established by the secretary, in consultation with the secretary of veterans’ services.

“Qualified nonprofit organization”, a private nonprofit organization: (i) with demonstrated success in developing or operating transitional and permanent housing programs for veterans; and (ii) that is committed to ending veteran homelessness.

(b) The secretary of housing and livable communities, in consultation with the secretary of veterans’ services, shall establish a veterans supportive housing program to assist qualified nonprofit organizations to develop and preserve supportive housing for eligible veterans. The qualified nonprofit organization shall provide wrap around services to meet the needs of eligible veterans.

(c) Eligibility for supportive housing shall include:

(i) veterans and their families, or individual veterans, who are homeless and have an unmet housing need as determined by the secretary; and (ii) veterans who have 1 or more disabilities or other life challenges, including, but not limited to: (A) serious mental illness; (B) substance use disorder; (C) living with HIV or AIDS, or another chronic condition or affliction; (D) being a victim or survivor of domestic violence; and (E) post-traumatic stress disorder.

(d)(1) The secretary may contract with a qualified nonprofit organization to establish veterans supportive housing pursuant to subsection (b) for a term of not more than 5 years and may renew a contract with a qualified nonprofit organization for like terms in accordance with the procedures established by the secretary, in consultation with the secretary of veterans’ services, for the development and preservation of supportive housing for veterans.

(2) The secretary may award up to \$20,000 per eligible veteran pursuant to subsection (c) in a calendar year to a qualified nonprofit organization that enters into a contract pursuant to paragraph (1).

(3) The qualified nonprofit organization shall secure funding for the development and preservation of any supportive housing project within 2 years from the date of the award. The secretary shall establish procedures for the repayment of funds by qualified nonprofit organizations that fail to secure funding within the 2-year period.

(e) The secretary, in consultation with the secretary of veterans’ services, shall promulgate rules or regulations for the administration of the veterans supportive housing program

SECTION 114. Not later than 90 days after the effective date of this act, the secretary of housing and livable communities, in consultation with the secretary of veterans’ services, shall promulgate rules or regulations pursuant to subsection (e) of section 36 of chapter 23B of the General Laws, inserted by section 5.

The amendment was *rejected*.

Ms. Miranda, Mr. Cyr, Ms. Jehlen, Ms. Comerford and Messrs. Gomez and Payano moved that the proposed new text be amended by inserting the text of Senate document numbered 2848, relative to real estate transfer fee pilot.

301

The amendment was *rejected*.

Messrs. Gomez and Payano moved that the proposed new text be amended in section 12, in line 987 by striking the words:- “that requires not more than 13 percent of units be

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affordable”.

The amendment was *rejected*.

Mr. Feeney and Ms. Rausch moved that the proposed new text be amended by inserting after section __ the following section:-

“SECTION __. The General Laws are hereby amended by inserting after chapter 40Y the following chapter:-

Chapter 40Z. Starter Home Development Fund.

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

‘Agency’, the Massachusetts Housing Finance Agency, established under section 3 of chapter 708 of the acts of 1966.

‘Committee’, the advisory committee established under section 4

‘Fund’, the Starter Home Development Fund established under section 2.

‘Income-eligible homebuyer’, a household within the commonwealth with annual income not less than 80 per cent that does not exceed 120 per cent of area median income.

‘Starter Home’, as defined under section 1 of chapter 40Y.

Section 2. (a) There shall be established and set up on the books of the commonwealth a Starter Home Development Fund, which shall be administered by the department of housing and community development. The department shall enter into a contract with the Massachusetts Housing Finance Agency for the administration of the fund, according to guidelines promulgated by the department and in consultation with the advisory committee. The fund shall provide subsidies for new construction or acquisition and substantial rehabilitation of owner-occupied starter homes for the benefit of households whose incomes are between 80 per cent and 120 per cent of area median income as determined by the federal Department of Housing and Urban Development. The fund shall be an expendable trust fund and shall not be subject to appropriation.

(b) There shall be credited to the fund revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund and gifts, grants, private contributions, repayment of loans, investment income earned on the fund's assets and all other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

(c) The agency shall maintain the fund as a separate fund and shall cause it to be audited by an independent accountant on an annual basis in accordance with accepted accounting principles.

(d) The agency shall administer assistance from the fund using only the criteria set forth under this chapter.

Section 3. (a) The fund shall finance subsidies directly to support the construction and purchase of starter homes; provided, however, that such assistance shall be the minimum amount necessary to make a project feasible.

(b) The total amount of subsidies shall not exceed 35 per cent of eligible development costs, as determined by the agency.

(1) The agency may provide a direct subsidy to a developer of a starter home, which shall not exceed the difference between the cost of development and the market value of the home as completed.

(2) Of any remaining amounts available for the project after the developer subsidy, the agency may provide a subsidy for the benefit of the homebuyer to reduce the cost of purchasing the home; provided, however, that: (i) the agency includes conditions in the subsidy or uses another legal mechanism to ensure that, to the extent the home value has risen, the amount of the subsidy remains with the home to offset the cost to future homebuyers; or (ii) the subsidy is subject to a housing subsidy covenant that preserves the affordability of the home for a period of not less than 99 years.

(c) The agency shall allocate not less than 33 per cent of the funds available through the program to projects that include a housing subsidy covenant consistent with clause (ii) of paragraph (2) of subsection (b).

(d) The agency shall adopt a program plan that establishes application and selection criteria, including: (i) project location; (ii) geographic distribution; (iii) leveraging of other programs; (iv) housing market needs; (v) project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan; (vi) construction standards, including considerations for size; (vii) priority for plans with deeper affordability and longer duration of affordability requirements; (viii) sponsor characteristics; (ix) energy efficiency of the development; (x) historic nature of the project; (xi) projects which seek to address and overcome historic, systemic inequities in the housing lending system in communities of color. Priority consideration shall be given for projects sited and developed in a starter home zoning district as defined in section 1 of Chapter 40Y.

Section 4. (a) There shall be an advisory committee to the fund, which shall make policy recommendations to the agency and to the department of housing and community development regarding the fund's program and funding activities.

(b) The committee shall be comprised of: the director of the department of housing and community development or a designee; the executive director of the Massachusetts Housing Partnership Fund or a designee; the executive director of the Community Economic Development Assistance Corporation or a designee; 2 municipal officials appointed by the Massachusetts Municipal Association, Inc., 1 of whom shall be from a city and 1 of whom shall be from a town; 1 lender experienced in the financing of starter homes and 1 for-profit developer of starter homes, each appointed by the agency; an executive director of a local housing authority appointed by the Massachusetts chapter of the National Association of Housing and Redevelopment Officials; a representative appointed by the Home Builders and Remodelers Association of Massachusetts, Inc.; a representative appointed by One Family Inc.; a representative appointed by the Massachusetts Affordable Housing Alliance, Inc.; a representative appointed by the Massachusetts Association of Community Development Corporations; and a representative appointed by the Massachusetts Nonprofit Housing Association, Inc. Committee members shall serve at the pleasure of the appointing authorities.

Section 5. The Massachusetts Housing Finance Agency shall, as part of its annual report pursuant to section 14 of chapter 708 of the acts of 1966, detail all expenditures from the fund, including, but not limited to, the recipient of the funds, the cost of administration and the number of units constructed, acquired and rehabilitated.”

The amendment was *rejected*.

Mr. Montigny moved that the proposed new text be amended by inserting in item 1599-1953 the following words:- “provided further, that not less than \$12,000,000 shall be expended for affordable housing to serve the needs of artists and residents in downtown New Bedford in accordance with section X of this act”; and

321

By inserting the following sections:-

“SECTION X. (a) Notwithstanding any general or special law to the contrary, the division of capital asset management and maintenance, in consultation with the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, shall enter into an agreement to accept title to the property at 182 Union street in the city of New Bedford conveying the premises as covered by a lease dated February 28, 2000, as amended. Said conveyance shall take place as soon as possible and a deed of conveyance shall be executed by the seller to commonwealth of the premises at 182 Union Street in the city of New Bedford. The donation of real estate, prior to acceptance by the division, shall require an independent appraisal of the property’s fair market value and

a phase I environmental study to ensure that the property has no environmental damage or other environmental issues that would expose the division to liability. The inspector general shall review and comment on said appraisal and study within 60 days of receipt. Following the appraisal and phase I environmental study, the division's legal counsel shall issue a written opinion regarding acceptance of the proposed real estate donation for final review and an acceptance decision by the secretary of the executive office of administration and finance. Factors to be considered in acceptance of the property shall include: (i) usefulness of the property for the purposes of affordable housing, artist lofts, studios, and public gallery space; (ii) marketability of the property, relative to its condition; (iii) any restriction, reservations, easements, or other limitations associated with the property; (iv) the results of the environmental study report; and (v) any potential liability for cleanup or restoration of the property that may be imposed under current law to a transferee.

(b) Within 180 days of an acceptance decision by the secretary and subsequent conveyance of said property to the commonwealth, the division may lease, for a term not to exceed 35 years, inclusive of any options for renewal or extension of such lease, all or a portion of the premises at 182 Union Street in the city of New Bedford to the Massachusetts Development Finance Agency, or any affiliated or subsidiary entity controlled by the Massachusetts Development Finance Agency, to be used for affordable housing, artist lofts, studios, public gallery space, and any other public purpose the agency deems appropriate following a public hearing in the city of New Bedford. Consideration for said lease shall be one dollar.

(c) Upon execution of a lease pursuant to this act, the lessee shall hold at least one public hearing in the city of New Bedford in collaboration with the Waterfront Historic Area League of New Bedford, Inc., People Acting in Community Endeavors, Inc., the Massachusetts Design Art & Technology Institute, Inc., Bristol Community College, and Bridgewater State University to gather community input on appropriate public purposes for the premises in addition to affordable housing, artist lofts, studios, and public gallery space.

(d) Following a public hearing pursuant to this act, the lessee may sublease all or a portion of the premises to 1 or more public or private entities for affordable housing, artist lofts, studios, public gallery space, and other public purposes identified by the public hearing, including without limitation the public purpose of generating revenue for the upkeep, maintenance, and improvement of the premises, otherwise known as the Star Store.

SECTION XX. Section 2 of chapter 113 of the acts of 2018 is hereby amended by striking, in item 7066-8110, the words 'for heating, ventilation and air conditioning systems at the University of Massachusetts at Dartmouth' and inserting in place thereof:- 'for capital improvements for the premises located at 182 Union Street in the city of New Bedford, otherwise known as the Star Store.'

The amendment was *rejected*.

Mr. Feeney and Ms. Rausch moved that the proposed new text be amended by inserting after section __ the following section:-

328

“SECTION __. Chapter 40Y of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding, after section 8, the following new section:-

Section 10. Starter Home Pilot Program.

(a) The executive office of housing and livable communities shall establish a pilot program consisting of five municipalities to incentivize the growth of Starter Home Zoning Districts, as defined in Section 1 of Chapter 40Y of the General Laws.

(b) The executive office of housing and livable communities shall provide technical assistance to the municipalities to determine the feasibility, implementation mechanisms, and available funding for establishing Starter Home Zoning Districts.

(c) The executive office of housing and livable communities shall issue a request for information to determine the available lots per municipality, including, but not limited to,

available areas for development of starter homes.

(d) The executive office of housing and livable communities shall issue a request for information for developers interested in building starter homes pursuant to chapter 40Y, including, but not limited to, the construction cost per starter home.

(e) The executive office of housing and livable communities shall, based on the results of subsection (c) and subsection (d), develop reimbursement schedules for each municipality and developer who successful zones and produces new starter homes under this section.

(f) The executive office of housing and livable communities shall provide technical assistance to municipalities and developers to ensure the successful construction of starter homes.

(g) The executive office of housing and livable communities shall report, to the Clerk of the Senate, the Clerk of the House of Representatives, and the Chairs of the Joint Committee on Housing, on a quarterly basis, the number of Starter Home Zoning Districts that have been established in the municipalities enrolled in the pilot program.”; and

In section 2, in item 7004-0073, by adding the following words:- “provided further, that not less than \$10,000,000 shall be expended to the executive office of housing and livable communities for the Starter Home Pilot Program established by section __ of this act”; and by striking out the figure “425,000,000” and inserting in place thereof the following figure:- “435,000,000”.

The amendment was *rejected*.

As previously mentioned, the amendments were considered as one, and rejected.

There being no objection, the following amendments were considered as one, and adopted as follows:

Mr. Brownsberger moved that the proposed new text be amended in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Belmont Housing Authority for capital improvements to the Sherman Gardens development in the town of Belmont”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”. 20

The amendment was adopted.

Mr. Brownsberger moved that the proposed new text be amended in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the Watertown Housing Authority for construction of a group home at 103 Nichols Avenue in the City of Watertown”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”. 21

The amendment was adopted.

Mr. Brownsberger moved that the proposed new text be amended in item 1599-1953, by adding the following words:- “; provided further, that not less than \$6,500,000 shall be allocated to the comprehensive modernization and redevelopment of the federally-assisted Patricia White Apartments in the Brighton section of the city of Boston”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- \$7,500,000”. 24

The amendment was adopted.

Ms. Rausch and Messrs. Eldridge and Payano moved that the proposed new text be amended in section 2A, in item 7004-0098, by striking out, in line 698, the figure “35,000” and inserting in place thereof the following figure:- “40,000”. 38

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$25,000 shall be expended to the town of Hubbardston for the redevelopment of the sand pit sites in the town of Hubbardston”; and by striking out the figure “\$1,000,000” and inserting in place 56

thereof the following figure:- "\$1,025,000".

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$100,000 shall be expended for improvements to the Holden housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,100,000”.

59

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$100,000 shall be expended for improvements to the Leicester housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,100,000”.

60

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the West Brookfield housing authority for building upgrades and general improvements”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

61

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Spencer housing authority for facility upgrades”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

62

The amendment was adopted.

Mr. Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended to the Barre housing authority for building expansions”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,000,000”.

63

The amendment was adopted.

Mr. Cronin moved that the proposed new text be amended in section 2, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended to the Fitchburg Redevelopment Authority for downtown housing development”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”.

76

The amendment was adopted.

Ms. Rausch moved that the proposed new text be amended in section 2A, in item 1599-1953, by inserting the following words:- “; provided further, that not less than \$500,000 shall be expended to the Bellingham Housing Authority; provided further, that not less than \$250,000 shall be expended to the Dover Housing Partnership Committee; provided further, that not less than \$1,000,000 shall be expended to the Franklin Housing Authority; provided further, that not less than \$500,000 shall be expended to the Medfield Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the Milford Housing Authority; provided further, than not less than \$500,000 shall be expended to the Millis Housing Authority; provided further, that not less than \$1,000,000 shall be expended to the Needham Housing Authority; provided further, than not less than \$500,000 shall be expended to the Norfolk Housing Authority; provided further, than not less than \$500,000 shall be expended to the Plainville Housing Authority; provided further, than not less than \$250,000 shall be expended to the Sherborn Housing Trust; and provided further, than not less than \$500,000 shall be expended to the Wrentham Housing Authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:-

78

“\$7,500,000”.

The amendment was adopted.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended to the Boston housing authority for housing modernization, water and sewer improvements and retrofit of the state-assisted Fairmount apartments in the Hyde Park section of the city of Boston”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,500,000”.

83

The amendment was adopted.

Mr. Kennedy moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$8,000,000 shall be expended to the Lowell housing authority for the development of new affordable housing units and new veterans supportive housing units”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$9,000,000”.

101

The amendment was adopted.

Mr. Brady moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words- “; provided further, that not less than \$1,000,000 shall be expended to the Brockton housing authority for the planning, design, renovation, maintenance or construction of housing”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

105

The amendment was adopted.

Messrs. Oliveira and Keenan moved that the proposed new text be amended in section 2A, in item 1599-1953, in line 520, by inserting after the word “initiatives” the following:- “; provided further, that not less than \$4,500,000 shall be expended to Westmass Area Development Corporation to support the predevelopment, demolition and stabilization of properties and expenses associated with the preparation of housing in Mill #11 at the Ludlow Mills in Ludlow”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$5,500,000”.

107

The amendment was adopted.

Messrs. Cronin and Durant moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$15,000,000 shall be expended to the Disabled American Veterans Department of Massachusetts Service Fund, Inc. for the renovation, rehabilitation, construction and establishment of housing for veterans and their families”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$16,000,000”.

120

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to Double Edge Theatre Productions Incorporated in the town of Ashfield for the development of affordable housing and workforce housing with a community space on a currently underutilized property”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

121

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to Berkshire Natural Resources Council, Inc. for the construction of new workforce housing and conservation of land and natural resources in the town of Egremont on the 225-acre former Egremont Golf Club property”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

122

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2, in item 1599-

123

1953, by inserting the following:- “; provided further, that not less than \$1,000,000 shall be expended to the Community Development Corporation of Southern Berkshire for the redevelopment and remediation costs of new housing projects at the former Thornewood Inn and 100 Bridge street in the town of Great Barrington”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to Central Berkshire Habitat for Humanity, Inc. for the creation of affordable housing projects in Berkshire county in collaboration with local communities”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

124

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to Hilltown Community Development Corporation for the creation of new housing and redevelopment of vacant properties in the rural hill towns of Berkshire, Hampden and Hampshire counties”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

125

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting the following:- “; provided that not less than \$500,000 shall be expended to the North Adams Housing Authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

127

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting the following:- “; provided that not less than \$500,000 shall be expended to the Southwick Housing Authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

128

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to Westside Legends, Inc. in the city of Pittsfield for the construction of new affordable homeownership units in 5 multifamily residential buildings constructed on a currently vacant lot”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

129

The amendment was adopted.

Mr. Keenan, Ms. Comerford and Mr. Velis moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Massachusetts Housing Finance Agency to be administered as grants to certified sober homes for sprinklers installed in accordance with the state building code”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

137

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$1,000,000 shall be expended for the town of Harvard to purchase, rehabilitate, and make improvements to the Bromfield House located on Massachusetts Avenue in the town of Harvard for the use of immigrant families”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

155

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, 160
by adding at the end thereof the following words:- “; provided further that not less than
\$1,000,000 shall be expended for the Marlborough Housing Authority”; and by the striking
the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

The amendment was adopted.

Messrs. Payano and Finegold moved that the proposed new text be amended in section 167
2A, in line item 1599-1953, by adding the following words:- “; provided further, that not
less than \$500,000 shall be expended for the Haverhill Housing Authority for construction
of a 34-unit affordable rental multi-family development at 230 Hilldale Avenue;”.

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, 170
by adding at the end thereof the following words:- “; provided further that not less than
\$500,000 shall be expended for the Hudson Housing Authority”; and by the striking the
figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

The amendment was adopted.

Mr. Payano moved that the proposed new text be amended in section 2A, in item 1599- 173
1953, by adding the following words:- “; provided further, that not less than \$1,500,000
shall be expended to the Methuen Housing Authority for capital improvements”; and by
striking out the figure “\$1,000,000” and inserting in place thereof the following figure:-
“\$2,500,000”.

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2A, in item 1599- 182
1953, by adding the following words:- “; provided further, that not less than \$1,500,000
shall be expended to Way Finders, Inc. for a multi-phase housing development along South
High street in the city of Holyoke”; and by striking out the figure “\$1,000,000” and inserting
in place thereof the following figure:- “\$2,500,000”.

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, 184
by adding at the end thereof the following words:- “; provided further that not less than
\$500,000 shall be expended for the Acton Housing Authority”; and by the striking the figure
“\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599- 191
1953, by inserting at the end thereof the following:- “; provided further, that not less than
\$500,000 shall be expended to the Easthampton Housing Authority for capital improvement
projects and upgrades.”

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, 193
by adding at the end thereof the following words:- “; provided further that not less than
\$500,000 shall be expended for the Ayer Housing Authority”; and by the striking the figure
“\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

The amendment was adopted.

Mr. Lewis moved that the proposed new text be amended in section 2A, in item 1599- 194
1953, by adding the following words:- “; provided further, that not less than \$1,500,000
shall be expended to the Melrose housing authority for critical infrastructure repairs to the
CJ McCarthy and Julian Steele elderly-disabled public housing facilities”; and by striking
out the figure “\$1,000,000” and inserting in place thereof the following figure:-
“\$2,500,000”.

