

1           **SECTION 4.** Section 6 of chapter 6D of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words “hospital,  
3 ambulatory surgical center and surcharge payor”, and inserting in place thereof the following  
4 words:- hospital and ambulatory surgical center.

5           **SECTION 5.** Said section 6 of said chapter 6D, as so appearing, is hereby further  
6 amended by striking out the last paragraph.

7           **SECTION 6.** Chapter 10 of the General Laws is hereby amended by striking out section  
8 24 and inserting in place thereof the following section:-

9           Section 24. (a) The commission is hereby authorized to conduct a state lottery and shall  
10 determine: (i) the types of lotteries to be conducted; (ii) the prices of tickets or shares in the  
11 lottery; (iii) the number and sizes of the prizes on the winning tickets or shares; (iv) the manner  
12 of selecting the winning tickets or shares; (v) the manner of payment of prizes to the holders of  
13 winning tickets or shares; (vi) the frequency of the drawings or selections of winning tickets or  
14 shares; (vii) the types of locations at which tickets or shares may be sold; (viii) the method to be  
15 used in selling tickets or shares; provided, however, that no tickets or shares shall be sold,  
16 offered for sale or purchased from a licensed sales agent or the lottery commission by telephone  
17 call; provided further, that said restriction on telephone calls for sales, offers for sale or purchase  
18 shall not govern the transmittal of lottery information and sales through telephone services solely  
19 between the lottery commission and its duly licensed sales agents; provided further, that the  
20 commission shall authorize licensed sales agents to facilitate point of sale transactions using a  
21 debit card; and provided further, that said commission shall prohibit point of sale transactions  
22 using credit cards as defined in section 1 of chapter 140D and that point of sale transactions  
23 under this section shall be subject to the restrictions pursuant to subsection (b) of section 5I of  
24 chapter 18; (ix) the licensing of agents to sell tickets or shares; provided, that no person under the  
25 age of 18 shall be licensed as an agent; (x) the manner and amount of compensation, if any, to be  
26 paid to licensed sales agents; provided, however, that the amount of compensation, if any, to be  
27 paid to licensed sales agents as a commission pursuant to this section shall be calculated on the  
28 total face value of each ticket or share sold and not on any discounted price of any such ticket or  
29 share sold; and (xi) such other matters necessary or desirable for the efficient and economical  
30 operation and administration of the lottery and for the convenience of the purchasers of tickets or  
31 shares and the holders of winning tickets or shares. The commission may operate the daily  
32 numbers game 7 days a week. Each physical state lottery ticket or share shall have imprinted  
33 thereon the state seal and a serial number.

34           (b) The commission may establish, and from time-to-time revise, such rules and  
35 regulations as it deems necessary or desirable and shall file the same with the office of the state  
36 secretary. The commission shall establish rules and regulations for lotteries conducted online,  
37 over the internet or through the use of a mobile application that shall, at a minimum:

38 (i) require age verification measures to be reasonably designed to block access to and  
39 prevent sales of lottery tickets, games or shares online, over the internet, through the use of a  
40 mobile application or through any other means to persons under the age of 18;

41 (ii) limit sales of lottery tickets, games or shares online, over the internet, through the use  
42 of a mobile application or through any other means to transactions initiated and received, or  
43 otherwise made, within the commonwealth;

44 (iii) allow any player to voluntarily prohibit or otherwise exclude themselves from  
45 purchasing a lottery ticket, game or share online, over the internet, through the use of a mobile  
46 application or through any other means;

47 (iv) establish maximum limits for account deposits and transactions of lottery tickets,  
48 games or shares conducted online, over the internet, through the use of a mobile application or  
49 through any other means and allow players to reduce their own deposit or transaction limit at any  
50 time;

51 (v) clarify that any cash deposited and unspent in a lottery account belongs solely to the  
52 owner of the account and may be withdrawn by the owner at any time subject to the satisfaction  
53 of controls or policies put in place to maintain security of customer funds and to prevent fraud  
54 and unauthorized or unlawful withdrawals;

55 (vi) require the commission to implement promotional activities to encourage the  
56 purchase of lottery tickets, games or shares through licensed sales agents; and

57 (vii) require within any online system a search function to find nearby licensed sales  
58 agents offering lottery sales at brick-and-mortar retail stores in the commonwealth.

59 (c) Notwithstanding any general or special law to the contrary, the name, address,  
60 transaction history, account balance or other personal or identifying information of an individual  
61 who purchases lottery tickets, games or shares online, over the internet, through the use of a  
62 mobile application or through any other means shall not be deemed public records of the  
63 commission for the purposes of section 10 of chapter 66; provided, however, that this subsection  
64 shall not prohibit the commission from using a prize winner's name, city or town of residence or  
65 photograph to publicize a lottery prize claim in excess of \$600; and provided, further that this  
66 subsection shall not prohibit the commission from maintaining, using or sharing such  
67 information in the course of lottery-conducted investigation or an investigation by law  
68 enforcement or in compliance with sections 28A or 28B.

69 (d) The commission shall advise and make recommendations to the director regarding the  
70 operation and administration of the lottery. The commission shall report monthly to the  
71 governor, the attorney general and the general court the total lottery revenues, prize  
72 disbursements and other expenses for the preceding month and shall make an annual  
73 independently audited financial report to the same, which shall include a full and complete  
74 statement of lottery revenues, prize disbursements and other expenses, including such  
75 recommendations as it may deem necessary or advisable, which shall be made available

76 electronically to the general public not later than the earliest date established for reports in  
77 section 12 of chapter 7A. The commission shall report immediately to the governor and the  
78 general court any matters that require immediate changes in the laws of the commonwealth to  
79 prevent abuses and evasions of the lottery law or rules and regulations promulgated thereunder,  
80 or to rectify undesirable conditions in connection with the administration or operation of the state  
81 lottery.

82 (e) The commission may carry on a continuous study and investigation of the lottery  
83 throughout the commonwealth in order to: (i) ascertain any defects in the state lottery law or in  
84 the rules and regulations issued thereunder whereby any abuse in the administration and  
85 operation of the lottery or any evasion of said law or said rules and regulations may arise or be  
86 practiced; (ii) formulate recommendations for changes in said law and the rules and regulations  
87 promulgated thereunder to prevent such abuses and evasions; and (iii) guard against the use of  
88 said law and rules and regulations issued thereunder as a cloak for the carrying on of organized  
89 gambling and crime.

90 (f) The commission shall make a continuous study and investigation of: (i) the operation  
91 and administration of similar laws in other states or countries; (ii) any literature on the subject  
92 that from time-to-time may be published or available; (iii) any federal laws that may affect the  
93 operation of the lottery; and (iv) the reaction of citizens of the commonwealth to existing and  
94 potential features of the lottery with a view to recommending or effecting changes that will tend  
95 to better serve and implement the purposes of the state lottery law.

96 (g) The concurrence of the chair and not less than 2 other members of the commission  
97 shall be required for all official actions of the commission. A copy of the minutes of each  
98 meeting of the commission, including any rules and regulations adopted by the commission or  
99 any amendments thereof, shall be forthwith transmitted, by and under the certification of the  
100 secretary thereof, to the governor.

101 (h) The commission shall have the power to issue subpoenas to compel the attendance of  
102 witnesses and the production of documents, papers, books, records and other evidence before it  
103 in any matter over which it has jurisdiction, control or supervision. The commission shall have  
104 the power to administer oaths and affirmations to persons whose testimony is required.

105 **SECTION 7.** Section 24A of said chapter 10, as appearing in the 2022 Official Edition,  
106 is hereby amended by striking out subsection (a) and inserting in place thereof the following  
107 subsection:-

108 (a) For the purposes of this section, “group agreement” shall mean any lottery activity in  
109 which the commission participates pursuant to a written agreement between the commission, on  
110 behalf of the commonwealth, and any state, territory, country or other sovereignty. The  
111 commission is hereby authorized to enter into agreements with 1 or more states or other  
112 jurisdictions, hereinafter referred to as a group, for the purpose of creating and maintaining  
113 multi-jurisdictional lottery games, including multi-jurisdictional lottery games to be conducted  
114 online, over the internet, through the use of a mobile application or through any other means;  
115 provided, that any such lottery game to be conducted online, over the internet, through the use of

116 a mobile application or through any other means has been properly authorized by each state or  
117 other jurisdiction that is part of the group; provided further, that a group agreement shall not  
118 include the state lottery games created pursuant to section 24; and provided further, that nothing  
119 in this section and nothing in a group agreement shall authorize the commission to make  
120 expenditures that are not consistent with restrictions on expenditures by the commission  
121 provided for in any other general or special law. The group shall determine the types of lotteries  
122 to be conducted, the prices of tickets or shares, the manner of selecting the winning tickets or  
123 shares, the manner of payment of prizes to the holders of winning tickets or shares and the  
124 frequency of the drawings or selection of winning tickets or shares. The commission may  
125 establish, and from time-to-time revise, such rules and regulations as it deems necessary or  
126 desirable to carry out the group agreement and shall file the same with the office of the state  
127 secretary.

128 **SECTION 8.** Said chapter 10 is hereby further amended by striking out section 25 and  
129 inserting in place thereof the following section:-

130 Section 25. (a) The apportionment of the total revenues accruing from the sale of lottery  
131 tickets or shares and from all other sources at the point of sale at a licensed agent shall be as  
132 follows: (i) the payment of prizes to the holders of winning tickets or shares, which in any case  
133 shall be no less than 45 per cent of the total revenues accruing from the sale of lottery tickets; (ii)  
134 the payment of costs incurred in the operation and administration of the lottery, including the  
135 expenses of the commission and the costs resulting from any contract or contracts entered into  
136 for promotional, advertising or operational services or for the purchase or lease of lottery  
137 equipment and materials, which in no case shall exceed 15 per cent of the total revenues accruing  
138 from the sale of lottery tickets or shares, subject to appropriation; and (iii) the balance shall be  
139 used to fund budgeted aid to cities and towns as provided in section 18C of chapter 58, subject to  
140 appropriation.

141 (b) The apportionment of the total revenues accruing from the sale of lotteries conducted  
142 online, over the internet, through the use of a mobile application or through any other means as  
143 authorized by section 24 except for those enumerated in subsection (a) shall be as follows: (i) the  
144 payment of prizes to the holders of winning tickets or shares; (ii) the payment of costs incurred  
145 in the operation and administration of such lotteries, including the expenses of the commission  
146 and the costs resulting from any contract or contracts entered into for promotional, advertising or  
147 operational services or for the purchase or lease of lottery equipment and materials, which in no  
148 case shall exceed 5 per cent of the total revenues accruing from the sale of lottery tickets or  
149 shares; and (iii) the balance shall be transferred to the Early Education and Care Operational  
150 Grant Fund established in section 19 of chapter 15D.

151 **SECTION 9.** Section 26 of said chapter 10, as appearing in the 2022 Official Edition, is  
152 hereby amended by striking out the first sentence and inserting in place thereof the following  
153 sentence:- The state treasurer shall, subject to the approval of the governor, appoint a director of  
154 the state lottery, hereinafter called the director, who shall serve at the pleasure of the state  
155 treasurer, shall devote their entire time and attention to the duties of the office and to such  
156 official duties specified by the state treasurer subject to the approval of the governor, and shall  
157 receive such salary as the commission may determine.

158           **SECTION 10.** Said section 26 of said chapter 10, as so appearing, is hereby further  
159 amended by striking out, in lines 39 to 40, the words “, provided, however, that no person shall  
160 be assigned more than one license to sell lottery tickets or shares”.

161           **SECTION 11.** The second paragraph of section 27 of said chapter 10, as so appearing, is  
162 hereby amended by striking out the first sentence and inserting in place thereof the following 2  
163 sentences:- No member of the commission or covered state employee or member of their  
164 immediate family residing in the same household in the principal place of abode of any member  
165 of the commission or covered state employee, or legal entity that includes such a person as an  
166 officer, director, member, partner, owner, investor or an individual that has a financial interest in  
167 the entity, unless said interest is in a publicly traded company by ownership of shares of less than  
168 10 per cent of all issued stock, shall be issued a license to sell lottery tickets. For the purposes of  
169 this paragraph, “covered state employee” shall mean a state employee, as defined in section 1 of  
170 chapter 268A, or a special state employee, as defined in section 1 of chapter 268A, of the  
171 commission, and “immediate family” shall have the same meaning as defined in section 1 of  
172 chapter 268A.

173           **SECTION 12.** Section 27A of said chapter 10, as so appearing, is hereby amended by  
174 striking out, in lines 31 to 33, inclusive, the words “in a newspaper of general circulation in the  
175 area including the municipality where said Keno licensee will operate” and inserting in place  
176 thereof the following words:- on the commission’s website.

177           **SECTION 13.** Section 31 of said chapter 10, as so appearing, is hereby amended by  
178 inserting after the words “any member or employee of the commission”, in line 3, the following  
179 words:- , except as authorized by the director for investigative purposes,.

180           **SECTION 14.** Section 7 of chapter 12C of the General Laws, as so appearing, is hereby  
181 amended by striking out, in lines 1 and 2, the words “hospital, ambulatory surgical center and  
182 surcharge payor”, and inserting in place thereof the following words:- hospital and ambulatory  
183 surgical center.

184           **SECTION 15.** Said section 7 of said chapter 12C, as so appearing, is hereby further  
185 amended by striking out the last paragraph.

186           **SECTION 16.** Said chapter 12C is hereby further amended by inserting after section 7  
187 the following section:-

188           Section 7A. There shall be established and set up on the books of the commonwealth a  
189 separate, non-budgeted special revenue fund known as the Center for Health Information and  
190 Analysis Fund, which shall be administered by the executive director. The fund shall be credited  
191 with: (i) any transfers from the Health Safety Net Trust Fund established in section 66 of chapter  
192 118E; (ii) appropriations or other money authorized or transferred by the general court and  
193 specifically designated to be credited to the fund; (iii) funds from public and private sources,  
194 including, but not limited to, gifts, federal financial participation, grants and donations; and (iv)  
195 any interest earned on the assets of the fund. Amounts credited to the fund shall be expended,

196 without further appropriation, for the expenses of the center and for the other purposes described  
197 in this chapter. For the purpose of accommodating timing discrepancies between the receipt of  
198 revenues and related expenditures, the fund may incur expenses and the comptroller may certify  
199 for payment amounts not to exceed the lower of amounts credited to the fund during the period  
200 of the timing discrepancy or the most recent revenue estimate as reported in the state accounting  
201 system. Any balance in the fund at the close of a fiscal year shall be available for expenditure in  
202 subsequent fiscal years and shall not be transferred to any other fund or revert to the General  
203 Fund.

204 **SECTION 17.** Chapter 15A of the General Laws is hereby amended by inserting after  
205 section 19E the following 2 sections:-

206 Section 19F. (a) Subject to appropriation, the board shall, in consultation with the board  
207 of early education and care, establish an early education and care educator scholarship program  
208 for current and prospective early education and care sector educators. The program shall be  
209 administered by the board, in consultation with the board of early education and care, consistent  
210 with clause (10) of the second paragraph of section 5 of chapter 15D.

211 (b) To be eligible for the scholarship program, recipients shall demonstrate that they are  
212 either: (i) a current early education and care educator employed or seeking employment with an  
213 early education and care provider in the commonwealth; or (ii) a prospective early education and  
214 care educator who is enrolled in or has agreed to enroll in an associate, bachelor or graduate-  
215 level degree program in the early education and care field in the commonwealth; provided, that  
216 recipients of the scholarship program shall commit to providing early education and care in the  
217 commonwealth for a term of service to be determined by the board in consultation with the board  
218 of early education and care.

219 (c) Preference for scholarships shall be given to applicants identified as educators who  
220 have displayed a proven commitment to early childhood education or who are members of a  
221 socially or economically disadvantaged community.

222 (d) A scholarship granted pursuant to this section may be used to cover the cost of tuition,  
223 fees or course-related expenses, including, but not limited to, personal child care expenses in  
224 order to attend classes and class meetings and other supports deemed appropriate by the board, in  
225 consultation with the board of early education and care, for current and prospective early  
226 education and care educators to obtain credentials or associate, bachelor or graduate-level  
227 degrees to meet the educator and program quality standards of the department of early education  
228 and care.

229 (e) The board, in consultation with the board of early education and care, shall  
230 promulgate regulations or guidelines governing the scholarship program, which shall include  
231 procedures for repayment of the amount of scholarship benefits for a recipient who participates  
232 in the program but fails to complete the commitment or other requirements.

