

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, SEPTEMBER 25, 2025

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JOURNAL OF THE SENATE

Thursday, September 25, 2025.

Met at three minutes past eleven o'clock A.M. (Mr. Brownsberger in 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, the following guests were introduced:

The Chair (Mr. Brownsberger) introduced, in the rear of the Chamber, Nick Stepovich, a former member of the Alaska House of Representatives. He was accompanied by his daughter, Sophie Stepovich, who is attending the University of Massachusetts at Boston. Mr. Stepovich is the grandson of a Klondike Pioneer and the son of former Alaska Governor Mike Stepovich. The Senate welcomed them with applause, they both signed the Guest Book and they withdrew from the Chamber.

Nick Stepovich
and Sophie
Stepovich.

There being no objection, during consideration of the Orders of the Day, the following guests were introduced:

The Chair (Mr. Brownsberger) handed the gavel to Messrs. O'Connor, Fernandes and Driscoll for the purpose of an introduction. Mr. O'Connor then introduced, in the rear of the Chamber, a group of individuals involved with the Arc of Plymouth and Upper Cape Cod's Day Program. Among the group were: Monica, Shelby, and Smitty from Plymouth, Sam from Duxbury, and Nolan from West Bridgewater. The Senate welcomed them with applause and they withdrew from the Chamber.

Arc of Plymouth
and Upper Cape
Cod's Day
Program.

The Chair (Mr. Brownsberger) handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced, in the rear of the Chamber, Vanessa Caldéron-Rosado and Eldin Villafañe, who both received the 2025 Latin Excellence on the Hill Award for outstanding leadership, advocacy, and invaluable contributions to the Latino community. The Senate applauded their accomplishments and they withdrew from the Chamber.

Vanessa Caldéron-
Rosado and Eldin
Villafañe.

The Chair (Mr. Brownsberger) handed the gavel to Ms. Rausch for the purpose of an introduction. Ms. Rausch then introduced, in the rear of the Chamber, Marcello Gomes DaSilva, Kavê Santos, and Yago Sampaio from the town of Milford. Earlier in the year, Marcello was arrested by Immigration and Customs Enforcement on his way to volleyball practice. Kavê and Yago were recognized for organizing community rallies and advocating for his release. The Senate applauded their efforts and they withdrew from the Chamber.

Marcello Gomes
DaSilva, Kavê
Santos and Yago
Sampaio.

Communication.

Communication from the Auditor of the Commonwealth (pursuant to Section 12 of Chapter 11 of the General Laws) relative to a performance audit of the General Court (received September 24, 2025),-- **was placed on file.**

Auditor,--
performance audit.

Reports.

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

Report of the Executive Office of Energy and Environmental Affairs (pursuant to

EOEEA, -- Solar
Canopy report.

Section 124 of Chapter 239 of the Acts of 2024) submitting its Solar Canopy Working Group Supplemental report (copies having been forwarded to the Chair of the Senate Committee on Climate Change and Global Warming and the Senate Chair of the Joint Committee on Telecommunications, Utilities and Energy) (received September 22, 2025);

Report of the Executive Office for Administration and Finance (pursuant to Chapter 88 of the Acts of 2024 and Section 10 of Chapter 1 of the Acts of 2025) submitting its Emergency Housing Assistance Program bi-weekly report (a copy having been forwarded to the Chair of the Senate Committee on Ways and Means) (received September 22, 2025);

Report of the Department of Mental Health (pursuant to line item 5011-0100 of Section 2 of Chapter 9 of the Acts of 2025) submitting its Case Management Best Practices report (copies having been forwarded to the Chair of the Senate Committee on Ways and Means, the Senate Chairs of the Joint Committee Health Care Financing and the Joint Committee on Mental Health, Substance Use and Recovery) (received September 23, 2025);

Report of the Health Policy Commission (pursuant to Chapter 343 of the Acts of 2024) submitting the first deliverable of the Primary Care Access, Delivery, and Payment Task Force (Primary Care Task Force) (copies having been forwarded to the Chair of the Senate Committee on Ways and Means and the Senate Chair of the Joint Committee on Health Care Financing) (received September 23, 2025);

Report of the Massachusetts Housing Finance Agency (Section 5 of Chapter 121D of the General Laws) submitting its annual report for fiscal year 2025 (received September 24, 2025);

