

Massachusetts Commission Against Discrimination Modernization 1

SECTION 4. Section 17 of chapter 6 of the General Laws is hereby amended by striking out, in lines 6 and 7, as appearing in the 2022 Official Edition, the words “, the Massachusetts commission against discrimination”.

Massachusetts Commission Against Discrimination Modernization 2

SECTION 5. Said chapter 6 is hereby further amended by striking out section 56, as amended by section 5 of chapter 28 of the acts of 2023, and inserting in place thereof the following section:-

Section 56. There shall be a Massachusetts commission against discrimination. The commission shall be an independent agency of the commonwealth and shall not be subject to the control of any other department or agency.

The commission shall consist of 5 commissioners, 3 of whom shall be appointed by the governor and 2 of whom shall be appointed by the attorney general. The governor shall designate 1 commissioner as chair, who shall devote their full-time to the duties of the office and the remaining 4 commissioners shall serve per diem. At least 2 commissioners shall reside in Berkshire, Bristol, Hampden, Hampshire, Franklin or Worcester county. Each commissioner shall be appointed for a term of 3 years. A commissioner chosen to fill a vacancy on an unexpired term shall be appointed for the remainder of the unexpired term of the commissioner to be replaced. Three commissioners shall constitute a quorum and a majority of commissioners present and voting shall be required for any action to be taken by the commission. The chair may call a meeting of the commission and may call for a vote on any matter designated on the notice of the meeting. A vacancy shall not impair the right of the remaining commissioners to exercise all the powers of the commission. A commissioner may be removed by their appointing authority

for inefficiency, neglect of duty, misconduct or malfeasance in office after being given a written statement of the charges and an opportunity to be heard thereon.

The commission shall appoint an executive director. The executive director shall serve at the pleasure of the commission, receive a salary, which shall be not less than the salary received by the chair, as may be determined by the commission, and shall devote their full time to the duties of the office. The executive director shall be a person with skill and experience in management and shall be the executive and administrative head of the commission. The executive director shall be responsible for the day-to-day operations of the commission and for administering and ensuring the commission's ability to enforce laws and regulations relative to the commission and to each administrative unit thereof, which shall include, but not be limited to, developing protocols and procedures to execute the commission's regulations and to expedite the handling of cases and complaints by the commission. The executive director shall employ a chief financial officer, who shall be responsible for all funds and expenditures of the commission. The executive director may employ such attorneys, clerks and other employees and agents as the executive director may deem necessary and prescribe their duties and fix their compensation as may be provided by law. The executive director shall annually submit a written report to the governor and to the general court on the commission's activities, including any recommendations.

All employees of the commission, except the executive director, an executive secretary, the heads and deputy heads of divisions, attorneys, field representatives and such other positions as the commission may from time to time designate, shall be subject to chapter 31.

The commission shall maintain regional offices located in the cities of Fall River, Springfield and Worcester. The commission shall hold public hearings as needed in the

45 respective regions of those cities. Every case shall, to the extent practicable, be heard in the
46 region in which the complainant resides.

47 There shall be an advisory board to the commission, which shall consist of at least 21
48 persons, 13 of whom shall be appointed by the governor and 8 of whom shall be appointed by
49 the attorney general. Each member shall be appointed for a term of 5 years. A board member
50 chosen to fill a vacancy of an unexpired term shall be appointed for the remainder of the
51 unexpired term of the member to be replaced. The board shall be comprised of members of
52 diverse representation and the appointing authorities shall strive to appoint: (i) persons with
53 expertise in fair housing laws; (ii) owners and brokers of residential real property; (iii)
54 representatives of major lending and credit institutions; (iv) representatives of private employers;
55 (v) a representative of the civil service commission; (vi) a representative of post-secondary
56 educational institutions; (vii) a representative of labor organizations; (viii) individuals from
57 minority racial, ethnic and linguistic groups; (ix) women; (x) elderly persons; (xi) persons with
58 disabilities; and (xii) recipients of public assistance. The board shall advise the commission on
59 matters of policy affecting the commission and shall review the implementation of the
60 commission's programs and policies and, from time to time, submit their recommendations to the
61 commission and to the commissioners' appointing authorities. The board shall coordinate the
62 activities of the local or regional advisory boards appointed pursuant to clause 8 of section 3 of
63 chapter 151B. The governor shall designate 1 member of the board to serve as chair. The
64 members of the board shall not be compensated for their services but shall be reimbursed for
65 travel and other expenses as may be necessary for the performance of their duties. The executive
66 director may provide technical and clerical assistance to the advisory board.

State Domestic Violence Fatality Review Team

SECTION 6. Section 18N of chapter 6A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 30 and 31, the words “the chief justice of the trial court or a designee; the chief justice of the family and probate court or a designee” and inserting in place thereof the following words:- a retired judge of the trial court to be appointed by the governor.

Department of Transportation Snow and Ice Deficiency

SECTION 7. Section 4 of chapter 6C of the General Laws, as so appearing, is hereby amended by striking out, in line 98, the figure “\$40,000,000” and inserting in place thereof the following figure:- \$35,000,000.

Victim Compensation Program Transfer 1

SECTION 8. Section 11K of chapter 12 of the General Laws is hereby repealed.