233 Section 19G. (a) Subject to appropriation, the board shall, in consultation with the board  
234 of early education and care, establish an early education and care educator loan forgiveness

235 program for early education and care educators pursuant to clause (10) of the second paragraph  
236 of section 5 of chapter 15D. Preference for loan forgiveness shall be given to applicants  
237 identified as early education and care educators in the commonwealth who have displayed a  
238 proven commitment to early childhood education and who either: (i) work in communities  
239 predominantly serving children and families with high needs; or (ii) work in regions with a  
240 shortage of early education and care slots.

241 (b) The board, in consultation with the board of early education and care, shall  
242 promulgate regulations or guidelines necessary to implement this section, which shall include  
243 procedures for default of the loan forgiveness program for a recipient who participates in the  
244 program but fails to complete the commitment or other requirements.

245 **SECTION 18.** Section 1A of chapter 15D of the General Laws, as appearing in the 2022  
246 Official Edition, is hereby amended by striking out, in lines 98 to 100, inclusive, the words “, but  
247 the number of children under the age of 16 in a large family child care home shall not exceed 10,  
248 including participating children living in the residence”.

249 **SECTION 19.** Section 2 of said chapter 15D, as so appearing, is hereby amended by  
250 adding the following 2 clauses:-

251 (v) in consultation with the data advisory commission established in section 12B,  
252 annually collect data, to the extent feasible, on: (1) the number of for-profit organizations that  
253 own or franchise centers in multiple states, which operate center-based programs in the  
254 commonwealth; (2) the number of center-based programs that are not programs pursuant to  
255 subclause (1); (3) the number of early education and care providers serving children and  
256 families; (4) the number of employees at early education and care providers, delineated by job  
257 position and full-time or part-time designation; (5) pay rates and employer-paid benefits for  
258 employees at early education and care providers, delineated by job position and full-time or part-  
259 time designation; (6) tuition charged by early education and care providers for full and part-time  
260 early education and care, delineated by age group and region; (7) the number of children enrolled  
261 by early education and care providers, delineated by region, age, type of care, family income  
262 range, race, ethnicity, country of origin, disability status, receipt of early intervention services,  
263 primary language of the household and the number of adults in the household; (8) the number of  
264 children receiving child care financial assistance, delineated by region, age, family income, race,  
265 ethnicity, country of origin, disability status, receipt of early intervention services, primary  
266 language of the household and number of adults in the household; (9) the total cost of child care  
267 financial assistance provided by the department; (10) the average monthly number of utilized and  
268 unutilized contracted slots and vouchers, delineated by region and type of care; and (11) the  
269 average monthly number of children on the department’s waitlist for child care financial  
270 assistance, delineated by region, age, type of care, family income range, race, ethnicity, country  
271 of origin, disability status, receipt of early intervention services, primary language of the  
272 household and number of adults in the household; provided, that the department shall include a  
273 summary of the data collected pursuant to this clause in the department’s annual report required  
274 pursuant to subsection (g) of section 3; and

275 (w) develop, maintain and disseminate a written early education and care informational  
276 guide, accessible through the department's website and available in multiple languages,  
277 containing resources for parents of newborns, including, but not limited to: (1) information on  
278 the short and long-term developmental benefits of a quality early education and care curriculum;  
279 (2) the department's role in licensing providers and conducting background record checks and  
280 the differences between licensed and unlicensed providers; (3) child care financial assistance  
281 eligibility requirements and application process; and (4) the website for families to access an  
282 online directory, searchable by geographic location, of licensed child care programs across the  
283 commonwealth; provided, however, that the department shall disseminate the guide at accessible  
284 locations, including, but not limited to: (A) public libraries; (B) family resource centers; (C)  
285 hospitals with maternity services; and (D) birthing centers.

286 **SECTION 20.** The first paragraph of subsection (g) of section 3 of said chapter 15D, as  
287 so appearing, is hereby amended by adding the following 2 sentences:- The report shall  
288 summarize data collected pursuant to clause (v) of the second paragraph of section 2 and shall  
289 provide information and examples on barriers to collecting data required pursuant to said clause  
290 (v). The report shall summarize data collected for the operational grant program established  
291 pursuant to section 20.

292 **SECTION 21.** Said chapter 15D is hereby further amended by inserting after section  
293 12A the following section:-

294 Section 12B. (a)(1) There shall be a data advisory commission to make recommendations  
295 to improve the use of state, provider and program-level data related to the cost, quality and  
296 utilization of early education and care services.

297 (2) The data advisory commission shall utilize data received by the department,  
298 including, but not limited to, data collected pursuant to clause (v) of the second paragraph of  
299 section 2, to identify, analyze and make recommendations on high-impact, cost-effective data  
300 strategies for assessing the needs of families and children, including, but not limited to: (i)  
301 establishing a uniform data collection and reporting system to track the data that the department  
302 is required to collect pursuant to clause (v); (ii) strengthening the department's capacity to  
303 analyze and report on staffing, scheduling and financial data to support strategic resource  
304 allocation decisions; (iii) strengthening the department's capacity to use data to inform strategic  
305 resource allocation and implementation decisions; and (iv) streamlining data reporting,  
306 including, but not limited to, eliminating duplicative reporting requirements. In making its  
307 recommendations, the commission shall consider the needs and capabilities of early education  
308 and care providers located in rural areas.

309 (b) The data advisory commission shall consist of: the commissioner of early education  
310 and care or a designee, who shall serve as chair; the secretary of education or a designee; 10  
311 members who shall have demonstrated knowledge and experience in data collection and analysis  
312 for the purpose of improving access to high-quality and affordable early education and care  
313 services, 1 of whom shall be appointed by the Massachusetts Association for Early Education &  
314 Care, Inc., 1 of whom shall be appointed by Neighborhood Villages Inc., 1 of whom shall be  
315 appointed by the Massachusetts Head Start Association, Inc., 1 of whom shall be appointed by



316 the Massachusetts Afterschool Partnership, Inc., 1 of whom shall be appointed by the Common  
317 Start Coalition, 1 of whom shall be appointed by the Massachusetts Early Childhood Funder  
318 Collaborative, 1 of whom shall be appointed by The Massachusetts Business Roundtable, Inc., 1  
319 of whom shall be appointed by the Massachusetts Business Coalition for Early Childhood  
320 Education, 1 of whom shall be appointed by Jumpstart for Young Children, Inc. and 1 of whom  
321 shall be appointed by Massachusetts Taxpayers Foundation, Inc.; and 5 members who shall be  
322 appointed by the commissioner, 1 of whom shall be a family-based early education and care  
323 provider, 1 of whom shall be a center-based early education and care provider, 1 of whom shall  
324 be a parent of a child currently enrolled in an early education and care program, 1 of whom shall  
325 have professional experience and knowledge in the area of data collection, quality and usage in  
326 establishing education policy and improving child and family outcomes and 1 of whom shall be a  
327 prospective early education and care educator enrolled in a training or degree program.  
328 Appointees on the advisory commission shall reflect geographically diverse regions of the  
329 commonwealth to ensure regional equity within the commission.

330 (c) Annually, not later than December 1, the data advisory commission shall submit a  
331 report with recommendations and findings to the clerks of the house of representatives and the  
332 senate, the house and senate committees on ways and means and the joint committee on  
333 education. The report shall be made publicly available on the department's website.

334 **SECTION 22.** Said chapter 15D is hereby further amended by adding the following 2  
335 sections:-

336 Section 19. (a) There shall be established and set up on the books of the commonwealth a  
337 separate, non-budgeted special revenue fund known as the Early Education and Care Operational  
338 Grant Fund, which shall be administered by the department. Amounts credited to the fund shall  
339 be expended, subject to appropriation, to provide a funding stream to support the operational  
340 grant program for early education and care providers in the commonwealth established pursuant  
341 to section 20. The unexpended balance in the fund at the end of a fiscal year shall remain  
342 available for expenditure in subsequent fiscal years. The fund shall not be subject to section 5C  
343 of chapter 29.

344 (b) The fund shall be credited with: (i) revenue received pursuant to clause (iii) of  
345 subsection (b) of section 25 of chapter 10; (ii) other money authorized by the general court and  
346 specifically designated to be credited to the fund; (iii) funds from public and private sources,  
347 including, but not limited to, gifts, grants and donations; and (iv) interest earned on such money.

348 Section 20. (a) The department shall establish, distribute and maintain an operational  
349 grant program for early education and care providers to provide high-quality and sustainable  
350 early education and care.

351 (b) Eligible uses for operational grants by early education and care providers shall  
352 include, but shall not be limited to: (i) salaries, benefits, bonuses, professional development and  
353 access to continuing education opportunities for staff; (ii) enabling early education and care  
354 providers to maintain or increase capacity; (iii) increasing affordability of early education and  
355 care to families, including, but not limited to, reducing tuition and fees paid by families or

356 offering scholarships to families; (iv) enabling early education and care providers to expand  
357 hours of operation to meet the needs of children and families; (v) improving facilities and  
358 physical spaces used by the early education and care provider; and (vi) enabling early education  
359 and care providers to purchase high-quality, evidence-based early literacy materials.

360 (c) As a condition for receiving operational grants pursuant to this section, early  
361 education and care providers shall respond to all data collection requests and surveys from the  
362 department.

363 (d) The department shall include in the annual report required pursuant to subsection (g)  
364 of section 3 data and analysis on the status of the operational grant program, including, but not  
365 limited to: (i) the number of total educators employed at early education and care providers  
366 receiving operational grant funding, broken down by region; (ii) the number of children enrolled  
367 at early education and care providers receiving operational grant funding; (iii) impacts of the  
368 operational grant program distribution formula on providers, families and low-income and at-risk  
369 children; (iv) an analysis of the amount of grant funding distributed to each early education and  
370 care provider, including amounts spent by each early education and care provider delineated by  
371 category of spending; (v) an analysis on the operational grant program's impact on provider  
372 sustainability, the availability of early education and care slots and the early education and care  
373 workforce; (vi) demographic data on the families served by early education and care providers,  
374 delineated by region; (vii) to the extent feasible, any data related to the family income of families  
375 served by early education and care providers, delineated by region; and (viii) an analysis on the  
376 operational grant program's impact on affordability of and access to high-quality early education  
377 and care.

378 (e) In order to prioritize low-income and at-risk children, the department shall annually  
379 distribute operational grant funding through a weighted 3-tier formula:

380 (i) providers with enrollment including at least 25 per cent of children receiving child  
381 care financial assistance shall receive not less than 50.5 per cent of operational grant funding  
382 distributed in a fiscal year;

383 (ii) providers with enrollment including at least 1 per cent but less than 25 per cent of  
384 children receiving child care financial assistance shall receive not less than 28.4 per cent of  
385 operational grant funding distributed in a fiscal year; and

386 (iii) providers serving no children receiving child care financial assistance shall receive  
387 not more than 21.1 per cent of operational grant funding distributed in a fiscal year.

388 (f) Any for-profit organization that owns or franchises centers in multiple states and  
389 which operates center-based programs in the commonwealth, shall not be eligible to receive  
390 more than 1/3 of 1 per cent of operational grant funding pursuant to subsection (e); provided,  
391 however, that providers eligible for and receiving funding pursuant to clause (i) of subsection (e)  
392 shall be eligible for more than 1/3 of 1 per cent of the operational grant funding.

393           **SECTION 23.** Section 20 of said chapter 15D, as inserted by section 22, is hereby  
394 amended by striking out subsections (e) and (f).

395           **SECTION 24.** Section 25 of chapter 22C of the General Laws, as appearing in the 2022  
396 Official Edition, is hereby amended by striking out, in line 2, the words “, which shall be written  
397 examinations.”.

398           **SECTION 25.** Said section 25 of said chapter 22C, as so appearing, is hereby further  
399 amended by inserting after the word “question”, in line 13, the following words:- or assessment.

400           **SECTION 26.** Said chapter 22C is hereby further amended by striking out section 26 and  
401 inserting in place thereof the following 2 sections:-

402           Section 26. (a) The colonel may promote uniformed members of the state police who are  
403 deemed eligible for promotion by the colonel to the title of noncommissioned officer or  
404 lieutenant. Promotional examinations to the title of noncommissioned officer or lieutenant shall  
405 include a written test and may include an assessment process designed to evaluate a uniformed  
406 member’s knowledge, skills and abilities related to the position. The assessment process, if  
407 utilized, and the written test shall be developed in consultation with, and validated by, a certified  
408 organizational psychologist. A total promotional score shall be based on the uniformed  
409 member’s promotional examination score and a longevity score.

410           (b)(1) The colonel shall promulgate regulations on the promotional process, including,  
411 but not limited to, to the validation of promotional examinations, the specific components of  
412 promotional examinations, the weighting of such components and the calculation and weighting  
413 of longevity scores. For a uniformed member who is a veteran, the regulations shall provide for  
414 the uniformed member’s promotional score on the written examination to be increased by 2 per  
415 cent and may provide for veteran status to be recognized in other ways in the promotional  
416 examination process.

417           (2) The colonel may promulgate regulations providing for minimum scores on the  
418 promotional examination, or portions thereof, to be met by uniformed members to be eligible for  
419 promotion. Such minimum scores shall be set in consultation with a certified organizational  
420 psychologist before or after administration of the relevant examination.

421           (c) To be eligible to participate in a promotional examination for the title of  
422 noncommissioned officer, a uniformed member shall, at a minimum, have completed not less  
423 than 5 years of service as a uniformed member immediately before the final date for the filing of  
424 applications for such examination and have completed, in the immediately preceding year, 1 full  
425 year of service in the next lower rank or title. To be eligible to participate in a promotional  
426 examination for the title of lieutenant, a uniformed member shall, at a minimum, have completed  
427 at least 1 year of service in the next lower rank or title immediately before the final date for the  
428 filing of applications for such examination and have completed not less than 8 years of service as  
429 a uniformed member prior to the final date for filing applications for such examination.

430 (d)(1) Prior to making any promotions under this section, the colonel shall publish and  
431 distribute in the orders of the department for each title in the department a list of the members  
432 who are eligible for promotion to each such title. Each eligible list for promotion shall be used by  
433 the colonel to fill vacancies for a period of not less than 2 years and in no circumstances more  
434 than 5 years from the initial date of publication; provided, however, that the colonel may shorten  
435 the period to less than 2 years if the colonel reasonably determines that termination of the  
436 eligible list is required to avoid a violation of law.

437 (2) The colonel shall promulgate regulations detailing how selections for promotion are  
438 to be made from the list of eligible members. The regulations may allow for the grouping of the  
439 eligibility list into bands, based on promotional scores.

440 Section 26A. (a) The colonel may promote uniformed members to the title of captain. To  
441 be eligible for promotion to the title of captain, a uniformed member shall: (i) successfully pass a  
442 promotional examination which may include a written test, an assessment process designed to  
443 evaluate a member's knowledge, skills and abilities related to the position, or a combination of  
444 an examination and an assessment process; (ii) have not less than 2 cumulative years of service  
445 in the title of lieutenant or detective lieutenant before the final date for the filing of applications  
446 for the promotional examination; and (iii) have not less than 15 years of service as a uniformed  
447 member before the final date for the filing of applications for the promotional examination. The  
448 assessment process, if utilized, and the written test, if utilized, shall be developed in consultation  
449 with, and validated by, a certified organizational psychologist.

450 (b) The colonel may promulgate regulations providing additional promotional criteria for  
451 the title of captain, which may include demonstration of leadership attributes, employment  
452 history inside and outside of the department, disciplinary history, professional development and  
453 other criteria the colonel reasonably concludes are related to the performance of the job of  
454 captain.

455 **SECTION 27.** The second paragraph of section 27 of said chapter 22C, as appearing in  
456 the 2022 Official Edition, is hereby amended by adding the following sentence:- The colonel  
457 shall promulgate regulations establishing any requirements for promotion to the title of major,  
458 including, but not limited to, any required length of term of service for promotion to the title of  
459 major.

460 **SECTION 28.** Section 28 of said chapter 22C is hereby repealed.

461 **SECTION 29.** Section 2 of chapter 23J of the General Laws is hereby amended by  
462 striking out, in lines 49 to 52, inclusive, as appearing in the 2022 Official Edition, the words "1  
463 of whom shall be the executive director of the Massachusetts Workforce Alliance, Inc.; 1 of  
464 whom shall be the commissioner of energy resources or their designee; and 8 of whom shall be  
465 appointed by the governor" and inserting in place thereof the following words:- 1 of whom shall  
466 be the commissioner of energy resources or their designee; and 9 of whom shall be appointed by  
467 the governor, 1 of whom shall have the knowledge and experience in workforce development  
468 policy and programming for the clean energy industry.