The amendment was adopted.

Ms. Friedman moved that the proposed new text be amended in section 2A, in item 195
1599-1953, by adding the following words:- “; provided that not less than \$5,000,000 shall

be expended for the Arlington Housing Authority for envelope repairs and improvements at Menotomy Manor in the town of Arlington”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”.

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “provided further, that not less than \$1,200,000 shall be expended to the Holyoke Housing Authority for capital improvement projects and upgrades”.

197

The amendment was adopted.

Messrs. Gomez, Velis and Oliveira moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “provided further, that not less than \$1,550,000 shall be expended to the Chicopee Housing Authority for capital improvement projects and upgrades”.

203

The amendment was adopted.

Messrs. Gomez and Oliveira moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended to the Springfield housing authority for capital improvements”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”.

204

The amendment was adopted.

Mr. Gomez moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting the following words:- “; provided further, that not less than \$2,250,000 shall be expended to New North Citizens Council for pre-development and construction activities related to the redevelopment of the former Brightwood School at 471 Plainfield Street in Springfield”.

205

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “; provided further, that not less than \$275,000 shall be expended to Way Finders, Inc. for capital improvement projects and upgrades to the Southampton Meadows Apartments”.

230

The amendment was adopted.

Mr. Lewis moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Wakefield housing authority for the development of the former Hurd school into affordable housing for individuals with disabilities”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

232

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “provided further, that not less than \$500,000 shall be expended to the Westfield Housing Authority for capital improvement projects and upgrades”.

236

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “; provided further, that not less than \$1,000,000 shall be expended to the Agawam Housing Authority for capital improvement projects and upgrades”.

241

The amendment was adopted.

Ms. Comerford moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to Valley Community Development for design and construction of solar energy systems and development at the Amherst Community Homes project in the city

243

known as the Town of Amherst”.

The amendment was adopted.

Mr. Velis moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting at the end thereof the following:- “; provided further, that not less than \$1,000,000 shall be expended to the West Springfield Housing Authority for capital improvement projects and upgrades”.

245

The amendment was adopted.

Mr. Brady moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Avon housing authority to make necessary capital and accessibility improvements to the resident community center”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

246

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$500,000 shall be expended for the Littleton Housing Authority”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

247

The amendment was adopted.

Ms. Comerford moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended to Way Finders, Inc. for the East Street and the Belchertown Road affordable housing projects in the city known as the Town of Amherst”.

248

The amendment was adopted.

Ms. Comerford moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the town of Leverett for housing development or redevelopment efforts in accordance with the town’s comprehensive plan, existing town needs, and coordination with neighboring municipalities on housing developments that impact both municipalities”.

254

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$500,000 shall be expended for the Maynard Housing Authority”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

267

The amendment was adopted.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$50,000 shall be expended to the Dedham housing authority for maintenance and improvements; provided further, that not less than \$50,000 shall be expended to the Norwood housing authority for maintenance and improvements; provided further, that not less than \$50,000 shall be expended to the Walpole housing authority for maintenance and improvements; provided further, that not less than \$50,000 shall be expended to the Westwood housing authority for maintenance and improvements”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,200,000”.

269

The amendment was adopted.

Ms. Kennedy moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended to the city of Worcester for a lead abatement program” ; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,000,000”.

272

The amendment was adopted.

Ms. Kennedy moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to Worcester Common Ground Inc., to renovate 9 May Street, a non-profit affordable housing property”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”. 275

The amendment was adopted.

Ms. Kennedy moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended to the city of Worcester for an affordable housing preservation program”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,000,000”. 276

The amendment was adopted.

Ms. Kennedy moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended to the Main South Community Development Corporation for the development of 100 new affordable housing units”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,500,000”. 280

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$500,000 shall be expended for the Southborough Housing Authority”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”. 285

The amendment was adopted.

Ms. Creem moved that the proposed new text be amended in item 1599-1953 by adding the following language:- “; provided further, that not less than \$2,500,000 shall be expended to the Newton Housing Authority for the purpose of replacing windows and upgrading energy efficiency of deteriorating existing units and to begin the process of adding new affordable units to these facilities”. 286

The amendment was adopted.

Ms. Creem moved that the proposed new text be amended in item 1599-1953 by adding the following language:- “; provided further, that not less than \$1,000,000 shall be expended to the Wellesley Housing Authority for updating, maintenance, and accessibility projects”. 287

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$500,000 shall be expended for the Sudbury Housing Authority”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”. 298

The amendment was adopted.

Mr. Payano moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended for the development of affordable housing in the city of Lawrence for unhoused families, families impacted by domestic violence, veterans and victims of human trafficking”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”. 302

The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in line item 1599-1953, by adding at the end thereof the following words:- “; provided further that not less than \$500,000 shall be expended for the Wayland Housing Authority”; and by the striking the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”. 303

The amendment was adopted.

Mr. Mark moved that the proposed new text be amended in section 2, in item 1599-1953, by inserting the following:- “; provided that not less than \$500,000 shall be expended to the Dalton Housing Authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

304

The amendment was adopted.

Messrs. Keenan and Timilty moved that the proposed new text be amended by inserting after the word “initiatives” in line 520 the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Quincy Housing Authority for purposes including, but not limited to, planning, design, engineering and construction of housing units, site and building infrastructure repairs and property acquisition; provided further, that not less than \$500,000 shall be expended to the Abington Housing Authority for purposes including, but not limited to, planning, design, engineering and construction of housing units, site and building infrastructure repairs and property acquisition; provided further, that not less than \$500,000 shall be expended to the Hanover Housing Authority for purposes including, but not limited to, planning, design, engineering and construction of housing units, site and building infrastructure repairs and property acquisition; provided further, that not less than \$500,000 shall be expended to the Holbrook Housing Authority for purposes including, but not limited to, planning, design, engineering and construction of housing units, site and building infrastructure repairs and property acquisition; provided further, that not less than \$500,000 shall be expended to the Rockland Housing Authority for purposes including, but not limited to, planning, design, engineering and construction of housing units, site and building infrastructure repairs and property acquisition”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$4,000,000”.

309

The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$600,000 shall be expended for People Acting in Community Endeavors, Inc. in the city of New Bedford for the rehabilitation of residential units into affordable housing for renters and first-time homebuyers”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,600,000”.

315

The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the demolition of the existing building and construction of a parking deck at 1204 Purchase street in the city of New Bedford to enable local housing development”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

317

The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended to the New Bedford housing authority for renovations, repairs, and remodeling projects to preserve housing stock and improve tenant quality of living”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”.

318

The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended for Partners in Housing, Inc. for affordable senior housing at the Mendes-Monteiro House in the town of Dartmouth”; and by striking out the figure “\$1,000,000”, and inserting in place thereof the following figure:- “\$1,500,000”.

320

The amendment was adopted.

Ms. Creem moved that the proposed new text be amended in item 1599-1953 by adding the following language:- “provided further, that not less than \$2,000,000 shall be expended for the Brookline Housing Authority”.

322

The amendment was adopted.

As previously mentioned, the amendments were considered as one, and adopted.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

PAPERS FROM THE HOUSE.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Sunday, June 30, 2024 within which time to make its final report on current House document numbered 4690.

Public Service,-- extension order.

The rules were suspended, on motion of Mr. Brady, and, after remarks, the order (House, No. 4690) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Tuesday, June 25, 2024 within which time to make its final report on current House document numbered 4510.

Id.

The rules were suspended, on motion of Mr. Brady, and the order was considered forthwith.

After remarks and pending the question on adoption of the order, Mr. Brady offered an amendment in line 2 by striking out the words “Tuesday, June 25, 2024” and inserting in place thereof the following words:- “Tuesday, July 30, 2024”.

The amendment was adopted.

The order (House, No. 4580), as amended, was then adopted.

Sent to the House for concurrence in the amendment.

The House Bill to provide for the future information technology needs of Massachusetts (House, No. 4648),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2814, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Finn of West Springfield, Gregoire of Marlborough and Vaughn of Wrentham had been appointed the committee on the part of the House.

IT bond.

On motion of Ms. Comerford, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Comerford, Edward J. Kennedy and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Moment of Silence.

At the request of the Chair (Mr. Oliveira), the members, guests and staff stood in a moment of silence and reflection to the memory of Helen Garrow.

Moment of silence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended to the city of Salem for the redevelopment of the former historic Salem superior court and county commissioner's building for mixed use development and affordable housing”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,500,000”. 29

After remarks, the amendment was adopted.

Ms. Lovely moved that the proposed new text be amended in section 2A, in line item 1599-1953 by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Salem Housing Authority for purposes including but not limited to: housing-related infrastructure improvements, unit modernization and maintenance”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”. 161

After remarks, the amendment was adopted.

Ms. Lovely moved that the proposed new text be amended in section 2A, in line item 1599-1953 by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Danvers Housing Authority for purposes including but not limited to: housing-related infrastructure improvements, unit modernization and maintenance”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”. 162

After remarks, the amendment was adopted.

Ms. Lovely moved that the proposed new text be amended in section 2A, in line item 1599-1953 by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Peabody Housing Authority for purposes including but not limited to: housing-related infrastructure improvements, unit modernization and maintenance”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”. 163

After remarks, the amendment was adopted.

Ms. Lovely moved that the proposed new text be amended in section 2A, in line item 1599-1953 by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Beverly Housing Authority for purposes including but not limited to: housing-related infrastructure improvements, unit modernization and maintenance”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”. 164

After remarks, the amendment was adopted.

Ms. Miranda and Mr. Montigny moved that the proposed new text be amended in section 2, in item 7004-4784, by inserting after the word “equity” the following:- “; provided further, that the Massachusetts Housing Finance Agency in consultation with the Executive Office of Housing and Livable Communities shall develop eligibility criteria within the Workforce Housing Initiative that provides preference to proposals submitted with elimination of credit screening in tenancy selection”. 88

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended in section 2, in line item 7004-0081, by inserting the following:- “; provided further, that grants in this item shall include a preference status in eligibility for minority owned business enterprises (MBE) certified by the Massachusetts Supplier Diversity Office”. 89

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended in section 2, in item 7004-4784, after the word “equity” the following:- “; provided further, that the Massachusetts Housing Finance Agency in consultation with the Executive Office of Housing and Livable Communities shall develop eligibility criteria within the Workforce Housing Initiative that 90

provides preference to proposals submitted with elimination of credit screening in tenancy selection”.

The amendment was *rejected*.

Ms. Miranda and Messrs. Cyr and Collins moved that the proposed new text be amended in section 2, in item 7004-0081, by striking out the following:- “; provided further, that the minimum number of units for qualifying projects under the program shall be 10 units unless otherwise approved by the secretary of housing and livable communities”; and in line 560 by inserting after the word “program” the following:- “; provided further, that funds in this item may be used to create housing with a permanent affordability restriction contained within the deed”.

91

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended by inserting the following section:-

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“SECTION XX. The executive office of housing and livable communities shall conduct a study on the expansion of access of foreclosed properties to first-time home buyers, and homebuyers with government-backed mortgages or home loans that are fully or partially insured by a state or federal government agency. The department shall analyze: (i) the barriers that exist for first-time home buyers in purchasing foreclosed residential properties; (ii) the impact the change of ownership from a local resident to investors has on the market; (iii) the impact that these property investor owners have on the health and stability of low-income and minority neighborhoods; (iv) the impact of investors displacing potential owner-occupants who would otherwise acquire these properties; and (v) the impact investors purchasing foreclosures have on the stock of affordable rental housing. Not later than December 30th, 2024, the executive office shall submit a report on its findings and recommendations, including proposed legislation, if any, to the clerk of the senate and house of representatives and the senate and house committees on ways and means, the senate and house committees on housing, and the senate and house committees on racial equity, civil rights, and inclusion.”

The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended in section 10, in line 981, by inserting the following words:- “In zoning districts designated for single family housing and where the lot size is 15,000 square feet or less, Accessory Dwelling Units by right will be limited to owner occupied properties and Accessory Dwelling Units can only be occupied by members of the property owner's extended family”.

117

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended in section 2, in line item 7004-0075, by adding at the end thereof the following:- “; provided further, that not less than \$1,000,000 shall be expended to the Boston Housing Authority for the Stable Housing and Reintegration Pilot Program (SHARPP) partnership to provide reentry housing and support services for formerly incarcerated individuals and their families”.

134

The amendment was *rejected*.

Mr. Lewis moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$4,500,000 shall be expended to the Malden housing authority for critical infrastructure repairs to public housing units for seniors and individuals with disabilities”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$5,500,000”.

177

After remarks, the amendment was adopted.

Ms. Comerford and Messrs. Gomez, Oliveira and Velis moved that the proposed new text be amended by striking out, in lines 839 and 840, the words “and (ii) pilot innovative housing programs to address a communities’ unique housing needs”, and inserting in place thereof the following words:- “(ii) pilot innovative housing programs to address a

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communities' unique housing needs; and (iii) work to ensure that the scoring criteria in the state's Qualified Allocation Plan effectively ensures geographic equity.”; and

By adding the following section:-

“SECTION XX. Clause (xvii) of subsection (b) of section 1 of chapter 23B of the General Laws, as most recently amended by section 102 of chapter 7 of the acts of 2023, is hereby amended by inserting after the word ‘period’ the following words:- ‘; provided, that in developing the plan, the executive office shall ensure that scoring criteria effectively ensures geographic equity.’”

The amendment was *rejected*.

Messrs. Timilty and Kennedy moved that the proposed new text be amended by striking out, in line 973, the word “not”.

217

The amendment was *rejected*.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

PAPERS FROM THE HOUSE

Orders.

Mr. Brownsberger in the Chair, the following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, July 3, 2024 within which time to make its final report on current Senate document numbered 760, and House document numbered 2985.

Health Care
Financing,--
extension order.

The rules were suspended, on motion of Ms. Friedman, and, after remarks, the order (House, No. 4669) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, July 3, 2024 within which time to make its final report on current House document numbered 2006.

Id.

The rules were suspended, on motion of Mr. Friedman, and the order (House, No. 4756) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, July 3, 2024 within which time to make its final report on current House document numbered 1143.

Id.

The rules were suspended, on motion of Ms. Friedman, and the order (House, No. 4703) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Friday, June 28, 2024 within which time to make its final report on current House documents numbered 998 and 1033.

Financial Services,--
extension order.

The rules were suspended, on motion of Mr. Feeney, and, after remarks, the order (House, No. 4657) was considered forthwith; and adopted, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes
Act.

Messrs. Timilty and Brady moved that the proposed new text be amended in section

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2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the Braintree housing authority; provided further, that not less than \$500,000 shall be expended to the Bridgewater housing authority; provided further, that not less than \$500,000 shall be expended to the Easton housing authority; provided further, that not less than \$500,000 shall be expended to the Milton housing authority; provided further, that not less than \$500,000 shall be expended to the Randolph housing authority; provided further, that not less than \$500,000 shall be expended to the Stoughton housing authority; provided further, that not less than \$500,000 shall be expended to the West Bridgewater housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$4,500,000”.

After remarks, the amendment was adopted.

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Bridgewater housing authority to support a sewer line replacement project”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

262

After remarks, the amendment was adopted.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

PAPERS FROM THE HOUSE

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Monday, July 1, 2024 within which time to make its final report on current Senate documents numbered 2250, 2277 and 2291, and House documents numbered 3272, 3288, 3289, 3437, 3452 and 4287.

Transportation,-- extension order.

The rules were suspended, on motion of Mr. Crighton, and, after remarks, the order (House, No. 4660) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Monday, July 1, 2024 within which time to make its final report on current Senate documents numbered 2199 and 2230, and House documents numbered 3358 and 3444.

Id.

The rules were suspended, on motion of Mr. Crighton, and the order (House, No. 4665) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Monday, July 1, 2024 within which time to make its final report on current House documents numbered 3323, 3352, 3834 and 3876.

Id.

The rules were suspended, on motion of Mr. Crighton, and the order (House, No. 4673) was considered forthwith; and adopted, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

Ms. Miranda moved that the proposed new text be amended in section 2A, in item 7004-0077; by adding after the word “Laws” the following:- “; provided further, that not

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less than \$10,000,000 shall be allocated for the Brooke House, Treehouse and Harvard House projects located at the Boston State Hospital Site in the Mattapan section of the city of Boston”.

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended in section 2A, in item 7004-0074; by adding after the word “plan”, the following:- “provided further, that not less than \$5,000,000 shall be allocated to the modernization and retrofit of the state-assisted Gallivan Apartments in the Mattapan section of the city of Boston”.

265

The amendment was *rejected*.

Ms. Miranda moved that the proposed new text be amended in section 2A, in item 7004-0074; by adding after the word “practices”, the following:- “provided further, that not less than \$5,000,000 shall be expended for the comprehensive modernization of the state-assisted Franklin field apartments in the Dorchester section of the city of Boston”.

266

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended by adding the following section:-

300

“SECTION XX. (a) There shall be established a special commission on preparing the built environment for the starter homes. The goal of this commission is to define what constitutes a starter home, identify any statistics relevant to starter homes in the commonwealth, including but not limited to the amount of starter homes, regional starter home density, availability of starter homes, and identify opportunities for individuals to achieve home ownership through purchasing a starter home.

(b) The Massachusetts special commission on starter homes shall consist of the Secretaries of the Executive Office of Housing and Livable Communities and the Executive Office of Economic Development or their designees; one member from each regional planning commission; one member from the Massachusetts Municipal Association; one member appointed by the Speaker of the Massachusetts House; one member appointed by the Minority Leader of the Massachusetts House; one member appointed by the Massachusetts Senate President; and one member appointed by the Massachusetts Senate Minority Leader. The special commission shall also include a minimum of four (4) institutional partners, including University of Massachusetts, and additional universities selected by the Speaker and Senate President. The special commission shall meet at least monthly. The special commission shall be staffed by a director appointed by the Secretaries.

(c) The special commission shall collect data regarding the availability of starter homes, their dispersion throughout the commonwealth, and identify any strategies to increase access to starter homes through incentivized development.

(d) The special commission shall hold at least one public hearing and may hold additional hearings as necessary at which members of the public shall have an opportunity to speak.

(d) Not later than June 30, 2025, the special commission shall file a report on its findings, including recommendations to implement said findings, with the clerks of the House and Senate, the Secretaries of Housing and Economic Development, and the House and Senate committees on Ways and Means. The report shall include a definition of what constitutes a starter home, an inventory of starter homes in the Commonwealth, a map identifying regions and municipalities where starter homes are prominently available, and policy recommendations to incentivize development of starter homes and improve access to starter home ownership.”

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended By adding the following section:-

312

“SECTION XXXX. Section 18 of chapter 358 of the acts of 2020 is hereby amended

by adding at the end thereof the following new subsection:-

(d) The Department of Housing and Community Development shall develop and promulgate regulations to allow a municipality affected by the zoning provisions of this section to appeal for relief from such provisions based on one or more of the following:

- 1. The inability to meet the drinking water supply requirements necessary to support the housing units authorized by such provisions
- 2. The inability to meet the wastewater treatment requirements necessary to support such units
- 3. The inability of municipal transportation infrastructure to safely accommodate increased population attributable to housing development pursuant to such provisions
- 4. Any adverse environmental impacts attributable to the developments of housing units pursuant to such provisions.
- 5. Any adverse impacts on historical properties.”

The amendment was *rejected*.

Ms. Comerford moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,470,000 shall be expended to Valley Community Land Trust, Incorporated for land acquisition and construction and development of affordable housing in Franklin county”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,470,000”.

257

The amendment was adopted.

Mr. Brownsberger and Ms. Miranda moved that the proposed new text be amended in item 7004-0078, by adding the following words:- “; provided further, that funds may be made available under this item to fund, finance, or refinance limited equity housing cooperatives pursuant to chapter 157B including assisting first time buyers to purchase shares of stock in such cooperatives”.

249

After remarks, the amendment was adopted.

Recess.

There being no objection, at ten minutes past five o’clock P.M., the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and at two minutes before eight o’clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Suspension of Senate Rule 38A.

Ms. Kennedy moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M. The same Senator requested that the question on suspension of the rule be determined by a standing vote, and it was suspended by a vote of 9 to 3.