Vital Statistics Advisory Commission Expansion

SECTION 9. The second paragraph of section 4 of chapter 17 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the third, fourth and fifth sentences and inserting in place thereof the following 3 sentences:- The registrar shall be subject to chapter 31 and shall, under the supervision of the commissioner, enforce all laws relative to the registry and statewide return of births, marriages and deaths and may prosecute in the name of the commonwealth any violations thereof. The department may promulgate regulations to ensure the uniform administration of all laws relative to the registry and return of births, marriages and deaths. Proposed regulations shall be prepared for the department by the registrar, in consultation with an advisory committee, which shall consist of: the registrar; 4 local clerks, as defined in section 1E of chapter 46, to be appointed by the registrar; a genealogist to be appointed by the registrar from a list of 3 individuals submitted by the New England Historic

87 Genealogical Society; and a historian to be appointed by the registrar from a list of 3 individuals
88 submitted by the Massachusetts Historical Commission.

Housing Production Dashboard

89 SECTION 10. Section 1 of chapter 23B of the General Laws, as most recently amended
90 by section 3 of chapter 150 of the acts of 2024, is hereby further amended by adding the
91 following subsection:-

92 (e) The executive office shall publish and maintain a publicly accessible online
93 dashboard, which shall provide information on the use of all funding resources, including, but
94 not limited to, loans, grants, project based vouchers and state or federal tax credits, controlled or
95 awarded, directly or indirectly, by the executive office for the purpose of housing production or
96 preservation; provided, however, that the dashboard shall not include data on mobile rental
97 assistance, downpayment assistance or other loans or grants to individuals. For each housing
98 project for which funding is awarded, the dashboard shall include, but not be limited to: (i) the
99 amount and source of the funding awarded; (ii) the date of the award; (iii) the project name,
100 sponsor, address and total project cost itemized by project application; (iv) the number of units
101 delineated by the number of bedrooms per unit; (v) the affordability mix of units; (vi) whether
102 the units are new or rehabilitated; (vii) whether the units will be rented or owner occupied; (viii)
103 the accessibility of the units; (ix) the reservation of units for special populations; (x) any
104 affiliated projects; and (xi) the progress of the project from funding through construction. The
105 dashboard shall allow users to search for individual projects and generate summaries of
106 quantitative project variables by project attributes. The secretary may issue guidance and post
107 policies on the project dashboards to exclude project attributes, as necessary, to protect

108 confidential or other legally protected information. The dashboard shall be updated at least
109 annually.

Race Horse Development Fund

110 SECTION 11. Section 55 of chapter 23K of the General Laws, as appearing in the 2022
111 Official Edition, is hereby amended by striking out, in lines 6 and 7, the words “9 per cent of its
112 gross gaming revenue” and inserting in place thereof the following words:- 4.5 per cent of its
113 gross gaming revenue to the General Fund and a daily assessment of 4.5 per cent of its gross
114 gaming revenue.

Health Care Access Bureau Assessment

115 SECTION 12. Section 7A of chapter 26 of the General Laws, as so appearing, is hereby
116 amended by inserting after the figure “176B”, in lines 18, 33 and 38, the following figure:- ,
117 176E.

Board of Appeal Modernization 1

118 SECTION 13. Chapter 26 of the General Laws is hereby amended by striking out section
119 8A, as so appearing, and inserting in place thereof the following section:-

120 Section 8A. (a) There shall be a board of appeal on motor vehicle liability policies and
121 bonds in the division of insurance. The board shall consist of 1 person to be appointed by the
122 commissioner of insurance, 1 person to be appointed by the registrar of motor vehicles and 2
123 persons to be appointed by the attorney general. The members of the board shall serve at the
124 pleasure of their appointing authority. The commissioner of insurance, the registrar of motor
125 vehicles and the attorney general may each designate not more than 2 alternate members. A
126 designation of an alternate member may be revoked at any time. Upon the inability to act or
127 unavailability on the part of a principal member, whether temporary or permanent, the place of

the principal member may be taken by an alternate member of the same appointing authority at the discretion of the chair or executive director. Board members and designated alternates, if any, shall hold a current license to practice law in the commonwealth or shall have experience in the areas of road safety or motor vehicle law. The compensation of a principal or alternate member, if not an employee of the commonwealth, shall be fixed by the commissioner. The commissioner shall designate the chair of the board.

(b) The commissioner shall appoint an executive director of the board. The executive director shall report to and serve at the pleasure of the commissioner and shall devote their full time to the duties of the office. The executive director shall be the executive and administrative head of the board. The executive director shall be responsible for the day-to-day operations of the board and may employ such employees and agents as the executive director may deem necessary, fix their compensation within the limitations provided by law and prescribe their duties. The executive director shall keep a record of all proceedings before the board and shall collect data on appeals, board outcomes and key performance metrics as determined by the commissioner.

(c) The division shall employ an executive secretary who shall report to the executive director. As deemed necessary by the commissioner, the division may employ staff to support the executive director and the board.

(d) All expenditures incurred pursuant to this section shall be paid from the Highway Fund. Section 11 of chapter 233 shall apply to the board and any witnesses summoned before it. The expenses for attendance and travel of witnesses before the board shall be paid in accordance with section 29 of chapter 262 and shall not be required to be paid to such witnesses prior to their reporting to the board. Any such expenses shall be paid by the commonwealth upon the

certification by the board, by a member thereof or by the executive director, which shall be filed with the comptroller. The commissioner shall provide or facilitate the provision of an office space and a room for hearings of the board. The board may hold hearings within the commonwealth or virtually and the members and staff of the board shall be entitled to compensation for necessary travel and other expenses incurred for participating in hearings outside the city of Boston. The board, with the approval of the commissioner and in consultation with the registrar of motor vehicles and the attorney general, shall promulgate rules and regulations as may be necessary to expedite and regulate hearings under this section.

(e) Cases before the board shall be heard by panels of 3 members; provided, however, that the board may provide by regulation for categories of cases that may be heard by a single board member or a designated hearing officer or which may be decided without a hearing upon written submissions. Any designated hearing officer shall be an employee of the board or the division of insurance. A designated hearing officer shall file a memorandum of their findings or order with the board and shall send a copy to all parties. A memorandum of findings or an order so filed by a designated hearing officer shall be considered a final determination of the board.