469           **SECTION 30.** Section 20 of chapter 29 of the General Laws, as so appearing, is hereby  
470 amended by inserting after the word “note”, in line 79, the following words:- , and the income  
471 surtax as defined in subsection (a) of section 2BBBBBB shall not be reduced below the  
472 dedicated transportation income surtax revenue amount as defined in said subsection (a) of said  
473 section 2BBBBBB; provided, that \$63,000,000 of the dedicated transportation income surtax  
474 revenue amount shall be for debt service on bonds or notes; provided further, than not less than  
475 \$127,000,000 of the dedicated transportation income surtax revenue amount shall be for the  
476 Massachusetts Bay Transportation Authority for operating subsidies; and provided further, that  
477 not less than \$60,000,000 of the dedicated transportation income surtax revenue amount shall be  
478 for the Massachusetts Department of Transportation for operations.

479           **SECTION 31.** Section 2TTTTT of said chapter 29, inserted by section 22 of chapter 126  
480 of the acts of 2022, is hereby amended by striking out subsection (c) and inserting in place  
481 thereof the following subsections:-

482           (c)(1) The secretary shall expend money in the fund, including all amounts credited to the  
483 fund, for payments to qualifying acute hospital providers under contract with the executive office  
484 of health and human services or under subcontracts with care organizations that contract with the  
485 executive office in connection with the MassHealth program as provided further, in paragraphs  
486 (2) to (4), inclusive.

487           (2) The secretary shall annually expend amounts from the fund averaging, for the 3 year  
488 period from October 1, 2024 through September 30, 2027, not less than \$1,787,589,184 per year;  
489 provided, however, that all such payments shall fall into 1 of the following categories: (i) health  
490 equity incentive payments; (ii) clinical quality incentive payments; (iii) other incentive  
491 payments; (iv) rate payments for services provided to MassHealth members; or (v) targeted  
492 payments to: (A) freestanding pediatric acute hospitals; or (B) nonprofit teaching acute hospitals  
493 that provide medical, surgical, emergency and obstetrical services and are affiliated with a state-  
494 owned medical school. The secretary may determine funding allocations among and within each  
495 such category within a given year; provided, however, that such allocations shall be consistent  
496 with all approved federal waivers and state plan provisions; and provided further, that the  
497 secretary shall allocate an average of not less than \$560,000,000 per year, for the 3 year period  
498 from October 1, 2024 through September 30, 2027, for the rate payments described in clause  
499 (iv).

500           (3) Of the targeted payments described in clause (iv) of paragraph (2), the secretary shall  
501 expend annually from the fund: (i) \$25,000,000 to freestanding pediatric acute hospitals, of  
502 which at least 90 per cent shall be paid to the freestanding pediatric hospital with the largest  
503 volume of inpatient discharges in fiscal year 2019; and (ii) \$25,000,000 to nonprofit teaching  
504 acute hospitals that provide medical, surgical, emergency and obstetrical services and are  
505 affiliated with a state-owned medical school.

506           (4) Of the incentive payments described in clauses (i) and (ii) of paragraph (2), the  
507 secretary shall make interim payments to qualifying hospitals based on the secretary’s estimate  
508 of each such hospital’s final payment for the measurement period, with each such estimate as  
509 determined by the secretary. As soon as practicable after the close of the measurement period,

510 the secretary shall determine the final amount of each qualifying hospital’s incentive payments  
511 and shall reconcile each hospital’s interim payment with its final payment.

512 **SECTION 32.** Section 2BBBBBB of said chapter 29, inserted by section 17 of chapter  
513 28 of the acts of 2023, is hereby amended by striking out subsection (a) inserting in place thereof  
514 the following 2 subsections:-

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

517 “Dedicated transportation income surtax revenue amount”, the amount of \$250,000,000  
518 for each fiscal year.

519 “Income surtax”, the tax pursuant to subsection (d) of section 4 of chapter 62.

520 “Income surtax revenue”, income tax revenue from the additional 4 per cent income tax  
521 levied on annual taxable income in excess of \$1,000,000, as adjusted, pursuant to Article XLIV  
522 of the Amendments to the Constitution of the Commonwealth.

523 “Remaining income surtax revenue”, in each fiscal year, the income surtax revenue less  
524 the dedicated transportation income surtax revenue amount; and in each calendar quarter, the  
525 portion of the income surtax revenue collected in such calendar quarter, less the portion  
526 attributable to the dedicated transportation income surtax revenue amount.

527 “Transportation income surtax revenue”, income tax revenue from the tax specified in  
528 subsection (d) of section 4 of chapter 62 and used for transportation purposes.

529 (a½) The dedicated transportation income surtax revenue amount shall be credited to the  
530 Commonwealth Transportation Fund established pursuant to section 2ZZZ. The sums to be  
531 credited to the Commonwealth Transportation Fund pursuant to this subsection are hereby  
532 impressed with a trust for the benefit of the holders from time-to-time of any special obligation  
533 bonds or notes payable solely from monies credited to the Commonwealth Transportation Fund  
534 as provided in section 2O.

535 **SECTION 33.** Subsection (b) of said section 2BBBBBB of said chapter 29, as appearing  
536 in said section 17 of said chapter 28, is hereby amended by inserting after the word “revenue” the  
537 following words:- , excluding the dedicated transportation income surtax revenue amount.

538 **SECTION 34.** Subsection (d) of said section 2BBBBBB of said chapter 29, as so  
539 appearing, is hereby amended by striking out the words “collected and deposited into the  
540 Education and Transportation Fund”.

541 **SECTION 35.** Subsection (e) of said section 2BBBBBB of said chapter 29, as so  
542 appearing, is hereby amended by striking out the words “collected and deposited into the  
543 Education and Transportation Fund”.

544           **SECTION 36.** Said section 2BBBBBB of said chapter 29, inserted by said section 17 of  
545 said chapter 28, is hereby amended by striking out subsections (f) and (g) and inserting in place  
546 thereof the following 2 subsections:-

547           (f) The annual spending threshold shall be equal to the prior year spending threshold, less  
548 the dedicated transportation income surtax revenue amount, plus an adjustment factor equal to  
549 the 10-year rolling rate of growth of income subject to the tax specified in subsection (d) of  
550 section 4 of chapter 62, as certified by the commissioner of revenue. For years in which the tax  
551 specified in subsection (d) of section 4 of chapter 62 was not in effect, the commissioner shall  
552 calculate the amount of income that would have been subject to the taxes, adjusted for increases  
553 in the cost of living in the same manner as described in Article XLIV of the Amendments to the  
554 Constitution of the Commonwealth and set forth pursuant to paragraph (d) of section 4 of chapter  
555 62.

556           (g) Any expenditures authorized from the Education and Transportation Fund shall be  
557 subject to sections 9B and 9C, without respect to whether such purposes would otherwise be  
558 subject to allotment.

559           **SECTION 37.** Said chapter 29 is hereby further amended by inserting after section  
560 2DDDDDD, inserted by said section 17 of said chapter 28, the following 4 sections:-

561           Section 2EEEEEE. (a) There shall be established and set up on the books of the  
562 commonwealth a separate non-budgeted special revenue fund known as the Massachusetts Child  
563 Psychiatry Access Project Fund, which shall be administered by the secretary of health and  
564 human services. There shall be credited to the fund: (i) any transfers from the Health Safety Net  
565 Trust Fund established in section 66 of chapter 118E; (ii) an amount equal to any federal  
566 financial participation revenues claimed and received by the commonwealth for eligible  
567 expenditures made from the fund; (iii) any revenue from appropriations or other money  
568 authorized by the general court and specifically designated to be credited to the fund; and (iv)  
569 interest earned on any money in the fund. Amounts credited to the fund shall be expended  
570 without further appropriation.

571           (b) The secretary shall annually make available amounts from the fund solely for the  
572 expenses of the Massachusetts Child Psychiatry Access Project operated by the department of  
573 mental health, in an amount equal to the amount described in the definition of “Massachusetts  
574 Child Psychiatry Access Project revenue amount” set forth in section 64 of chapter 118E.

575           (c) To accommodate timing discrepancies between the receipt of revenue and related  
576 expenditures, the comptroller may certify for payment amounts not to exceed the most recent  
577 revenue estimates as certified by the secretary to be transferred, credited or deposited pursuant to  
578 this section; provided, that the secretary shall, to the maximum extent possible, administer the  
579 fund to obtain federal financial participation for the expenditures of non-federal money from the  
580 fund.

581           (d) If the amount in the fund exceeds the amount sufficient to make the payments  
582 described in subsection (b), at any point in time, as determined by the secretary, the secretary

583 may transfer the state's share of such amount to the General Fund, the Health Safety Net Trust  
584 Fund established in section 66 of chapter 118E or the Managed Care Organization Services  
585 Reinvestment Fund established in section 2FFFFFFF; provided, however, that no such transfer  
586 shall cause a deficit in this fund.

587 Section 2FFFFFFF. (a) There shall be established and set up on the books of the  
588 commonwealth a separate, non-budgeted special revenue fund known as the Managed Care  
589 Organization Services Reinvestment Fund, which shall be administered by the secretary of health  
590 and human services. There shall be credited to the fund: (i) any transfers from the Health Safety  
591 Net Trust Fund established in section 66 of chapter 118E; (ii) an amount equal to any federal  
592 financial participation revenues claimed and received by the commonwealth for eligible  
593 expenditures made from the fund; (iii) any revenue from appropriations or other money  
594 authorized by the general court and specifically designated to be credited to the fund; and (iv)  
595 interest earned on any money in the fund. Amounts credited to the fund shall be expended,  
596 without further appropriation, to make payments to Medicaid managed care organizations, as  
597 defined in section 64 of chapter 118E.

598 (b) Money in the fund shall be expended for Medicaid payments under an approved state  
599 plan or federal waiver; provided, however, that all payments from the fund shall be: (i) subject to  
600 the availability of federal financial participation; (ii) made only under federally-approved  
601 payment methods; (iii) consistent with federal funding requirements and all applicable federal  
602 payment limits as determined by the secretary; and (iv) subject to the terms and conditions of  
603 applicable agreements between Medicaid managed care organizations and the executive office of  
604 health and human services.

605 (c) To accommodate timing discrepancies between the receipt of revenue and related  
606 expenditures, the comptroller may certify for payment amounts not to exceed the most recent  
607 revenue estimates as certified by the secretary to be transferred, credited or deposited under this  
608 section. The secretary shall, to the maximum extent possible, administer the fund to obtain  
609 federal financial participation for the expenditures of non-federal money from the fund. Money  
610 remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be  
611 available for expenditure in subsequent fiscal years.

612 (d)(1) The secretary shall expend money in the fund, including all amounts credited to the  
613 fund, as provided in paragraphs (2) and (3).

614 (2) The secretary shall annually expend amounts from the fund for payments to Medicaid  
615 managed care organizations, as defined in section 64 of chapter 118E, averaging, over a period  
616 of 5 years, not less than \$246,000,000 per year; provided, however, that such expenditures shall  
617 be consistent with all approved federal waivers and state plan provisions.

618 (3) Notwithstanding the requirements of this section, the secretary shall transfer from the  
619 Managed Care Organization Services Reinvestment Fund to the General Fund \$57,000,000 in  
620 state fiscal year 2025, and \$114,000,000 annually thereafter.



621 (e) If the amount in the fund exceeds the amount sufficient to make the payments  
622 described in subsection (d), at any point in time, as determined by the secretary, the secretary  
623 may transfer the state's share of such amount to the General Fund, the Health Safety Net Trust  
624 Fund established in section 66 of chapter 118E or the Massachusetts Child Psychiatry Access  
625 Project Fund established in section 2EEEEEE; provided, however, that no such transfer shall  
626 cause a deficit in this fund.

627 Section 2GGGGGG. (a) There is hereby established and set up on the books of the  
628 commonwealth a separate, non-budgeted special revenue fund known as the Disaster Relief and  
629 Resiliency Fund. There shall be credited to the fund: (i) money appropriated or transferred to the  
630 fund; (ii) funds from public or private sources specifically designated for the purposes of this  
631 section, including, but not limited to, gifts, grants, donations, rebates and settlements received by  
632 the commonwealth; (iii) repayment or reimbursement of money advanced from the fund as  
633 determined by the secretary of administration and finance; and (iv) all income derived from  
634 investment of amounts credited to the fund. Amounts credited to the fund shall be expended  
635 without further appropriation. The unexpended balance in the fund at the end of a fiscal year  
636 shall remain available for expenditure in subsequent fiscal years. No expenditure made from the  
637 fund shall cause the fund to be in deficit at any point.

638 (b)(1) The fund shall be administered by the secretary of administration and finance, in  
639 consultation with the Massachusetts emergency management agency and the climate chief, who  
640 may expend money from the fund to provide emergency disaster relief and alleviate the damage,  
641 loss, hardship or suffering caused by a natural or other catastrophic event, including, but not  
642 limited to, a hurricane, tornado, storm, extreme rain, flood, tidal wave, earthquake, volcanic  
643 eruption, landslide, mudslide, snowstorm, extreme wind, extreme heat or cold temperature,  
644 explosion, catastrophic agricultural loss, fire or drought, which may include a circumstance in  
645 which a federal disaster declaration has not been made, or to supplement or advance funding  
646 related to a federal or state disaster declaration.

647 (2) The secretary, in consultation with the Massachusetts emergency management agency  
648 and the climate chief, shall ensure that funds shall be allocated in a manner that enhances the  
649 resilience of infrastructure, including, but not limited to, nature-based solutions and  
650 strengthening protections from the impacts of future disasters.

651 (3) The executive office for administration and finance, in consultation with the  
652 Massachusetts emergency management agency and the climate chief, shall develop program  
653 regulations and guidance for the implementation of the program which shall include, but shall  
654 not be limited to, an application process, including, but not be limited to, grant applications and  
655 eligibility criteria for the distribution of money from the fund. Program regulations and guidance  
656 shall: (i) maximize existing federal and commonwealth disaster relief and recovery programs and  
657 requirements; and (ii) prioritize and incentivize utilization of available federal disaster relief and  
658 recovery programs, insurance, loss prevention and mitigation and valid legal claims for  
659 compensation.

660 (c)(1) Municipalities and other units and instrumentalities of state, local and regional  
661 government, non-profit organizations, businesses and individual residents of the commonwealth

662 shall be eligible to receive funds consistent with regulations or guidance pursuant to paragraph  
663 (3) of subsection (b).

664 (2) Payments may be distributed as reimbursements, loans, grants, matching funds,  
665 formula funds, cost share payments, debt forgiveness or as otherwise determined in regulations  
666 or guidance pursuant to paragraph (3) of subsection (b).

667 (d) Annually, not later than December 31, the secretary shall file a report with the clerks  
668 of the house of representatives and the senate, the house and senate committees on ways and  
669 means and the chairs of the joint committee on emergency preparedness and management,  
670 including: (i) all expenditures from the fund; (ii) the amount of each expenditure; (iii) recipients;  
671 (iv) the reason for each expenditure; (v) income received by the fund during that calendar year;  
672 (vi) programs developed or supported by the fund, including eligibility criteria for qualifying  
673 events and applicants for relief; and (vii) the application approval and submission process.

674 Section 2HHHHHH. (a) For the purposes of this section, the term “disadvantaged  
675 community” shall mean a municipality in the commonwealth bearing disproportionate economic,  
676 health or environmental burdens as determined by the director of the division of environmental  
677 protection within the office of the attorney general, established pursuant to section 11D of  
678 chapter 12, including, but not limited to, poverty, high unemployment, air and water pollution,  
679 disproportionate heat exposure, lack of access to green space, presence of hazardous and solid  
680 waste and material and high incidence of cardiovascular and respiratory disease and high rates of  
681 mortality.

682 (b) There shall be established and set up on the books of the commonwealth a separate,  
683 non-budgeted special revenue fund, known as the Environmental Justice Fund, which shall be  
684 administered by the director of the division of environmental protection within the office of the  
685 attorney general.

686 (c) Expenditures may be made from the fund, without further appropriation: (i) for the  
687 restoration of any natural resource or the investigation, remediation or mitigation of any  
688 environmental pollution or harm on or at any real property located in a disadvantaged  
689 community; (ii) for any project to benefit the community health or well-being, whether to  
690 address economic, environmental or other health needs of a disadvantaged community; or (iii) to  
691 contribute to an academic or government-funded research project related to environmental  
692 protection or conservation of natural resources in a disadvantaged community.

693 (d) The fund shall be credited with: (i) appropriations or other money authorized or  
694 transferred by the general court and specifically designated to be credited to the fund; (ii) funds  
695 from public or private sources, including, but not limited to gifts, grants and donations; (iii)  
696 payments from settlements, judgments, fines or penalties not designated by law for other specific  
697 statutory purposes in any action brought by the attorney general pursuant to section 11D of  
698 chapter 12 or any provision of any environmental statute that the attorney general may enforce  
699 providing for a civil penalty for a violation of such provision; and (iv) any interest earned on  
700 such funds. Funds that remain unexpended at the end of a fiscal year shall not revert to the

701 General Fund and shall be available for expenditure in subsequent fiscal years. No expenditure  
702 made from the fund shall cause the fund to be in deficit at any point.