Report of the Department of Public Health (pursuant to 105 CMR 451.403) submitting the inspection report for Bridgewater Complex Food Service, the Plan of Correction (POC) from the facility and the POC acceptance letter from the Division of Environmental Health Regulations and Standards (EHRS) (received September 24, 2025);

Report of the Office of the Comptroller (pursuant line item 1599-6152 of Section 2E of Chapter 9 of the Acts of 2025) submitting its State Retiree Benefits Trust Fund Transfer Schedule FY26 Report (a copy having been forwarded to the Chair of the Senate Committee on Ways and Means) (received September 24, 2025);

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Section 9 of Chapter 213 of the Acts of 2024) submitting its report on the licensing of kennels in Massachusetts (a copy having been forwarded to the Senate Chair of the Joint Committee on Municipalities and Regional Government) (received September 25, 2025);

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Chapter 453 of the Acts of 2008) submitting its Department of Environmental Protection Home Heating Oil Calendar Year 2024 annual report (a copy having been forwarded to the Senate Chair of the Joint Committee on Environment and Natural Resources) (received September 25, 2025);

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Section 18A(f) of Chapter 21A of the General Laws) submitting its Department of Environmental Protection's Safe Drinking Water Act Assessment Advisory Committee FY24 annual report (copies having been forwarded to the Chair of the Senate Committee on Ways and Means and the Senate Chair of the Joint Committee on Environment Natural Resources) (received September 25, 2025); and

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Section 4 of Chapter 21I of the General Laws) submitting its annual report of the Massachusetts Toxics Use Reduction Program for Fiscal Year 2023 (received September 25, 2025).

SD3209

A&F,-- EA
Housing bi-weekly
report.
SD3216

DMH,-- Best
Practices report.
SD3217

HPC,-- PCTF first
deliverable.
SD3219

MHFA,-- FY25
annual report.
SD3220

DPH,--
Bridgewater Food
Service Inspection
report.
SD3221
Comptroller,--
SRBTF FY26
report.
SD3222

EOEEA,-- Kennel
License report.
SD3223

EOEEA,-- Home
Heating Oil CY24
report.
SD3225

EOEEA,--
MassDEP Safe
Drinking Water
FY24 report.
SD3226

EOEEA,-- TURA
FY23 report.
SD3227

Petition.

Mr. Moore presented a petition (accompanied by bill, Senate, No. 2617) of Michael O. Moore (with the approval of the city council) to grant the city of Worcester the authority to require the adoption of institutional master plans [Local approval received];

Worcester,-- IMP adoption.

Under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

Committees Discharged.

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Higher Education to make an investigation and study of certain current Senate documents relative to higher education matters (Senate, No. 2589); and

Higher Education,-
- study.

Of the Senate Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of a certain current Senate document relative to behavioral health services for children and families (Senate, No. 2601);

Mental Health,
Substance Use and
Recovery,-- study.

And recommending that the same severally be referred to the committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4547) of Manny Cruz (with the approval of the mayor and city council) relative to excise upon the transfer of parking spaces in the city of Salem,-- **was referred, in concurrence, to the committee on Revenue.**

Salem,-- parking
excise.

Bills

Increasing the age limit for retired police officers serving as special police officers in the town of Weston (House, No. 4031,-- on petition) [Local approval received];

Weston,-- police
officers.

Relative to the charter in the city of Lynn (House, No. 4149, amended,-- on petition) [Local approval received];

Lynn,-- charter.

Relative to the town of Richmond Free Public Library (House, No. 4154,-- on petition) [Local approval received];

Richmond Free
Public Library.

Authorizing the city of Watertown to lease property at 124 Watertown street, Watertown (former Parker school) (House, No. 4205,-- on petition) [Local approval received];

Watertown,-- land
lease.

Amending the charter of the city of Malden (House, No. 4233,-- on petition) [Local approval received]; and

Malden,-- charter.

Updating the linkage exaction program in the city of Medford (House, No. 4252,-- on petition) [Local approval received];

Medford,-- linkage
program.

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

Resolutions.

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

Resolutions (filed by Mr. Rush, Ms. Comerford, Messrs. Cronin, Finegold, Lewis, Collins, Oliveira, Feeney, O'Connor, Crighton and Fernandes, Ms. Kennedy, Messrs. Velis, DiDomenico, Moore, Brady, Eldridge, Driscoll, Montigny, and Payano, Ms. Lovely, Ms. Edwards, Ms. Creem, and Ms. Friedman) "congratulating Coleman Nee on his election to the Office of National Commander of Disabled American Veterans."