Behavioral Health Access and Crisis Intervention Trust Fund

SECTION 14. Section 2WWWW of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the word “system including” and inserting in place thereof the following words:- continuum of care and to provide high-quality and equitable access to emergent, urgent, diversionary and rehabilitative care for individuals with a behavioral health condition. Expenditures may include.

Education and Transportation Fund Technical Update

SECTION 15. Subsection (a) of section 2BBBBBB of said chapter 29, as amended by section 52 of chapter 140 of the acts of 2024, is hereby further amended by striking out the figure “\$250,000,000” and inserting in place thereof the following figure:- \$600,000,000.

Transportation Funding Tracking Website

SECTION 16. Subsection (a1/2) of said section 2BBBBBB of said chapter 29, as inserted by section 52 of chapter 140 of the acts of 2024, is hereby further amended by striking out the words “locations; provided, however, that annually, not later than October 31, the secretary for administration and finance shall submit a report to the joint committee on transportation detailing approved transportation projects funded during the prior fiscal year” and inserting in place thereof the following words:- “locations; provided, however, that said increase in capacity shall not be used to support or fund, in whole or in part, a single transportation project with a total project cost, regardless of source, in excess of \$1,000,000,000 unless the borrowing for the project is specifically authorized and approved by the general court after being proposed in the 5-year spending plan required by this paragraph; and provided further, that the Massachusetts Department of Transportation shall maintain a public website to track and monitor spending and progress on projects funded as a result of the increase in capacity to issue special obligation bonds or notes from the transportation income surtax revenue amount dedicated pursuant to this section. Annually, not later than October 31, the secretary of administration and finance shall submit a report to the joint committee on transportation and the chairs of the senate and house committees on ways and means detailing: (i) approved transportation projects funded during the prior fiscal year; (ii) a 5-year spending plan for the projects to be funded, in whole or in part, by special obligation bonds or notes issued by virtue of the increase in bonding capacity from the

192 transportation income surtax revenue amount dedicated pursuant to this section; and (iii) the
193 bonds or notes issued or scheduled to be issued.”.

Non-Profit Retirement Plans 1

194 SECTION 17. Section 64E of said chapter 29, as appearing in the 2022 Official Edition,
195 is hereby amended by striking out, in line 5, the figure “20” and inserting in place thereof the
196 following figure:- 100.

Non-Profit Retirement Plans 2

197 SECTION 18. Said section 64E of said chapter 29, as so appearing, is hereby further
198 amended by adding the following subsection:-

199 (g) Notwithstanding any general or special law to the contrary, the treasurer or the
200 treasurer’s designee, may seek to reduce operating expenses for the plan through private
201 donations or grants, which may include direct and indirect fundraising.

Creditable Service Clarification

202 SECTION 19. Section 1 of chapter 32 of the General Laws, as so appearing, is hereby
203 amended by inserting after the word “employer”, in line 602, the following words:-, including
204 any accrued sick, personal or vacation leave except when paid as a supplement to the receipt of
205 weekly workers’ compensation benefits pursuant to section 69 of chapter 152.

Vital Statistics Outdated Language Revision 1

206 SECTION 20. Chapter 46 of the General Laws, is hereby further amended by striking out
207 section 1, as amended by section 1 of chapter 166 of the acts of 2024, and inserting in place
208 thereof the following section:-

209 Section 1. Each local clerk shall obtain and record the following facts set forth in this
210 section, as well as such additional information that may be required under federal statutes or

211 contracts, regulations promulgated pursuant to section 4 of chapter 17 or as the commissioner of
212 public health may require, relative to births, marriages, acknowledgments and adjudications of
213 parentage and deaths which occurred in the town or city and for certificates of marriage issued
214 by the town or city.

215 In the record of births, date of birth, place of birth, name, residence and sex of child; and
216 names, birth surnames, places of birth and dates of birth of both parents. In the record of birth of
217 a child born to parents not married to each other, the name of and other facts relating to the
218 second parent shall not be recorded except as provided in section 2 of chapter 209C where
219 parentage has been acknowledged or adjudicated under the laws of the commonwealth or under
220 the laws of any other jurisdiction.

221 In the record of marriages, date of record, date and place of marriage, name, residence
222 and official station of the person by whom solemnized; for each of the parties to be married the
223 name, date and place of birth, residence, age, number of the marriage and if previously married,
224 whether widowed or divorced and the birth-given names of the parties' parents.

225 In the record of death, date of death, name of deceased, including birth surname, gender,
226 race, marital status, education, name of spouse if ever married, supposed age, residence,
227 occupation, place of death, place of birth, name, birth surname and places of birth of the
228 deceased's parents, disease or cause of death, defined so that it can be classified under the
229 international classification of causes of death, place and type of immediate disposition. The
230 record of death shall not include the social security number of the deceased. As used in this
231 section, the word "residence" shall include the name of the street and number, if any, of the
232 house.

Vital Statistics Outdated Language Revision 2

SECTION 21. Section 1E of said chapter 46, as amended by section 8 of chapter 186 of the acts of 2024, is hereby further amended by striking out the definition of “town clerk or clerk” and inserting in place thereof the following definition:-

“Local clerk”, a town clerk, city clerk or local registrar as provided in section 22.