Senate Rule 38A.

PAPERS FROM THE HOUSE.

A Bill dissolving the Whately Water District (House, No. 4574, changed-- on petition),-- was read.

Whately Water District.

There being no objection, the rules were suspended, on motion of Mr. Montigny, and the bill was read a second time and ordered to a third reading.

A petition (accompanied by bill, House, No. 4805) of Rob Consalvo (with the approval of the mayor and city council) relative to property tax classification in the city of Boston,- - was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.

Boston,-- property tax.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

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Ms. Lovely moved that the proposed new text be amended in section 124, by striking out, in lines 2923 to 2925, inclusive, the words “(vii) changes to the community preservation program established under chapter 44B of the General laws to encourage additional production of new housing units; and (viii)” inserting in place thereof the following words:- “and (vii)”;

By inserting after section 124 the following section:-

“SECTION 124A. (a) There shall be a special commission to study and make recommendations on modernizing and updating the Massachusetts Community Preservation Act under chapter 44B of the General Laws to improve the effectiveness of the program for municipalities to promote community preservation and increase the production of housing in the commonwealth.

(b) The special commission shall consist of: the secretary of housing and livable communities or a designee, who shall serve as chair; the secretary of administration and finance or a designee; the secretary of energy and environmental affairs or a designee; the chairs of the joint committee on housing; the chairs of the joint committee on revenue; the chairs of the joint committee on environment and natural resources; 1 member who shall be appointed by the minority leader of senate; 1 member who shall be appointed by the minority leader of the house of representatives; 2 members to be appointed by the governor who shall reflect geographic diversity and have expertise in housing policy; 2 members appointed by the Community Preservation Coalition; 1 member appointed by the Massachusetts Municipal Association, Inc; and 1 member appointed by the Massachusetts Association of Realtors.

(c) The special commission shall examine the history and impacts of the Massachusetts Community Preservation Act and investigate, evaluate and make recommendations, including, but not limited to: (i) amendments and reforms to chapter 44B of the General Laws to improve the overall effectiveness of the program to increase housing production and promote community preservation in the commonwealth; (ii) opportunities and solutions to increase, leverage and maximize the use of statewide trust fund resources and local community preservation act funds; (iii) opportunities to strengthen transparency and compliance related to reporting requirements for municipalities; and (iv) utilization of regional strategies to meet the commonwealth’s housing production goals. In evaluating the current law and making recommendations, the commission shall examine the overall effectiveness of the program on municipalities and take into consideration the program’s goals of affordable housing production, open space conservation, outdoor recreation access and historic preservation.

(d) The special commission shall file a report of its findings, including any recommendations, with the clerks of the senate and the house of representatives, the senate and house committees on ways and means, the joint committee on housing, the joint committee on environment and natural resources and the joint committee on revenue not later than September 15, 2025.”

After remarks, the amendment was adopted.

Ms. Rausch moved that the proposed new text be amended by inserting after section 45 the following section:-

75

“SECTION 45A. Said chapter 183A is hereby further amended by adding the following section:-

Section 24. (a) Notwithstanding any provisions in a master deed, declaration of trust or by-laws of a condominium submitted pursuant to this chapter to the contrary, the governing body of the organization of unit owners may conduct regularly scheduled or

special meetings by telephonic or video conference call or other interactive electronic communication process; provided, however, that all participants shall be able to simultaneously communicate with each other during the meeting. Presence by such electronic means shall satisfy any quorum requirements. The governing body may vote on any action properly before the body and approve meeting minutes by electronic means, including, but not limited to, email and video conferencing.

(b) The governing body may conduct annual or special meetings of the unit owners where physical presence is not required. Such meetings may be held by telephonic or video conference call or other interactive electronic communication process, as determined by the governing body. The governing body shall notify all unit owners of such meetings and provide access information for participation in such meetings. Participation by electronic means shall satisfy quorum requirements. The governing body shall take reasonable measures to ensure that unit owners can participate fully, including by reading or hearing the proceedings and posing questions or comments.

(c) The governing body may allow unit owners to vote on any matter by mail-in ballot or electronic means; provided, however, that a quorum of unit owners shall be present for the vote. The governing body may promulgate and amend policies related to electronic meetings and voting, pursuant to its rule-making authority as set forth in the governing documents of the organization of unit owners. If a master deed, declaration of trust, by-law or other document of the organization of unit owners requires the signature or written consent of unit owners, unit owners may electronically submit such signature or written consent, as determined by the governing body.”

After remarks, the amendment was adopted.

Ms. Rausch moved that the proposed new text be amended in section 124, by striking out, in lines 2893 and 2895, the figure “3” and inserting in place thereof, in each instance, the following figure:- “4”;

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In said section 124, by inserting after the word “city”, in lines 2894 and 2896, in each instance, the following words:- “, 1 representing a suburban community”; and

In said section 124, by inserting after the word “CIO”, in line 2904, the following words:- “; 1 member who shall be a representative of the Massachusetts Budget and Policy Center, Inc.”.

After remarks, the amendment was adopted.

Mr. Feeney, Ms. Rausch and Messrs. O'Connor, Cyr, Tarr and Montigny moved that the proposed new text be amended by inserting after section 124 the following section:-

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“SECTION 124A. (a) There shall be a special commission to study barriers to the development and production of starter homes as defined under section 1 of chapter 40Y of the General Laws.

(b) The commission shall investigate: (i) barriers to starter home construction in the commonwealth; (ii) existing zoning that may represent opportunities for starter home zoning districts; (iii) the availability of technical assistance for starter home production; (iv) the feasibility of constructing starter home lots; (v) resources needed to remove barriers to starter home production; (vi) developer costs associated with the development and construction of starter home lots and units; (vii) buyer costs associated with the purchase, maintenance and sale of a starter home unit or lot; and (viii) additional funding needed to support construction and zoning of starter home units and lots.

(c) The commission shall consist of: the secretary of housing and livable communities or a designee, who shall serve as chair; the secretary of labor and workforce development or a designee; the chairs of the joint committee on housing; 1 member appointed by the senate president; 1 member appointed by the speaker of the house of representatives; 1 member appointed by the minority leader of the senate; 1 member appointed by the minority leader of the house of representatives; the president of the Home Builders & Remodelers

Association of Massachusetts, Inc.; the executive director of the Massachusetts Municipal Association, Inc.; the chair of the Three Rivers Interlocal Council; the president of the Massachusetts Smart Growth Alliance; the president of the Associated Industries of Massachusetts, Inc.; the chief executive officer of the Citizens Housing And Planning Association, Inc.; the executive director of the Metropolitan Area Planning Council or a designee; the chair of the rural policy advisory commission or a designee; the president of the Massachusetts Building Trades Council.

(d) The commission shall file a report of its findings and its recommendations for proposed programs and legislation, if any, with the clerks of the senate and house of representatives and the joint committee on housing not later than December 1, 2025.”

After remarks, the amendment was adopted.

Mr. Gomez, Ms. Miranda, Ms. Comerford, Messrs. Lewis, Keenan, Collins and Payano and Ms. Rausch moved that the proposed new text be amended by inserting after section 27 the following 2 sections:-

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“SECTION 27A. Section 87SS of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- ‘Every individual applicant for a license as a salesman who is required to take an examination shall, as a prerequisite to taking such examination, submit proof satisfactory to the board that the applicant has completed courses in real estate subjects approved by the board; provided, however, that such courses shall total 40 classroom hours of instruction, not less than 4 hours of which shall be on state and federal fair housing laws; provided further, that applicants having successfully completed a course in real property while enrolled in an accredited law school in the commonwealth may also take such examination.’

SECTION 27B. Section 87XX1/2 of said chapter 112, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

‘Any person holding a license as a real estate broker or salesman shall, within their renewal period, satisfactorily complete courses or programs of instruction approved by the board; provided, however, that such courses or programs of instruction shall total not less than 10 hours and not more than 16 hours as determined by the board. The curriculum contained in such courses or programs shall contain not less than 6 hours of instruction concerning or related to compliance with: (i) equal employment opportunities; (ii) accessibility for individuals with disabilities; (iii) agency law; (iv) environmental issues in real estate; (v) zoning and building codes; (vi) real estate appraisal and financing; (vii) property tax assessments and valuation; and (viii) real estate board regulations; provided, however, that the curriculum shall include not less than 3 hours of instruction on alternative dispute resolution methods and not less than 4 hours on state and federal fair housing law. The board shall certify in advance the curriculum forming the basis of such courses or programs which satisfy the provisions of this section.’.”

After remarks, the amendment was adopted.

Mr. Keenan moved that the proposed new text be amended by inserting after the word “exhausted” in line 1831 the following words:- “and the affidavit provided under section 1 of chapter 239 confirms the petitioner did not cause destruction, injury or damage to the real or personal property of a renter, owner or agent of the owner; actual or attempted arson; larceny by stealing from a renter, owner or agent of the owner; assault, battery or threats of such against a renter, owner or agent of the owner; or harassment”; and

255

By inserting after the word “good” in line 23 of section 1 of chapter 239 the following words:- “. A person entitled to the land or tenements bringing an action to recover possession under this chapter shall file an affidavit signed under the pains and penalties of perjury stating whether there has been any of the following committed by the person from

whom recovery of the premises is sought: destruction, injury or damage to the real or personal property of a renter, owner or agent of the owner; actual or attempted arson; larceny by stealing from a renter, owner or agent of the owner; assault, battery or threats of such against a renter, owner or agent of the owner; or harassment against a renter, owner or agent of the owner”.

After remarks, the amendment was *rejected*.

Ms. Kennedy, Messrs. Oliveira and Eldridge, Ms. Comerford, Ms. Jehlen, Messrs. Payano and Montigny and Ms. Rausch moved that the proposed new text be amended by inserting after section 124 the following section:-

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“SECTION 124A. (a) Notwithstanding any general or special law to the contrary, there shall be a special commission to study and make recommendations on expanding accessibility in housing for persons with disabilities, including seniors, in order to increase the ability of people to live in a safe, dignified and healthy manner in their residences. The commission shall consist of: the secretary of housing and livable communities or a designee, who shall serve as chair; the executive director of the architectural access board; the chairs of the joint committee on housing or their designees; the executive director of the Massachusetts office on disabilities; a representative of the statewide independent living council; a representative of the Institute for Human Centered Design Inc.; a representative of NAIOP Massachusetts, Inc; a representative of the Disability Law Center, Inc.; a representative of Arc Massachusetts, Inc; and a representative of Massachusetts Association of Mental Health Professionals, Inc.

(b) The commission shall examine potential changes to the state building code for accessibility features in housing that benefit persons with disabilities, including, but not limited to: (i) changes for individuals with physical, sensory, intellectual, mental health and neurodivergent disabilities; (ii) the estimated the costs of such potential changes; and (iii) the impact of climate change on housing for people with disabilities.

(c) Not later than June 30, 2025, the commission shall file a report with the clerks of the senate and house of representatives and the joint committee on housing.”

After remarks, the amendment was adopted.

Messrs. Durant, Fattman, Moore, Gomez and Oliveira, Ms. Comerford, Mr. Eldridge, Ms. Kennedy, Mr. Brady, Ms. Moran, Messrs. Cronin and Montigny, Ms. Rausch and Messrs. Tarr and Pacheco moved that the proposed new text be amended in section 8, by adding after proposed section 2EEEEEE of chapter 29 of the General Laws the following section:-

1

“Section 2FFFFFF. (a) There shall be a Crumbling Concrete Assistance Fund, which shall be administered by the secretary of housing and livable communities. The fund shall be expended, without further appropriation to: (i) provide financial assistance to owners of residential real property for the repair or replacement of concrete foundations of such residential real property that have deteriorated due to the presence of pyrite or pyrrhotite; (ii) minimize negative fiscal impacts on municipalities in which such property is located; and (iii) reimburse the owner of a residential real property that presents satisfactory evidence, as determined by the secretary, that said owner has paid for and replaced their concrete foundation that deteriorated due to the presence of pyrite or pyrrhotite prior to the establishment of the fund; provided, however, that the reimbursement shall not exceed the funding the owner would have received had they applied for financial assistance through the fund. The secretary shall seek to maximize available federal reimbursements for money spent from the fund.

The fund shall be credited with: (i) appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) funds from public and private sources, including, but not limited to, gifts, grants, donations and settlements received by the commonwealth that are specifically designated to be credited to the fund;

(iii) federal funds received under subsection (b); and (iv) interest earned on the assets of the fund. Any balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not be transferred to any other fund or revert to the General Fund.

(b) The secretary of housing and livable communities may apply for, receive and deposit any federal funds, including, but not limited to, funds made available by the United States Department of Housing and Urban Development Section 108 Loan Guarantee program, into the fund.

(c) Amounts issued from the fund to impacted homeowners for the repair or replacement of concrete foundations that have deteriorated due to the presence of pyrrhotite shall be exempt from taxation under chapter 62.

(d) Annually, not later than June 1, the secretary of housing and livable communities shall report on the activities of the fund from the previous calendar year to the clerks of the senate and house of representatives, the senate and house committees on ways and means, the joint committee on environment and natural resources and the joint committee on housing.

(e) The secretary of housing and livable communities shall promulgate regulations or issue other guidance to set rules for the expenditure of the funds under this section.”; and

By inserting after section 115 the following section:-

“SECTION 115A. The secretary of housing and livable communities shall convene a stakeholder working group to make recommendations for regulatory and legislative change necessary to comprehensively address the remediation of residential property foundations that have deteriorated due to the presence of pyrite or pyrrhotite. The working group shall convene not later than 30 days after the effective date of this act, and shall include: the secretary of housing and livable communities or a designee, who shall serve as chair; the secretary of transportation or a designee; the undersecretary of consumer affairs and business regulation or a designee; the commissioner of insurance or a designee; the commissioner of banks or a designee; 3 members appointed by the attorney general who shall have experience in advocating for homeowners and consumers; the chairs and ranking minority members of the joint committee on environment and natural resources; a representative of Massachusetts Residents Against Crumbing Foundations; a representative of the Massachusetts Concrete & Aggregate Producers Association, Inc.; a representative of the Massachusetts Municipal Association Inc.; a representative of the Massachusetts Insurance Federation Inc.; and a representative of the Massachusetts Mortgage Bankers Association, Inc.

The working group shall examine: (i) which executive office, department, agency or bureau within an executive office, if any, is best equipped to administer a program to assist residential property owners impacted by the presence of pyrite or pyrrhotite, including administering the Crumbling Concrete Assistance Fund established under section 2FFFFF of chapter 29 of the General Laws, or which executive office or department is best equipped to oversee a new agency or bureau; (ii) relevant models to assist impacted homeowners, including, but not limited to, a captive insurance company, a supplemental loan program, an interstate agreement with a captive insurance company with expertise in assessing residential property foundation claims, property tax abatement and waiving local and state permit fees; (iii) models to fund said Crumbling Concrete Assistance Fund, including, but not limited to: (a) insurance surcharges on certain homeowners insurance policies, not to exceed \$12 annually, and when and on which policies the surcharge applies and (b) other sources of state and federal funding opportunities; and (iv) methods to improve consumer protection through means such as disclosures, appointment of a homeowner advocate within a department, agency or bureau to assist impacted homeowners or consumer education.

The working group shall submit its report and any recommendations to the clerks of the senate and house of representatives, the joint committee on environment and natural resources, the joint committee on housing and the senate and house committees on ways and means not later than February 1, 2025.”

The question on adoption of the amendment was determined by a call of the yeas and nays at twenty minutes past nine o’clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 193**]:

YEAS.

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Mark, Paul W.
Creem, Cynthia Stone	Miranda, Liz
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
Durant, Peter J.	Oliveira, Jacob R.
Edwards, Lydia	Pacheco, Marc R.
Eldridge, James B.	Payano, Pavel M.
Fattman, Ryan C.	Rausch, Rebecca L.
Feeney, Paul R.	Rodrigues, Michael J.
Finegold, Barry R.	Rush, Michael F.
Friedman, Cindy F.	Tarr, Bruce E.
Gomez, Adam	Timilty, Walter F.
Jehlen, Patricia D.	Velis, John C. – 39 .
Keenan, John F.	

NAYS – 0.

The yeas and nays having been completed at twenty-seven minutes past nine o’clock P.M., the amendment was adopted.

There being no objection, the following amendments were considered as one, and *rejected* as follows:

Mr. Tarr moved that the proposed new text be amended by inserting the text of Senate document numbered 2846, relative to modifying barriers to housing. 2

The amendment was *rejected*.

Messrs. Tarr and Montigny moved that the proposed new text be amended by adding the following sections:- 9

“SECTION XX. Chapter 183 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after section 1A the following section:-

Section 1B. (a) Anyone entering into an agreement or facilitating an agreement for the sale or conveyance of residential real estate including, but not limited to a real estate agent, real estate broker or salesperson shall furnish a copy of the Division of Banks homebuyers’ guide, developed pursuant to section 8A of chapter 708 of the acts of 1966, to the prospective purchaser who is entering into an agreement for the sale or conveyance of residential real estate; provided, however, that this requirement shall not apply in instances where there is an agreement for the sale or conveyance of residential real estate by the homeowner where there is no real estate agent, real estate broker or salesperson involved in the sale.

(b) Anyone that fails to furnish a copy of the homebuyers' guide to a prospective purchaser pursuant to subsection (a) shall be punished by a fine of not more than \$100.

SECTION XX. Chapter 255E of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. (a) Prior to obtaining a credit report from a residential mortgage applicant, the mortgage broker shall furnish the applicant with a copy of the Division of Banks homebuyers' guide, developed pursuant to section 8A of chapter 708 of the acts of 1966.

(b) A mortgage broker that fails to furnish a copy of the homebuyers' guide to a residential mortgage applicant prior to obtaining a credit report pursuant to subsection (a) shall be punished by a fine of not more than \$100 per violation.

(c) The commissioner shall promulgate regulations to ensure compliance with this section.

SECTION XX. Chapter 708 of the acts of 1966 is hereby amended by inserting after section 8 the following section:-

Section 8A. The DOB shall create a homebuyers' guide for residential homebuyers with basic information to consider when purchasing a home. The DOB shall publish the homebuyers' guide on its website.

The homebuyers' guide shall include, but not be limited to, information and resources relative to the following: (i) the value of a home inspection; (ii) lead paint disclosure information; (iii) the state environmental code, promulgated by the commissioner of the department of environmental protection pursuant to section 13 of chapter 21A of the General Laws; (iv) disclosure information pursuant to the federal Truth in Lending Act, 15 USC § 1601 et. seq.; (v) the role of a buyer's agent and a seller's agent; (vi) the role of an attorney in the home buying process; (vii) the role of banks and mortgage companies; (viii) the role of homeowners associations; (ix) the role of condominium associations; and (x) the role of covenants and deed restrictions."

The amendment was *rejected*.

Messrs. Tarr and Keenan moved that the proposed new text be amended by adding the following section:-

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"SECTION XX. (a) Within 120 days of the bill's passage the office of housing and livable communities shall no longer require a notice to quit for eligibility to receive benefits from the residential assistance for families in transition program. The office shall establish alternative criteria to illustrate a housing crisis and solicit public feedback on the criteria's establishment."

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by adding the following sections:-

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"SECTION XX. Section 1 of Chapter 142A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the definition of 'Claimant', and inserting in place thereof the following definition:-

'Claimant', an owner and resident of a residential building, containing at least one but not more than four dwelling units, who has entered into a construction contract with a contractor to carry out construction work on said building, or, an owner and resident of a single condominium unit in a residential building, who has entered into a construction contract with a contractor to carry out construction work on an area of said building under that owner's exclusive control, and who is making a claim against said contractor for failure of performance under said contract.

SECTION XX. Said section 1 of said chapter 142A of the General Laws, as so appearing, is hereby further amended by striking out the definition of 'Owner', and inserting in place thereof the following definition:-

'Owner', any homeowner of a pre-existing owner-occupied building or secondary

residence for non-commercial purposes, containing at least one but not more than four dwelling units, or tenant thereof, who orders, contracts for, or purchases the services of a contractor or subcontractor.