Coleman Nee.

Report of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Emily Coollick (Senate, No. 2595);

Emily Coollick,--
sick leave bank.

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

Matters Taken Out of the Notice Section of the Calendar.

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

The House Bill expanding the select board of the town of Weston (House, No. 4158),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Weston,-- select
board.

The House Bill exempting certain affordable housing and branch library space in the Dorchester section of the city of Boston from public procurement laws (House, No. 4532) (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.**

Dorchester,--
library space.

The House Bill establishing a sick leave bank for Paul Starvaski, an employee of the Department of Correction (House, No. 4426),-- **was read a third time and passed to be engrossed, in concurrence.**

Paul Starvaski,--
sick leave.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4565) of Michelle L. Badger for legislation to establish a sick leave bank for Marie Letendre, an employee of the Department of Transitional Assistance;

Marie Letendre,--
sick leave.

Under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 4566) of Lindsay N. Sabadosa and Joanne M. Comerford relative to the operation of golf carts in certain rural communities;

Rural
communities,--
golf carts.

Under suspension of Joint Rule 12, to the committee on Transportation.

Orders of the Day.

The Orders of the Day were considered as follows:

The Senate Bill establishing the Massachusetts data privacy act (Senate, No. 2516),-- was read a second time.

Data privacy act.

After remarks, pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2608), and pending the main question on ordering the bill to a third reading, Messrs. Finegold, Lewis and Keenan move that the proposed new draft be amended by inserting the text of Senate document numbered 2618, relative to privacy standards for student and educator data.

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The amendment was *rejected*.

Mr. Eldridge, Ms. Kennedy, Ms. Miranda and Messrs. Brady, Gómez, Keenan, Payano and Collins moved that the proposed new draft be amended in section 1, in the definition of “affirmative consent”, by adding the following text to the definition:-

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“Notwithstanding the definition of affirmative consent, nothing herein diminishes an employer's notice, data privacy and bargaining obligations to its employees under applicable

state and federal law. When contracting with a processor or third party, an employer may not consent to disclosure of its employees' personal data without the employees' prior express written consent."

The amendment was *rejected*.

Mr. Fernandes moved that the proposed new draft be amended by striking out, in line 345, the words "or transfer," and by striking out, in line 346, the words "or transfer," and by striking out, in lines 349-352, the words, "without obtaining the consumer's affirmative consent or, in the case of the collection or processing of personal data concerning a known child, without collecting or processing such data in accordance with Children's Online Privacy Protection Act, 15 USC 6501 et seq.," and by inserting after the word "collect" in line 345 the following word:- "or";

By inserting after the word "collection" in line 346 the following word:- "or";

By inserting after the word "data" in line 348 the following words:- but instead exercise a duty of loyalty to each consumer not to sell sensitive data; in regard to sensitive data, this duty of loyalty cannot be waived by the consumer.; and

By inserting after the word "consumer" in line 349 the following words:- but instead exercise a duty of loyalty to each consumer not to transfer sensitive data; in regard to sensitive data, this duty of loyalty cannot be waived by the consumer.

The amendment was *rejected*.

Messrs. Keenan and Montigny moved that the proposed new draft be amended by inserting, after the word "inquiries", in line 392, the following words:- "; provided, however, that the controller must substantively respond to a consumer inquiry within 10 days of receipt thereof".

After remarks, the amendment was *rejected*.

Mr. Rush moved that the proposed new draft be amended in section 5, in subsection (b) line 376, by inserting after the word "the" the following:- "categories of"; and further amends said section by striking the word "party" and inserting in place thereof the following:- "parties"; and further amends subsection (e) (ii) in line 447, by striking out the word "financial incentive program" and inserting in place thereof the following:- "bona fide loyalty, rewards, premium features, discounts or club card program".

The amendment was *rejected*.

Mr. Cronin moved that the proposed new draft be amended by striking out the definition of "Sensitive data", and inserting in place thereof the following definition:-

"Sensitive data", personal data that includes: (i) a government-issued identifier, including, but not limited to, a social security number, passport number, state identification card or driver's license number; provided, however, that "sensitive data" shall not include a government-issued identifier required by law to be displayed in public; (ii) any personal information that a controller uses to identify a consumer's mental or physical health condition, diagnosis, disability or treatment, including, but not limited to, gender-affirming health data, reproductive or sexual health data, legally-protected health care data and neural data; (iii) biometric data or genetic information that is used to uniquely identify an individual; (iv) precise geolocation information; (v) financial account log-in credentials in combination with security or access codes for such account; (vi) personal data of a consumer who a controller or processor knows is a child; (vii) a consumer's racial or ethnic origin, religious beliefs, citizenship or immigration status; (viii) information revealing consumer's sex life, sexual orientation or status as transgender or non-binary; or (ix) information that reveals the status of a consumer as a victim of a crime."