Vital Statistics Outdated Language Revision 3

SECTION 22. Said chapter 46 is hereby further amended by striking out section 13, as most recently amended by section 3 of chapter 166 of the acts of 2024, and inserting in place thereof the following section:-

Section 13. (a) If a record relating to a birth, marriage, acknowledgment or adjudication of parentage or death does not contain all the facts required under section 1, or if it is claimed that the facts are not correctly stated therein, the local clerk or state registrar shall receive from the person required by law to furnish the information for the original record, or by credible persons having knowledge of the case, an affidavit containing the missing or corrected facts required to correct or complete the record, accompanied by documentary evidence substantiating such facts beyond a reasonable doubt. Except as hereinafter provided, such amendments shall be made only to reflect the correct information at the time of the event. The minimum documentary evidence to be required shall be specified by regulations promulgated pursuant to section 4 of chapter 17.

(b) Any record filed under this chapter may be amended, corrected or supplemented within 1 year after the date of the event without such affidavit or documentary evidence if allowed by regulations promulgated pursuant to section 4 of chapter 17, except such amendments, corrections or supplements which are expressly provided for hereinafter.

(c) If a person shall have acquired the status of a marital child by the intermarriage of the person's parents and the acknowledgment of the child's other parent or an adjudication of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth or any other jurisdiction, the record of the person's birth shall be amended so as to read, in all respects, as if such person had been reported at the time of birth as born to such parents in lawful wedlock.

(d) If a person is born to parents not married to each other or if the person who gave birth and such person's spouse at the time of the birth or conception of the child complete an affidavit denying that the spouse is the parent of the child or if there is an adjudication of nonparentage of the spouse, such person's birth record shall be amended to include the alleged genetic parent's information required by section 1; provided, however, that:

(i) the person who gave birth and the alleged genetic parent have signed and filed an acknowledgment of parentage with the local clerk in the city or town where the birth occurred, the state registrar or the probate and family court having jurisdiction over the parties or the child pursuant to chapter 209C;

(ii) there has been a judgment of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth and the court presents to the state registrar a certified copy of such judgment on a form provided by the state registrar to amend the birth certificate;

(iii) there has been an acknowledgment of parentage or a judgment of parentage by a court or administrative agency of competent jurisdiction under the laws of the commonwealth or of another state or a foreign country and 1 of the following persons requests an amendment and presents to the state registrar a copy of such judgment: (A) the parent who gave birth; (B) the

277 other parent named in such acknowledgment or judgment of parentage; (C) the other parent
278 named currently on the birth record; (D) the subject of the record; (E) the legal guardian of the
279 subject; or (F) the legal representative of any of the foregoing;

280 (iv) there has been a judgment of parentage by a court or administrative agency of
281 competent jurisdiction in the commonwealth and the court orders the state registrar to amend the
282 birth certificate to include the information relating to the other parent; provided, however, that
283 such order may include an order to amend information relating to the name of the child; or

284 (v) there has been a judgment of parentage by a court or administrative agency of
285 competent jurisdiction in the commonwealth approving or adopting a judgment establishing
286 parentage issued by a court or administrative agency of competent jurisdiction under the laws of
287 another state or a foreign country and the court presents to the state registrar a certified copy of
288 such judgment on a form provided by the state registrar to amend the birth certificate; provided,
289 however, that the local clerk of the city or town where the child was born or the state registrar
290 shall amend the birth certificate consistent with the findings of the court and the certificate shall
291 be required to read, in all respects, as if such information had been reported at the time of such
292 birth; provided further, that the fact that parentage was established after the child's birth shall not
293 be ascertainable from the new certificate but the actual place and date of birth shall be shown;
294 provided further, that the original certificate and the evidence upon which the amended birth
295 certificate was made shall be subject to inspection by the parent who gave birth, the other parent,
296 the subject of the record, any person presumed to be the parent under section 6 of chapter 209C
297 or a government official requiring access for their official duties, including the IV-D agency as
298 set forth in chapter 119A or a legal representative of the subject of the birth record; and provided

further, that an order of the probate and family court in the county where the child was born shall be required for anyone else seeking access to the original birth record or evidence.

(e) (1) A person who is 18 years of age or older, an emancipated minor or the parent or guardian of a minor may request a change in the sex designation on the person's birth record to a sex designation including, but not limited to, "female", "male" or "X". An "X" designation may indicate that the person is another gender or an undesignated gender. A request for a change in the sex designation on a birth record shall be accompanied by an affidavit executed under the penalty of perjury by the person to whom the record relates or by the parent or guardian of the person if the person is a minor attesting that the request is to conform the person's birth record to the person's gender identity and is not made for any fraudulent purpose; provided, however, that no medical or healthcare related documentation, court order or proof of change of name shall be required by a local clerk, the state registrar or any other official in connection with a request under this paragraph.

(2) A person who requests a change in the sex designation on the person's birth record pursuant to paragraph (1) may request a change of name on the person's birth record. A request for a change of name on a birth record shall be accompanied by a certified copy of the legal change of name; provided, however, that no medical or healthcare related documentation shall be required by a local clerk, the state registrar or any other official in connection with a request under this paragraph.

(3) A person who has changed the sex designation on the person's birth record pursuant to paragraph (1) but did not request a change of name on the person's birth record pursuant to paragraph (2) may request a change of name on the person's birth record within 3 years from the date of the change in the sex designation on the person's birth record pursuant to said paragraph

(1); provided, however, that a person whose sex designation on their birth record was changed while the person was a minor shall have 3 years from the date of their eighteenth birthday to request a change of name on the person's birth record; and provided further, that the department may waive the 3-year limitation for a person that demonstrates good cause, as determined by the department. A request for a change of name on a birth record shall be accompanied by a certified copy of the legal change of name; provided, however, that no medical or healthcare related documentation shall be required by a local clerk, the state registrar or any other official in connection with a request under this paragraph.