703 **SECTION 38.** Section 58 of chapter 30 of the General Laws, as appearing in the 2022  
704 Official Edition, is hereby amended by inserting after the third paragraph the following  
705 paragraph:-

706 If an employee of the commonwealth has received payments pursuant to chapter 175M  
707 and subsequently receives workers' compensation payments pursuant to chapter 152 for the same  
708 time period, the commonwealth employer shall, on behalf of the commonwealth employee,  
709 return to the department of family and medical leave such portions of the workers' compensation  
710 payment that represent an overpayment of benefits under section 3 of chapter 175M.

711 **SECTION 39.** Section 1 of chapter 62 of the General Laws, as so appearing, is hereby  
712 amended by striking out, in line 6, the figure "2022" and inserting in place thereof the following  
713 figure:- 2024.

714 **SECTION 40.** Paragraph (a) of part B of section 3 of said chapter 62, as amended by  
715 section 7 of chapter 50 of the acts of 2023, is hereby further amended by striking out  
716 subparagraph (6).

717 **SECTION 41.** Paragraph (2) of subsection (a) of section 6 of chapter 62C of the General  
718 Laws, as appearing in section 24 of chapter 50 of the acts of 2023, is hereby amended by striking  
719 out the first sentence and inserting in place thereof the following sentence:- A married couple  
720 shall file a joint return for any year in which they file a joint federal income tax return; provided,  
721 however, that this requirement shall not apply if at least 1 spouse would not otherwise be  
722 required to make a return under paragraph (1) because their Massachusetts gross income did not  
723 exceed \$8,000.

724 **SECTION 42.** Section 6 of chapter 64H of the General Laws, as appearing in the 2022  
725 Official Edition, is hereby amended by striking out, in lines 218 and 219, the words "  
726 publications of any corporation, foundation, organization or institution described in paragraph (e)  
727 of this section,".

728 **SECTION 43.** Section 1P of chapter 69 of the General Laws, as so appearing, is hereby  
729 amended by striking out, in lines 128 to 133, inclusive, the words "1 of whom shall be a former  
730 member of the behavioral health and public schools task force who participated in the  
731 development and statewide evaluation of the self-assessment tool; 1 of whom shall be a former  
732 member of the behavioral health and public schools task force with experience implementing the  
733 framework" and inserting in place thereof the following words:- 1 of whom shall have  
734 experience implementing the self-assessment tool; 1 of whom shall have experience  
735 implementing the framework.

736 **SECTION 44.** Section 1 of chapter 90 of the General Laws, as so appearing, is hereby  
737 amended by striking out, in lines 293 to 298, inclusive, the definition of "motorized bicycle" and  
738 inserting in place thereof the following definition:-

739 “Motorized bicycle”, a pedal bicycle that has a helper motor, or a non-pedal bicycle that  
740 has a motor, with either: (i) a cylinder capacity not exceeding 50 cubic centimeters or a hybrid or  
741 electric powered equivalent; or (ii) an automatic transmission, that is capable of a maximum  
742 speed of no more than 30 miles per hour; provided, that “motorized bicycle” shall not include an  
743 electric bicycle.

744 **SECTION 45.** The definition of “Administer” in section 1 of chapter 94C of the General  
745 Laws, as so appearing, is hereby amended by striking out clause (c) and inserting in place thereof  
746 the following clause:-

747 (c) a registered pharmacist acting in accordance with: (i) regulations promulgated by the  
748 department, in consultation with the board of registration in pharmacy and the department of  
749 mental health, governing pharmacist administration of medications for treatment of mental health  
750 and substance use disorder and at the direction of a prescribing practitioner in the course of the  
751 practitioner’s professional practice; (ii) a prescription for testosterone for gender-affirming care  
752 in the course of the practitioner’s professional practice; or (iii) a prescription for the treatment of  
753 sexually transmitted infections, including those defined in regulation by the department pursuant  
754 to section 121B of chapter 111; or.

755 **SECTION 46.** Section 23 of said chapter 94C, as so appearing, is hereby amended by  
756 striking out subsection (d) and inserting in place thereof the following subsection:-

757 (d) Unless otherwise prohibited by statute, prescriptions for the following controlled  
758 substances in Schedule II or III may be filled for a maximum of a 90-day supply of such  
759 substance upon a single filling for: (i) the treatment of opioid use disorder, including, but not  
760 limited to, buprenorphine; (ii) non-opioid controlled substances, including, but not limited to,  
761 methylphenidate and testosterone; and (iii) implantable infusion pumps. All other prescriptions  
762 for controlled substances in Schedule II or III may be filled for a maximum of a 30-day supply of  
763 such substance upon a single filling. Notwithstanding this subsection, the department may  
764 provide by regulation that a prescription for a substance in Schedule II or III may be filled for a  
765 maximum of less than a 90-day supply upon a single filling if the secretary of health and human  
766 services or the board of pharmacy determines that such restriction is needed to address increased  
767 abuse of the substance.

768 **SECTION 47.** Chapter 111 of the General Laws is hereby amended by striking out  
769 section 24N and inserting in place thereof the following section:-

770 Section 24N. (a) As used in this section the following words shall, unless the context  
771 clearly requires otherwise, have the following meanings:

772 “Children”, individuals less than 19 years of age.

773 “Estimated vaccine cost”, the estimated cost over the course of a fiscal year for the  
774 purchase, storage and distribution of vaccines for all children in the commonwealth.

775 “Routine childhood immunizations”, immunizations for children until their nineteenth  
776 birthday, including: (i) the immunizations recommended by the federal Vaccines for Children  
777 Program; and (ii) any immunizations recommended by the Advisory Committee on  
778 Immunization Practices of the federal Centers for Disease Control and Prevention.

779 “Total non-federal program cost”, the estimated annual cost of vaccines needed for  
780 routine childhood immunizations for children in the commonwealth less the amount of federal  
781 revenue available to the commonwealth for purchase, storage, distribution and administration of  
782 the vaccines.

783 (b) There shall be established in the commonwealth a separate, non-budgeted special  
784 revenue fund to be known as the Vaccine Purchase Fund to support a universal purchase system  
785 for routine childhood immunizations in the commonwealth, which shall be administered by the  
786 commissioner of public health or a designee. The fund shall be credited with money transferred  
787 from the executive office of health and human services pursuant to section 66 of chapter 118E;  
788 any voluntary contributions to the fund, including, but not limited to, contributions from third-  
789 party payers or third-party administrators, as defined in section 1 of chapter 12C; and any interest  
790 earnings on such money. Amounts credited to the fund shall be expended, without further  
791 appropriation, to cover the costs to purchase, store and distribute vaccines for routine childhood  
792 immunizations and to administer the fund and the immunization registry, established pursuant to  
793 section 24M. Funds shall be expended solely to cover total non-federal program costs; provided,  
794 however, that the amount to be expended for storing and distributing vaccines for routine  
795 childhood immunizations, if such costs are not covered by federal contribution, and for the costs  
796 of administering the immunization registry, shall not exceed 10 per cent of the total amount of  
797 the fund expended for the purchase of vaccines needed for routine childhood immunizations for  
798 all children in the commonwealth. The department may incur expenses, and the comptroller may  
799 certify for payment, amounts in anticipation of the most recent estimate of expected receipts, as  
800 certified by the secretary of administration and finance; provided, however, that no expenditure  
801 shall be made from the fund that shall cause the fund to be in deficit at the close of a fiscal year.  
802 Any balance in the fund at the close of a fiscal year shall be available for expenditure in  
803 subsequent fiscal years and shall not be transferred to any other fund or revert to the General  
804 Fund. The commissioner of public health or a designee shall annually report the amount of funds  
805 collected and any expenditures made from the fund to the clerks of the house of representatives  
806 and senate, the house and senate committees on ways and means, the house and senate chairs of  
807 the joint committee on public health and the house and senate chairs of the joint committee on  
808 health care financing.

809 (c) There shall be a vaccine program advisory council consisting of the commissioner of  
810 public health or a designee, who shall serve as chair; the medical director of the universal  
811 immunization program of the department of public health established under section 24I; the  
812 executive director for the center for health information and analysis or a designee; the executive  
813 director of the commonwealth health insurance connector authority or a designee; 1 person to be  
814 appointed by the director of Medicaid, who shall be a representative of managed care  
815 organizations contracting with MassHealth; 3 persons to be appointed by the commissioner of  
816 insurance, each of whom shall be a representative of 1 of the 3 health insurance companies  
817 having the most insured lives in the commonwealth; and 7 persons to be appointed by the

818 commissioner of public health, 1 of whom shall be a representative of an employer that self-  
819 insures for health coverage who shall be appointed from lists of nominees submitted by statewide  
820 associations of employers, 1 of whom shall be a member of the Massachusetts Medical Society,  
821 1 of whom shall be a member of the Massachusetts chapter of the American Academy of  
822 Pediatrics, 1 of whom shall be a member of the Massachusetts Academy of Family Physicians,  
823 and 3 of whom shall be physicians licensed to practice in the commonwealth and who shall have  
824 expertise in the area of childhood vaccines. The council shall recommend the types of vaccines  
825 to be purchased based on a list of routine childhood immunizations and shall take into account  
826 provider preference, cost, availability and other factors as determined by the council. The council  
827 shall recommend the amount of funding needed each fiscal year by calculating the total non-  
828 federal program cost. The council shall make recommendations to the commissioner on whether  
829 the commissioner may authorize provider choice of more than 1 comparable brand or type for a  
830 routine childhood immunization vaccine. In its recommendations, the council shall examine the  
831 feasibility, costs and benefits of authorizing provider choice, provide a schedule of the cost of  
832 each comparable brand or type of a vaccine recommended for provider choice and demonstrate  
833 that the estimated vaccine cost of authorizing provider choice would not be substantially greater  
834 than the estimated vaccine cost of purchasing a single brand or type of a vaccine. The  
835 commissioner of public health shall determine the final vaccines to be purchased.

836 (d) [reserved].

837 (e) The department of public health may adopt rules and regulations as necessary to  
838 implement the universal purchase and distribution system under this chapter and other applicable  
839 state and federal laws. The rules and regulations shall establish the system by which vaccines are  
840 distributed for children in the commonwealth.

841 (f) Every individual or entity that pays for or arranges for the purchase of health care  
842 services provided by acute hospitals and ambulatory surgical center services provided by  
843 ambulatory surgical centers, including managed care organizations, as such term is defined in  
844 section 64 of chapter 118E, but excluding Title XVIII and Title XIX programs and their  
845 beneficiaries or recipients, other governmental programs of public assistance and their  
846 beneficiaries or recipients and the workers' compensation program established under chapter  
847 152, to the extent not preempted by federal law, shall provide benefits for: (i) routine childhood  
848 immunizations for residents of the commonwealth; and (ii) immunizations for residents of the  
849 commonwealth who are 19 years of age and older according to the most recent schedules  
850 recommended by the Advisory Committee on Immunization Practices of the federal Centers for  
851 Disease Control and Prevention. These benefits shall be exempt from any copayment,  
852 coinsurance, deductible or dollar limit provisions in the health insurance policy or contract.

853 **SECTION 48.** Section 121B of said chapter 111, as appearing in the 2022 Official  
854 Edition, is hereby amended by striking out, in line 7, the words "in individual patients" and  
855 inserting in place thereof the following words:- and other sexually transmitted infections suitable  
856 for expedited partner treatment based on national standards, including, but not limited to,  
857 standards outlined in the Center for Disease Control's Sexually Transmitted Infections Treatment  
858 Guidelines and as further defined in regulation by the department.

859           **SECTION 49.** Said section 121B of said chapter 111, as so appearing, is hereby further  
860 amended by striking out, in line 9, the word “Chlamydia”.

861           **SECTION 50.** Section 10F of chapter 118E of the General Laws, as so appearing, is  
862 hereby amended by striking out subsections (d) through (h), inclusive, and inserting in place  
863 thereof the following 3 subsections:-

864           (d) The division shall promulgate regulations necessary to implement the requirements of  
865 this section and shall maximize federal financial participation for state expenditures made on  
866 behalf of program enrollees.

867           (e) The division shall report quarterly to the house and senate committees on ways and  
868 means and to the joint committee on health care financing on enrollment demographics, claims  
869 expenditures and the annualized costs of said program. The division shall file notice with said  
870 committees and the secretary of administration and finance not less than 30 days before  
871 modifying program benefits and eligibility standards that are intended to ensure that program  
872 costs are limited to the funds appropriated therefore.

873           (f) The program established by this section shall not give rise to enforceable legal rights  
874 in any party or an enforceable entitlement to the services funded herein and nothing stated herein  
875 shall be construed as giving rise to such enforceable legal rights or such enforceable entitlement.

876           **SECTION 51.** Section 16C of said chapter 118E, as so appearing, is hereby amended by  
877 striking out subsections (4) and (5) and inserting in place thereof the following subsection:-

878           (4) Eligibility for and the medical benefits provided under said program shall not give  
879 rise nor be construed as giving rise to enforceable legal rights for any party or an enforceable  
880 entitlement to such eligibility or medical benefits other than to the extent that such rights or  
881 entitlements exist pursuant to the regulations of the division, the terms and conditions of the  
882 demonstration project established in said section 9A or this section. The provisions of this  
883 section shall not establish any rights or entitlements that exceed the rights or entitlements  
884 established by Title XIX in the absence of this program or impose any obligations upon the  
885 commonwealth’s administration or financing because of implementation of said program would  
886 exceed obligations established by Title XIX.

887           **SECTION 52.** Section 64 of said chapter 118E, as so appearing, is hereby amended by  
888 inserting after the definition of “Bad debt” the following definition:-

889           “Center for health information and analysis revenue amount”, an amount equal to the sum  
890 of the amount collected by the center for health information and analysis from hospitals and  
891 ambulatory surgical centers pursuant to section 7 of chapter 12C.

892           **SECTION 53.** Said section 64 of said chapter 118E, as so appearing, is hereby further  
893 amended by inserting after the definition of “Gross patient service revenue” the following  
894 definition:-

895 “Health policy commission revenue amount”, the amount collected by the health policy  
896 commission from hospitals and ambulatory surgical centers pursuant to section 6 of chapter 6D.

897 **SECTION 54.** Said section 64 of said chapter 118E, as so appearing, is hereby further  
898 amended by striking out the definitions of “Managed care organization” and “Payments subject  
899 to surcharge” and inserting in place thereof the following 7 definitions:-

900 “Health safety net managed care organization revenue amount”, an amount equal to  
901 \$160,000,000 plus 50 per cent of the estimated cost, as determined by the secretary of  
902 administration and finance, of administering the health safety net and related assessments in  
903 accordance with sections 65 to 69, inclusive.

904 “Immunization revenue amount”, the estimated costs to purchase, store and distribute  
905 vaccines for routine childhood immunizations and to administer the Vaccine Purchase Fund,  
906 established in section 24N of chapter 111, and the computerized immunization registry,  
907 established in section 24M of chapter 111, taking into consideration the limitations on  
908 expenditures described in subsection (b) of section 24N of chapter 111, as well as any anticipated  
909 surplus or deficit in said Vaccine Purchase Fund, but excluding any costs anticipated to be  
910 covered by federal contribution.

911 “Managed care organization”, any of the following entities, as defined in regulations  
912 promulgated by the secretary of health and human services: (i) an entity that is accredited  
913 pursuant to chapter 176O and that is: (A) licensed or otherwise authorized to transact accident or  
914 health insurance pursuant to chapter 175; (B) a nonprofit hospital service corporation organized  
915 pursuant to chapter 176A; (C) a nonprofit medical service corporation organized pursuant to  
916 chapter 176B; (D) a health maintenance organization organized pursuant to chapter 176G; or (E)  
917 an organization entering into a preferred provider arrangement pursuant to chapter 176I; (ii) a  
918 Medicaid managed care organization; (iii) a health care organization, as defined in section 2 of  
919 chapter 32A; (iv) a self-insured group for which a carrier provides administrative services  
920 pursuant to section 21 of chapter 176O; and (v) a health insurance plan that contracts with the  
921 commonwealth health insurance connector authority.

922 “Managed care organization reinvestment revenue amount”, a fixed amount equal to  
923 \$246,000,000.