The amendment was *rejected*.

Mr. Cronin moved that the proposed new draft be amended by striking, in line 118, the word "transfer" and inserting in place thereof the word "exchange";

By striking in line 164, the word "transferred" and inserting in place thereof the word

“sold”;

In line 312 and 375 by striking the word “transfer” and inserting in place thereof the word “sell”;

In line 319 by striking the words “or transfer”; and further in line 376 by striking the word “transfer” and inserting in place thereof the word “sale”;

In lines 388 and 389 by striking the word “transfers” and inserting in place thereof the word “sells”;

By striking in line 363 the following “and shall immediately prevent the transfer of any sensitive data”; and

By striking in line 390 the following “(v) the categories of third parties, if any, to which the controller transfers personal data”.

The amendment was *rejected*.

Mr. Cronin moved that the proposed new draft be amended in section 1 by inserting the following section:-

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“Section 11. No state or local government agency shall publicly post or publicly display content that includes the personal information of any active or retired Massachusetts state court judge or their immediate family if the judge has made a written request under this title that the government agency not disclose such personal information. After a state or local government agency has received a written request, that agency shall remove the personal information from publicly available content within 72 hours. After the government agency has removed the judge’s personal information from publicly available content, the agency shall not publicly post, display or otherwise release the information unless the government agency has received the judge’s consent to make the personal information available to the public.

No person, business, or association, inclusive of data brokers, shall publicly post or publicly display the personal information of an active or retired Massachusetts state court judge or their immediate family if the judge has made a written request under this act of that person, business, or association, not to disclose such personal information. No person, business, or association, inclusive of data brokers, shall share, solicit, sell, or trade the personal information of an active or retired Massachusetts state court judge or their immediate family with the intent to pose an imminent and serious threat to the health and safety of the judge or their immediate family, or after written request. After a person, business, or association, inclusive of data brokers, has received a written request from an active or retired Massachusetts state court judge to protect the personal information of the judge or their immediate family, that person, business, or association must remove the personal information from public display within 72 hours or, in the case of a printed directory, no later than the next update to the directory. After a person, business, or association, inclusive of data brokers, has received a written request from an active or retired Massachusetts state court judge, that person shall ensure that the judge’s personal information is not publicly displayed, including on any website or subsidiary website controlled by that person, business, or association.

After receiving an active or retired Massachusetts state court judge’s written request, a person, business, or association, inclusive of data brokers, may not transfer the judge’s personal information to any other person through any medium. If a government agency fails to comply with a written request to refrain from disclosing personal information, the judge may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction.

An active or retired Massachusetts state court judge or immediate family member whose personal information is made public as a result of a violation of this act may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction against a person, business, or association. If the court grants injunctive or declaratory relief, the

person, business, or association responsible for the violation shall be required to pay the judge's costs and reasonable attorneys' fees."

The amendment was *rejected*.

Mr. Payano, Ms. Miranda and Messrs. Eldridge, Brady, Gómez and Collins moved that the proposed new draft be amended by striking out, in lines 374 to 376, the words "provided, however, that the controller shall not transfer personal data to a third party as part of such program unless the transfer of personal data to the third party is clearly disclosed in the terms of the program;" and by inserting in place thereof the following text:- "provided that the selling of personal data is not a condition of participation in the program."

18

After remarks, the amendment was *rejected*.

Mr. Montigny, Ms. Rausch and Mr. Keenan moved that the proposed new draft be amended in section 1, by inserting, in line 368, the following sentence:- "(x) establish a retention schedule and guidelines for permanently destroying biometric data when the initial purpose for collecting or obtaining such data has been satisfied or within 1 year of the individual's last interaction with the private entity, whichever occurs first. Absent a valid order, warrant, or subpoena issued by a court of competent jurisdiction or a local or federal governmental agency, a controller in possession of biometric data must comply with its established retention schedule and destruction guidelines."; and

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in section 1, by inserting, in line 402, the following sentence:- "(xi) for controllers which collect and process biometric data, the controller's policy establishing a retention schedule and guidelines for permanently destroying biometric data when the initial purpose for collecting or obtaining such data has been satisfied or within 1 year of the individual's last interaction with the controller, whichever occurs first."