SECTION XX. Said section 1 of said chapter 142A of the General Laws, as so appearing, is hereby further amended by striking out the definition of ‘Residential contracting’, and inserting in place thereof the following definition:-

‘Residential contracting’, the reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, or demolition, or the construction of an addition to any pre-existing owner occupied building or secondary residence for non-commercial purposes, containing at least one but not more than four dwelling units, which building or portion thereof is used or designed to be used as a residence or dwelling unit, or to structures which are adjacent to such residence or building.

SECTION XX. Section 7 of chapter 142A of the General Laws, as so appearing, is hereby amended in the third paragraph by striking out the words ‘ten thousand dollars’ and inserting in place thereof the following:- ‘thirty thousand dollars’.

SECTION XX. Section 9 of chapter 142A of the General Laws, as so appearing, is hereby amended by inserting, after subsection (d), the following new subsection:-

(e) Prior to approving any application for registration or renewal conforming to the requirements of this chapter, the director shall refer identifying information regarding an applicant to the department of criminal justice information services, which shall obtain criminal offender record information but shall transmit only the following information to the director:

(1) Any conviction of the applicant of gross fraud or cheat as defined by section 76 of chapter 266.

SECTION XX. Section 10 of chapter 142A of the General Laws, as so appearing, is hereby amended by striking out subsection (c), and inserting in place thereof the following:-

(c) whether the applicant has ever been previously registered in the commonwealth as a contractor or subcontractor pursuant to this chapter, whether the applicant has ever been previously registered as a contractor or subcontractor in any other state, under what other names he was previously registered, whether there have been previous judgments or arbitration awards against him in the commonwealth or any other state, whether there is money owing to the fund on account of such judgments or awards against him, and whether his registration has ever been suspended or revoked by the commonwealth or any other state.

SECTION XX. Section 13 of said chapter 142A of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following new subsection:-

(g) The director shall publish an account of registrations issued and the names of all contractors or subcontractors whose registration has been revoked, suspended or surrendered. The director shall also publish a summary of complaints, judgments or awards filed against registrants by the commonwealth or by any other state, the actions taken to investigate complaints, disciplinary hearings, disciplinary actions or revocations or suspensions, and the reasons for such actions by the director.

SECTION XX. Section 17 of said chapter 142A, as so appearing, is hereby amended by striking out clause (17), and inserting in place thereof the following 2 clauses:-

(17) engaging in gross fraud or cheat as defined by section 76 of chapter 266;

(18) violating any other provision of this chapter.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by adding the following sections:-

“SECTION X. Chapter 183A of the General Laws is hereby amended by striking out section 16 and inserting in place thereof the following section:-

Section 16. The owners of any land may submit the land under this chapter by the recording in the registry of deeds of a master deed or, if the title to the land is registered under chapter 185, by filing the master deed under said chapter 185.

SECTION XX. Chapter 185 of the General Laws is hereby amended by striking out section 52 and inserting in place thereof the following section:-

Section 52. A judgment of registration and the entry of a certificate of title shall be regarded as an agreement running with the land and binding upon the plaintiff and the plaintiff's successors in title that the land shall be and forever remain registered land and subject to this chapter unless withdrawn under this section and except as provided in section 26.

If all of a parcel of land, the title to which is registered under this chapter, is acquired by the commonwealth, any agency, department, board, commission or authority of the commonwealth, any political subdivision of the commonwealth or any agency, department, board, commission or authority of any political subdivision of the commonwealth, the acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter.

The land so acquired shall be withdrawn upon the filing with the land court a complaint for voluntary withdrawal by the public entity and the endorsement by a justice of the land court of a "notice of withdrawal by public entity," which shall be filed in the registry district where the land lies.

The owners of the fee simple estate in a parcel of land, the title to which has been registered under this chapter, may voluntarily withdraw the registered land from this chapter by filing with the land court a complaint for voluntary withdrawal naming themselves as all of the owners of the fee simple estate in the entire parcel of land, and identifying any mortgagees, lessees, or option holders of record having an interest in the registered land, together with a notice of voluntary withdrawal. The plaintiff(s) must file with their complaint documentation sufficient to establish conclusively their ownership of the fee simple estate in the entire parcel of land that is the subject of the complaint, including, but not limited to, a last-prepared certificate of title, deed(s), conveyance records or other documents or instruments that demonstrate their ownership interest. The plaintiff(s) also may file with the court written and signed assents from any interest holders entitled to notice who have agreed to the withdrawal. Upon the request of the plaintiff(s) or the court's determination of reasonable need, the court may appoint an examiner of title, whose fees shall be paid by the plaintiff(s), to prepare a report sufficient to identify the current owners and all current mortgagees, lessees, or option holders with interests in the land who are entitled to notice. The court's order of appointment shall be made within 30 days of receipt of the complaint or request for appointment, if later made, unless the court, for good cause, determines that appointment at a later time is indicated, and shall direct such report to be prepared and filed with the court no later than 14 days after the appointment is made, unless the court, for good cause, then or thereafter allows further time. All interest holders entitled to notice who have not assented shall be served by certified mail with a file-stamped copy of the complaint and notice of voluntary withdrawal. The court may order further notice to be given, including by additional means, if the court determines it necessary or desirable to accomplish effective service. The plaintiff(s) shall file with the court an affidavit certifying that such notice by certified mail or other means ordered by the court has been given, together with proof of service. Where the plaintiff(s) are represented by counsel, the affidavit shall be executed by counsel.

As used in this section, 'notice of voluntary withdrawal' shall mean an instrument in writing signed and acknowledged by all owners of the land to be voluntarily withdrawn, and that contains the following information: (i) names and addresses of all owners; (ii) their certificate of title number with the registration book and page numbers; (iii) a description

of the land in the form contained in the certificate of title or a description incorporating by reference the lot(s) numbers, if numbered, and the Land Court Plan, together with a reference to the certificate with which the plan is filed; and (iv) the street address of the land, if any. The notice of voluntary withdrawal shall include warning to all interest holders entitled to notice that any objection to the requested withdrawal must be filed with the court within 30 days following the service of the notice or will be waived.

If no objection has been filed by any interest holders entitled to notice within 30 days following service, a justice of the court shall approve and endorse the notice of voluntary withdrawal within 30 days following receipt of all required information and documentation unless the court, for good cause, determines that further time is indicated. Notwithstanding the filing of an objection within 30 days, the notice of voluntary withdrawal shall be endorsed by a justice of the land court unless the court determines that there is good cause for the objection.

Upon endorsement by a justice of the land court, the notice of voluntary withdrawal shall be filed for registration and noted on the memorandum of encumbrances for the certificate of title and may be recorded with the registry of deeds for the district within which the land lies, whereupon the land shall be withdrawn from this chapter and shall become unregistered land. The owners shall hold title to the land free of all liens and encumbrances, including adverse possession and prescriptive rights, existing as of the date the judicially-endorsed notice of voluntary withdrawal is noted on the memorandum of encumbrances, as though a judgment of confirmation without registration had been recorded under section 56A; provided, however, that the owners shall not hold title free of the encumbrances set forth or referred to in section 46 and those noted on the certificate of title or filed for registration before the date the endorsed notice of voluntary withdrawal is noted on the memorandum of encumbrances.

The chief justice of the land court or their designee may promulgate or establish rules, practices, guidelines, forms or procedures, including an appropriate filing fee for the complaint and notice of voluntary withdrawal, as necessary to implement this section.

SECTION XXX. Section 114 of said chapter 185 is hereby amended by striking out section 114 and inserting in place thereof the following section:-

Section 114. No erasure, alteration or amendment shall be made upon the registration book after the entry of a certificate of title or of a memorandum thereon and the attestation of the same by the recorder or an assistant recorder without court order, except in an instance in which the assistant recorder, upon approval of the chief title examiner of the land court or their designee, determines that a clerical error or omission has been made in the entry of the certificate of title or memorandum thereon.

A registered owner or other person in interest may apply by complaint to the court upon the grounds that: (i) registered interests of any description, whether vested, contingent, expectant or inchoate, have terminated and ceased; (ii) new interests not appearing upon the certificate have arisen or been created; (iii) any error or omission was made in entering a certificate or any memorandum thereon; (iv) the name of any person on the certificate has been changed; (v) the registered owner has married, or if registered as married, that the marriage has been terminated; (vi) a corporation which owned registered land and has been dissolved has not conveyed the same within 3 years after its dissolution; or (vii) upon any other reasonable ground, and the court may hear and determine the complaint after notice to all parties in interest, and may order the entry of a new certificate, the entry or cancellation of a memorandum upon a certificate, or grant any other relief upon such terms, requiring security if necessary, as it may consider proper; provided, however, that this section shall not authorize the court to open the original judgment of registration; provided further, however, that nothing shall be done by the assistant recorder or ordered by the court that shall impair the title or other interest of a purchaser holding a certificate for value and

in good faith, or his heirs or assigns, without his or their written consent.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by adding the following section:-

14

“SECTION XX. Notwithstanding any general or special law to the contrary, there shall be established a special commission to make recommendations on expanding the supply of housing available and affordable to tenants with a household income of not more than 30 per cent of the area median income, adjusted for household size, as periodically determined by the United States Department of Housing and Urban Development. The commission shall review and evaluate federal, state and local subsidies that support the creation of housing for such tenants and make policy recommendations to increase the supply of housing that is available and affordable to households earning not more than 30 per cent of the area median income.

(a) Without limitation, the commission shall consider the following:

(i) the number of deeply subsidized rental units targeted at families with incomes at or below 30 per cent of the area median income and the percentage of those units that are accessible to persons with disabilities;

(ii) the number of families with such incomes per deeply subsidized rental unit; (iii) the gap between median rents and the rent affordable to families with such incomes, and analysis of whether housing subsidies are sufficient to bridge such gap;

(iv) the ratio of households with such incomes to unsubsidized units available at rents up to 50 per cent of such income;

(v) housing market factors such as vacancy rates, rate of rent increases, conversion of rental housing to homeownership units; and

(vi) the impact of non-housing subsidies such as earned income tax credit on cost burden for working families; and barriers to accessing available housing, including racial and ethnic disparities in housing access.

(b) The commission shall consist of the secretary of housing and livable communities or their designee, who shall serve as chair; the house and senate chairs of the joint committee on housing or their designees; the minority leader of the house of representatives or a designee; the minority leader of the senate or a designee; the secretary of administration and finance or a designee; the secretary of health and human services or a designee; a representative of the Citizens’ Housing and Planning Association; a representative of the Massachusetts Housing Partnership; a representative of the Massachusetts Housing Finance Agency; a representative of the Community Economic Development Assistance Corporation; a representative of the Massachusetts Law Reform Institute; a representative of the Massachusetts Association of Community Development Corporations; a representative of the Regional Housing Network; and 5 members appointed by the governor: 1 of whom shall be a representative of a local housing authority; 1 of whom shall be a representative of an advocacy organization representing tenants; 1 of whom shall have expertise in affordable housing finance; 1 of whom shall have expertise in nonprofit affordable housing development; and 1 of whom shall have expertise in development of permanent supportive housing.

(c) Not later than June 30, 2025, the commission shall file its recommendations with the clerks of the senate and house of representatives and the joint committee on housing.”

The amendment was *rejected*.

Mr. Fattman moved that the proposed new text be amended in section 2, item 7004-0098, by inserting the following words:- “; provided further, that not less than \$5,000,000 shall be expended for the Blackstone Valley Chamber of Commerce, Inc. in the village of Whitinsville in the town of Northbridge for regional housing infrastructure development”; and by striking out the figure “\$50,000,000” and inserting in place thereof the following

48

figure:- "\$55,000,000".

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting after section __ the following section:-

72

"SECTION __. Notwithstanding any other section of this act, a city, town or regional affordable housing commission, as applicable, may exempt commercial real property interests from any transfer fee established pursuant to this act."

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting the following item:-

153

"7004-XXXX For grants to support upgrading aging utility infrastructure in low income housing as required by 49 C.F.R Part 192; provided further, that the secretary of housing and livable communities shall report to the clerks of the house of representatives and the senate and the house and senate committees on ways and means all grants awarded, including the amounts of the grants..... \$20,000,000".

The amendment was *rejected*.

Ms. Comerford, Messrs. Cyr, Gomez and Oliveira, Ms. Rausch and Mr. Velis moved that the proposed new text be amended in section 2A, in item 7004-0083, by inserting after the words "community housing", in line 586, the following words:- "; provided further, that not less than \$50,000,000 be expended as grants to projects that support housing in rural and small towns, as defined by the executive office".

190

The amendment was *rejected*.

Mr. Barrett moved that the proposed new text be amended by adding the following sections:-

202

"SECTION XX. Notwithstanding anything to the contrary set forth in Chapter 275 of the Acts of 2006, or Chapter 117 of the Acts of 2010, or that certain Release Deed from the Commonwealth of Massachusetts, acting by and through the Commissioner of its Division of Capital Asset Management and Maintenance, on behalf of the Department of Correction, to CHDC - JV LLC, dated January 28, 2013, and recorded in the Southern Middlesex Registry of Deeds in Book 61102, Page 485, the property conveyed thereby may, in connection with the redevelopment of the Massachusetts Correctional Institution, Concord, be used for open space purposes, affordable housing purposes, market-rate housing purposes, and any other purposes allowable under applicable zoning, and pursuant to chapter 40B of the General Laws."

The amendment was *rejected*.

Mr. Feeney moved that the proposed new text be amended in section 2A, in item 1100-2518, by adding the following words:- "; provided further, that not less than \$10,000,000 shall be expended for the construction of the Transit-Oriented Development Connector Parkway in Mansfield from North Main Street to Chauncy Street"; and by striking out the figure "30,000,000" and inserting in place thereof the figure:- "40,000,000".

256

The amendment was *rejected*.

Ms. Kennedy moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- "; provided further, that not less than \$150,000 be allocated to the Family Health Center of Worcester for the creation of a capital master plan including workforce housing for the campus at 26 Queen Street in the city of Worcester"; and by striking the figure "\$1,000,000" and inserting in place thereof the following figure:- "\$1,150,000".

273

The amendment was *rejected*.

Ms. Kennedy moved that the proposed new text be amended by striking section 28, and inserting in its place thereof the following words:-

274

“SECTION 28. Section 87DDD1/2 of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:- Such licensed broker or salesperson may solely contract with a prospective tenant to find for rent residential or commercial real property for a tenant and present an offer to lease to the landlord or landlord's agent and negotiate on behalf of the tenant or may solely contract with a landlord or landlord's agent to find a tenant for a property. Any fee shall only be paid by the party, lessor or tenant who originally engaged and entered into a contract with the licensed broker or salesperson. Provided however, if a lessor and a tenant or prospective tenant agree to a fee for the purchase of security deposit insurance instead of requiring payment of a security deposit, the lessor shall utilize the security deposit insurance fee to purchase insurance coverage for unpaid rent or unit damage that applies to that tenant's lease. The security deposit insurance fee may: (A) be entirely or partially non-refundable, if disclosed in the lease and separately agreed to by the tenant; and (B); (C) be a recurring monthly fee, or payable upon any schedule and in an amount that the lessor and tenant choose, the total of which shall not exceed the first month's rent. A court, arbitrator, mediator or any other dispute resolution adjudicator shall not consider a security deposit insurance fee to be a security deposit or consider it to be governed by any laws or regulations governing security deposits. A lessor shall not be obligated to offer a security deposit insurance fee option, but if a lessor chooses to offer the insurance fee option, they shall: (1) ensure that it is optional for the tenant, and that the tenant may choose to pay a full security deposit rather than a security deposit insurance fee; (2) not use a prospective tenant's choice to pay a security deposit insurance fee or a traditional security deposit as a criterion in the determination of whether to approve an application for occupancy; (3) offer the insurance fee option to every prospective tenant whose application for occupancy has been approved, regardless of income, race, gender, disability, sexual orientation, immigration status, size of household or credit score; and (4) allow any tenant that agrees to pay a security deposit insurance fee to opt-out of a continuing security deposit insurance fee obligation upon full payment of the security deposit that is otherwise in effect for the tenant's apartment on the day of the opt-out.”

The amendment was *rejected*.

Mr. Feeney and Ms. Rausch moved that the proposed new text be amended in section 2, in item 7004-0070, by adding the following words:- “; provided further, that not less than \$50,000,000 shall be expended by the Massachusetts Development Finance Agency for a three-year pilot financial assistance program to provide low interest gap financing for the immediate construction of market rate housing units to spur housing production and mitigate the housing crisis in the Commonwealth; provided further, that low interest gap financing under this pilot shall be used to finance no more than 25% of the total financing costs of an eligible housing development project; and provided further, that such financial assistance may take the form of a low-interest loan or other form of financial assistance as determined by the administering agency”; and by striking out the figure “425,000,000” and inserting in place thereof the following figure:- “430,000,000”.

279

The amendment was *rejected*.

As previously stated, the amendments above were considered as one and *rejected*.

There being no objection, the following amendment were considered as one and adopted, as follows:

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the city of Gloucester for workforce development and affordable housing purposes”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

19

The amendment was adopted.

Mr. Brownsberger moved that the proposed new text be amended by inserting after section 47 the following 3 sections:-

30

“SECTION 47A. Section 1 of chapter 188 of the General Laws, as so appearing, is hereby amended by striking out, in lines 5 and 10, the figure ‘\$125,000’ and inserting in place thereof, in each instance, the following figure:- ‘\$250,000’.

SECTION 47B. Said section 1 of said chapter 188, as so appearing, is hereby further amended by striking out, in lines 15, 21, 25, 41 and 47 the figure ‘\$500,000’ and inserting in place thereof, in each instance, the following figure:- ‘\$1,000,000’.

SECTION 47C. Said section 1 of said chapter 188, as so appearing, is hereby further amended by striking out, in line 42, the figure ‘\$250,000’ and inserting in place thereof the following figure:- ‘\$500,000’.”

The amendment was adopted.

Mr. Finegold moved that the proposed new text be amended by inserting after section 5 the following section:-

33

“SECTION 5A. Section 5A of said chapter 23B, as appearing in section 104 of chapter 7 of the acts of 2023, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

There shall be within the executive office a housing appeals committee consisting of 5 members to be appointed by the secretary, 1 of whom shall be an officer or employee of the executive office or any agency or division within the executive office or their designee and 2 members to be appointed by the governor, 1 of whom shall be a sitting or former member of a select board and 1 of whom shall be a sitting or former member of a city council or similar governing body of a city. Each member shall serve a term of 2 years and the secretary shall designate the chair. A member of the committee shall not receive compensation for such service but shall be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of the member’s official duties. The committee shall hear all petitions for review filed under section 22 of chapter 40B and shall conduct such hearings in accordance with rules and regulations established by the secretary; provided, however, that the committee may hear multiple such petitions concurrently if such petitions are heard by not less than 3 members as assigned by the chair, not less than 2 of whom have been appointed by the secretary and not less than 1 of whom has been appointed by the governor.”; and

By inserting after section 16 the following section:-

“SECTION 16A. Section 22 of chapter 40B of the General Laws is hereby amended by inserting after the word ‘applicant’, in line 20, as so appearing, the following words:- ‘; provided, however, that the committee shall provide notice to the secretary of any such extension or other failure to perform action by the deadlines set forth in this section and the reason for such delay; provided further, that the secretary shall annually, not later than November 1, submit to the governor and the joint committee on housing a summary of such delays including, but not limited to: (i) any deadlines missed pursuant to this section for each applicable appeal; (ii) the reason for any such delay; (iii) the total number of days, from the date of the committee’s receipt of the applicant’s statement of the prior proceedings, in which the committee ultimately issued a written decision or, if such appeal is in progress at the time said report is submitted, the projected number of days beyond the deadlines listed herein needed for the committee to issue a decision; and (iv) the board which issued the denial or conditions and requirements being appealed’.”

The amendment was adopted.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$250,000 shall be expended for housing redevelopment at the Monson Developmental Center in the town of Monson”; and by striking out the figure “\$1,000,000” and inserting in place thereof

50

the following figure:- “\$1,250,000”.

The amendment was adopted.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the creation of affordable housing units in the Stevens Linen Mill housing development project in the town of Dudley”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

51

The amendment was adopted.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the town of Northbridge for housing redevelopment projects”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

52

The amendment was adopted.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the town of Upton for housing infrastructure improvements”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

53

The amendment was adopted.