924 “Managed care organization services subject to assessment”, each individual member  
925 enrolled per month in a managed care organization for which a premium or membership payment  
926 is made by or on behalf of the member; provided, however, that managed care organization  
927 services subject to assessment shall not include: (i) members enrolled per month in Medicare  
928 managed care organizations; (ii) members dually enrolled per month in both Medicaid and  
929 Medicare; (iii) members in a Medicaid managed care organization who are age 65 or older; (iv)  
930 members enrolled per month in limited benefit plans, including, but not limited to, dental only or  
931 vision only member months, whose services are paid for as part of a subcontract under another  
932 managed care organization; or (v) services which are preempted from taxation by section 8909(f)  
933 of title 5 of the United States Code.



934 “Massachusetts Child Psychiatry Access Project revenue amount”, an amount equal to  
935 the amounts expended for the Massachusetts Child Psychiatry Access Project that are related to  
936 services provided on behalf of commercially insured clients.

937 “Medicaid managed care organization”, a managed care organization, as defined in 42  
938 CFR 438.2, that contracts with MassHealth pursuant to an approved state plan or federal waiver.

939 **SECTION 55.** Said section 64 of said chapter 118E, as so appearing, is hereby further  
940 amended by striking out the definition of “Surcharge payor”.

941 **SECTION 56.** Said section 64 of said chapter 118E, as so appearing, is hereby further  
942 amended by striking out, in line 147, the figure “880,000,000” and inserting in place thereof the  
943 following figure:- 1,226,715,133.

944 **SECTION 57.** Said section 64 of said chapter 118E, as so appearing, is hereby further  
945 amended by striking out the definition of “Total surcharge amount” and inserting in place thereof  
946 the following definition:-

947 “Total managed care organization services assessment amount”, an amount equal, for  
948 each year, to the sum of the following in the same year: (i) the managed care organization  
949 reinvestment revenue amount; (ii) the health safety net managed care organization revenue  
950 amount; (iii) the Massachusetts Child Psychiatry Access Project revenue amount; (iv) the  
951 immunization revenue amount; (v) the health policy commission revenue amount; (vi) the center  
952 for health information and analysis revenue amount; (vii) the amount transferred, pursuant to  
953 section 66, to the Behavioral Health Access and Crisis Intervention Trust Fund established in  
954 section 2WWWW of chapter 29; and (viii) the amounts necessary to incorporate prospectively  
955 all adjustments or reconciliations to account for under-assessments in the prior year.

956 **SECTION 58.** Subsection (b) of section 66 of said chapter 118E, as amended by section  
957 60 of chapter 126 of the acts of 2022, is hereby further amended by striking out the fourth  
958 sentence and inserting in place thereof the following sentence:- Annually, the office shall transfer  
959 from the non-federal money in the fund: (A) \$149,300,000 to the Safety Net Provider Trust Fund  
960 established in said section 2AAAAA of said chapter 29; (B) \$791,915,133 to the Hospital  
961 Investment and Performance Trust Fund established in said section 2TTTTT of said chapter 29;  
962 (C) \$115,500,000 to the Population Health Investment Trust Fund established in section  
963 2UUUUU of said chapter 29; and (D) \$10,000,000 to the Non-Acute Care Hospital  
964 Reimbursement Trust Fund established in section 2WWWW of said chapter 29.

965 **SECTION 59.** Said section 66 of said chapter 118E, as amended by section 58, is hereby  
966 further amended by striking out subsection (b) and inserting in its place the following  
967 subsection:-

968 (b) The fund shall consist of: (i) all amounts paid by hospitals and managed care  
969 organizations under sections 67 and 68; (ii) all appropriations for the purpose of payments to  
970 acute hospitals or community health centers for health services provided to uninsured and

971 underinsured residents; (iii) any transfers from the Commonwealth Care Trust Fund established  
972 in section 2000 of chapter 29; (iv) any transfers from the Safety Net Provider Trust Fund  
973 established in section 2AAAAA of chapter 29; (v) any transfers from the Hospital Investment  
974 and Performance Trust Fund established in section 2TTTTT of chapter 29; (vi) any transfers  
975 from the Managed Care Organization Services Reinvestment Fund established in section  
976 2FFFFFF of chapter 29; and (vii) all property and securities acquired by and through the use of  
977 money belonging to the fund and all interest thereon. There shall also be credited to the fund an  
978 amount equal to any federal financial participation claimed and received by the commonwealth  
979 for eligible expenditures made from the fund and financed by money transferred from the  
980 Hospital Investment and Performance Trust Fund established in section 2TTTTT of chapter 29,  
981 the Managed Care Organization Services Reinvestment Fund established in section 2FFFFFF of  
982 chapter 29 or from the Safety Net Provider Trust Fund established in section 2AAAAA of  
983 chapter 29. To accommodate timing discrepancies between the receipt of such revenue and  
984 related expenditures, the comptroller may certify for payment amounts not to exceed the most  
985 recent revenue estimates as certified by the secretary of health and human services to be  
986 transferred, credited or deposited under this subsection. Annually, the office shall transfer from  
987 the non-federal money in the fund: (A) \$149,300,000 to the Safety Net Provider Trust Fund  
988 established in section 2AAAAA of chapter 29; (B) \$791,915,133 to the Hospital Investment and  
989 Performance Trust Fund established in section 2TTTTT of chapter 29; (C) \$115,500,000 to the  
990 Population Health Investment Trust Fund established in section 2UUUUU of chapter 29; (D)  
991 \$10,000,000 to the Non-Acute Care Hospital Reimbursement Trust Fund established in section  
992 2WWWW of chapter 29; (E) an amount equal to the managed care organization reinvestment  
993 revenue amount to the Managed Care Organization Services Reinvestment Fund established in  
994 section 2FFFFFF of chapter 29; (F) an amount equal to the Massachusetts Child Psychiatry  
995 Access Project revenue amount to the Massachusetts Child Psychiatry Access Project Fund  
996 established in section 2EEEEEE of chapter 29; (G) an amount equal to the health policy  
997 commission revenue amount to the Payment Reform Trust Fund established in section 7 of  
998 chapter 6D; (H) an amount equal to the immunization revenue amount to the Vaccine Purchase  
999 Fund established in section 24N of chapter 111; (I) \$33,700,000 to the Behavioral Health Access  
1000 and Crisis Intervention Trust Fund established in section 2WWWWW of chapter 29; and (J) an  
1001 amount equal to the center for health information and analysis revenue amount to the Center for  
1002 Health Information and Analysis Fund established in section 7A of chapter 12C. The office shall  
1003 expend amounts in the fund, except for amounts transferred to the Safety Net Provider Trust  
1004 Fund, the Hospital Investment and Performance Trust Fund, the Population Health Investment  
1005 Trust Fund, the Non-Acute Care Hospital Reimbursement Trust Fund, the Managed Care  
1006 Organization Services Reinvestment Fund, the Massachusetts Child Psychiatry Access Project  
1007 Fund, the Vaccine Purchase Fund, the Center for Health and Information Analysis Fund, the  
1008 Payment Reform Trust Fund and the Behavioral Health Access and Crisis Intervention Trust  
1009 Fund, for payments to hospitals and community health centers for reimbursable health services  
1010 provided to uninsured and underinsured residents, consistent with the requirements of this  
1011 section, section 69 and the regulations adopted by the office. The amount collected pursuant to  
1012 clause (vii) of the definition of total managed care organization services assessment amount in  
1013 section 64 shall be dedicated to reducing the shortfall, as described in subsection (b) of section  
1014 69, for year prior to the assessment year. The office shall also annually expend money from the  
1015 fund for the expenses of the executive office, including the health safety net office under  
1016 subsection (a), for the administration of the health safety net and related assessments. The office

1017 shall also expend not more than \$6,000,000 annually from the fund for demonstration projects  
1018 that use case management and other methods to reduce the liability of the fund to acute hospitals.  
1019 All interest earned on the amounts in the fund shall be deposited or retained in the fund. The  
1020 director shall from time-to-time requisition from the fund amounts that the director considers  
1021 necessary to meet the current obligations of the office for the purposes of the fund and estimated  
1022 obligations for a reasonable future period.

1023 **SECTION 60.** Said section 66 of said chapter 118E is hereby further amended by  
1024 striking out subsection (b), as amended by section 61 of chapter 126 of the acts of 2022, and  
1025 inserting in place thereof the following subsection:-

1026 (b) The fund shall consist of: (i) all amounts paid by hospitals and managed care  
1027 organizations under sections 67 and 68; (ii) all appropriations for the purpose of payments to  
1028 acute hospitals or community health centers for health services provided to uninsured and  
1029 underinsured residents; (iii) any transfers from the Commonwealth Care Trust Fund established  
1030 in section 2000 of chapter 29; (iv) any transfers from the Safety Net Provider Trust Fund  
1031 established in section 2AAAAA of chapter 29; (v) any transfers from the Hospital Investment  
1032 and Performance Trust Fund established in section 2TTTTT of chapter 29; (vi) any transfers  
1033 from the Managed Care Organization Services Reinvestment Fund established in section  
1034 2FFFFFF of chapter 29; and (v) all property and securities acquired by and through the use of  
1035 money belonging to the fund and all interest thereon. There shall also be credited to the fund an  
1036 amount equal to any federal financial participation claimed and received by the commonwealth  
1037 for eligible expenditures made from the fund and financed by money transferred from the  
1038 Hospital Investment and Performance Trust Fund established in section 2TTTTT of chapter 29,  
1039 the Managed Care Organization Services Reinvestment Fund established in section 2FFFFFF of  
1040 chapter 29 or from the Safety Net Provider Trust Fund established in section 2AAAAA of  
1041 chapter 29. To accommodate timing discrepancies between the receipt of such revenue and  
1042 related expenditures, the comptroller may certify for payment amounts not to exceed the most  
1043 recent revenue estimates as certified by the secretary of health and human services to be  
1044 transferred, credited or deposited under this subsection. Annually, the office shall transfer an  
1045 amount equal to all amounts paid by privately-owned, nonfederal hospitals under subsection (b)  
1046 of section 67 to the Non-Acute Care Hospital Reimbursement Trust Fund established in section  
1047 2WWWW of chapter 29. The office shall annually transfer from the non-federal money in the  
1048 fund: (A) an amount equal to the managed care organization reinvestment revenue amount to the  
1049 Managed Care Organization Services Reinvestment Fund established in section 2FFFFFF of  
1050 chapter 29; (B) an amount equal to the Massachusetts Child Psychiatry Access Project revenue  
1051 amount to the Massachusetts Child Psychiatry Access Project Fund established in section  
1052 2EEEEEE of chapter 29; (C) an amount equal to the health policy commission revenue amount  
1053 to the Payment Reform Trust Fund established in section 7 of chapter 6D; (D) an amount equal  
1054 to the immunization revenue amount to the Vaccine Purchase Fund established in section 24N of  
1055 chapter 111; (E) \$33,700,000 to the Behavioral Health Access and Crisis Intervention Trust Fund  
1056 established in section 2WWWWW of chapter 29; and (F) an amount equal to the center for  
1057 health information and analysis revenue amount to the Center for Health Information and  
1058 Analysis Fund established in section 7A of chapter 12C. The office shall expend amounts in the  
1059 fund, except for amounts transferred to the Non-Acute Care Hospital Reimbursement Trust  
1060 Fund, the Managed Care Organization Services Reinvestment Fund, the Massachusetts Child

1061 Psychiatry Access Project Fund, the Vaccine Purchase Fund, the Center for Health Information  
1062 and Analysis Fund, the Payment Reform Trust fund and the Behavioral Health Access and Crisis  
1063 Intervention Trust Fund, for payments to hospitals and community health centers for  
1064 reimbursable health services provided to uninsured and underinsured residents, consistent with  
1065 the requirements of this section, section 69 and the regulations adopted by the office. The  
1066 amount collected pursuant to clause (vii) of the definition of total managed care organization  
1067 services assessment amount in section 64 shall be dedicated to reducing the shortfall, as  
1068 described in subsection (b) of section 69, for year prior to the assessment year. The office shall  
1069 also annually expend money from the fund for the expenses of the executive office, including the  
1070 health safety net office under subsection (a), for the administration of the health safety net and  
1071 related assessments. The office shall also expend not more than \$6,000,000 annually from the  
1072 fund for demonstration projects that use case management and other methods to reduce the  
1073 liability of the fund to acute hospitals. Any annual balance remaining in the fund after these  
1074 payments have been made shall be retained in the fund and shall not revert to the General Fund.  
1075 All interest earned on the amounts in the fund shall be deposited or retained in the fund. The  
1076 director shall from time-to-time requisition from the fund amounts that the director considers  
1077 necessary to meet the current obligations of the office for the purposes of the fund and estimated  
1078 obligations for a reasonable future period.

1079           **SECTION 61.** Said chapter 118E is hereby further amended by striking out section 67,  
1080 as amended by section 62 of chapter 126 of the acts of 2022, and inserting in place thereof the  
1081 following section:-

1082           Section 67. (a) Subject to all required federal approvals, including any required waivers  
1083 under 42 CFR 433.68, a hospital's annual liability to the fund shall be calculated in accordance  
1084 with this section. The annual aggregate liability of all hospitals to the fund shall equal the total  
1085 hospital assessment amount.

1086           (b) [reserved].

1087           (c) The office shall promulgate regulations to establish an appropriate mechanism for  
1088 enforcing each hospital's liability to the fund if a hospital does not make a scheduled payment to  
1089 the fund.

1090           (d) For the purposes of the assessment described in this section, all hospitals in the  
1091 commonwealth shall be divided into the following 6 groups:

1092           (i) group 1 safety net hospitals, defined for the purposes of this section as any hospital  
1093 identified as a group 1 safety net hospital in the MassHealth demonstration waiver approved  
1094 September 28, 2022, effective October 1, 2022 through December 31, 2027, under subsection (a)  
1095 of section 1115 of Title XI of the federal Social Security Act;

1096           (ii) group 2 safety net hospitals, defined for the purposes of this section as any hospital  
1097 identified as a group 2 safety net hospital in the MassHealth demonstration waiver approved  
1098 September 28, 2022, effective October 1, 2022 through December 31, 2027, under subsection (a)  
1099 of section 1115 of Title XI of the federal Social Security Act;

1100 (iii) academic, teaching and specialty hospitals, defined for the purposes of this section as  
1101 any academic medical center, teaching hospital or specialty hospital, as determined by the center  
1102 for health information and analysis as of September 30, 2019, but excluding any safety net  
1103 hospital;

1104 (iv) private acute hospitals, defined for the purposes of this section as any private hospital  
1105 licensed under section 51 of chapter 111 and that contains a majority of medical-surgical,  
1106 pediatric, obstetric and maternity beds, as defined by the department of public health, and  
1107 operating as of September 30, 2019, but excluding any safety net hospital or academic, teaching  
1108 and specialty hospital;

1109 (v) non-state public hospitals, defined for the purposes of this section as any non-state-  
1110 owned public hospital in the commonwealth, as determined by the secretary of health and human  
1111 services; and

1112 (vi) non-acute hospitals, defined for the purposes of this section as any nonpublic hospital  
1113 licensed by the department of public health under section 51 of chapter 111 but not defined as an  
1114 acute care hospital under section 25B of chapter 111 or any nonpublic hospital licensed as an  
1115 inpatient facility by the department of mental health under section 19 of chapter 19 and  
1116 regulations promulgated thereunder but not categorized as a class VII licensee under the  
1117 regulations.

1118 (e) Each of the 6 groups described in subsection (d) shall be subject to the following  
1119 assessment rates: (i) group 1 safety net hospitals shall be subject to a rate of 16.05430 per cent  
1120 for inpatient services and 4.90000 per cent for outpatient services; (ii) group 2 safety net  
1121 hospitals shall be subject to a rate of 16.05430 per cent for inpatient services and 9.30000 per  
1122 cent for outpatient services; (iii) academic, teaching and specialty hospitals shall be subject to a  
1123 rate of 4.66730 per cent for inpatient services and 0.74400 per cent for outpatient services; (iv)  
1124 private acute hospitals shall be subject to a rate of 8.58690 per cent for inpatient services and  
1125 0.89340 per cent for outpatient services; (v) non-state public hospitals shall be subject to a rate of  
1126 1.61490 per cent for inpatient services and 0.55320 per cent for outpatient services; and (vi) non-  
1127 acute hospitals shall be subject to a rate of 3.30000 per cent for inpatient services and 3.30000  
1128 per cent for outpatient services; provided, however, that the office shall increase each such rate  
1129 by the amount necessary to generate 50 per cent of the estimated cost, as determined by the  
1130 secretary of administration and finance, of administering the health safety net and related  
1131 assessments in accordance with sections 65 to 69, inclusive.