The amendment was *rejected*.

Mr. Driscoll moved that the proposed new draft be amended in section 5(a) by striking subsection (i) and inserting in place thereof the following:-

46

(i) Limit the collection of personal data to what is adequate, relevant and reasonably necessary in relation to the purposes for which such data is processed, as disclosed to the consumer

The amendment was *rejected*.

Mr. Driscoll moved that the proposed new draft be amended in section 5(a) by striking subsection (iii) in its entirety.

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The amendment was *rejected*.

Mr. Driscoll moved that the proposed new draft be amended in section 1, beginning at line 132, by striking the definition of "Sensitive data" and inserting in place thereof the following:-

48

"Sensitive data", personal data that includes (A) data revealing racial or ethnic origin, religious beliefs, mental or physical health condition or diagnosis, sex life, sexual orientation or citizenship or immigration status, (B) the processing of genetic or biometric data for the purpose of uniquely identifying an individual, (C) personal data collected from a known child, (D) precise geolocation data; (E) an individual's identity as transgender or nonbinary; (F) consumer health data; or (G) data concerning an individual's status as victim of a crime.

The amendment was *rejected*.

Mr. Cronin moved that the proposed new draft be amended by striking the word "and" as it appears in line 180, and

51

In section 3(a) by inserting at the end thereof the following:- "and, (viii) a not for profit organization."

The amendment was *rejected*.

Mr. Cronin moved that the proposed new draft be amended by inserting the following section:-

57

"SECTION XX. The provisions of this act do not apply to: a financial institution

governed by, or personal data collected, processed, sold, or disclosed in accordance with, Title V of the Gramm-Leach-Bliley Act, 15 U.S.C. Sec. 6801 et seq., and related regulations.”

The amendment was *rejected*.

Mr. Driscoll moved that the proposed new draft be amended in section 1 by striking out, in lines 141-42, the words “or should have known” and in lines 354-55, the words “or should have known.” 58

The amendment was *rejected*.

Ms. Rausch moved that the proposed new draft be amended in section 10 by striking out, in line 676, the words “and (vii)” and inserting in place thereof the following words:- “(vii) whether the alleged violation directly or indirectly resulted in or caused unauthorized data access, theft, or disclosure; and (viii)”. 42

After remarks, the amendment was adopted.

Ms. Rausch, Ms. Kennedy, Ms. Miranda, Ms. Jehlen, Messrs. Eldridge, Brady, Montigny, Gómez and Keenan, Ms. Edwards and Mr. Collins moved that the proposed new draft be amended in section 1, in proposed subsection (a) of section 3 of chapter 93M of the General Laws, by adding the following sentence:- “Notwithstanding this subsection, a controller or processor who would otherwise be subject to this chapter under section 2 shall not sell sensitive data.” 52

After remarks, the amendment was adopted.

Ms. Creem, Ms. Friedman, Ms. Rausch, Ms. Miranda, Mr. Lewis, Ms. Jehlen, Messrs. Eldridge and Montigny, Ms. Edwards and Messrs. Gómez, Keenan, Payano and Collins move that the proposed new draft be amended in section 1, by striking out, in lines 85 and 89, the word “consumer” and inserting in place thereof, in each instance, the following word:- “individual”; 4

In said section 1, by striking out, in line 86, the word “consumers” and inserting in place thereof the following word:- “individuals”;

In said section 1, by striking out, in lines 364 to 368, inclusive, the words “and (ix) not discriminate or retaliate against, or threaten to discriminate or retaliate against, a consumer for exercising any of the consumer rights contained in this chapter, including denying goods or services, charging different prices or rates for goods or services or providing a different level of quality of goods or services to the consumer” and inserting in place thereof the following words:- “(ix) not discriminate or retaliate against, or threaten to discriminate or retaliate against, a consumer for exercising any of the consumer rights contained in this chapter, including denying goods or services, charging different prices or rates for goods or services or providing a different level of quality of goods or services to the consumer; and (x) not sell the precise geolocation data of any individual collected within the commonwealth, regardless of the residency of the individual”; and

In said section 1, by inserting after the word “authorities”, in line 574, the following words:- “, except as prohibited by another law, including, but not limited to, section 115 of chapter 93”.