(4) Upon joint application by parents, the birth record of a minor child shall be amended to change a parent or parents' names upon receipt by the state registrar or local clerk of a request for a change of name along with a certified copy of the legal change of name or names. A request shall be accompanied by an affidavit executed under the penalty of perjury that the request is to conform the record to a change of name pursuant to paragraph (2) or (3) and is not made for any fraudulent purpose.

(f) If the birth of a child is recorded as that of a marital child, and the nonparentage of the spouse has been legally determined by a court of competent jurisdiction pursuant to the laws of the commonwealth or by a court or administrative agency of competent jurisdiction under the laws of another state or foreign country, or if the birth of a child is recorded as that of a child whose parentage has been acknowledged by the person who gave birth and the other parent and either parent rescinds the acknowledgment as provided in section 11 of chapter 209C or under similar law of another state or foreign country, the birth record shall be amended to remove the other parent's information; provided, however, that:

(i) there has been a notarized rescission filed with the department of public health or a judgment of nonparentage or judgment of divorce by a court under the laws of the commonwealth and the court presents to the state registrar a certified copy of such judgment, together with a form provided by the state registrar to amend the birth certificate; or

(ii) there has been a judgment of nonparentage or judgment of divorce by a court or administrative agency of competent jurisdiction under the laws of another state or foreign country and 1 of the following persons requests an amendment and presents to the state registrar a certified copy of such judgment: (A) the person who gave birth; (B) the parent named in such judgment of nonparentage or judgment of divorce; (C) the subject of the record; (D) the legal guardian of the subject of the record; or (E) the legal representative of any of the foregoing.

(g) If a person shall have been adopted by judicial decree, the local clerk where such person was born or the state registrar shall receive the certificate of such adoption issued under the authority of section 6A of chapter 210 or a certified copy of the decree for such adoption, whether issued by a probate court for the commonwealth or by the appropriate court of any other state or country. Except as hereinafter provided, said clerk or state registrar, after receiving such certificate of adoption or any such certified copy, shall correct the record of birth of the adopted person. If such record or certified copy does not contain the facts required by this section relative to the adopting parents for correcting such record, the local clerk or state registrar shall not correct such record until they have received an affidavit signed and sworn to by the adopting parents, or by the person adopted, furnishing such facts. If a person who was in the custody of the department of children and families is adopted and the adopting parents surrender the person back to the department, that person shall have the right to change the birth certificate back to that person's birth name.

(h) The local clerk or state registrar in receipt of an adoption record pursuant to this section shall, on forms provided by the state registrar, complete an amended, corrected or supplemented record of birth, death or marriage or acknowledgment or adjudication of parentage. The original record of birth, death or marriage or acknowledgment or adjudication of parentage and all returns and index entries in whatever format they are maintained shall be identified as corrected, amended or supplemented. All documentary evidence, including certificates of adoption or certified copies thereof, shall be sent to the state registrar for a permanent filing. If the affidavit is initially submitted to the state registrar, the state registrar shall forward to the local clerk of the municipality where the birth or death occurred, a certified copy of the corrected, amended or supplemented record, noting the documentary evidence to substantiate the affidavit, and the local clerk shall thereupon correct, amend or supplement the record in the office of the clerk. If a copy of the record is sent to the local clerk of the municipality where the parents resided at the time of birth or where the deceased lived at the time of death, the state registrar shall forward to such local clerk a certified copy of the corrected, amended or supplemented record, noting the documentary evidence to substantiate the affidavit, and the local clerk shall thereupon correct, amend or supplement the record in the office of the clerk. Reference to the record of the affidavit or such decree shall be made on the margin of the original record. If the local clerk or state registrar furnishes a copy of such a record, they shall certify to the facts contained therein as corrected, amended or supplemented. Except as provided in this section, the local clerk or other official responsible for the keeping of such records shall not release information contained in the original record except upon proper judicial order or when requested by a person seeking their own birth or marriage record or by a person whose official duties, in the opinion of the local clerk or state registrar, entitle them to the

information contained in the original record. Death records corrected, amended or supplemented after January 1, 1996, as well as the affidavit of the party seeking the correction, amendment or supplementation of the death record and all documentary evidence or related records submitted in support of such affidavit, shall not be restricted, except for records or other items of documentary evidence submitted in support of the affidavit which are: (i) considered medical records for purposes of paragraph (c) of clause twenty-sixth of section 7 of chapter 4; (ii) restricted by section 2A; or (iii) restricted by judicial order. If the original record has been amended following adoption in accordance with this section, the local clerk or state registrar shall issue information contained in the original record only upon receipt of an order of the probate court for the county in which said adoption was granted or in accordance with section 2B or, in the case of an adoption granted outside the commonwealth, upon receipt of an order of the probate court for the county in which the birth of the adopted person occurred or in accordance with section 2B, instructing said clerk or state registrar to release the information contained in such original record. Evidence contained in the adoption record of a parent's willingness to provide information about their identity to the adopted person shall, except in extraordinary circumstances, be considered sufficient evidence to warrant the granting of an order for release of the information contained in the birth certificate registered prior to adoption. If the corrected, amended or supplemented record is that of a person who has acquired the status of a marital child or whose record has been amended through an adoption decree or whose record has been amended through addition of a named parent or whose record has been amended pursuant to subsection (e), the local clerk or state registrar shall not indicate on such copy that the record has been corrected, amended or supplemented.

(i) An affidavit or a certified copy of the record of any other municipality or of a written statement made at the time by any person since deceased required by law to furnish evidence of said affidavit, may be the basis for completing the record of a birth, marriage or death not containing all the facts required by section 1. No record of birth shall be established for a deceased person more than 5 years after the date of death nor shall a record of marriage be established if both spouses are deceased, except as provided by sections 13A, 13B and 13C.