1132 (f) The assessment rates described in subsection (e) shall be applied to each hospital's  
1133 fiscal year 2019 assessed charges for inpatient and outpatient services, as determined by the  
1134 secretary of health and human services; provided, however, that the term "assessed charges"  
1135 shall have the meaning ascribed to it in section 64. The total of the resulting products shall equal  
1136 a hospital's annual assessment liability.

1137 (g) Subject to receipt of all required federal approvals, the executive office shall  
1138 implement the assessment structure described in this section and shall promulgate regulations, in

1139 consultation with the Massachusetts Health and Hospital Association, Inc., necessary to support  
1140 implementation of the assessment structure. In promulgating such regulations, and in  
1141 consultation with the Massachusetts Health and Hospital Association, Inc., the executive office  
1142 shall, at a minimum: (i) specify an appropriate mechanism for determination and payment of an  
1143 acute hospital's liability to the fund; (ii) identify the hospitals that belong to each group  
1144 identified in subsection (d); (iii) specify an appropriate mechanism for the determination of a  
1145 hospital's liability in cases of merger or transfer of ownership; and (iv) specify an appropriate  
1146 mechanism by which any amounts paid by a hospital in excess of a hospital's total annual  
1147 assessment liability may be refunded or otherwise credited to the hospital.

1148 **SECTION 62.** Said chapter 118E is hereby further amended by striking out section 68  
1149 and inserting in place thereof the following section:-

1150 Section 68. (a) Subject to all required federal approvals, including any required waivers  
1151 under 42 CFR 433.68, a managed care organization's annual liability to the fund shall be  
1152 calculated in accordance with this section. The annual aggregate liability of all managed care  
1153 organizations to the fund shall equal the total managed care organization services assessment  
1154 amount.

1155 (b) The assessment shall be paid to the Health Safety Net Trust Fund, established in  
1156 section 66, by managed care organizations rendering managed care organization services subject  
1157 to assessment on a monthly basis and shall be assessed on all managed care organization services  
1158 subject to assessment on a per member per month basis.

1159 (c) All managed care organization services subject to assessment shall be divided into 1  
1160 of the following assessment groups; provided, however, that the secretary of health and human  
1161 services may, by regulation, establish further sub-groups within each assessment group:

1162 (i) managed care organization services subject to assessment provided by a managed care  
1163 organization that is not a Medicaid managed care organization;

1164 (ii) managed care organization services subject to assessment provided by a Medicaid  
1165 managed care organization that has an average total Medicaid member per month enrollment  
1166 below a threshold established by the secretary of health and human services in its regulations;  
1167 and

1168 (iii) managed care organization services subject to assessment provided by a Medicaid  
1169 managed care organization that has an average total Medicaid member per month enrollment at  
1170 or above a threshold established by the secretary of health and human services in its regulations.

1171 (d) The assessment rates for each assessment group shall be multiplied by each managed  
1172 care organization's managed care organization services subject to assessment, as determined by  
1173 the secretary of health and human services. The total of the resulting products shall equal a  
1174 managed care organization's annual assessment liability.

1175 (e) Subject to receipt of all required federal approvals, the secretary of health and human  
1176 services shall implement the assessment structure described in this section and shall promulgate  
1177 regulations necessary to support implementation of said assessment structure. In promulgating  
1178 such regulations, the secretary of health and human services shall, at a minimum: (i) establish  
1179 assessment groups, in accordance with subsection (c), into which all managed care organization  
1180 services subject to assessment are divided; (ii) set assessment rates for each such assessment  
1181 group, sufficient in the aggregate to generate in each fiscal year the total managed care  
1182 organization services assessment amount; (iii) establish any necessary reporting requirements for  
1183 managed care organizations; (iv) establish an appropriate mechanism for enforcing each  
1184 managed care organization's liability to the Health Safety Net Trust Fund, established in section  
1185 66, if a managed care organization rendering managed care organization services subject to  
1186 assessment does not make a scheduled payment to the Health Safety Net Trust Fund; (v) specify  
1187 an appropriate mechanism for determination and payment of a managed care organization's  
1188 liability to the Health Safety Net Trust Fund; (vi) identify the managed care organization services  
1189 subject to assessment under each group established pursuant to subsection (c); (vii) specify an  
1190 appropriate mechanism for the determination of a managed care organization's liability in cases  
1191 of merger or transfer of ownership; and (viii) specify an appropriate mechanism by which any  
1192 amounts paid by a managed care organization in excess of its total annual assessment liability  
1193 may be refunded or otherwise credited to the managed care organization.

1194 **SECTION 63.** Section 69A of chapter 118E of the General Laws is hereby repealed.

1195 **SECTION 64.** Said chapter 118E is hereby further amended by adding the following 2  
1196 sections:-

1197 Section 83. (a) For the purposes of this section and section 84, the following words shall,  
1198 unless the context clearly requires otherwise, have the following meanings:

1199 "Health safety net", the payment program established and administered in accordance  
1200 with sections 8A and 64 through 69, inclusive.

1201 "Health safety net patient", an individual served by a health safety net provider whose  
1202 services are paid for through the health safety net.

1203 "Over the counter oral contraceptive", a nonprescription oral contraceptive approved or  
1204 otherwise authorized by the federal Food and Drug Administration.

1205 (b) Notwithstanding any general or special law to the contrary, a physician who is  
1206 registered to prescribe or dispense a controlled substance in the course of professional practice  
1207 pursuant to section 7 of chapter 94C and is designated by the assistant secretary for the division  
1208 may issue a standing order that may be used for a licensed pharmacist to dispense an over the  
1209 counter oral contraceptive to a MassHealth member or a health safety net patient.

1210 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may  
1211 dispense an over the counter oral contraceptive in accordance with the standing order issued  
1212 pursuant to subsection (b) to a MassHealth member or a health safety net patient. Except for an

1213 act of gross negligence or willful misconduct, a licensed pharmacist who, acting in good faith,  
1214 dispenses an over the counter oral contraceptive consistent with the standing order shall not be  
1215 subject to any criminal or civil liability or any professional disciplinary action by the board of  
1216 registration in pharmacy related to the use of an over the counter oral contraceptive.

1217 (d) A licensed pharmacist who dispenses an over the counter oral contraceptive pursuant  
1218 to this section to a MassHealth member or a health safety net patient shall submit a claim to  
1219 MassHealth or the health safety net, as applicable.

1220 (e) Except for an act of gross negligence or willful misconduct, the assistant secretary for  
1221 the division or a physician who issues the standing order pursuant to subsection (b) and any  
1222 practitioner who, acting in good faith, directly or through the standing order, prescribes or  
1223 dispenses an over the counter oral contraceptive to a MassHealth member or health safety net  
1224 patient shall not be subject to any criminal or civil liability or any professional disciplinary  
1225 action.

1226 (f) The division may adopt regulations or issue written guidance to implement this  
1227 section.

1228 Section 84. (a) For the purposes of this section, the words “prenatal vitamin” shall, unless  
1229 the context clearly requires otherwise, mean an oral multivitamin for supporting health during  
1230 pregnancy.

1231 (b) Notwithstanding any general or special law to the contrary, a physician who is  
1232 registered to prescribe or dispense a controlled substance in the course of professional practice  
1233 pursuant to section 7 of chapter 94C and is designated by the assistant secretary for the division  
1234 may issue a standing order that may be used for a licensed pharmacist to dispense a prenatal  
1235 vitamin to a MassHealth member or health safety net patient.

1236 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may  
1237 dispense a prenatal vitamin in accordance with the standing order issued pursuant to subsection  
1238 (b) to a MassHealth member or health safety net patient. Except for an act of gross negligence or  
1239 willful misconduct, a licensed pharmacist who, acting in good faith, dispenses a prenatal vitamin  
1240 consistent with the standing order shall not be subject to any criminal or civil liability or any  
1241 professional disciplinary action by the board of registration in pharmacy related to the use of a  
1242 prenatal vitamin.

1243 (d) A licensed pharmacist who dispenses a prenatal vitamin pursuant to this section to a  
1244 MassHealth member or health safety net patient shall submit a claim to MassHealth or the health  
1245 safety net, as applicable.

1246 (e) Except for an act of gross negligence or willful misconduct, the assistant secretary for  
1247 the division or a physician who issues the standing order pursuant to subsection (b) and any  
1248 practitioner who, acting in good faith, directly or through the standing order, prescribes or  
1249 dispenses a prenatal vitamin to a MassHealth member or health safety net patient shall not be  
1250 subject to any criminal or civil liability or any professional disciplinary action.



1251 (f) The division may adopt regulations or issue written guidance to implement this  
1252 section.

1253 **SECTION 65.** Section 1 of chapter 125 of the General Laws, as appearing in the 2022  
1254 Official Edition, is hereby amended by striking out, in lines 32 and 40 and 41, the words  
1255 “Massachusetts Correctional Institution, Concord;”.

1256 **SECTION 66.** Section 1 of chapter 175M of the General Laws, as so appearing, is  
1257 hereby amended by inserting after the words “chapter 19A”, as inserted by section 35 of chapter  
1258 77 of the acts of 2023, the following words:- , whose wages from working as a consumer  
1259 directed care worker meet the financial eligibility requirements of said subsection (a) of said  
1260 section 24 of said chapter 151A.

1261 **SECTION 67.** Subsection (b) of section 7 of said chapter 175M, as so appearing, is  
1262 hereby amended by striking out the first sentence and inserting in place thereof the following  
1263 sentence:- The costs of administering the department under this chapter shall be paid from the  
1264 trust fund and in each fiscal year shall not exceed 5 per cent of the amount remaining in the trust  
1265 fund at the end of the previous fiscal year; provided, that regardless of the trust fund’s balance at  
1266 the end of a fiscal year, in no fiscal year shall the amount available to the director for  
1267 administering the department decrease by more than 5 per cent from the previous year.

1268 **SECTION 68.** Section 3 of chapter 258C of the General Laws, as so appearing, is hereby  
1269 amended by striking out, in line 15, the figure “\$8,000” and inserting in place thereof the  
1270 following figure:- \$13,000.

1271 **SECTION 69.** Said section 3 of said chapter 258C, as so appearing, is hereby further  
1272 amended by striking out, in line 22, the figure “\$800” and inserting in place thereof the following  
1273 figure:- \$4,000.

1274 **SECTION 70.** Said section 3 of said chapter 258C, as so appearing, is hereby further  
1275 amended by striking out, in line 105, the figure “\$500” inserting in place thereof the following  
1276 figure:- \$3,000.

1277 **SECTION 71.** Chapter 262 of the General Laws is hereby amended by striking out  
1278 section 24 and inserting in place thereof the following section:-

1279 Section 24. (a) The maximum fee to be charged by a person authorized to take bail or  
1280 release on personal recognizance in the case of a person arrested for any misdemeanor or felony  
1281 shall be \$80.

1282 (b) The trial court shall be responsible for paying fees charged to take bail outside of  
1283 regular working hours pursuant to this section and any fee charged pursuant to this section for a  
1284 bail taken outside of regular working hours shall be charged only to the trial court. Fee splitting  
1285 arrangements shall be prohibited.

1286 (c) A person authorized to take bail may administer through wire or electronic means any  
1287 oath or affirmation required in the course of taking bail or releasing on personal recognizance.  
1288 No person authorized to take bail shall delegate: (i) the setting or taking of bail; or (ii) the setting  
1289 or taking of release on personal recognizance to any other person.

1290 (d) A person authorized to take bail shall receive the fee under subsection (a) after  
1291 determining the terms of release and the prisoner ultimately recognizes out-of-court.

1292 **SECTION 72.** Sections 25, 66 and 187 of chapter 126 of the acts of 2022 are hereby  
1293 repealed.

1294 **SECTION 73.** Sections 157 to 159, inclusive, of said chapter 126 are hereby repealed.

1295 **SECTION 74.** Section 186 of said chapter 126 is hereby amended by striking out the  
1296 words “, 63 and 159” and inserting in place thereof the following words:- and 63.

1297 **SECTION 75.** Notwithstanding section 6 of chapter 6D of the General Laws, section 7  
1298 of chapter 12C of the General Laws, section 24N of chapter 111 of the General Laws, section  
1299 69A of chapter 118E of the General Laws or any other general or special law to the contrary, the  
1300 surcharges to be collected pursuant to said section 6 of said chapter 6D, said section 7 of said  
1301 chapter 12C, said section 24N of said chapter 111 and said section 69A of said chapter 118E  
1302 shall be collected for the period beginning with the start of the applicable assessment year for  
1303 each such surcharge through December 31, 2024 and shall not be collected for the period  
1304 beginning January 1, 2025 through the end date of the applicable assessment year; provided,  
1305 however, that any payment obligation of any surcharge payor pursuant to said section 6 of said  
1306 chapter 6D, said section 7 of said chapter 12C, said section 24N of said chapter 111 or said  
1307 section 69A of said chapter 118E existing as of December 31, 2024, shall survive until such  
1308 transfer or payment obligation is satisfied. The secretary of health and human services may  
1309 promulgate regulations to implement this section.

1310 **SECTION 76.** (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the  
1311 General Laws or any other general or special law to the contrary, the commissioner of capital  
1312 asset management and maintenance may sell, lease for a term not to exceed 99 years, transfer or  
1313 otherwise dispose of real property, known as the Massachusetts Correctional Institution,  
1314 Concord, which is used for correctional purposes, in the town of Concord. The commissioner of  
1315 capital asset management and maintenance may determine the final boundaries of the parcels to  
1316 be conveyed after the completion of a survey.

1317 (b) The commissioner of capital asset management and maintenance shall dispose of the  
1318 Massachusetts Correctional Institution, Concord real property: (i) by utilizing appropriate  
1319 competitive processes and procedures; or (ii) through a sales-partnership agreement in  
1320 accordance with subsection (c) with the town of Concord. Such competitive processes may  
1321 include, without limitation, absolute auction, sealed bids and requests for price and development  
1322 proposals. The real property shall be conveyed without warranties or representations by the  
1323 commonwealth and shall be on such terms and conditions as the commissioner determines.

1324 (c) A sales-partnership agreement pursuant to subsection (b) may: (i) require the town of  
1325 Concord to conduct a competitive process and select a developer prior to disposition of the real  
1326 property by the commonwealth; provided, that the commissioner of capital asset management  
1327 and maintenance may transfer the real property directly to the developer selected by the town of  
1328 Concord; or (ii) authorize the town of Concord to sell or lease the real property directly to a  
1329 developer pursuant to chapter 30B of the General Laws. The consideration for the disposition of  
1330 real property to the town of Concord pursuant to a sales-partnership agreement shall be \$1. If the  
1331 town of Concord sells or leases any portion of the real property or the commonwealth disposes of  
1332 real property directly to the developer selected by the town of Concord pursuant to a sales-  
1333 partnership agreement, the net proceeds from such sale or lease as agreed to by the commissioner  
1334 of capital asset management and maintenance and the town of Concord shall be allocated  
1335 between the town of Concord and the commonwealth in equal shares; provided, however, that  
1336 the commissioner may agree to reduce the share of the commonwealth's proceeds to not less  
1337 than 40 per cent of the net proceeds in order to provide certain incentives to expedite the sale,  
1338 lease or permitting of redevelopment by the town of Concord.

1339 (d) Notwithstanding subsection (b) and subject to subsections (f) through (j), inclusive,  
1340 the commissioner of capital asset management and maintenance may transfer the waste water  
1341 treatment facility located at Massachusetts Correctional Institution, Concord and any other real  
1342 property necessary thereto to the town of Concord for a direct public use, as defined in section 33  
1343 of chapter 7C of the General Laws; provided, that the town of Concord shall have not less than  
1344 90 days to accept the commissioner's offer to acquire the property. Upon a refusal of the town of  
1345 Concord of the commissioner's offer, including the expiration of said offer, the commissioner  
1346 may dispose of the waste water treatment facility and any other real property necessary thereto  
1347 pursuant to said subsection (b).

1348 (e) Not less than 30 days before the date of an auction or the date on which bids or  
1349 proposals or other offers to purchase or lease the real property are due, the commissioner of  
1350 capital asset management and maintenance shall place a notice in the central register published  
1351 by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the  
1352 availability of such property, the nature of the competitive process and other information deemed  
1353 relevant, including the time and location of the auction, the submission of bids or proposals and  
1354 the opening thereof; provided, however, that the commissioner shall not be required to place said  
1355 notice if the property is conveyed to the town of Concord or a developer selected by the town of  
1356 Concord in accordance with a sales-partnership agreement. Not less than 30 days before the date  
1357 of an auction or the date on which bids or proposals or other offers to purchase or lease the real  
1358 property are due, the commissioner of capital asset management and maintenance shall notify, in  
1359 writing regarding the availability of such property, the chair of the select board of the town of  
1360 Concord and the members of the general court representing the town.