After remarks, the amendment was adopted.

Messrs. Lewis, Eldridge, Brady, Montigny, Fernandes, Gómez, Payano and Collins move that the proposed new draft be amended by striking out, in line 419, the words “at least 1” and inserting in place thereof the following words:- “not less than 2”; 14

In said section 1, by striking out, in line 431, the word “or” and inserting in place thereof the following word:-“and”; and

In said section 1, by striking out, in line 438, the words “and (C)” and inserting in place thereof the following words:- “(C) require the consumer to provide affirmative consent in order to opt out of any processing of the consumer’s personal data; and (D)”.

The amendment was adopted.

Ms. Friedman moves that the proposed new draft be amended in section 1, in proposed section 2 of chapter 93M of the General Laws, by adding the following sentence:- “This chapter shall apply to an affiliate of a person described under this section if such affiliate transferred sensitive data to the person or the person’s other affiliates in the preceding calendar year.”

24

The amendment was adopted.

Mr. Mark and Ms. Rausch move that the proposed new draft be amended in section 1, in the definition of “sensitive data”, by adding the following words:- “Nothing in the above definition waives or releases an employer from its bargaining obligations vis a vis the use of employer-owned devices and its impacts on employee terms and conditions of employment under state and federal labor relations law.”

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The amendment was *rejected*.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection in memory of Darryl Logan Alexander.

Moment of silence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill establishing the Massachusetts data privacy act (Senate, No. 2516),-- was further considered, the main question being on ordering the bill to a third reading.

Data privacy act.

Messrs. Fernandes, Eldridge, Montigny, Brady and Payano moved that the proposed new draft be amended by adding the following subsection:-

36

“(g) A controller that acquires personal data as part of a merger, acquisition, bankruptcy or other transaction in which the controller assumes control of all or part of another person’s assets shall provide affected consumers with notice of such acquisition following the acquisition. Notice to consumers under this subsection shall include the name of the controller receiving the consumer’s personal data, the applicable privacy policies of the controller and notice of the rights available to consumers under section 4. The attorney general may issue rules and promulgate regulations prescribing the form of notice under this subsection and establishing mechanisms to facilitate a consumer’s exercise of rights pursuant to subsection (a)(iv) of section 4 or other provisions of this chapter.”

The amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended in section 1, by striking out, in line 608 and 609, the words “and (xvi)” and inserting in place thereof the following words:- “(xvi) perform internal operations from data collected in accordance with this section that are reasonably aligned with the expectation of the consumer based on the consumer’s existing relationship with the controller; and (xvii)”.

16

After remarks, the amendment was adopted.

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

20

“SECTION X. The Attorney General shall annually, not later than December 1st of each year, file a report containing the number and type of incidents which the Attorney General’s office has addressed involving violations of this Act, the actions taken in response to the reported incidents, and the results achieved to those actions, with the clerks of the House and Senate.”

The amendment was *rejected*.

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

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“SECTION X. The Attorney General shall develop, implement, and maintain, a

comprehensive, public-facing dedicated website by which individuals may report violations of this Act to the Attorney General's office. This website shall provide, in a clear manner, a method by which an individual may track any claims they have submitted to the Attorney General's office."

After remarks, the amendment was *rejected*.

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

"SECTION X. The Attorney General's Office shall to the maximum extent feasible, file an initial response with each individual within 30 days of an individual filing a complaint of a violation of this Act."

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended in line 647 by inserting after the word, "chapter" the following words:- "provided, that said rules and regulations shall be subject to the provisions of chapter 30A of the general laws, and provided that the attorney general shall submit any proposed adoption, amendment or rescission to the clerks of the house and senate and the senate and house committee on ways and means at least 60 days prior to the date on which such action is scheduled to take effect".

After remarks, the amendment was *rejected*.