Messrs. Moore and Tarr moved that the proposed new text be amended by inserting after section 124 the following section:-

69

“SECTION 124A. Notwithstanding any general or special law to the contrary, there shall be an interbasin transfer review commission, which shall analyze and make recommendations relative to sections 8B, 8C and 8D of chapter 21 of the General Laws, including whether this act should be updated to support the development of housing through increased access to water resources.

The commission shall evaluate current processes, practices and standards for regulating interbasin transfers. In conducting this review, the commission shall: (i) assess whether sections 8B, 8C and 8D of said chapter 21 continue to effectively govern the transfer of water or wastewater outside of its river basin of origin; (ii) determine whether amending the current law would support increased housing production while maintaining environmental protections; (iii) identify and recommend potential actions for easing existing administrative burdens or permitting processes to facilitate the sharing of water resources for communities in need; (iv) consider whether any changes to its governing law are necessary or recommended to better assist municipalities with the remediation of per- and polyfluoroalkyl substances; and (v) consider and make recommendations concerning any other matters the commission deems relevant to its mandate.

The commission shall consist of: the secretary of energy and environmental affairs or a designee, who shall serve as chair; the commissioner of conservation and recreation or a designee; the commissioner of environmental protection or a designee; the secretary of housing and livable communities or a designee; a representative of the American Council of Engineering Companies of Massachusetts; a representative of the Massachusetts Municipal Association, Inc.; a representative of the Massachusetts Water Resources Authority; a representative of the Massachusetts Water Resources Authority advisory board; a representative of the Massachusetts Water Resources Authority Water Supply Citizens Advisory Committee; a representative of the Massachusetts Rivers Alliance Inc.; a representative of Massachusetts Water Environment Association Inc; a representative of Massachusetts Coalition for Water Resources Stewardship Inc; a representative of Massachusetts Water Works Association Inc; a representative of the NAIOP Massachusetts, Inc.; a representative of the Massachusetts Water Resources Authority’s

Wastewater Advisory Committee.

The commission shall only make recommendations or take actions by a majority vote of all members present and voting.

The commission shall issue a report with recommendations not later than July 1, 2025 and file the report with the clerks of the senate and house of representatives, the joint committee on housing and the joint committee on environment and natural resources.”

The amendment was adopted.

Mr. Moore moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the town of Auburn; provided not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the town of Grafton; provided not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the town of Millbury; provided not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the town of Shrewsbury; provided not less than \$1,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the town of Westborough”; provided not less than \$2,000,000 shall be expended for sewer, septic, water, storm water management, roads, sidewalks, traffic controls and public safety infrastructure upgrades and expansions that advance projects that support housing development, preservation or rehabilitation in the city of Worcester”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$8,000,000”.

71

The amendment was adopted.

Mr. Rush moved that the proposed new text be amended in section 116 by striking out, in line 2496, the figure “6” and inserting in place thereof the following figure:- “8”; and

86

In said section 116, by inserting after the word “concerns”, in line 2498, the following words:- “, 2 members who shall be representatives of a nonprofit organization with experience in health care, developing affordable senior rental housing and providing onsite services in housing”.

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the town of Middleton for infrastructure improvements to support housing and public safety”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

95

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for infrastructure improvement to facilitate housing production along the United States highway route 1 corridor between the town of Topsfield and the town of Salisbury”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,000,000”.

97

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the city of Newburyport for the development of housing at the former Brown school located at 40 Milk street in the city of Newburyport; provided further, that not less than \$250,000 shall be expended to the town of North Reading for infrastructure improvements to support housing production; provided further, that not less than \$250,000 shall be expended to the Rockport Affordable Housing Trust for the production of affordable housing”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

99

The amendment was adopted.

Messrs. Tarr and Finegold moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to Housing Support Inc. in the city of Newburyport for the creation of housing to support populations that may include but shall not be limited to low-income individuals, homeless individuals, people with disabilities, veterans and individuals in recovery in the Merrimack valley”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

100

The amendment was adopted.

Messrs. Mark and Cyr moved that the proposed new text be amended by inserting after section 13 the following section:-

126

“SECTION 13A. Section 9 of said chapter 40A, as so appearing, is hereby amended by striking the eleventh paragraph.”; and

By inserting after section 18 the following section:-

“SECTION 18A. Section 81A of chapter 41 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-

‘Zoning ordinances or by-laws may provide for associate members of a planning board. One associate member may be authorized when the planning board consists of not more than 5 members and 2 associate members may be authorized when the planning board consists of more than 5 members. A city or town that establishes the position of associate member shall determine the procedure for filling such position. If provision for filling the position of associate member has been made, in the case of absence, inability to act, conflict of interest on the part of any member of the planning board, or in the event of a vacancy on the board, the chair of the planning board may designate an associate member to sit on the board for the purposes of acting on any matter under its jurisdiction, including, but not limited to, this chapter, chapter 40A, or under its home rule powers.’”

The amendment was adopted.

Ms. Miranda, Messrs. Cyr and Gomez, Ms. Comerford and Messrs. Eldridge, Pacheco, Keenan, Collins and Payano moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Greater Boston Community Land Trust for the acquisition, development and rehabilitation of property to be preserved for long-term affordable housing”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$4,000,000”.

131

The amendment was adopted.

Ms. Miranda and Mr. Collins moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$7,000,000 shall be expended to Children’s Services of Roxbury, Inc. to develop affordable, supportive housing for transition-aged youth facing homelessness or aging out of systems and for homeless families coping with trauma and mental health needs”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:-

135

“\$8,000,000”.

The amendment was adopted.

Messrs. Mark, Gomez and Velis moved that the proposed new text be amended in section 7, by inserting after the figure “1989”, in line 848, the following words:- “, and all municipalities with more than 40 per cent seasonal housing units in Berkshire county, as determined by the executive office in consultation with the Berkshire regional planning commission”.

148

The amendment was adopted.

Ms. Comerford, Messrs. Cyr, Oliveira and Gomez, Ms. Rausch and Mr. Velis moved that the proposed new text be amended in section 2A, in item 7004-0083, by inserting after the word “rehabilitation”, in line 577, the following words:- “; provided further, that the executive office shall consider geographic equity in awarding funds from this item”; and

187

In said section 2A, in item 7004-0098, by inserting after the word “preference”, in line 703, the following words:- “; provided further, that the executive office shall consider geographic equity in awarding funds from this item”.

The amendment was adopted.

Mr. Lewis moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the Winchester housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

199

The amendment was adopted.

Ms. Comerford and Messrs. Cyr, Oliveira, Gomez and Velis moved that the proposed new text be amended in section 2A, in item 7004-0096, by inserting after the word “of”, in line 637, the following words:- “rental and homeownership”;

200

In said section 2A, in said item 7004-0096, by striking out the words “with an approved smart growth plan under chapter 40R of the General Laws” and inserting in place thereof the following words:- “that have otherwise demonstrated housing best practices; provided further, that funds shall be expended in a manner that promotes geographic equity and meets the needs of all types of rural communities, as identified in the 2019 rural policy plan; provided further, that funds from this item shall not be expended in communities deemed by the secretary of housing and livable communities to not be in compliance with the multi-family zoning requirement established in section 3A of chapter 40A of the General Laws”; and

In said section 2A, in said item 7004-0096, by inserting after the word “systems”, in line 655, the following words:- “and drinking water wells”.

The amendment was adopted.

Ms. Moran and Mr. Cyr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the Cape Cod Chamber of Commerce for the construction of new accessory dwelling units to increase affordable workforce housing through an employer housing partnership program”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

226

The amendment was adopted.

Ms. Moran moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Housing Assistance Corporation for the construction and build-out of a Regional Housing Resource Center”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

228

The amendment was adopted.

Messrs. Oliveira, Montigny and Tarr moved that the proposed new text be amended in section 116, in line 2490, by inserting after the word “community” the following:-

234

“including examining the benefit of providing incentives to young families to house elder adults family members to limit loneliness in adult populations, assist young families and limit the overall cost to the state”.

The amendment was adopted.

Mr. Lewis moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended to the Stoneham housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,500,000”.

240

The amendment was adopted.

Ms. Jehlen, Messrs. Oliveira, Eldridge, Mark and Cyr, Ms. Comerford, Messrs. Brady and Gomez, Ms. Kennedy, Mr. Pacheco, Ms. Rausch and Messrs. Velis, Payano and Montigny moved that the proposed new text be amended in section 116, by striking out subsection (b) and inserting in place thereof the following subsection:-

244

“(b) The commission shall consist of: the secretary of housing and livable communities or a designee, who shall serve as chair; the secretary of health and human services or a designee; the secretary of elder affairs or a designee; the chairs of the joint committee on elder affairs or their designees; the chairs of the joint committee on housing or their designees; 1 member appointed by the minority leader of the house of representatives; 1 member appointed by the minority leader of the senate; 1 member appointed by the secretary of housing and livable communities who shall represent an affordable housing financing agency; 1 member representing Citizens Housing and Planning Association, Inc; 1 member representing the Mass Home Care Association; 1 member representing MassPACE, Inc.; 1 member representing Massachusetts Association of Councils on Aging, Inc.; 1 member representing LeadingAge Massachusetts, Inc.; 1 member representing Massachusetts Senior Action Council, Inc; 1 member representing AARP Massachusetts; 1 member representing 2Life Communities Inc.; 1 member representing Hebrew SeniorLife, Inc.; and 2 members appointed by the governor who shall represent nonprofit housing developers with experience developing affordable senior rental housing.”; and

By striking out, in line 2515, the words “and (xiii)” and inserting in place thereof the following words:- “(xiii) analysis of models of community-based housing that provide medical support, including residential care homes, rest homes and small house nursing homes; and (xiv)”.

The amendment was adopted.

Messrs. Feeney and Timilty moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Canton housing authority; provided further, that not less than \$1,000,000 shall be expended to the Foxborough housing authority; provided further, that not less than \$1,000,000 shall be expended to the Sharon housing authority; provided further, that not less than \$1,000,000 shall be expended to the Norton housing authority; provided further, that not less than \$1,000,000 shall be expended to the North Attleboro housing authority”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$6,000,000”.

250

The amendment was adopted.

Mr. Feeney moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$3,000,000 shall be expended to Northern Bristol County Assistance Collaborative, Inc. for development costs for the Attleboro affordable senior housing project”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$4,000,000”.

251

The amendment was adopted.

Mr. Pacheco moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$500,000

270

shall be expended to the Rehoboth Housing Authority for the design and construction of new senior housing units; provided further, that not less than \$500,000 shall be expended to the Carver Housing Authority for housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability; provided further, that not less than \$500,000 shall be expended to the Dighton Housing Authority for housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability; provided further, that not less than \$1,000,000 shall be expended to the Middleborough Housing Authority for housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability; provided further, that not less than \$500,000 shall be expended to the Raynham Housing Authority for housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability; provided further, that not less than \$3,500,000 shall be expended to the Taunton Housing Authority for housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability; provided further, that not less than \$500,000 shall be expended to the Wareham Housing Authority for new senior housing construction and housing improvements, including, but not limited to, modernization, energy efficiencies and sustainability”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$9,000,000”.

The amendment was adopted.

Messrs. Velis, Tarr and Montigny moved that the proposed new text be amended by inserting after section 124 the following section:-

284

“SECTION 124A. The secretary of veterans’ services, in coordination with the executive office of housing and livable communities, shall convene a working group to develop a plan for the siting, construction and operation of veterans’ small house long-term care homes, as authorized under item 4000-2027 of section 2 of chapter 15 of the acts of 2021. The working group shall propose veterans’ housing that follows the standards of the Veterans Health Administration Small House Design Guide (PG-18-12 Chapter 106). The model of care for the proposed veterans’ housing shall be resident-centered and resident-driven and involve the resident and family, when available, in decisions regarding the resident’s care.

The working group shall include: the secretary of veterans’ services or a designee; the secretary of elder affairs or a designee; the commissioner of public health or a designee; the executive director of the office of veterans homes and housing; 1 member who shall represent the office of the veteran advocate; 1 member representing the architectural access board; and 6 members appointed by the secretary of veterans’ services, 2 of whom shall represent medical centers or hospitals in the commonwealth that serve veterans, 2 of whom shall represent health insurance companies serving veterans in the commonwealth and 2 of whom shall represent veterans’ services organizations. The secretary shall designate a chair of the working group from among its members.

Not later than January 1, 2026, the working group shall file a report of its findings and any recommendations with the clerks of the house of representatives and the senate, the joint committee on veterans and federal affairs, the joint committee on mental health, substance use and recovery, the joint committee on public health, the joint committee on elder affairs and the senate and house committees on ways and means.”

The amendment was adopted.

Messrs. Feeney and Cyr moved that the proposed new text be amended by inserting after section __ the following section:-

306

“SECTION __. Chapter 40S of the General Laws, as appearing in the 2020 Official Edition, is hereby amended in section 1 by striking out the definitions of ‘New smart growth development’ and ‘Smart growth zoning district’ and inserting in place thereof the following:-

‘New smart growth development’, any new residential or commercial development, including the substantial redevelopment of existing buildings, subject to the payment of local property taxes that: (a) occurs in a smart growth or starter home zoning district after the adoption of such zoning by the community, and (b) is permitted under the provisions of the smart growth or starter home zoning district. A redevelopment shall be considered substantial if its cost exceeds 50 per cent of the building's pre-renovation assessed value or if it constitutes a change in use from nonresidential to residential.

‘Smart growth zoning district’, a zoning district adopted by a community and approved by the department of housing and community development which is eligible, and which remains eligible for density bonus payments under chapter 40R including without limitation smart growth zoning districts as defined in section 1 of chapter 40R and starter home zoning districts as defined in section 1 of said chapter 40Y.”

The amendment was adopted.

As previously stated, the amendments above were considered as one and adopted.

Recess.

At twenty-nine minutes past nine o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Mr. Brownsberger) declared a recess; and, at twelve minutes before ten o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- was further considered, the main question being on ordering the bill to a third reading.

Affordable Homes Act.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$3,000,000 shall be expended for planning and design of water infrastructure interconnections between municipalities and other public water suppliers affected by the Ipswich river watershed to support current and future housing stocks”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:-“\$4,000,000”.

22

The amendment was adopted.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$750,000 shall be expended for the Simonelli Innovation Center at the Hamilton Mills building for an affordable housing development project in the town of Southbridge”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,750,000”.

49

The amendment was adopted.

Messrs. Eldridge, Oliveira and Gomez, Ms. Comerford, Ms. Kennedy and Ms. Jehlen moved that the proposed new text be amended in section 48, by inserting after proposed subsection (e) of section 16 of chapter 239 of the General Laws the following subsection:-

141

“(e1/2) Any person having a court record of an eviction action that resulted in dismissal or final judgment in favor of the defendant may petition the court to seal the court record at any time after the conclusion of the action, which shall include exhaustion of all rights of appeal. The petition shall be on a form furnished by the trial court, signed under the penalties of perjury and filed in the same court as the action sought to be sealed was initially filed. If the action was active in more than 1 court during its pendency, a petition may be filed in each such court. Notice to parties of the original action shall not be required. The court may, in its discretion, process the petition administratively without a hearing.”

The amendment was adopted.

Ms. Friedman, Mr. Cyr, Ms. Rausch and Messrs. Keenan, Feeney and Montigny moved that the proposed new text be amended by inserting after section 124 the following section:-

196

“SECTION 124A. The attorney general, in consultation with the executive office of housing and livable communities, shall conduct a study of algorithmic collusion in the residential housing market in the commonwealth. The study shall examine and make recommendations on: (i) the prevalence of pricing algorithms; (ii) the impact of property owners using algorithmic methods to set residential rent prices on housing prices and inventory; (iii) the legality of such methods, including the use of non-public information in algorithms to set rent prices; (iv) measures to mitigate the impact of pricing through disclosure; and (v) any regulatory or legislative changes necessary to mediate the use of pricing algorithms.

The attorney general shall submit the results of the study and its recommendations to the clerks of the senate and house of representatives, the house and senate committees on ways and means and the joint committee on housing not later than July 31, 2025.”

The amendment was adopted.

Ms. Comerford, Mr. Cyr, Ms. Rausch and Messrs. Gomez, Oliveira and Velis moved that the proposed new text be amended in section 7, in proposed section 32 of chapter 23B of the General Laws, by adding the following subsection:-

231

“(d) The office shall prepare an annual report on geographic equity in the commonwealth’s housing assistance programs. The report shall include, but not be limited to: (i) the number of housing units created with assistance from the commonwealth organized by municipality and county; and (ii) data on the types of housing units produced, including affordability, housing type, total state assistance amount and the total cost per unit. The report shall be posted publicly on the office’s website and shall be filed with the clerks of the House of Representatives and Senate, and the Joint Committee on Housing not later than July 1 in the year in which the report is due.”

The amendment was adopted.

Messrs. Payano, Keenan and Feeney, Ms. Rausch and Mr. Tarr moved that the proposed new text be amended by inserting after section 18 the following section:-

168

“SECTION 18A. Section 9 of chapter 40R of the General Laws, as so appearing, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

(a) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a zoning incentive payment, according to the following schedule:

- Projected Units of New Construction Payment
- Up to 20 \$20,000
- 21 to 100 \$150,000
- 101 to 200 \$400,000
- 201 to 500 \$740,000
- 501 or more \$1,200,000

Subject to any conditions imposed by the department as a condition of approving a smart growth zoning district or starter home zoning district, the zoning incentive payment shall be payable upon confirmation of approval of the district by the department. The projected number of units shall be based upon the zoning adopted in the smart growth zoning district or starter home zoning district.

(b) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a 1-time density bonus payment to each city or town with an approved smart growth zoning district and a 1-time production bonus payment to each city or town with an approved starter home zoning

district. This payment shall be \$6,000 for each housing unit of new construction created in the smart growth zoning district and \$6,000 for each housing unit of new construction created in the starter home zoning district. The amount due shall be paid on a unit-by-unit basis in accordance with department regulations, upon submission by a city or town of proof of issuance of a building permit for a particular housing unit or units within the district.”

After remarks, the amendment was adopted.

Ms. Comerford, Messrs. Gomez and Eldridge, Ms. Jehlen, Mr. Oliveira, Ms. Rausch and Mr. Payano moved that the proposed new text be amended in section 124, by inserting after the word “Corporations”, in line 2902, the following words:- “; 1 person who shall be a representative of the Massachusetts Coalition for Racial Equity in Housing;”.

237

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the modernization of elevators at the Ruth Lillian Barkley development in the South End section of the city of Boston”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000” .

289

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to the Boston Housing Authority for the modernization of the St. Botolph apartments in the city of Boston”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

290

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended in section 2A, item 1599-1953, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to Codman Square Neighborhood Development Corporation for design, construction and maintenance of affordable housing; provided further, that not less than \$1,000,000 shall be expended to South Boston Neighborhood Development Corporation for design, construction and maintenance of affordable housing; provided further, that not less than \$1,000,000 shall be expended to Caribbean Integration Community Development, Inc. for design, construction and maintenance of affordable housing”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$4,000,000”.

291

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less \$1,000,000 shall be expended to St. Mary’s Center for Women and Children, Inc. for renovation and construction of supportive housing units”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

323

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended to the Boston Housing Authority for the modernization and maintenance of the Monsignor Powers apartments, West Ninth Street apartments and Foley apartments in the South Boston section of the city of Boston”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$3,000,000”.

324

The amendment was adopted.

Messrs. Tarr and Keenan moved that the proposed new text be amended by inserting the following section:-

6

“SECTION __. Section 8(d) of Chapter 372 of the Acts of 1984, as amended by Chapter 274 of the Acts of 2010, is hereby amended, by inserting after the words “provided further that no new local body will be added to the water service area without prior approval

of the governor and the general court”, the following sentence:-

‘The Authority shall not charge an entrance fee for any applicant communities that show that they are seeking admission to or additional water supply from the Authority because their local sources are impacted by water quality issues, their water supply is located in a stressed basin, or local economic development is significantly constrained by their existing water supply.’”

After remarks, the amendment was *rejected*.