1361 (f) The commissioner of capital asset management and maintenance shall establish the  
1362 value of the real property through procedures customarily accepted by the appraising profession  
1363 as valid for determining property value. The value shall be calculated both for: (i) the highest and  
1364 best use of the property as may be encumbered; and (ii) subject to uses, restrictions and  
1365 encumbrances defined by the commissioner. The commissioner shall submit the appraisal  
1366 required by this subsection to the inspector general for review and comment. The inspector

1367 general shall review and approve the appraisal, and the review shall include an examination of  
1368 the methodology utilized for the appraisal. The inspector general shall prepare a report of the  
1369 review and file the report with the commissioner of capital asset management and maintenance  
1370 for submission by the commissioner to the house and senate committees on ways and means and  
1371 the joint committee on state administration and regulatory oversight. The commissioner shall  
1372 submit copies of the appraisal and the inspector general's review and approval and comments, if  
1373 any, to the house and senate committees on ways and means and the joint committee on state  
1374 administration and regulatory oversight not less than 15 days prior to the execution of documents  
1375 effecting the transfers authorized by this section.

1376 (g) The commissioner of capital asset management and maintenance shall place a notice  
1377 in the central register identifying the municipality, public agency, individual or firm selected as  
1378 the party to such real property transaction, along with the amount of such transaction. If the  
1379 commissioner accepts an amount below the value calculated pursuant to subsection (f), the  
1380 commissioner shall include the justification therefor, specifying the difference between the  
1381 calculated value and the price received.

1382 (h) The commissioner of capital asset management and maintenance may retain or grant  
1383 rights of way or easements for access, egress, utilities and drainage across the property described  
1384 in subsection (a) and across other property owned by the commonwealth that is contiguous to the  
1385 property described in subsection (a) and may accept such rights of way or easements for access,  
1386 egress, utilities and drainage as the commissioner considers necessary and appropriate to carry  
1387 out this section.

1388 (i) No agreement for the sale, lease, transfer or other disposition of real property pursuant  
1389 to this section and no deed, executed by or on behalf of the commonwealth, shall be valid unless  
1390 such agreement or deed contains a certification, signed by the commissioner of capital asset  
1391 management and maintenance that certifies compliance with this section and which includes the  
1392 following statement:

1393 "The undersigned certifies under penalties of perjury that I have fully complied with the  
1394 requirements of law related to any real property transfer of the parcel of land known as  
1395 Massachusetts Correctional Institution, Concord."

1396 (j) No agreement for the sale, lease, transfer or other disposition of real property pursuant  
1397 to this section shall be valid unless the purchaser or lessee has executed and filed with the  
1398 commissioner of capital asset management and maintenance the statement required by section 38  
1399 of chapter 7C of the General Laws.

1400 (k) The grantee or lessee of any real property disposed of pursuant to this section shall be  
1401 responsible for all costs, including, but not limited to, appraisals, surveys, plans, recordings and  
1402 any other expenses relating to the transfer as shall be deemed necessary by the commissioner of  
1403 capital asset management and maintenance.

1404 **SECTION 77.** Notwithstanding section 59 of chapter 23K of the General Laws or any  
1405 other general or special law to the contrary, 100 per cent of the revenue received from a category

1406 1 licensee, as defined in section 2 of said chapter 23K, pursuant to subsection (a) of section 55 of  
1407 said chapter 23K in fiscal year 2025 shall be transferred as follows:

1408 (i) 30.1 per cent to the Gaming Local Aid Fund established in section 63 of said chapter  
1409 23K;

1410 (ii) 20.6 per cent to the Commonwealth Transportation Fund established in section 2ZZZ  
1411 of chapter 29 of the General Laws;

1412 (iii) 19.4 per cent to the Education Fund established in section 64 of said chapter 23K;

1413 (iv) 13.2 per cent to the Gaming Economic Development Fund established in section  
1414 2DDDD of said chapter 29;

1415 (v) 6.2 per cent to the Local Capital Projects Fund established in section 2EEEE of said  
1416 chapter 29;

1417 (vi) 5 per cent to the Public Health Trust Fund established in section 58 of said chapter  
1418 23K;

1419 (vii) 2.5 per cent to the Race Horse Development Fund established in section 60 of said  
1420 chapter 23K;

1421 (viii) 2 per cent of revenues to the Massachusetts Cultural and Performing Arts  
1422 Mitigation Trust Fund established in section 2HHHHH of said chapter 29; and

1423 (ix) 1 per cent to the Massachusetts Tourism Fund to fund tourist promotion agencies  
1424 under subsection (b) of section 13T of chapter 23A of the General Laws.

1425 **SECTION 78.** Notwithstanding section 186 of chapter 126 of the acts of 2022, sections  
1426 23, 24, 57, 61 and 63 of said chapter 126 shall take effect on October 1, 2027; provided,  
1427 however, that any transfer or payment obligation existing pursuant to the second paragraph of  
1428 section 2AAAAA of chapter 29 of the General Laws, subsection (c) of section 2TTTTT of said  
1429 chapter 29 or subsection (c) of section 2UUUUU of said chapter 29, as of September 30, 2027,  
1430 shall survive the effective date of this section until such transfer or payment obligation is  
1431 satisfied.

1432 **SECTION 79.** (a) There shall be a special commission to study cost-of-living  
1433 adjustments for members of the state employees' retirement system and state teachers' retirement  
1434 system. The study shall include, but shall not be limited to: (i) a review of the feasibility of  
1435 possible increases in the maximum base amount, on which timely periodic cost-of living  
1436 adjustments are calculated; (ii) an estimate of the fiscal impact of an increase pursuant to clause  
1437 (i); and (iii) sustainable methods of funding timely periodic cost-of-living adjustments for  
1438 members of said systems. The commission may request, and the public employee retirement  
1439 administration commission and the Massachusetts teachers' retirement board shall provide,  
1440 actuarial reports and studies relevant to carry out the work of this section.

1441 (b) The commission shall consist of the following members or their designees: the chairs  
1442 of the joint committee on public service; the secretary of administration and finance; the  
1443 executive director of the public employee retirement administration commission; a representative  
1444 of the pension reserves investment management board; a representative of the Massachusetts  
1445 Taxpayers Foundation, Inc.; and 3 members to be appointed by the governor: 1 of whom shall be  
1446 a representative appointed by the Retired State, County and Municipal Employees Association of  
1447 Massachusetts, 1 of whom shall be a representative appointed by the state board of retirement  
1448 and 1 of whom shall be a representative appointed by the Massachusetts teachers' retirement  
1449 board. The board shall elect from its members a chair.

1450 (c) Not later than February 1, 2025, the commission shall file a report with the clerks of  
1451 the house of representatives and the senate providing the results of its study and its  
1452 recommendations, if any, together with drafts of proposed legislation necessary to carry its  
1453 recommendations into effect.

1454 **SECTION 80.** (a) There is hereby established a working group to develop and identify  
1455 the future needs of the public higher education system to provide affordable, equitable and  
1456 competitive higher education in the commonwealth.

1457 (b) The working group shall include, but shall not be limited to: the secretary of  
1458 administration and finance or a designee; the secretary of the executive office of education or a  
1459 designee; the Massachusetts climate chief or a designee; the commissioner of higher education or  
1460 a designee; the commissioner of the division of capital asset management and maintenance or a  
1461 designee; the executive director of the Massachusetts clean energy center or a designee; the  
1462 chairs of the joint committee on higher education; the chairs of the joint committee on bonding; a  
1463 representative of the Massachusetts association of community colleges; a representative of the  
1464 University of Massachusetts Building Authority; and a representative of the Massachusetts State  
1465 College Building Authority.

1466 (c) The working group shall study and report on: (i) the feasibility and impacts of  
1467 establishing a permanent financing structure using income surtax revenues for the issuance of  
1468 debt for the benefit of public higher education capital needs; (ii) support for the University of  
1469 Massachusetts Building Authority and the Massachusetts State College Building Authority to  
1470 identify and finance investments in public higher education infrastructure; (iii) the capital  
1471 funding necessary for public higher education campuses, broken down by campus; (iv) potential  
1472 federal sources of reimbursement or grant funding for public higher education capital projects;  
1473 (v) a prioritization process for public higher education capital needs; (vi) the total bonding  
1474 capacity available for a public higher education capital projects bond legislation, including  
1475 recommendations for the use of any general or special obligation bonds; (vii) a recommendation  
1476 for a funding amount for future bond legislation for public higher education capital needs; (viii)  
1477 potential processes for application, approval, design and delivery of capital projects for public  
1478 higher education campuses; and (ix) possible investments for future bond legislation for public  
1479 higher education capital needs, including, but not limited to, decarbonization, deferred  
1480 maintenance and facilities improvement for the public higher education system of the  
1481 commonwealth.

1482 (d) Not later than March 1, 2025, the working group shall submit its report, including any  
1483 proposed legislation necessary to carry out its recommendations, to the governor, the clerks of  
1484 the house of representatives and the senate, the house and senate committees on ways and means,  
1485 the joint committee on higher education and the joint committee on bonding.

1486 **SECTION 81.** (a) The department of early education and care, in consultation with the  
1487 executive office of labor and workforce development, the commonwealth corporation and the  
1488 early education and care workforce council established in section 79 of chapter 154 of the acts of  
1489 2018, shall conduct a study and submit a report making recommendations to: (i) enhance the  
1490 early education and care workforce pipeline; and (ii) develop strategies and prioritization of  
1491 programming and funding opportunities to ensure that the early educator workforce meets the  
1492 needs of the commonwealth.

1493 (b) The report shall include, but shall not be limited to, recommendations on: (i)  
1494 recruiting new early education and care providers; (ii) developing apprenticeship programs and  
1495 non-traditional recruitment opportunities as part of a curriculum-based service-learning program;  
1496 (iii) collaborating with early education and care providers and vocational schools with curricula  
1497 that include early education and care; (iv) retaining early educators; (v) incentivizing the  
1498 development of family child care providers; and (vi) exploring the potential for the growth of  
1499 family child care providers into center-based programs.

1500 (c) The department of early education and care shall file the report, along with any  
1501 recommendations, with the clerks of the house of representatives and the senate, the house and  
1502 senate committees on ways and means, the joint committee on education and the joint committee  
1503 on labor and workforce development not later than June 30, 2025. The report shall be made  
1504 publicly available on the websites of the department of early education and care and the  
1505 executive office of labor and workforce development.

1506 **SECTION 82.** Not later than January 15, 2025, the department of early education and  
1507 care shall submit to the house and senate committees on ways and means and the joint committee  
1508 on education a preliminary report on the implementation and effects of the updated operational  
1509 grant funding formula established pursuant to section 20 of chapter 15D of the General Laws,  
1510 inserted by section 22, and consistent with the reporting requirements of subsection (d) of said  
1511 section 20 of said chapter 15D.

1512 **SECTION 83.** Not later than October 1, 2028, the department of early education and  
1513 care shall submit recommendations for a revised operational grant funding formula for the  
1514 operational grant program established in section 20 of chapter 15D of the General Laws, inserted  
1515 by section 22, to the house and senate committees on ways and means and the joint committee on  
1516 education; provided, that said recommendations shall include a formula allowing for  
1517 sustainability and the continued operation of the program in fiscal year 2030 and beyond.

1518 **SECTION 84.** (a) Notwithstanding any general or special law to the contrary, the  
1519 commissioner of revenue may establish a tax amnesty program during which all penalties that  
1520 may be assessed by the commissioner shall be waived without the need for any showing by the

1521 taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to:  
1522 (i) timely file any proper return for any tax type and for any tax period; (ii) timely pay any tax  
1523 liability; or (iii) pay the proper amount of any required estimated payment toward a tax liability.  
1524 The waiver of a taxpayer's liability under this section shall apply if the taxpayer, prior to the  
1525 expiration of the amnesty period, voluntarily files proper returns and pays the full amount of tax  
1526 shown on the taxpayer's returns or upon the commissioner's assessments with all interest due.  
1527 The waiver shall not apply to any penalties that may be due pursuant to sections 35A, 32D or  
1528 35F of chapter 62C of the General Laws with regard to returns filed pursuant to the tax amnesty  
1529 program. The waiver of penalties shall not apply to any period for which the taxpayer does not  
1530 file proper returns. The tax amnesty program shall apply to tax returns due on or before  
1531 December 31, 2024. In the case of taxpayers otherwise coming into compliance with tax  
1532 obligations pursuant to the amnesty, unless the commissioner determines that the taxpayer has  
1533 acted with fraudulent intent, the commissioner may apply limited look-back periods for unfiled  
1534 returns, not to exceed 4 years. The scope of the tax amnesty program, including the particular tax  
1535 types, periods covered and the applicability of the look-back periods, shall be determined by the  
1536 commissioner.

1537 (b) The tax amnesty program shall be established within fiscal year 2025 for a period of  
1538 60 days to be determined by the commissioner and shall expire not later than June 30, 2025. If a  
1539 taxpayer fails to pay the full liability by June 30, 2025, the commissioner shall retain any  
1540 payments made and shall apply the payments against the outstanding liability and the tax  
1541 amnesty shall not apply.

1542 (c)(1) The commissioner may offer tax amnesty to taxpayers who have failed to file  
1543 required returns due for any tax period on or before December 31, 2024; provided, however, that  
1544 the taxpayer shall file the required return and shall pay the tax shown as due on the return during  
1545 the amnesty period together with accrued interest.

1546 (2) The commissioner shall not authorize the waiver of any interest or any amount treated  
1547 as interest.

1548 (3) The commissioner's authority to waive penalties during the amnesty period shall not  
1549 apply to any taxpayer who is or has been the subject of a tax-related criminal investigation or  
1550 prosecution or to any taxpayer who delivers or discloses or has delivered or disclosed any false  
1551 or fraudulent application, document, return or other statement.

1552 (4) Any taxpayer who delivers or discloses a false or fraudulent application, document,  
1553 return or other statement to the department of revenue in connection with a tax amnesty  
1554 application pursuant to this section shall not be eligible for amnesty and shall be subject to the  
1555 greater of: (i) the applicable penalties pursuant to chapter 62C of the General Laws; or (ii) a  
1556 penalty not to exceed \$10,000, which shall be calculated and assessed according to rules  
1557 determined by the commissioner and may be subject to de minimis or other exceptions that the  
1558 commissioner may consider appropriate. This penalty shall be subject to said chapter 62C and  
1559 shall be added to and become part of the tax due.



1560 (d) Tax amnesty shall not apply to penalties that the commissioner would not have the  
1561 sole authority to waive, including, but not limited to, fuel taxes administered under the  
1562 International Fuel Tax Agreement or under the local option portions of taxes or excises collected  
1563 for the benefit of cities, towns or state governmental authorities.

1564 (e) The commissioner shall maintain records of the penalties waived pursuant to the tax  
1565 amnesty program, including, but not limited to: (i) the number of taxpayers provided with tax  
1566 amnesty; (ii) the types of tax liability for which tax amnesty was provided and, for each type of  
1567 liability, the amount of tax liability collected and the amount of penalties foregone by virtue of  
1568 the tax amnesty program; and (iii) the total outstanding tax liability for amnesty-eligible  
1569 taxpayers at the conclusion of the tax amnesty program after the collection of all funds pursuant  
1570 to this section. The commissioner shall file a report detailing the tax amnesty program with the  
1571 clerks of the house of representatives and the senate, the house and senate committees on ways  
1572 and means, the joint committee on revenue and the house and senate minority leaders not later  
1573 than September 1, 2025; provided, however, that the report shall not contain information  
1574 sufficient to identify an individual taxpayer or the tax amnesty provided to an individual taxpayer  
1575 pursuant to this section.

1576 (f) The commissioner shall establish administrative procedures and methods to prevent a  
1577 taxpayer who utilizes the tax amnesty program from utilizing any future tax amnesty programs  
1578 for the next consecutive 10 years, beginning in calendar year 2024.

1579 **SECTION 85.** Notwithstanding any general or special law to the contrary, the secretary  
1580 of health and human services shall seek any and all required federal approvals the secretary  
1581 deems necessary to implement sections 31, 56, 58, 61, 73, 74 and 78, including any required  
1582 waivers under 42 CFR § 433.68 necessary to implement the updates to the hospital assessment  
1583 described in section 67 of chapter 118E of the General Laws, as amended by section 61.