Mr. Tarr, Mrs. Dooner and Messrs. Durant, Fattman and O'Connor moved that the proposed new draft be amended by striking out, in line 628 and 629, the words "or (iv)" and inserting in place thereof the following words:- "(iv) prevent access to the data of a child by the child's parent or guardian; or (v)"

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new draft be amended in section 1, by striking out, in line 39, the word "soler" and inserting in place thereof the following word:- "sole";

In said section 1, by striking out, in line 49, the words "limited be" and inserting in place thereof the following words:- "be limited";

In said section 1, by striking out, in line 75, the words "is not more than" and inserting in place thereof the following word:- "has not attained";

In said section 1, by striking out, in line 76, the word "an" and inserting in place thereof the following word:- "a";

In said section 1, by striking out, in line 126, the words "transfer or" and inserting in place thereof the following words:- "transfer of";

In said section 1, by striking out, in line 142, the word "an" and inserting in place thereof the following word:- "a";

In said section 1, by inserting after the word "revealing", in line 143, the following word:- "a";

In said section 1, by striking out, in line 155 and 156, the words " , controller, processor or affiliate of the controller or processor" and inserting in place thereof the following words "or a controller or processor, or affiliate of the controller or processor,";

In said section 1, by striking out, in line 255, the words "the such" and inserting in place thereof the following word:- "such";

In said section 1, by striking out, in line 258, the word "revaluated" and inserting in place thereof the following word:- "reevaluated";

In said section 1, by striking out, in line 385, the word "use" and inserting in place thereof the following word:- "used";

In said section 1, by striking out, in line 447, the word "program" and inserting in place thereof the following words:- "program, bona fide loyalty, rewards, premium features, discounts or club card program".;

In said section 1, by inserting after the word "provision", in line 667, the following word:- "of"; and

In said section 1, by striking out, in line 677, the word “subtitle” and inserting in place thereof the following word:- “chapter”.

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill (Senate, No. 2608, amended) was then ordered to a third reading and was read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at eleven minutes past three o’clock P.M., on motion of Mr. Moore, as follows to wit (yeas 40 – nays 0) [**Yeas and Nays No. 71**]:

YEAS.

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.
Dooner, Kelly A.
Driscoll, Jr., William J.
Durant, Peter J.
Edwards, Lydia
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Fernandes, Dylan A.
Finegold, Barry R.
Friedman, Cindy F.

Gómez, Adam
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
Oliveira, Jacob R.
Payano, Pavel
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Velis, John C. – **40.**

NAYS – 0.

The yeas and nays having been completed at eighteen minutes past three o’clock P.M., the bill was passed to be engrossed. [For text of Senate bill, printed as amended, see Senate, No. 2619].

Sent to the House for concurrence.

Order Adopted.

On motion of Ms. Kennedy,--

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 Mr. Darryl Logan Alexander.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of Mr. Darryl Logan Alexander.

Mr. Darryl Logan Alexander, a cherished father, husband, son, uncle, and friend, passed away peacefully at his home in South Boston, surrounded by his loving family, on September

19, 2025, at the age of 48, after a courageous battle with cancer. Born on April 7, 1977, in Brockton, Massachusetts, Darryl was a source of joy and support to all who knew him.

Darryl's professional career as an office service manager allowed him to touch the lives of many, as he dedicated himself to helping various companies improve their business practices. His expertise benefited notable organizations such as C & W Services, Marsh and McLennan, and Seyfarth and Shaw. Darryl was known not just for his professional acumen but also for his helpful, respectful, and cheerful personality which left a lasting impression on colleagues and clients alike.

He was a proud graduate of Brockton High School, class of 1995, and went on to build a life filled with love and accomplishment. He especially treasured attending the sporting events of his son, Ryan, and daughter, Hailey. He was so proud to watch Hailey do what she loved most, dance. Although he played football himself, ice hockey held a special place in his heart cheering on his son Ryan, intertwining his love for the sport with his passion for supporting his children.

Darryl is survived by his beloved wife, Erin M. (Finnegan) Alexander; his son, Ryan Alexander; and his daughter, Hailey Alexander. He also leaves behind his mother, Margo Christie; dad, Alan Christie; and deceased father, Glenn Alexander; brothers, Derek Alexander and wife Jessica and Alan Christie and wife Michelle; sister, Alison Stockman and husband Jason; brother and sister in-laws Corey and Tara Finnegan and Brooke and Keith Hughes and mother and father in-laws, Doreen and Peter Finnegan. In addition, he is survived by his nieces and nephews, and many relatives and friends who will honor his memory and appreciate his warm spirit.

Darryl Logan Alexander will be profoundly missed but fondly remembered for his unwavering support, cheerful demeanor, and the love he shared with his family and friends...

Accordingly, as a mark of respect to the memory of Mr. Darryl Logan Alexander, at nineteen minutes past three o'clock P.M., on motion of Ms. Jehlen, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.