(j) Upon the adoption of an abandoned child or foundling within the commonwealth the facts of whose birth are not recorded pursuant to sections 1 or 1A, or, if such facts are recorded, cannot otherwise be identified, the state registrar, upon receipt of: (i) an affidavit executed by the adopting parents setting forth all material facts known concerning said abandoned child or foundling; and (ii) an order issued by the commissioner of children and families determining the most probable date of birth of such abandoned child or foundling shall record the facts relative to the birth pursuant to sections 1 or 1A. In addition to any other certificates or copies of records authorized by law, the commissioner may, upon application, issue certificates setting forth the facts concerning an abandoned child or foundling appearing in any records of the department of children and families if no certificate of birth is recorded in the municipality where the abandoned child or foundling was born or the state registry.

(k) If an application to correct or amend a record of birth, marriage or death or a delayed record of a birth, marriage or death is approved, the applicant shall pay a fee as determined by the secretary of administration and finance.

(l) Upon application of both parties to a marriage, the record of such marriage shall be amended to remove or change the gender identity of either or both parties to the marriage and, if applicable, to change the name of either or both parties to the marriage. Such application shall be

made to the state registrar or local clerk of the city or town where the marriage record was issued and shall include: (i) an affidavit executed by both parties to the marriage on a form provided by the state registrar attesting to their concurrence that the record be amended to change or remove the gender identity of either or both parties; and (ii) if applicable, a request by a party to the marriage for a change of name along with evidence of the party's legal change of name.

Motor Vehicle Excise

SECTION 23. The third paragraph of section 1 of chapter 60A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:-

For the purposes of this section, a motor vehicle and trailer registered under chapter 90 shall include registrations in revoked, suspended or similar status as determined by the registrar.

Estate Tax Clarifications

SECTION 24. Section 2A of chapter 65C of the General Laws, as most recently amended by section 13 of chapter 206 of the acts of 2024, is hereby further amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

(a) A tax is hereby imposed upon the transfer of the estate of each person dying on or after January 1, 1997 who, at the time of death, was a resident of the commonwealth. The amount of the tax shall be equal to the credit for state death taxes that would have been allowable to a decedent's estate as computed under section 2011 of the Code, as in effect on December 31, 2000, hereinafter referred to as the "credit". The credit shall be determined based on the value of the federal gross estate after such estate is increased by the value of any property: (i) not included in the federal gross estate; (ii) in which the decedent had at death a qualifying income interest for life described in subsection (c) of section 3A; (iii) for which a deduction was allowed for Massachusetts estate tax purposes with respect to the transfer of such property to the

456 decedent; and (iv) which is not real or tangible personal property located outside of the
457 commonwealth at the time of death. If the federal gross estate of a person includes real or
458 tangible personal property located outside of the commonwealth at the time of death, the credit
459 shall be determined based on the value of the federal gross estate after such estate is reduced by
460 the value of such real or tangible personal property located outside of the commonwealth and
461 increased by the value of any property: (A) not included in the federal gross estate; (B) in which
462 the decedent had at death a qualifying income interest for life described in subsection (c) of
463 section 3A; (C) for which a deduction was allowed for Massachusetts estate tax purposes with
464 respect to the transfer of such property to the decedent; and (D) which is not real or tangible
465 personal property located outside of the commonwealth at the time of death; provided, however,
466 that for the purposes of calculating the federal taxable estate, no deduction shall be allowed that
467 is attributable to such real or tangible personal property located outside of the commonwealth.

468 (b) A tax is hereby imposed upon the transfer of real property situated in this
469 commonwealth and upon tangible personal property having an actual situs in this commonwealth
470 of every person who at the time of their death was not a resident of this commonwealth. The
471 amount of this tax is the amount of the credit calculated based upon a federal gross estate that is
472 equal to the sum of: (i) the value of the estate's real or tangible personal property located in the
473 commonwealth; and (ii) the value of any real or tangible property: (A) not included in the federal
474 gross estate; (B) in which the decedent had at death a qualifying income interest for life
475 described in subsection (c) of section 3A; (C) for which a deduction was allowed for
476 Massachusetts estate tax purposes with respect to the transfer of such property to the decedent;
477 and (D) which is not located outside of the commonwealth at the time of death. Under this
478 subsection, for the purposes of calculating the federal taxable estate, no deduction shall be

479 allowed that is attributable to property other than such real or tangible personal property located
480 in the commonwealth.

Board of Appeal Modernization 2

481 SECTION 25. Section 28 of chapter 90 of the General Laws, as appearing in the 2022
482 Official Edition, is hereby amended by striking out, in line 2, the word “ten” and inserting in
483 place thereof the following figure:- 30.

Board of Appeal Modernization 3

484 SECTION 26. Said section 28 of said chapter 90, as so appearing, is hereby further
485 amended by inserting after the word “hearing”, in line 5, the following words:- or decision on
486 written submissions.

Electronic Title 1

487 SECTION 27. Section 11A of chapter 90D of the General Laws, as so appearing, is
488 hereby amended by adding the following paragraph:-

489 Upon receiving notification of satisfaction of a security interest pursuant to section 24,
490 the registrar may waive the issuance and mailing of the certificate of title to the owner or to a
491 third party as authorized by the registrar and requested by the lienholder. If the registrar waives
492 the issuance and mailing of the certificate of title, the registrar shall ensure: (i) the owner or
493 authorized third party may receive a paper certificate of title upon request; and (ii) there is a
494 process or system established to ensure that the owner or authorized third party may effect action
495 that would otherwise be necessary upon the certificate of title. The registrar may promulgate
496 rules and regulations to implement this section.