1584 If, after having received any required federal approval necessary to implement sections  
1585 31, 56, 58, 61, 73, 74 and 78, such approval is withdrawn or is otherwise not in effect, or the  
1586 secretary determines that a change in federal law, regulations or the federal government's  
1587 administration of federal law or regulation, requires a modification to the hospital assessment  
1588 described in said section 67 of said chapter 118E, as amended by section 61, or to the  
1589 implementation of the Health Safety Net Trust Fund established under section 66 of said chapter  
1590 118E, as amended by section 58, the Non-Acute Care Hospital Reimbursement Trust Fund  
1591 established under section 2WWWW of chapter 29 of the General Laws, the Safety Net Provider  
1592 Trust Fund established under section 2AAAAA of said chapter 29, the Hospital Investment and  
1593 Performance Trust Fund established under section 2TTTTT of said chapter 29, or the Population  
1594 Health Investment Trust Fund established under section 2UUUUU of said chapter 29, the  
1595 secretary shall notify the joint committee on health care financing and the house and senate  
1596 committees on ways and means, and shall consult with the Massachusetts Health and Hospital  
1597 Association, Inc. to develop alternatives.

1598 Not later than February 15, 2026, and annually thereafter, the secretary shall report to the  
1599 house and senate committees on ways and means and the joint committee on health care  
1600 financing the: (i) amount of the assessment made and collected from each hospital pursuant to

1601 section 67 of said chapter 118E; and (ii) amounts transferred to, deposited in, expended from and  
1602 transferred from the Hospital Investment and Performance Trust Fund established under section  
1603 2TTTTT of said chapter 29 and the Population Health Investment Trust Fund established under  
1604 section 2UUUUU of said chapter 29.

1605         **SECTION 86.** Notwithstanding any general or special law to the contrary, in the event  
1606 that the commonwealth does not receive all federal approvals pursuant to section 85 that the  
1607 secretary of health and human services determines necessary to implement sections 31, 56, 58,  
1608 61, 73, 74 and 78, including any required waivers under 42 CFR § 433.68, the hospital  
1609 assessment described in sections 64 through 69, inclusive, of chapter 118E of the General Laws  
1610 shall remain in effect as if sections 31, 56, 58, 61, 73, 74 and 78 had not been enacted until the  
1611 first full calendar month following the calendar month in which the secretary determines all such  
1612 federal approvals have been received. The secretary, in consultation with representatives of the  
1613 Massachusetts Health and Hospital Association, Inc. shall continue to seek all federal approvals  
1614 necessary to implement sections 31, 56, 58, 61, 73, 74 and 78, until such federal approvals are  
1615 received or the United States Department of Health and Human Services or the federal Centers  
1616 for Medicare and Medicaid Services render a final determination that an assessment established  
1617 pursuant to said sections 65 through 69, inclusive, of said chapter 118E cannot be implemented.

1618         **SECTION 87.** Notwithstanding any general or special law to the contrary, the secretary  
1619 of health and human services shall seek any and all required federal approvals the secretary  
1620 deems necessary to implement sections 4, 5, 14, 15, 16, 47, 52, 53, 54, 55, 57, 59, 60, 62, 63 and  
1621 75 and sections 2EEEEEE and 2FFFFFF of chapter 29 of the General Laws, as inserted by  
1622 section 37, including any required waivers under 42 CFR § 433.68 necessary to implement the  
1623 managed care organization services assessment described in section 68 of chapter 118E of the  
1624 General Laws, as amended by section 62.

1625         If, after having received any required federal approval necessary to implement sections 4,  
1626 5, 14, 15, 16, 47, 52, 53, 54, 55, 57, 59, 60, 62, 63 and 75, and said sections 2EEEEEE and  
1627 2FFFFFF of said chapter 29, such approval is withdrawn or is otherwise not in effect, or the  
1628 secretary determines that a change in federal law, regulations, or the federal government's  
1629 administration of federal law or regulation, requires a modification to the managed care  
1630 organization services assessment described in said section 68 of said chapter 118E, as amended  
1631 by section 62, or to the implementation of the Health Safety Net Trust Fund established under  
1632 section 66 of said chapter 118E, as amended by sections 59 and 60, the Massachusetts Child  
1633 Psychiatry Access Project Fund established in said section 2EEEEEE of said chapter 29 or the  
1634 Managed Care Organization Services Reinvestment Fund established in said section 2FFFFFF of  
1635 said chapter 29, under section 37, the secretary shall notify the joint committee on health care  
1636 financing, and the house and senate committees on ways and means to develop alternatives.

1637         Not later than February 15, 2026, and annually thereafter, the secretary shall report to the  
1638 house and senate committees on ways and means and the joint committee on health care  
1639 financing: (i) the amount of the assessment made and collected from each managed care  
1640 organization's managed care organization services subject to assessment pursuant to said section  
1641 68 of said chapter 118E; and (ii) the amounts transferred to, deposited in, expended from, and  
1642 transferred from the Massachusetts Child Psychiatry Access Project Fund established in said

1643 section 2EEEEEE of said chapter 29, and the Managed Care Organization Services  
1644 Reinvestment Fund established in said section 2FFFFFF of said chapter 29.

1645       **SECTION 88.** Notwithstanding any general or special law to the contrary, in the event  
1646 that the commonwealth does not receive all federal approvals pursuant to section 87 that the  
1647 secretary of health and human services determines necessary to implement sections 4, 5, 14, 15,  
1648 16, 47, 52, 53, 54, 55, 57, 59, 60, 62, 63 and 75, and sections 2EEEEEE and 2FFFFFF of chapter  
1649 29 of the General Laws, as inserted by section 37, including any required waivers under 42 CFR  
1650 § 433.68, the surcharge described in section 68 of chapter 118E of the General Laws shall remain  
1651 in effect as if sections 4, 5, 14, 15, 16, 47, 52, 53, 54, 55, 57, 59, 60, 62, 63 and 75 and said  
1652 sections 2EEEEEE and 2FFFFFF of said chapter 29 had not been enacted until the first full  
1653 calendar month following the calendar month in which the secretary determines all such federal  
1654 approvals have been received. The secretary shall continue to seek all federal approvals  
1655 necessary to implement sections 4, 5, 14, 15, 16, 47, 52, 53, 54, 55, 57, 59, 60, 62, 63 and 75,  
1656 and said sections 2EEEEEE and 2FFFFFF of said chapter 29, until such federal approvals are  
1657 received or the United States Department of Health and Human Services or the federal Centers  
1658 for Medicare and Medicaid Services render a final determination that an assessment established  
1659 pursuant to said section 68 of said chapter 118E cannot be implemented.

1660       **SECTION 89.** (a) Notwithstanding any general or special law to the contrary, the  
1661 unexpended balances in line-items 0699-0015 and 0699-9100 of section 2 shall be deposited into  
1662 the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General  
1663 Laws before the certification of the fiscal year 2025 consolidated net surplus, pursuant to section  
1664 5C of chapter 29 of the General Laws. The amount deposited shall be an amount equal to 10 per  
1665 cent of all payments received by the commonwealth in fiscal year 2025 under the master  
1666 settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex  
1667 Superior Court, No. 95-7378; provided, however, that if in fiscal year 2025 the unexpended  
1668 balances of said line-items 0699-0015 and 0699-9100 of said section 2 are less than 10 per cent  
1669 of all payments received by the commonwealth in fiscal year 2025 under the master settlement  
1670 agreement payments, an amount equal to the difference shall be transferred to the State Retiree  
1671 Benefits Trust Fund from payments received by the commonwealth under the master settlement  
1672 agreement.

1673       (b) Notwithstanding any general or special law to the contrary, the payment percentage  
1674 set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2025.

1675       **SECTION 90.** Notwithstanding any general or special law to the contrary, the  
1676 comptroller shall reduce any transfers attributable to capital gains tax collections required  
1677 pursuant to section 5G of chapter 29 of the General Laws during fiscal year 2025 by an amount  
1678 not to exceed \$375,000,000 if the secretary of administration and finance determines in writing  
1679 to the house and senate committees on ways and means that the funds are necessary to achieve  
1680 balance for fiscal year 2025.

1681       **SECTION 91.** Notwithstanding any general or special law to the contrary, following  
1682 written determination by the secretary of administration and finance that funds are necessary to  
1683 support the emergency housing assistance program, the comptroller may transfer not more than

1684 \$175,000,000 from the Transitional Escrow Fund established by section 16 of chapter 76 of the  
1685 acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, to the reserve established  
1686 in item 1599-0514 of section 2A of chapter 77 of the acts of 2023 for the purposes of item 7004-  
1687 0101 of section 2 and said item 1599-0514 of said section 2A of said chapter 77; provided, that  
1688 the secretary of administration and finance shall provide notice to the house and senate  
1689 committees on ways and means not less than 14 days prior to said transfer.

1690 **SECTION 92.** Notwithstanding any general or special law to the contrary, prior to  
1691 transferring the consolidated net surplus in the budgetary funds for fiscal year 2025 to the  
1692 Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the  
1693 comptroller shall transfer \$14,000,000 from the General Fund to the Disaster Relief and  
1694 Resiliency Fund established in section 2GGGGGG of said chapter 29, inserted by section 37.

1695 **SECTION 93.** Notwithstanding any general or special law to the contrary, for fiscal year  
1696 2025, \$94,000,000 shall be considered operating assistance and distributed to regional transit  
1697 authorities from item 1595-6370 of section 2E and item 1596-2406 of section 2F. For fiscal year  
1698 2025, \$90,500,000 of the amount transferred in item 1595-6370 shall be distributed based on  
1699 fiscal year 2024 distributions in accordance with the updated fiscal year 2024 bilateral  
1700 memorandum of understanding between each regional transit authority and the Massachusetts  
1701 Department of Transportation; provided, however, that each regional transit authority shall  
1702 receive operating assistance from said item 1595-6370 of said section 2E of not less than the  
1703 amount received in fiscal year 2024; and provided further, that \$3,500,000 shall be distributed to  
1704 each regional transit authority based on the following formula: 60 per cent based on total transit  
1705 ridership as reported on the most recent certified national transit data base report, 30 per cent  
1706 based on population of its member communities from the most recent census and 10 per cent  
1707 based on service coverage area determined by the total square miles of its member communities.  
1708 The department may require each regional transit authority to provide data on ridership,  
1709 customer service and satisfaction, asset management and financial performance, including  
1710 farebox recovery, and shall compile any such collected data into a report on the performance of  
1711 regional transit authorities and detail each authority's progress towards meeting the performance  
1712 metrics established in each memorandum of understanding.

1713 **SECTION 94.** Notwithstanding any general or special law to the contrary, the amounts  
1714 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be  
1715 made available for the Commonwealth's Pension Liability Fund established in section 22 of said  
1716 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said  
1717 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said  
1718 chapter 32, including retirement benefits payable by the state employees' retirement system and  
1719 the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living  
1720 adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement  
1721 systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said  
1722 chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of  
1723 1984. The state board of retirement and each city, town, county and district shall verify these  
1724 costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make  
1725 payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired  
1726 teachers, including any other obligation that the commonwealth has assumed on behalf of a

1727 retirement system other than the state employees' retirement system or state teachers' retirement  
1728 system, including the commonwealth's share of the amounts to be transferred pursuant to section  
1729 22B of said chapter 32. The payments under this section shall be made only pursuant to  
1730 distribution of money from the Commonwealth's Pension Liability Fund and any distribution,  
1731 and the payments for which distributions are required, shall be detailed in a written report  
1732 prepared quarterly by the secretary of administration and finance and submitted to the house and  
1733 senate committees on ways and means and the joint committee on public service in advance of  
1734 the distribution. Distributions shall not be made in advance of the date on which a payment is  
1735 actually to be made. If the amount transferred pursuant to said subdivision (1) of said section  
1736 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension  
1737 obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund  
1738 established in subdivision (8) of said section 22 of said chapter 32 to reduce the unfunded  
1739 pension liability of the commonwealth.

1740           **SECTION 95.** Notwithstanding any general or special law to the contrary, nursing  
1741 facility rates effective on October 1, 2024, pursuant to section 13D of chapter 118E of the  
1742 General Laws, may be developed using the costs of calendar year 2019.

1743           **SECTION 96.** Notwithstanding any general or special law to the contrary, the secretary  
1744 of administration and finance, in consultation with the secretary of health and human services,  
1745 may transfer not more than a total of \$25,000,000 from the prescription advantage program in  
1746 line-item 9110-1455 of section 2 and the Health Safety Net Trust Fund established in section 66  
1747 of chapter 118E of the General Laws in fiscal year 2025 to support the Medicare Saving or  
1748 Medicare Buy-In programs established in section 25A of said chapter 118E; provided, however,  
1749 that the secretary of health and human services shall certify to the house and senate committees  
1750 on ways and means, not less than 45 days in advance of the transfer, in writing, the amount to be  
1751 transferred and an explanation of the amount of expected savings to those programs resulting  
1752 from the transfer.

1753           **SECTION 97.** Notwithstanding any general or special law to the contrary, payments  
1754 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General  
1755 Laws may be made either as safety net care payments under the commonwealth's waiver  
1756 pursuant to section 1115 of the federal Social Security Act, 42 U.S.C. 1315, or as an adjustment  
1757 to service rate payments under Titles XIX and XXI of the federal Social Security Act or a  
1758 combination of both. Other federally permissible funding mechanisms available for certain  
1759 hospitals, as defined by regulations of the executive office of health and human services, may be  
1760 used to reimburse up to \$70,000,000 of uncompensated care pursuant to said section 66 and  
1761 section 69 of said chapter 118E using sources distinct from the funding made available to the  
1762 Health Safety Net Trust Fund.

1763           **SECTION 98.** Notwithstanding any general or special law to the contrary, not later than  
1764 October 1, 2024 and without further appropriation, the comptroller shall transfer from the  
1765 General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of  
1766 the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and  
1767 community health centers required pursuant to this act, for the purposes of making initial gross  
1768 payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1,

1769 2024. These payments shall be made to hospitals before, and in anticipation of, the payment by  
1770 hospitals of their gross liability to the Health Safety Net Trust Fund. Not later than June 30,  
1771 2025, the comptroller shall transfer from the Health Safety Net Trust Fund to the General Fund  
1772 the amount of the transfer authorized by this section and any allocation of that amount as  
1773 certified by the director of the health safety net office established in said section 65 of chapter  
1774 118E.

1775 **SECTION 99.** Notwithstanding any general or special law to the contrary, in hospital  
1776 fiscal year 2025, the office of the inspector general may expend up to \$1,000,000 from the  
1777 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for  
1778 costs associated with maintaining a health safety net audit unit within the office. The unit shall  
1779 continue to oversee and examine the practices in hospitals, including, but not limited to, the care  
1780 of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid  
1781 program pursuant to said chapter 118E, including, but not limited to, a review of the program's  
1782 eligibility requirements, utilization, claims administration and compliance with federal mandates.  
1783 The inspector general shall submit a report to the chairs of the house and senate committees on  
1784 ways and means on the results of the audits and any other completed analyses not later than  
1785 March 1, 2025.

1786 **SECTION 100.** Notwithstanding any general or special law to the contrary, the  
1787 comptroller, at the direction of the secretary of administration and finance, may transfer up to  
1788 \$15,000,000 from the Commonwealth Care Trust Fund established in section 2000 of chapter  
1789 29 of the General Laws, to the Health Safety Net Trust Fund established in section 66 of chapter  
1790 118E of the General Laws.

1791 **SECTION 101.** Section 85 is hereby repealed.

1792 **SECTION 102.** Section 87 is hereby repealed.

1793 **SECTION 103.** Section 23 shall take effect on June 30, 2029.

1794 **SECTION 104.** Sections 31, 56, 58, 61, 73, 74 and 78 shall take effect on October 1,  
1795 2024.

1796 **SECTION 105.** Sections 2EEEEEE and 2FFFFFF of chapter 29 of the General Laws, as  
1797 inserted by section 37, and sections 4, 5, 14, 15, 16, 47, 52, 53, 54, 55, 57, 59, 62 and 63 shall  
1798 take effect on January 1, 2025.

1799 **SECTION 106.** Sections 39, 40 and 41 shall take effect for taxable years beginning on or  
1800 after January 1, 2024.

1801 **SECTION 107.** Section 42 shall take effect 60 days after the effective date of this act.

1802 **SECTION 108.** Sections 50 and 51 shall take effect upon the earlier of: (i) the receipt of  
1803 all necessary federal approvals, including state plan and 1115 demonstration amendments; or (ii)  
1804 January 1, 2025.

1805           **SECTION 109.** Sections 60 and 101 shall take effect on October 1, 2027.

1806           **SECTION 110.** Section 72 shall take effect June 30, 2024.

1807           **SECTION 111.** Section 102 shall take effect on January 1, 2030.

1808           **SECTION 112.** Except as otherwise specified, this act shall take effect on July 1, 2024.