Messrs. Tarr and Fattman moved that the proposed new text be amended by adding after section _ the following section:-

7

“SECTION _ . Chapter 59 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after Section 5N the following section:-

Section 5O. (a) A city or town that accepts this section in the manner provided in section 4 of chapter 4, as so appearing, may impose a cap on property taxes for homeowners of the age of 70 or over; provided, that such homeowners have domiciled in the home as a primary residence for at least 10 consecutive years and meet the following income and asset requirements for eligibility. If single, incomes of \$100,000 or less, if married \$150,000 or less and assets of \$200,000 or less, not including the primary residence and 1 motor vehicle registered to the applicant. The board of assessors in such cities or towns shall calculate the assessments and tax rate changes of such qualified applicants on an annual basis with the lesser calculation prevailing as the property tax levy for that year.

(b) Following the sale or transfer of a qualified applicants property, a city or town which accepts the provisions of this section shall be entitled to collect a conveyance tax calculated by the standard property tax assessment for the qualified applicants property, less the amount assessed under this section for the previous year three years, or for the length of time in which the cap under subsection (a) was in effect, whichever is less. Said conveyance tax shall be due and payable by the homeowner at the time of transfer of the property by deed or other instrument of conveyance and shall be payable to the tax collector of the city or town in which the property is located. In the case of taking by eminent domain, the value of the property taken shall be determined in accordance with chapter 79, and the amount of conveyance tax, if any, shall be added to that amount.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by adding the following 6 sections:-

10

“SECTION XA. Section 6J of chapter 62 of the General Laws, as appearing in the Official Edition, is hereby amended by striking out, in line 39, the figure ‘2027’ and inserting in place thereof the figure ‘2030’.

SECTION XB. Said section 6J of said chapter 62, as so appearing, is hereby further amended by striking out, in line 41, the figure ‘\$55,000,000’ and inserting in place thereof the following figure ‘\$110,000,000’.

SECTION XC. Section 38R of chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in line 38, the figure ‘2027’ and inserting in place thereof the figure ‘2030’.

SECTION XD. Said section 38R of said chapter 63, as so appearing, is hereby further amended by striking out, in line 40, the figure ‘\$55,000,000’ and inserting in place thereof the following figure ‘\$110,000,000’.”

SECTION XE. Sections XB and XD shall apply to tax years beginning on or after January 1, 2024 and ending on or before December 31, 2030.

SECTION XF. Notwithstanding the provisions of 830 CMR 63.38R.1 or any general or special law to the contrary in calendar years beginning on or after January 1, 2024 and ending on or before December 31, 2030 at least 50 per cent of the tax credits issued by the Massachusetts historical commission under section 6J of chapter 62 of the General Laws

and section 38R of chapter 63 of the General Laws, shall be allocated to projects that contain affordable housing whenever possible and consistent with the criteria of eligibility.”

The amendment was *rejected*.

Messrs. Tarr and Payano moved that the proposed new text be amended by adding the following section:-

17

“SECTION XX. (a) Notwithstanding any general or special law to the contrary, there is hereby established a special commission to review the definition of low or moderate income housing, as currently defined in section 20 of chapter 40B of the General Laws. The commission shall, but not be limited to, evaluating the effects of including mobile homes and group homes, manufactured homes, in-law apartments and any first time home buyers participating in any state or federal assistance program in said definition.

(b) The commission shall consist of 8 members: 2 members of the senate, one to be appointed by the senate president and one to be appointed by the minority leader; 2 members of the house of representatives, one to be appointed by the speaker and one to be appointed by the minority leader; the secretary of housing and economic development, or a designee; the undersecretary of the department of housing and community development, or a designee; a representative from the Massachusetts Chapter of the National Association of Housing & Redevelopment Officials; and a representative from MassHousing.

(c) The commission shall submit its report and findings, along with any legislative recommendations, to the joint committee on housing and the clerks of the senate and the house of representatives no later than six months following passage of this act.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by adding the following section:-

18

“SECTION XX. 1. Notwithstanding any general or special law to the contrary, the city or town councils of the various cities and towns of the Commonwealth may provide, by ordinance, for the freezing of the rate and valuation of taxes on real income from all sources in excess of a figure as determined by the city council of the various cities and towns, to any person who is of the requisite age or older or to any person who is totally and permanently disabled, regardless of age and who does not have income from all sources in excess of a figure as determined by the city council of the various cities and towns; and provided, further, that the exemption is not allowed unless the person entitled to it has presented to the assessors, on or before the last day on which sworn statements may be filed with the assessors for the year for which the tax freeze is claimed, or for taxes assessed, evidence that he or she is entitled, which evidence shall stand as long as his or her legal residence remains unchanged.

2. The board of assessors may deny an application for a freeze of tax or rate or valuation if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by the legislative body of a municipality. Real property shall qualify if all of the following criteria are met: (1) A maximum valuation of real property as determined by the assessor; (2) the real property is owned and occupied by the applicant or joint applicants as their domicile; (3) the applicant or at least 1 of the joint applicants has been domiciled in the city or town for at least 10 consecutive years before filing an application for the exemption; (4) Income and assets of the applicant or joint applicant is not in excess of the parameter as determined by the legislative body of the city or town in which the applicant is applying; (5) The real property owned by a single applicant is of the requisite age determined by the legislative body of the city or town or older at the close of the previous year or jointly by persons either of whom have reached the required age or above at the close of the previous year and if the joint applicant is 65 years of age or older;

3. The exemptions shall be in addition to any other exemption provided by law, and

provided, further, that the real estate is not taken from the tax rolls and is subject to the bonded indebtedness of the city or town.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:-

25

“SECTION _ . Section 18 of Chapter 358 of the Acts of 2020 is hereby amended by adding at the end thereof the following new subsection:-

(d) The Department of Housing and Community Development shall develop and promulgate regulations to allow a municipality affected by the zoning provisions of this section to appeal for relief from such provisions based on one or more of the following:

1. The inability to meet the drinking water supply requirements necessary to support the housing units authorized by such provisions.
2. The inability to meet the wastewater treatment requirements necessary to support such units.
3. The inability of municipal transportation infrastructure to safely accommodate increased population attributable to housing development pursuant to such provisions.
4. Any adverse environmental impacts attributable to the developments of housing units pursuant to such provisions.
5. Any adverse impacts on historical properties.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at ten minutes past ten o’clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 34) **[Yeas and Nays No. 194]:**

YEAS.

Durant, Peter J.
Fattman, Ryan C.
Kennedy, Edward J.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – **6.**

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.

Keenan, John F.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
Oliveira, Jacob R.
Pacheco, Marc R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Velis, John C. – **34.**

The yeas and nays having been completed at eighteen minutes past ten o’clock P.M., the amendment was *rejected*.

Messrs. Tarr and Timilty moved that the proposed new text be amended by inserting after section _ the following section:-

26

“SECTION _ . Notwithstanding any law, rule, or regulation to the contrary, the time for

municipal compliance with the requirements of Chapter 40A, S. 3A of the general laws, shall be extended for not less than 1 year from the date prescribed by the guidelines promulgated by the executive office of housing and living communities as required under said Section 3A of Chapter 40A.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:-

27

“SECTION _ . Not less than every three years, Executive Office of Housing and Livable Communities shall study, analyze, and make determinations as to:

1. the number of housing units produced pursuant to Chapter 40A, S.3A of the general laws
2. the impacts on municipal water supplies, wastewater treatment, and transportation infrastructure of such units
3. the impacts of the production of such units on the local school districts where such units are located; and

Provided further, that the results of said study, analysis, and determinations shall be filed as a report with the clerks of the House and Senate, and the Joint Committee on Housing not later than December 31.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting at the end the following section:-

28

“SECTION XX. The Executive Office of Housing and Livable Communities shall develop and maintain an inventory of the deficiencies and corresponding improvements, changes, modifications, and other projects necessary to maintain public housing units in the commonwealth in a state of good repair, provided that such inventory shall be updated on an annual basis, to the maximum feasible extent, and shall be electronically posted and maintained for public inspection. Said inventory shall be specific to the maximum feasible extent, but may also utilize summary or categorical information based on community or address for a particular complex where necessary. In order to establish said inventory, said office shall conduct an initial analysis of the impacts of deferred maintenance on the state's public housing stock, provided that such analysis shall include, but not be limited to, one or more surveys and solicitations of data from housing authorities in the commonwealth, the incorporation of currently available information, not less than three public hearings in geographically diverse regions of the state, and formal consultation with organizations representing tenants of such units. Said analysis shall be completed not less than 24 months following the passage of this act, provided that it, together with any resulting legislative recommendations, shall be filed with the clerks of the House and Senate, the Joint Committee on Housing and the Senate and House Committees on Ways and Means, and posted on the site maintained for said inventory.

Following the completion of said analysis and initial inventory, the office shall develop an ongoing plan to address the elements contained in said analysis and inventory in increments of not less than three years, provided that such plan shall be updated to account for progress and status not less than every three years, provided that the initial plan shall be developed and promulgated not more than three years following the passage of this act, and that the plan and each subsequent update or modification shall be filed with the clerks of the House and Senate, the Joint Committee on Housing, the House and Senate Committees on Ways and Means, and posted on the site containing the inventory prescribed above.

Funds for the provisions of this section shall be provided from line item 7004-0074 herein, from line item 7004-0099 in the General Appropriations Act, and as may be otherwise appropriated from time to time as necessary.”

The amendment was *rejected*.

Mr. Velis, Ms. Comerford, Messrs. Gomez, Cronin, Mark, Oliveira, Eldridge, Feeney and Payano and Ms. Rausch moved that the proposed new text be amended in section 20, by inserting after the word “dwellings”, in line 1086, the following words:- “unless otherwise approved by the secretary of housing and livable communities”.

32

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting at the end the following section:-

96

“SECTION XX. Notwithstanding any general or special law to the contrary, there shall be established a special commission on racial equity in housing.

(a) Without limitation, the commission shall recommend policies, programs, and investments to remove barriers and close racial disparities in housing access, neighborhood investment, employment, procurement, wealth and asset building, and business resiliency.

(b) Membership of said commission shall be determined by the executive office of housing and livable communities in consultation with the Massachusetts Black and Latino Legislative Caucus.

(c) The commission membership shall be determined and convened no later than December 15, 2024.

(d) Not later than June 30, 2025, the commission shall file its recommendations with the clerks of the senate and house of representatives, the joint committee on housing, and the joint committee on racial equity, civil rights, and inclusion.”

The amendment was *rejected*.

Mr. DiDomenico, Ms. Rausch and Messrs. Gomez and Payano moved that the proposed new text be amended by inserting after section ___ the following section:-

145

“SECTION ___. Chapter 23B of the general laws is hereby amended by adding after section 30, the following section:-

Section 31 – Housing Data Reporting

(a) Notwithstanding any general or special laws to the contrary, the department shall collect and make available to municipalities, state agencies, and other state and regional public entities in a centralized, machine-readable, screen reader-compatible database the following data for each new development with one or more units of subsidized housing in each municipality in the commonwealth:

(i) the total number of units;

(ii) the total number of units with long-term use restrictions limiting occupancy based on income and the total number of market-rate units;

(iii) the total number of units with long-term use restrictions limiting occupancy to households with incomes at or below eighty percent, fifty percent, and thirty percent of area median income, respectively;

(iv) the term and end date of all long-term use restrictions based on income;

(v) the number of bedrooms and bathrooms per unit;

(vi) the gross and livable square footage per unit;

(vii) the location of the development, expressed as an address that can be matched to a geocoded record in a statewide address database maintained by the Commonwealth; provided, that, for scattered site developments, an address and unit count shall be reported for each separate parcel.

(b) Further, the department shall collect and make available to municipalities, state agencies, and other state and regional public entities in said centralized, machine-readable, screen reader-compatible database the following data for each existing development which contains at least one unit of subsidized housing in each municipality in the commonwealth:

(i) the total number of units

(ii) the total number of units with long-term use restrictions based on income

(iii) the term and end date of long-term use restrictions based on income

(iv) the location of the development, expressed as an address that can be matched to a geocoded record in a statewide address database maintained by the Commonwealth; provided, that for scattered site developments, an address and unit count shall be reported for each separate parcel.

(c) The database established by this section shall be regularly maintained and updated, with each datum updated no less than annually for each municipality.

(d) Subsection (b) of section 31 of Chapter 23B of the General Laws is hereby repealed.

(e) Subsection (a) of section 31 of Chapter 23B of the General Laws is hereby amended by striking the word 'new' where it appears after the word 'each'.

(f) Subsection (d) and (e) shall take effect December 31, 2025.”

The amendment was *rejected*.

Mr. Velis moved that the proposed new text be amended by inserting after section 45 the following sections:-

“SECTION XXX. (a) Section 1 of said chapter 183A is hereby amended by adding the following:-

‘Governing body,’ trustees, officers or directors responsible for the administration and operation of the organization of unit owners of a condominium organized under Chapter 183A, as defined in the by-laws of said condominium.

‘Remote meeting,’ any meeting where unit owners or members of a governing board attend by telephone, video conference call or by interactive electronic communications, including over the internet.

(b) Section 10(c)(4) of said chapter 183A is hereby amended by adding the following subsections:-

(vi) Governing bodies of self-managed unit owner organizations of 50 or fewer units shall make these records available within ten (10) business days. Unit owner organizations with appointed managing agents shall produce such records within five (5) business days. Electronic conveyance of documents to the owner is preferred and shall be at no cost to the unit owner. A governing board or managing agent may comply with this requirement by posting the requested records to a secure web site using Hyper Text Transfer Protocol Secure (HTTPS), or stronger, for secure transmission of documents. Unless an extension is agreed upon in writing, failure to timely produce requested documents shall be deemed a violation of this chapter and result in a \$100.00 fine. Said fine shall be payable by an appointed managing agent from its own funds or, if a self-managed trust or association, from common funds, to the requesting unit owner. Each day after day five (5) or day ten (10), whichever applies, shall be considered a separate violation, enforceable by any unit owner in small claims court.

(vii) All Other Records: Documents and records available to unit owners shall include all books, records and reports, including but not limited to architectural and engineering reports and studies, legal opinion letters or legal memoranda commissioned by a governing board offering guidance about condominium statutes, master deeds, by-laws and rules and regulations associated with the administration and operation of the organization of unit owners. Personnel discipline records or records regarding contract negotiations or litigation strategy are the only documents that are excluded from release pursuant to §10(c)(4). Upon completion of litigation or execution of a contract, those records shall be available to owners pursuant to the same time and condominium size standards in § 10(c)(4)(vi).

(c) Subsection (i) of section 10 of said chapter 183A is hereby amended by adding the following at the end of the first sentence:- ‘Total contributions to a replacement reserve fund shall be no lower than ten (10) percent of a condominium’s annual operating budget and collected as part of a condominium’s regular common expense assessment, however timed. All condominium governing bodies shall prepare or have prepared in writing a

preventive maintenance program for its facility. Such plan shall be updated at least every two years and distributed to all unit owners. Governing bodies of condominium associations or trusts with 50 or more units shall have a capital reserve fund study prepared by a registered engineer or registered architect at least once every ten years.’

(d) Subsection (f)(2) of said section 10 of chapter 183A is hereby amended by adding the following at the end of the first sentence:- ‘including, but not limited to, accounting for special fee or assessment funds by project’.

SECTION XXX. Said chapter 183A is hereby amended by inserting after section 10 the following section:-

Section 10A. (a) A condominium organized under chapter 183A of the General Laws must have in its by-laws an internal dispute resolution procedure to address disputes between a governing body and a unit owner or owners arising from the administration or operation of the condominium, including, but not limited to, interpretation of the condominium master deed, by laws and any rules or regulations. Unit owners’ complaints to the governing body must be in writing and governing body decisions must be rendered in writing within seven (7) from the date of the complaint.

(b) All governing bodies of self-managed condominiums with fewer than 50 units must hold regular meetings at least quarterly. Governing bodies of unit owner organizations with 50 or more units and those with appointed managers must hold meetings at least monthly. Such meetings must have a standing agenda item for unit owners to raise issues related to condominium management and administration.

(c) All regularly scheduled meetings shall be open to all unit owners for the entirety of the meeting, except for executive sessions limited only to topics of personnel discipline, litigation or contract negotiation strategy.

(d) Governing bodies shall keep minutes of all meetings and make them available to all unit owners subject to the same time and condominium size standards as in c. 183A §10(c)(4) (vi).

(e) Governing bodies or their managing agent shall maintain an up-to-date list of all unit owners including, but not limited to, unit designation, telephone number and email address and to make that list available to other unit owners upon written request, subject to the same time and condominium size standards in c. 183A §10(c)(4)(vi).

SECTION XXX. Said chapter 183A is hereby amended by inserting after section 23 the following new section:-

Section 24. (a) Any regularly scheduled or special meeting of said governing body shall permit the option for participants to attend remotely by electronic methods. Presence by such electronic means shall constitute presence for purposes of any quorum requirements. The governing body may vote on any action properly before it and approve minutes of any meeting through use of electronic means as approved by the governing body, including, but not limited to, email, video conferencing or electronic files in a format of the governing body’s choosing transmitted over the internet.

(b) Any annual or special meeting of unit owners shall permit the option for eligible participants to attend remotely by electronic methods. In the event that the governing body determines to hold any such unit owner meeting remotely, the governing body shall notify all unit owners of that decision in the notice of such meeting and provide access information to all unit owners for their participation in such meeting. Remote participation by a unit owner shall constitute presence at the meeting for purposes of any quorum requirements. Unit owners attending remotely shall have access to the agenda, minutes, if any, and all relevant documents in advance of the meeting and the ability to pose questions and make comments.

(c) The governing body of the organization of unit owners may permit the unit owners to vote on any matters properly before such unit owners by electronic means, provided that

unit owners constituting a quorum participate in such vote. The governing body may, from time to time, and in compliance with the governing documents of the organization of unit owners, promulgate and amend policies related to the use and implementation of electronic meetings and voting. However, all such meetings and votes conducted electronically in paragraphs (a) and (b) and this paragraph (c) shall use commercially available or open source meeting software, such as Zoom, Webex or similar programs, with security protocols meeting the Advanced Encryption Standard (AES) specification as promulgated by the National Institute of Standards and Technology (NIST) for end-to-end encryption and at least two-factor authentication protocols for unit owner identity verification and identity authentication. Internet communication protocols shall be at the level of Hyper Text Transfer Protocol Secure (HTTPS) or stronger. In the event the master deed, declaration of trust or by laws of the condominium require the signature or written consent of the unit owners for a certain matter, unit owners shall be entitled to submit their electronic signatures or written consents using the electronic means determined by the governing body which, at a minimum, meets the standards set forth in the Uniform Electronic Transactions Act (UETA) as codified in Chapter 110G of the Massachusetts general laws.

SECTION XXX. Chapter 12 of the General Laws is hereby amended by inserting at the end thereof the following new section:-

Section 36. (a) There shall be an Office of the Condominium Ombudsman within the Office of the Attorney General.

(b) The Attorney General shall establish a statewide condominium ombudsman program for the purpose of receiving, investigating and resolving, through administrative action, complaints received from a condominium unit owner or owners about condominium governing boards and the administration and operations of a condominium organized under Chapter 183A of the general laws. The Attorney General shall appoint an ombudsman to act as the director of the program who shall be a person qualified by training and experience to perform the duties of the office. The ombudsman shall publish the Office's procedures for filing, hearing and settling disputes.

(c) Annually, the ombudsman shall prepare and file a report on its activities to the Attorney General, the house and senate clerks' offices, the senate and house committees on ways and means and the joint housing committee, Inspector General and any other relevant agency, on any matter or subject within the jurisdiction of the Ombudsman's office. At a minimum, such report shall include, but not be limited to, the number of complaints filed, the types of complaints, their origin, how many were resolved without further action, and the resolution reached, if any. When making recommendations to the legislature, the Ombudsman shall include drafts of legislation, if required.

(d) The Ombudsman shall develop educational materials to assist unit owners, unit owner organization boards of trustees or directors, appointed managing agents and others it deems appropriate to understand their rights and responsibilities as set forth in this chapter and the condominium documents governing their respective association or trust.

(e) Notwithstanding any general or special law to the contrary, the Office of Condominium Ombudsman shall establish a Condominium Mediation Program with the goal of resolving disputes between and among unit owner organization trustees or directors, unit owners and appointed managers, including, but not limited to, interpretation of condominium documents. The mediators shall issue non-binding decisions in writing subject to appeal. Any owner or group of owners that files a complaint with the ombudsman and complies with the condominium's internal dispute resolution program as required by §10A of this act, shall be deemed to have complied with Rule 23.1 of the Massachusetts Rules of Civil Procedure for purposes of any further judicial proceedings."