Electronic Title 2

497 SECTION 28. Section 24 of said chapter 90D, as so appearing, is hereby amended by
498 adding the following paragraph:-

499 Notwithstanding subsection (a) of section 16, the registrar shall promulgate rules and
500 regulations to establish an electronic process whereby a vehicle may be sold at retail, reassigned
501 between dealers or conveyed by any other method of ownership transfer or sale approved by the
502 registrar. The conveyer of the vehicle shall maintain, invalidate or surrender the existing paper
503 certificate of title, if applicable, upon completion of the transaction and update of the electronic
504 certificate of title for a vehicle that is retailed, reassigned or transferred under this paragraph, in a
505 form or format prescribed by the registrar.

Electronic Title 3

506 SECTION 29. Said chapter 90D is hereby further amended by adding the following
507 section:-

508 Section 39. Electronic signatures as prescribed in section 9 of chapter 110G shall be
509 accepted by the registrar through the electronic process prescribed under section 24. The registrar
510 may promulgate rules and regulations for the requirements for electronic signature
511 authentication, maintenance, invalidation or surrender of a secure paper title bearing an original
512 signature.

Department of Public Health Determination of Need Fees

513 SECTION 30. Section 25C of chapter 111 of the General Laws, as appearing in the 2022
514 Official Edition, is hereby amended by striking out, in line 126, the figure “0.2” and inserting in
515 place thereof the following figure:- 0.7.

Residential Rental Broker Fees 1

SECTION 31. Section 87DDD1/2 of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following 2 sentences:- A licensed broker or salesperson may solely contract with a prospective tenant to find rental residential real property for a tenant and present an offer to lease to the landlord or landlord's agent and negotiate on behalf of the tenant or may solely contract with a landlord or landlord's agent to find a tenant for a property. Any fee shall only be paid by the party, lessor or tenant who originally engaged and entered into a contract with the licensed broker or salesperson.

Senior Care Options Dual Enrollment 1

SECTION 32. Section 9D of chapter 118E of the General Laws, as so appearing, is hereby amended by striking out, in line 21, the words "or MassHealth only".

Senior Care Options Dual Enrollment 2

SECTION 33. Said section 9D of said chapter 118E, as so appearing, is hereby further amended by striking out, in line 31, the word "or" and inserting in place thereof the following word:- and.

Senior Care Options Dual Enrollment 3

SECTION 34. Said section 9D of said chapter 118E, as so appearing, is hereby further amended by striking out, in lines 55 to 56, the words "or only eligible for benefits under Title XIX of the Social Security Act".

Direct Negotiations for Rebates on Certain Drugs and Non-Drug Products

SECTION 35. Said chapter 118E is hereby further amended by inserting after section 12A the following section:-

Section 12B. Notwithstanding any general or special law to the contrary, the secretary of health and human services may directly negotiate rebate agreements with manufacturers of non-

535 drug products and drugs that are not covered outpatient drugs under 42 U.S.C. § 1396r-8 if such
536 agreements maximize value to the commonwealth; provided, however, that the secretary shall
537 not be subject to any otherwise applicable requirements set forth in 801 CMR 21.00 or any
538 successor regulation. Such agreements may be based on the value, efficacy or outcomes of the
539 non-drug product or drug.

Nursing Facility User Fee Cap

540 SECTION 36. Subsection (b) of section 63 of said chapter 118E, as appearing in the 2022
541 Official Edition, is hereby amended by striking out, in lines 27 and 28, the words “the lesser of
542 \$240,000,000, or an amount” and inserting in place thereof the following words:- an amount less
543 than or.

Fare-Free Regional Transit Authorities

544 SECTION 37. Chapter 161B of the General Laws is hereby amended by inserting after
545 section 6 the following section:-

546 Section 6A. (a) Notwithstanding any general or special law to the contrary, an authority
547 established pursuant to this chapter shall not, subject to appropriation, charge passenger fare for a
548 trip on regularly scheduled fixed route service, or for a trip on complementary paratransit service
549 that an authority is required to provide pursuant to the Americans with Disabilities Act, 42
550 U.S.C. § 12143. The Massachusetts Department of Transportation shall, subject to appropriation,
551 reimburse an authority for lost fare revenue attributable to providing fare-free service pursuant to
552 this section.

553 (b) An authority shall collect and report ridership data to the Massachusetts Department
554 of Transportation in such form and with such frequency as said department may prescribe.

555 (c) The Massachusetts Department of Transportation may promulgate regulations to
556 implement this section.

Residential Rental Broker Fees 2

557 SECTION 38. Section 15B of chapter 186 of the General Laws, as appearing in the 2022
558 Official Edition, is hereby amended by striking out, in line 17, the words “pay any” and inserting
559 in place thereof the following words:- pay, to the lessor or to an agent of the lessor, any.