The amendment was *rejected*.

Ms. Comerford and Mr. Cyr moved that the proposed new text be amended in section

201

7, by striking out, in line 828, the words “or director”; and by striking out, in lines 829 and 830, the words “or an undersecretary as determined by the secretary”.

The amendment was adopted.

Ms. Moran and Ms. Rausch moved that the proposed new text be amended by inserting after section 124 the following section:-

224

“SECTION 124A. The department of housing and livable communities shall develop a pilot program for intergenerational affordable housing development to support individuals and families with housing others in exchange for services or rent. Eligible program participants shall be individuals or families currently on the commonwealth’s section 8 centralized waiting list and any individual age 60 years or older that owns their home and has adequate accommodation available to host an individual that is 18 years of age or older or a family. In designing the program, the department shall consult with existing private intergenerational housing programs operating in the commonwealth. The department shall file a report on the progress of the pilot program with the clerks of the senate and house of representatives not later than July 1, 2025.”

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting the following section:-

297

“SECTION XX. Notwithstanding any general or special law to the contrary the maximum credit award per project for assisted living projects of the Low Income Housing Tax Credit, as defined in Chapter 62 Section 6I of the Massachusetts General Laws, shall be increased from ‘\$500,000’ to ‘\$1,000,000’.”

The amendment was *rejected*.

Mr. Feeney, Ms. Rausch and Mr. Keenan moved that the proposed new text be amended by inserting after section __ the following section:-

305

“SECTION __. Chapter 40R of the General Laws, as most recently amended by Chapter 268 of the Acts of 2022, is hereby amended in section 9 by striking out subsections (a) and (b) and inserting in place thereof the following:-

(a) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a zoning incentive payment, according to the following schedule:

Projected Units of New Construction Payment

Up to 20 \$20,000

21 to 100 \$150,000

101 to 200 \$400,000

201 to 500 \$740,000

501 or more \$1,200,000

Subject to any conditions imposed by the department as a condition of approving a smart growth zoning district or starter home zoning district, the zoning incentive payment shall be payable upon confirmation of approval of the district by the department. The projected number of units shall be based upon the zoning adopted in the smart growth zoning district or starter home zoning district.

(b) The commonwealth shall pay from the trust fund or other funds from appropriations or other money authorized by the general court a one-time density bonus payment to each city or town with an approved smart growth zoning district and a one-time production bonus payment to each city or town with an approved starter home zoning district. This payment shall be \$6,000 for each housing unit of new construction created in the smart growth zoning district and \$6,000 for each housing unit of new construction created in the starter home zoning district. The amount due shall be paid on a unit-by-unit basis in accordance with department regulations, upon submission by a city or town of proof of issuance of a building permit for a particular housing unit or units within the district.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting the following section:-

333

“SECTION X. The Executive Office of Housing and Livable Communities shall conduct a study on the need for infrastructure supports needed to produce housing in the Commonwealth of Massachusetts. This study shall be reported to the Clerks of the House and Senate no later than one year after the passage of this act.”

The amendment was *rejected*.

Ms. Jehlen, Ms. Miranda, Ms. Comerford, Mr. Cyr, Ms. Rausch and Messrs. Eldridge, Keenan, Gomez, Collins and Payano moved that the proposed new text be amended in section 2, in item 7004-0073, by adding the following words:-“; provided further, that not less than \$10,000,000 shall be expended for the Small Properties State Acquisition Funding Pilot established under item 1599-6084 of section 2A of chapter 268 of the acts of 2022; provided further, that said fund shall issue soft loans to supplement other acquisition soft loans administered by municipal or other affordable housing acquisition lenders on a rolling basis; provided further, that acquisitions pursuant to this program shall follow the affordability restrictions of said affordable housing acquisition lenders; provided further, that loans under this program shall be used for the acquisition of: (i) buildings of 1 to 8 units, inclusive, of residential housing for rental or ownership; or (ii) mixed-use buildings for a term of not less than 30 years”; and by striking out the figure “\$425,000,000” and inserting in place thereof the following figure:- “\$435,000,000”.

252

After remarks, the amendment was adopted.

Mr. Brownsberger moved that the proposed new text be amended in item 1599-1953, by adding the following words:- “; provided further, that not less than \$100,000,000 shall be dedicated to the Boston Housing Authority for the creation of federally-assisted housing in the city of Boston pursuant to the Rental Assistance Demonstration or related federal housing programs”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$101,000,000”.

23

After remarks, the amendment was adopted.

Messrs. DiDomenico, Gomez, Collins, Oliveira, Mark, Cronin and Pacheco, Ms. Miranda, Messrs. Lewis and Moore, Ms. Comerford, Messrs. Eldridge and Cyr, Ms. Kennedy, Messrs. Timilty, Brady and Feeney, Ms. Rausch, Mr. Keenan, Ms. Moran and Messrs. Velis, O’Connor, Crighton, Payano and Montigny moved that the proposed new text be amended in section 121, by adding the following 4 sentences:- “A construction contractor shall disclose whether it has been subject to a federal or state criminal or civil judgment, final administrative determination or debarment by any federal or state agency or authority resulting from a violation of chapters 149 or 151 of the General Laws or 29 U.S.C. 201, et seq. within 3 years prior to the date of submission for an award of funds pursuant to this act. In the event the monetary penalty in connection to any such civil judgment or final administrative determination is \$40,000 or greater the awarding authority may exclude the contractor from being awarded funds pursuant to this act. Upon the completion of a project, a construction manager, general contractor or other lead or prime contractor shall certify that all trade contractors and subcontractors under the construction manager, general contractor or other lead or prime contractor have properly classified individuals employed on the project. No contractor or subcontractor debarred by a federal or Commonwealth agency shall be awarded funds under this act during such period of debarment.”

144

After remarks, the amendment was adopted.

Messrs. Keenan and Montigny moved that the proposed new text be amended by inserting after section 44 the following section:-

140

“SECTION 44A. Chapter 175 of the General Laws is hereby amended by inserting

after section 4G the following section:-

Section 4H. Notwithstanding any general or special law to the contrary, an insurance company shall not take into account any homeowner affordability issues when setting insurance rates. The division of insurance shall promulgate rules and regulations necessary to implement and enforce this section.”

The amendment was adopted.

Mr. Gomez, Ms. Miranda, Messrs. Oliveira and Mark, Ms. Comerford, Mr. Eldridge, Ms. Kennedy, Messrs. Collins and Payano, Ms. Jehlen, Mr. Montigny, Ms. Rausch and Mr. Tarr moved that the proposed new text be amended by inserting after section 124 the following section:-

214

“SECTION 124A. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

‘Borrower’, a mortgagor of a mortgage loan.

‘Creditor’, a person or entity that holds or controls, partially, wholly, indirectly, directly or in a nominee capacity, a mortgage loan securing an owner-occupied residential property, including, but not limited to, an originator, holder, investor, assignee, successor, trust, trustee, nominee holder, mortgage electronic registration system or mortgage servicer, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation; provided, however, that “creditor” shall also include any servant, employee or agent of a creditor.

‘Creditor’s representative’, a person who has the authority to negotiate and approve the terms of and modify a mortgage loan, under a servicing agreement.

‘Modified mortgage loan’, a mortgage modified from its original terms including, but not limited to, a loan modified under: (i) the Home Affordable Modification Program; (ii) the Federal Deposit Insurance Corporation’s Loan Modification Program; (iii) any modification program that a lender uses that is based on accepted principles and the safety and soundness of the institution and authorized by the National Credit Union Administration, the division of banks or any other instrumentality of the commonwealth; (iv) the Federal Housing Administration; or (v) a similar federal loan modification plan.

‘Mortgage loan’, a loan to a natural person made primarily for personal, family or household purposes secured wholly or partially by a mortgage on residential property.

‘Residential property’, real property located in the commonwealth on which there is a dwelling with accommodations for not more than 4 separate households and occupied, or to be occupied, in whole or in part by the obligor on the mortgage debt; provided, however, that residential property shall be limited to the principal residence of a person; provided further, that residential property shall not include an investment property or residence other than a primary residence; provided further, that residential property shall not include residential property taken in whole or in part as collateral for a commercial loan.

(b) There shall be, subject to appropriation, a foreclosure mediation pilot program administered by the Massachusetts Office of Public Collaboration at the University of Massachusetts at Boston and to be offered to borrowers and creditors, by agreement, in not more than 5 communities disproportionately impacted by high rates of foreclosure. The Massachusetts Office of Public Collaboration shall develop and accept applications from interested communities and shall select communities most negatively impacted by high rates of foreclosure.

(c) A creditor in a community participating in the pilot may, concurrently with the notice sent to the borrower of residential property under section 35A of chapter 244 of the General Laws, give notice to the borrower of the borrower’s right to participate in the foreclosure mediation program by attaching to the right to cure default notice: (i) notice of the availability of foreclosure mediation, in such form as the Massachusetts Office of Public Collaboration prescribes; and (ii) a foreclosure mediation request form, in such form as the

Massachusetts Office of Public Collaboration prescribes. A borrower may request foreclosure mediation by submitting the foreclosure mediation request form to the creditor not more than 15 days after receipt of the notice.

(d) An in-person mediation session shall be conducted by a neutral third-party mediator between the borrower, the borrower's representative or housing counselor and the creditor's representative, who shall have the authority to negotiate an alternative to foreclosure including, but not limited to: (i) a modified mortgage loan; (ii) a reduction in principal; (iii) a reduction in interest rate; or (iv) an increase in the amortization period of the mortgage loan; provided, however, that an alternative form of meeting may be mutually agreed upon by the mortgagor, the mortgagee and the mediator.

(e) If a borrower elects to participate in the foreclosure mediation program, a creditor shall not accelerate the note or otherwise initiate foreclosure proceedings unless the mediator has certified that the creditor participated in the foreclosure mediation program in good faith and made all reasonable efforts to find an alternative to foreclosure and any agreement is in full compliance with all state and federal guidelines.

(f) The borrower's or creditor's rights or defenses in the foreclosure action shall not be waived by participating in the foreclosure mediation program.

(g) Nothing in this section shall require a creditor to modify a mortgage or change the terms of payment of a mortgage."

After remarks, the amendment was adopted.

Mr. Montigny moved that the proposed new text be amended by inserting after section 45 the following section:-

332

"SECTION 45A. Chapter 184 of the General Laws is hereby amended by inserting after section 23D the following section:-

Section 23E. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

'Portable cooling device', air conditioners and evaporative coolers, including devices designed to be mounted in a window or placed on the floor but not including devices which require alteration to the dwelling unit for its installation or use.

(b) A provision in a condominium's governing document that restricts or prohibits the installation or use of a portable cooling device is void and unenforceable unless: (i) the installation or use of the device would: (A) violate building codes or state or federal law; (B) violate the device manufacturer's written safety guidelines for the device; (C) interfere with the common areas and facilities of the condominium; or (D) require amperage to power the device that cannot be accommodated by the power service to the building, unit or circuit; (ii) the device is designed to be mounted in a window and: (A) said window is a necessary egress from the unit; (B) the device would interfere with the unit owner's ability to lock a window that is accessible from outside; (C) the device requires the use of brackets or other hardware that would damage or void the warranty of the window or frame, puncture the envelope of the building or otherwise cause significant damages; (D) the restrictions require that the device be adequately drained to prevent damage to the dwelling unit or building; or (E) the restrictions require that the device be installed in a manner that prevents risk of falling; (iii) the building is cooled through a central air conditioning system; or (iv) the restrictions only require that the device be: (A) installed by building maintenance or a licensed contractor; or (B) removed from October 1 to April 30, inclusive."; and

By inserting after section 47 the following section:-

"SECTION 47A. Chapter 186 of the General Laws is hereby amended by inserting after section 14 the following section:-

Section 14A. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

'Portable cooling device', air conditioners and evaporative coolers, including devices

designed to be mounted in a window or placed on the floor but not including devices which require alteration to the dwelling unit for its installation or use.

(b) A landlord may not prohibit or restrict a tenant from installing or using a portable cooling device of the tenant's choosing unless: (i) the installation or use of the device would: (A) violate building codes or state or federal law; (B) violate the device manufacturer's written safety guidelines for the device; (C) damage the premises or render the premises uninhabitable; or (D) require amperage to power the device that cannot be accommodated by the power service to the building, dwelling unit or circuit; (ii) the device would be installed in a window and: (A) the window is a necessary egress from the dwelling unit; (B) the device would interfere with the tenant's ability to lock a window that is accessible from outside; (C) the device requires the use of brackets or other hardware that would damage or void the warranty of the window or frame, puncture the envelope of the building or otherwise cause significant damages; (D) the restrictions require that the device be adequately drained to prevent damage to the dwelling unit or building; or (E) the restrictions require that the device be installed in a manner that prevents risk of falling; (F) the restrictions require that the device be (1) installed or removed by the landlord or landlord's agent; (2) subject to inspection or servicing by the landlord or landlord's agent; or (3) removed from October 1 through April 30; or (iii) the landlord provides cooling to the dwelling unit through a central air conditioning system.

(c) A landlord may not enforce a restriction on portable cooling devices against a tenant allowed under subsection (b) unless the restriction is in writing and delivered to the tenant.

(d) A landlord is immune from liability for any claim for damages, injury or death caused by a portable cooling device installed by the tenant pursuant to this act.

(e) A landlord that limits portable cooling devices for a building under subclause (D) of clause (i) of subsection (b) shall prioritize allowing the use of devices for individuals who require a device to accommodate a disability. A landlord is not responsible for any interruption in electrical service to a portable cooling device that is not caused by the landlord, including interruptions caused by an electrical supply's inability to accommodate the use of a portable cooling device.”

The amendment was adopted.

Messrs. Crighton and Montigny moved that the proposed new text be amended by inserting after section 47 the following section:-

“SECTION 47A. Clause (iii) of paragraph (b) of subsection (1) of section 15B of chapter 186 of the General Laws, as so appearing, is hereby amended by inserting after the figure “(2)”, in line 25, the following words:- “; provided however, that the executive office of housing and livable communities may promulgate regulations to authorize a lessor and a tenant or prospective tenant to agree to payment of a fee in lieu of payment of a security deposit; provided further, that any such regulations shall: (A) require the lessor to utilize a fee collected to waive a security deposit to cover for unpaid rent or unit damage that applies to the tenant's lease; (B) require that a fee so collected be: (I) entirely or partially non-refundable; provided, however, that the lessor shall disclose that the fee is non-refundable in the lease; and provided further, that the tenant shall agree to the fee and acknowledge that the tenant understand that it is entirely or partially non-refundable, as the case may be, in writing; and (II) a recurring monthly fee, or payable upon any schedule and in an amount that the lessor and tenant agree upon, as authorized by the executive office; (C) limit the total sum of the fee or recurring payments, regardless of the duration of the lease and any extensions thereto, to an amount not to exceed 1 month's rent; (D) require that the fee be made optional for both the tenant and the lessor and that the tenant be permitted to choose to pay a full security deposit rather than the fee; (E) require a lessor who offers such a fee in lieu of security deposit: (I) to offer the option of a fee in lieu of a security deposit to every

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prospective tenant whose application for occupancy has been approved, regardless of income, race, gender, gender identity, disability, sexual orientation, immigration status, size of household or credit score; and (II) not to consider such factors and categories when setting the amount of the fee; and (F) allow a tenant who agrees to pay a fee to waive a security deposit to opt-out of the obligation to pay such fee if such tenant pays the security deposit that would otherwise be in effect for the tenant's apartment on the day the tenant chooses to opt-out of such fee; provided further, that the sum of fees paid to waive a security deposit and the payment of the security deposit shall not exceed, in total, the amount of 1 month's rent; and provided further, that the executive office shall consult with the office of the attorney general prior to promulgating regulations authorizing a fee in lieu of a security deposit under this section."

The amendment was adopted.

Messrs. Moore, Durant, Timilty, Oliveira, Collins and Eldridge, Ms. Kennedy, Messrs. Keenan, Cronin and Gomez, Ms. Comerford, Messrs. Payano and Velis, Ms. Moran, Mr. Feeney, Ms. Rausch and Mr. Montigny moved that the proposed new text be amended by inserting after section __ the following sections:-

4

"SECTION __. The General Laws are hereby amended by inserting after chapter 143 the following new chapter:-

CHAPTER 143A

INSPECTION OF CERTAIN RESIDENTIAL PROPERTY PRIOR TO SALE

Section 1. Notwithstanding any general or special law to the contrary, except as otherwise provided in this chapter, a prospective purchaser of a residential structure or a residential condominium unit shall have the right to have said structure or unit inspected by a home inspector licensed under section 222 of chapter 112, within ten days, or such longer period as seller and prospective purchaser may agree in writing, of the seller's acceptance of an offer to purchase made by said prospective purchaser.

For the purposes of this chapter, an inspection shall mean the process by which a home inspector observes and provides, pursuant to the sale and transfer of a residential structure or residential condominium unit, a written evaluation of the following readily accessible components of the residential structure or, if a residential condominium unit, the unit and its associated common areas: heating, cooling, plumbing and electrical systems, structural components, foundation, roof, masonry structure, exterior and interior components and any other related residential housing components. Unless requested otherwise by the prospective purchaser in writing, an inspection shall conform in all respects with the regulations on the standards of practice promulgated by the Board of Registration of Home Inspectors.

Section 2. No seller of a residential structure or of a residential condominium unit, or agent thereof, shall condition the acceptance of an offer to purchase on the prospective purchaser's agreement to waive, limit, restrict, or otherwise forego prospective purchaser's right have said structure or unit inspected, other than when the sale of the structure or unit is to occur at an auction conducted by an auctioneer licensed under chapter 100.

No seller shall accept an offer to purchase from any prospective purchaser or agent thereof who, in advance of seller's acceptance of said offer, informs the seller either directly or indirectly that the prospective purchaser intends to waive in whole or in part the prospective purchaser's right to inspection, except that the seller may accept such an offer without violating this chapter when the prospective purchaser is: (i) the spouse, sibling, child, parent, grandparent, grandchild, great-grandchild, or great-grandparent of the seller; or (ii) the former spouse of the seller and the sale of the structure or unit is being made pursuant to a judgment or order under chapter 208.

Each offer to purchase a residential structure or a residential condominium unit shall include the following: "Buyer is entitled under Chapter 143A of the General Laws to choose

to have the premises inspected within ten days (or such longer period as Seller and Buyer may agree in writing) of Seller's acceptance of Buyer's offer to purchase, at Buyer's expense. Unless one of the exceptions in Chapter 143A applies, neither Seller nor Buyer may make acceptance of this offer to purchase contingent upon waiver, limitation, or restriction of Buyer's right to choose to obtain a home inspection. Should Buyer choose to have the premises inspected, if the results are not satisfactory to Buyer, in Buyer's sole discretion, Buyer shall have the right to give written notice received by the Seller or Seller's agent by 5:00 p.m. on the tenth day after Seller's acceptance of Buyer's offer to purchase (or such longer period as Seller and Buyer may agree in writing), terminating this agreement. Upon receipt of such notice this agreement shall be void and all monies deposited by the Buyer shall be returned. Failure to provide timely notice of termination shall constitute a waiver. In the event that the Buyer does not exercise the right to have such inspection(s) or to so terminate, the Seller and the listing broker are each released from claims relating to the condition of the Premises that the Buyer or the Buyer's inspector could have reasonably discovered.

Section 3. Nothing in this chapter shall be construed to require, mandate, or otherwise compel a prospective purchaser to obtain an inspection following the acceptance by the seller of an offer to purchase. The prospective purchaser's right to obtain an inspection shall expire if no inspection occurs within ten days of the seller's acceptance of a prospective purchaser's offer to purchase, or such longer period as seller and prospective purchaser may agree in writing.

Section 4. Any seller who fails to comply with the provisions of this chapter shall be liable to the prospective purchaser for all damages caused by the failure to comply and, in addition, shall be subject to assessment of a civil penalty not to exceed four per cent of the sale price of the structure or unit as recorded at the registry of deeds or ten thousand dollars, whichever is greater. A violation of this chapter by a person engaged in trade or commerce shall be an unfair and deceptive act or practice as defined in section two of chapter 93A. A violation of this chapter by any person performing or attempting to perform an act authorized by any license under chapter 112 shall constitute a violation for which the licensee's board of registration may take any action authorized thereunder. The attorney general may take such action as may be necessary to enforce the provisions of this chapter.

SECTION __. This section shall take effect upon its passage."

The question on adoption of the amendment was determined by a call of the yeas and nays at ten minutes past eleven o'clock P.M., on motion of Mr. Moore, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 195]:**

YEAS.

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Mark, Paul W.
Creem, Cynthia Stone	Miranda, Liz
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
Durant, Peter J.	Oliveira, Jacob R.
Edwards, Lydia	Pacheco, Marc R.
Eldridge, James B.	Payano, Pavel M.
Fattman, Ryan C.	Rausch, Rebecca L.

Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.

Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-two minutes past eleven o'clock P.M., the amendment was adopted.

Messrs. Tarr, Cyr, Feeney and Fattman moved that the proposed new text be amended by inserting after section _ the following sections:-

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“SECTION _ . Chapter 62 of the General Laws is hereby amended by inserting after section 5C the following new section:-

Section 5D. Definitions applicable to this section and section 5E.

The following words and phrases for the purposes of this sections and the following section shall have the following meanings:

‘Account holder’ means an individual who establishes, individually or jointly with one or more other individuals, a first-time homebuyer savings account.

‘Allowable closing costs’ means a disbursement listed on a settlement statement for the purchase of a single-family residence in Massachusetts by a qualified beneficiary.

‘Eligible costs’ means the down payment and allowable closing costs for the purchase of a single-family residence in Massachusetts by a qualified beneficiary.

‘Financial institution’ means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, or any benefit association, insurance company, safe deposit company, money market mutual fund, or similar entity authorized to do business in Massachusetts.

‘First-Time Homebuyer’ means an individual who resides in Massachusetts and has not owned or purchased, either individually or jointly, a single-family residence during a period of three (3) years prior to the date of the purchase of a single-family residence.

‘First-Time Home Buyer Savings Account’ or ‘account’ means an account with a financial institution that an account holder designates as a first-time home buyer savings account on the account holder’s Massachusetts income tax return for tax year 2024 or any tax year thereafter, pursuant to this Chapter for the purpose of paying or reimbursing eligible costs for the purchase of a single-family residence in Massachusetts by a qualified beneficiary.

‘Qualified Beneficiary’ means a first-time home buyer who is designated as the qualified beneficiary of an account designated by the account holder as a first-time home buyer savings account.

‘Settlement Statement’ means the statement of receipts and disbursements for a transaction related to real estate, including a statement prescribed under the Real Estate Settlement Procedures Act of 1974, 12 U.S.C. 2601 et seq., as amended, and regulations thereunder.

‘Single-Family Residence’ means a single-family residence owned and occupied by a qualified beneficiary as the qualified beneficiary’s principal residence, which may include a manufactured home, trailer, mobile home, condominium unit, or cooperative.

SECTION _ . Chapter 62 is hereby amended by inserting after section 5D the following new section:-

Section 5E. Designation and Use of First-Time Home Buyer Savings Account.

(a) Beginning January 1, 2024, any individual may open an account with a financial institution and designate the account, in its entirety, as a first-time home buyer savings

account to be used to pay or reimburse a qualified beneficiary's eligible costs for the purchase of a single-family residence in Massachusetts.

(b) An account holder must designate no later than April 15 of the year following the tax year during which the account is established, a first-time home buyer as the qualified beneficiary of the first-time home buyer savings account. The account holder may designate himself or herself as the qualified beneficiary and may change the designated qualified beneficiary at any time, but there may not be more than one qualified beneficiary at any one time.

(c) An individual may jointly own a first-time home buyer savings account with another person if the joint account holders file a joint income tax return.

(d) An individual may be the account holder of more than one first-time home buyer savings account. However, an account holder cannot have multiple accounts that designate the same qualified beneficiary.

(e) An individual may be designated as the qualified beneficiary on more than one first-time home buyer savings account.

(f) Only cash and marketable securities may be contributed to a first-time home buyer savings account. Subject to the limitations of this section, persons other than the account holder may contribute funds to a first-time home buyer savings account. There is no limitation on the amount of contributions that may be made to or retained in a first-time home buyer savings account.

(g) The funds held in a first-time home buyer savings account shall not be used to pay expenses of administering the account, except that a service fee may be deducted from the account by a financial institution in which the account is held;

(h) The account holder shall submit the following to the department of revenue:

(1) detailed information regarding the first-time home buyer savings account, including a list of transactions for the account during the tax year and the Form 1099 issued by the financial institution for such account with the account holder's Massachusetts income tax return on forms prepared by the department of revenue; and

(2) a detailed account of the eligible costs toward which the account funds were applied, if there was a withdrawal from the account, and a statement of the amount of funds remaining in the account, if any.

(i) Under this section and section 5D of this chapter, a financial institution shall not be required to:

(1) Designate an account as a first-time home buyer savings account, or designate the qualified beneficiaries of an account, in the financial institution's account contracts or systems or in any other way;

(2) Track the use of funds withdrawn from a first-time home buyer savings account;

(3) Allocate funds in a first-time home buyer savings account among joint account holders or multiple qualified beneficiaries; or

(4) Report any information to the Department of Revenue or any other governmental agency that is not otherwise required by law.

(j) A financial institution is not responsible or liable for:

(1) Determining or ensuring that an account satisfies the requirements to be a first-time home buyer savings account;

(2) Determining or ensuring that funds in a first-time home buyer savings account are used for eligible costs; or

(3) Reporting or remitting taxes or penalties related to the use of a first-time home buyer savings account.

(k) Except as otherwise provided in this section and subject to the limitations under this subsection, there shall be deducted from taxable income of an account holder, for Massachusetts income tax purposes:

(1) the amount contributed to a first-time home buyer savings account during each tax year, not to exceed \$5,000 for an account holder who files an individual tax return or \$10,000 for joint account holders who file a joint tax return.

(2) the amount of earnings, including interest and other income on the principal, from the first-time home buyer savings account during the tax year.

(l) An account holder may claim the deduction and exclusion under subsection (k):

(1) For a period not to exceed 15 years;

(2) For an aggregate total amount of principal and earnings, not to exceed \$50,000 during that 15-year period; and

(3) Only if the principal and earnings of the account remain in the account until a withdrawal is made for eligible costs related to the purchase of a single-family residence by a qualified beneficiary, except as otherwise provided in this section.

(m) Any funds in a first-time home buyer savings account not expended on eligible costs by December 31 of the last year of the 15-year period under Subsection 7(2)(a) of this Chapter shall thereafter be included in the account holder's taxable income.

(n) A person other than the account holder who deposits funds in a first-time home buyer savings account shall not be entitled to the deduction and exclusion provided for under this Chapter.

(o) The deduction and exclusion from taxable income provided for by this Section shall apply to any alternative bases for calculating taxable income for Massachusetts income tax purposes.

(p) Except as otherwise authorized in this of this section, if the account holder withdraws any funds from a first-time home buyer savings account for a purpose other than eligible costs for the purchase of a single-family residence:

(1) Those funds shall be included in the account holder's taxable income; and

(2) The account holder shall pay a penalty to the Department of Revenue equal to the tax that would have been collected had the withdrawn funds been subject to income tax. Such penalty shall not apply to funds withdrawn from an account that were:

(i) Withdrawn by reason of the account holder's death or disability;

(ii) A disbursement of assets of the account pursuant to a filing for protection under the United States Bankruptcy Code, 11 U.S.C. § 101 et seq.; or

(iii) A transfer of the funds from a first-time home buyer savings account to a new first-time home buyer savings account held by a different financial institution or the same financial institution.

(q) The Department of Revenue shall prepare forms for:

(1) The designation of an account with a financial institution to serve as a first-time home buyer savings account;

(2) The designation of a qualified beneficiary of a first-time home buyer savings account; and

(3) For an account holder to annually submit to the Department of Revenue detailed information regarding the first-time home buyer savings account, including but not limited to a list of transactions for the account during the tax year, and identifying any supporting documentation that is required to be maintained by the account holder."

Pending the question on adopting of the amendment, Messrs. Cyr and Tarr moved that the amendment be amended by inserting the text of Senate document numbered 2847, relative to first time homebuyers savings account.

5.1

The amendment was adopted.

After remarks, the pending amendment (Messrs. Tarr, Cyr, Feeney and Fattman) was then considered.

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The question on adoption of the amendment was determined by a call of the yeas and nays at twenty-four minutes past eleven o'clock P.M., on motion of Mr. Tarr, as follows,

to wit (yeas 39 – nays 0) [**Yeas and Nays No. 196**]:

YEAS.

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Mark, Paul W.
Creem, Cynthia Stone	Miranda, Liz
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
Durant, Peter J.	Oliveira, Jacob R.
Edwards, Lydia	Pacheco, Marc R.
Eldridge, James B.	Payano, Pavel M.
Fattman, Ryan C.	Rausch, Rebecca L.
Feeney, Paul R.	Rodrigues, Michael J.
Finegold, Barry R.	Rush, Michael F.
Friedman, Cindy F.	Tarr, Bruce E.
Gomez, Adam	Timilty, Walter F.
Jehlen, Patricia D.	Velis, John C. – 39.
Keenan, John F.	

NAYS – 0.

The yeas and nays having been completed at half past eleven o'clock P.M., the amendment was adopted, as amended.

Mr. Tarr moved that the proposed new text be amended in section 124, by inserting after the word "Inc.", in line 2910, the following words:- "1 person from the Home Builders and Remodelers Association of Massachusetts, Inc;".

The amendment was adopted.

Mr. Crighton, Ms. Rausch and Mr. Montigny moved that the proposed new text be amended by inserting after section 124 the following section:-

"SECTION 124A. (a) The executive office of housing and livable communities shall convene an advisory council to offer expertise in issues pertaining to racial segregation in housing and public schools. The council shall consist of: the chairs of the joint committee on housing, who shall serve as co-chairs; the chairs of the joint committee on education, who shall serve as co-chairs; the secretary of housing and livable communities or a designee; the deputy secretary of housing and livable communities or a designee; the secretary of education or a designee; the commissioner of elementary and secondary education or a designee; the commissioner of early education and care or a designee; the commissioner of banks or a designee; the attorney general or a designee; the executive director of the Massachusetts Housing Finance Agency or a designee; the president of the senate or a designee; the speaker of the house of representatives or a designee; the minority leader of the house of representatives or a designee; the minority leader of the senate or a designee; the governor or a designee; 1 person with relevant subject matter expertise appointed by the Massachusetts Black and Latino Legislative Caucus; 2 persons appointed by the commission on the status of African Americans; 2 persons appointed by the commission on the status of Latinos and Latinas; 1 person appointed by the commission on the status of Asian Americans and Pacific Islanders; 1 person appointed by the Massachusetts commission on Indian affairs; 1 person with relevant subject matter

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expertise appointed by the president of the senate; 1 person with relevant subject matter expertise appointed by the speaker of the house of representatives; 1 person with relevant subject matter expertise appointed by the governor; and 2 members of the student advisory council or designees.

(b) The council shall provide advice and recommendations to the executive office regarding policies or programs necessary to: (i) combat the causes of housing segregation and increase racial integration in cities and towns; (ii) eliminate or significantly reduce interdistrict and intradistrict racial segregation, including at the school and classroom level; and (iii) promote, as part of school integration plans, the development of racially inclusive school climates, including through: (A) culturally and racially responsive pedagogy and curricula; (B) approaches to creating safe and supportive school environments that do not rely on school discipline practices that have a disproportionately negative impact on students of color; and (C) access to racially diverse school staff, teachers and school leaders.

(c) The council shall investigate the following for purposes of determining their contribution to housing and school segregation and making policy recommendations to eliminate or significantly reduce racial segregation in housing and public schools: (i) existing state statutes and regulations; (ii) state programs that financially support prospective tenants and homeowners; (iii) state programs that finance or govern the development of affordable housing; (iv) discriminatory practices in the banking industry; (v) discriminatory practices in the real estate industry; (vi) violations and enforcement of the federal Fair Housing Act based on race; (vii) exclusionary zoning ordinances and by-laws; (viii) inadequate transportation infrastructure or access to affordable, reliable and efficient public transportation; (ix) violations and enforcement of Title VI of the Civil Rights Act of 1964, as amended; (x) chapter 70 of the General Laws; (xi) chapter 70B of the General Laws; (xii) the dissolution of historic policies and practices in the commonwealth that had led to substantial increases in school integration; (xiii) public magnet schools or regional school districts; (xiv) school district practices for assigning students to schools; (xv) interdistrict and intradistrict transfer and public school choice policies; (xvi) admissions practices in selective public schools; (xvii) school district practices for determining student participation in different levels of coursework, such as ability grouping or tracking; (xviii) Metropolitan Council for Educational Opportunity (METCO), Inc.; and (xix) any other topics that it deems relevant to housing and school segregation.

(d) The council shall submit its report and recommendations to the clerks of the senate and house of representatives, the joint committee on housing and the joint committee on education not later than July 31, 2025.”

The amendment was adopted.

Ms. Moran and Mr. Tarr moved that the proposed new text be amended by inserting after section 120 the following section:-

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“SECTION 120A. The executive office of housing and livable communities shall compile and make available to municipalities a guide outlining the best practices for cities and towns, by local option, to implement and operate a municipal right of first refusal program. Said guide shall outline incentives, outreach strategies, and other logistical details to offer to home owners to provide said municipal right of first refusal. The guide shall be completed not later than January 1, 2025.”

The amendment was adopted.

Mr. Cyr and Ms. Moran moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended to the town of Truro to complete water main extension and road work improvements related to the construction of housing at the Walsh Property project”;

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In said section 2A, in item 7004-0097, by inserting after the word “affordable”, in line 672, the following words:- “and attainable”;

In section 7, by inserting after the word “year”, in line 843, the following words:- “and attainable housing” shall mean housing that is affordable for year round residents with incomes under a level set by the undersecretary in consultation with the seasonal communities advisory council”;

In said section 7, by striking out, in line 846, the figure “40” and inserting in place thereof the following figure:- “35”;

In said section 7, by striking out, in line 893, the words “specifically intended” and inserting in place thereof the following words:- “with preference for”;

In said section 7, by inserting after the word “community”, in line 895, the following words:- “including teachers, public works employees, public safety employees, first responders, town administrators and other employees essential for municipal operations, as described under Section 42(g)(9)(B) of the Internal Revenue Code”; and

In said section 7, by striking out , in line 895, the words “and (iii)” and inserting in place thereof the following words:- “(iii) expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv) establish a trust, individually or with 1 or more other seasonal community, to be known as the Year-Round Housing Trust Fund, to provide for the creation and preservation of affordable and attainable housing in seasonal communities for the benefit of year-round residents; provided, however, that the executive office of housing and livable communities, in consultation with the seasonal communities advisory council established in subsection (c), shall promulgate regulations pertaining to the membership, powers and duties of any such trust; and (v)”.

The amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 2A, in item 1599-1953, by adding the following words :- “; provided further, that not less than \$1,000,000 shall be expended to the Somerset Housing Authority for critical infrastructure repairs, maintenance and capital improvement projects; provided further, that not less than \$1,000,000 shall be expended to the Swansea Housing Authority for critical infrastructure repairs, maintenance and capital improvement projects; provided further, that not less than \$1,000,000 shall be expended to the Westport Housing Authority for critical infrastructure repairs, maintenance and capital improvement projects; provided further, that not less than \$5,000,000 shall be expended to the Fall River Housing Authority for facility renovations and security improvements; provided further, that not less than \$5,000,000 shall be expended to the city of Boston to automate the ground water monitoring system; provided further, that not less than \$2,000,000 shall be expended to the city known as the town of Winthrop for infrastructure and demolition of the former middle school located at 141 Pauline street; and provided further, that not less than \$1,000,000 shall be expended to the city of Revere for senior housing upgrades and improvements to Revere Housing Authority properties”; and in said section 2A, in said item 1599-1953, by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$228,770,000”;

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In section 8, in line 994, by inserting after the word “means.” the following words:- “Annually, not later than July 1, the office of fair housing shall report on the activities of the fund as required in section 31 of chapter 23B.”;

In section 10, after the word "regulations", in line 969, the following words:- “and guidance”; and

In section 132, by striking out the words “and 47” and inserting in place thereof the following words:- “, 47 and 48”.

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill, as amended, was then ordered to a third reading and read a third time.

UNCORRECTED PROOF.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays at a quarter before twelve o'clock midnight, on motion of Ms. Edwards, as follows, to wit (yeas 40 – nays 0) [Yeas and Nays No. 197]

YEAS.

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Mark, Paul W.
Creem, Cynthia Stone	Miranda, Liz
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
Durant, Peter J.	Oliveira, Jacob R.
Edwards, Lydia	Pacheco, Marc R.
Eldridge, James B.	Payano, Pavel M.
Fattman, Ryan C.	Rausch, Rebecca L.
Feeney, Paul R.	Rodrigues, Michael J.
Finegold, Barry R.	Rush, Michael F.
Friedman, Cindy F.	Spilka, Karen E.
Gomez, Adam	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, Walter F.
Keenan, John F.	Velis, John C. – 40.

NAYS – 0.

**The yeas and nays having been completed at nine minutes before twelve o'clock midnight, the bill was passed to be engrossed, in concurrence, with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2850].
Sent to the House for concurrence in the amendment.**

Order Adopted.

On motion of Mr. Tarr:-

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Helen Garrow.

The Senator from Hampden, Hampshire and Worcester, Mr. Oliveira, moved that when the Senate adjourns today, it do so in memory of Helen Garrow.

I rise today to honor the life and legacy of an extraordinary woman, Helen Garrow, who passed away peacefully, surrounded by her loving family on May 13, 2024, at the age of 93.

Helen's life was a testament to dedication, service, and community spirit. Her contributions to Ludlow and beyond will be cherished and remembered by all who knew her.

Born in Irvington, New York, Helen was the beloved daughter of John and Ada Marsella. Helen broke barriers and paved the way for future generations through a

distinguished career in public service, often in roles traditionally held by men. She served as the Treasurer for the town of Ludlow for twelve years, retiring in 2000, and held several significant positions prior, including Executive Director of the Ludlow Housing Authority, Secretary of the Safety and Finance Committees, and two terms on the Board of Selectmen, including one year as Chairperson.

Helen's dedication to public service and commitment to improving her community were unparalleled. She was a member of the Ludlow Democratic Town Committee, President and Board Member of Western Mass Elder Care for nearly two decades, and an active participant in various non-profit boards and committees throughout her life.

A devout communicant, Helen was actively involved in her parishes, first at St. Mary of the Assumption and later at St. Elizabeth's parishes, where she led the finance committee and sang in the choir. She was a founding member of the Ludlow Mother's Club and the Ludlow Red Hat Society.

Helen's home was a hub of warmth and generosity. She was famous for her annual tradition of hosting the Amherst College Men's Hockey team, providing an environment filled with food, laughter, and camaraderie. Her home was always open to families in need, stray animals, and friends seeking comfort. And her vibrant garden reflected her love for nurturing.

Helen cherished her family and loved being surrounded by them. She loved to play board games loudly. She enjoyed cheering on her kids' sports teams and at their concerts. She loved burying her toes in the warm sands of Cape Cod, trips to Europe with her daughter, and floating in her pool with noodles to avoid getting her head wet.

She is survived by her devoted husband of 66 years, David Garrow; her sons Stephen and Jeffrey; her daughter, Lisa; her daughter-in-law, Rima; and her son-in-law, Patrick. Helen also leaves behind her brother Louis Marsella, her sister Joanne Mason, her four grandchildren, Alexander and Sophia Garrow, Marisa and Jeffrey Halpin, and many nieces and nephews.

Helen Garrow's legacy of service, love, and community spirit will be remembered and celebrated forever. She was a pillar of strength and an inspiration to all who knew her. May her memory be a blessing.

Accordingly, as a mark of respect to the memory of Helen Garrow, at eight minutes before twelve o'clock midnight, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.