Victim Compensation Program Transfer 2

560 SECTION 39. The fifth paragraph of section 4 of chapter 258B of the General Laws, as
561 so appearing, is hereby amended by striking out clauses (c) to (e), inclusive, and inserting in
562 place thereof the following 5 clauses:-

563 (c) assist law enforcement agencies in familiarizing all of their officers and employees
564 with the crime victims’ rights as provided under this chapter. This assistance may include
565 supplying informational literature on this subject to be utilized as part of the training curriculum
566 for all trainee officers;

567 (d) assist all local law enforcement agencies in establishing procedures whereby
568 expedient notification is given to victims and witnesses, as defined under this chapter, of the
569 rights provided under this chapter. In municipalities which do not have a local law enforcement
570 agency, the board shall establish procedures whereby it, in cooperation with the state police, shall
571 give notice to victims of crimes as provided in this section;

572 (e) assume the management and administration of the Garden of Peace, a public
573 memorial garden located on the plaza of 100 Cambridge Street in the city of Boston to honor
574 victims of homicide, to receive gifts or grants of money or property to assist the board in the
575 maintenance and operation of the memorial and to establish an advisory committee which shall

576 consist of individuals who have served on the board of directors of the Garden of Peace or other
577 interested citizens appointed by the victim witness assistance board to provide ongoing advice to
578 the board;

579 (f) administer the provisions of chapter 258C through the Massachusetts office for victim
580 assistance; and

581 (g) have the authority to promulgate rules and regulations pursuant to chapter 30A as may
582 be necessary to carry out this chapter.

Victim Compensation Program Transfer 3

583 SECTION 40. Section 1 of chapter 258C of the General Laws, as so appearing, is hereby
584 amended by striking out the definition of “Catastrophic injury”, and inserting in place thereof the
585 following 2 definitions:-

586 “Agency”, the Massachusetts office for victim assistance, which administers the
587 provisions of chapter 258B on behalf of the victim and witness assistance board.

588 “Catastrophic injury”, an injury that creates a permanent impairment for the victim,
589 including: (i) a spinal cord injury involving paralysis; (ii) amputation of an arm, hand, foot or
590 leg; (iii) severe brain injury; (iv) second or third degree burns on 25 per cent or more of the total
591 body surface or third degree burns on 5 per cent or more of the face and hands; (v) total or
592 functional loss of vision or hearing; (vi) severe communication, sensory or motor disturbances;
593 or (vii) any other injury that would otherwise qualify pursuant to this chapter.

Victim Compensation Program Transfer 4

594 SECTION 41. Said section 1 of said chapter 258C, as so appearing, is hereby further
595 amended by striking out the definition of “Department”.

Victim Compensation Program Transfer 5

596 SECTION 42. Said section 1 of said chapter 258C, as so appearing, is hereby further
597 amended by striking out, in lines 32, 64 and 65, the word “his” and inserting in place thereof, in
598 each instance, the following words:- the victim’s.

Victim Compensation Program Transfer 6

599 SECTION 43. Said section 1 of said chapter 258C, as so appearing, is hereby further
600 amended by striking out the definition of “Division” and inserting in place thereof the following
601 definition:-

602 “Director”, the executive director of the Massachusetts office for victim assistance.

Victim Compensation Program Transfer 7

603 SECTION 44. Section 2 of said chapter 258C, as so appearing, is hereby amended by
604 striking out, in lines 2, 9, 29, 40 and 41, the word “division” and inserting in place thereof, in
605 each instance, the following word:- agency.

Victim Compensation Program Transfer 8

606 SECTION 45. Said section 2 of said chapter 258C, as so appearing, is hereby further
607 amended by striking out, in line 17, the word “he”, and inserting in place thereof the following
608 words:- the claimant.

Victim Compensation Program Transfer 9

609 SECTION 46. Section 3 of said chapter 258C is hereby amended by striking out, in lines
610 26 and 27, as so appearing, the word “program”.

Victim Compensation Program Transfer 10

611 SECTION 47. Said section 3 of said chapter 258C is hereby further amended by striking
612 out, in lines 61 and 68, as so appearing, the word “he” and inserting in place thereof, in each
613 instance, the following words:- the victim.

Victim Compensation Program Transfer 11

614 SECTION 48. Said section 3 of said chapter 258C is hereby further amended by striking
615 out, in line 73, as so appearing, the word “his” and inserting in place thereof the following
616 words:- the victim’s.

Victim Compensation Program Transfer 12

617 SECTION 49. Said chapter 258C is hereby further amended by striking out section 4, as
618 so appearing, and inserting in place thereof the following section:-

619 Section 4. (a) The agency shall administer the provisions of this chapter. The director
620 may appoint and remove such investigative, legal, clerical or other staff as the work of the
621 agency requires.

622 (b) The director may promulgate rules and regulations pursuant to chapter 30A as may be
623 necessary to carry out the provisions of this chapter.

624 (c) The director may apply for and receive sums which may be transmitted to the victim
625 compensation fund maintained by the treasurer and for any other funds as may become available
626 to administer the requirements of this chapter.

Victim Compensation Program Transfer 13

627 SECTION 50. Section 5 of said chapter 258C, as so appearing, is hereby amended by
628 striking out, in line 4, the word “he” and inserting in place thereof the following words:- the
629 claimant.

Victim Compensation Program Transfer 14

630 SECTION 51. Said section 5 of said chapter 258C, as so appearing, is hereby further
631 amended by striking out, in lines 6, 18, 20 and 26, the word “division” and inserting in place
632 thereof, in each instance, the following word:- agency.

Victim Compensation Program Transfer 15

633 SECTION 52. Said section 5 of said chapter 258C, as so appearing, is hereby further
634 amended by striking out, in line 22, the words “division shall” and inserting in place thereof the
635 following words:- agency, through the attorney general, shall.

Victim Compensation Program Transfer 16

636 SECTION 53. Said section 5 of said chapter 258C, as so appearing, is hereby further
637 amended by striking out, in line 33, the word “him” and inserting in place thereof the following
638 word:- the person.

Victim Compensation Program Transfer 17

639 SECTION 54. Said section 5 of said chapter 258C, as so appearing, is hereby further
640 amended by striking out, in lines 33 and 34, the words “attorney general may” and inserting in
641 place thereof the following words:- agency, through the attorney general, may.

Victim Compensation Program Transfer 18

642 SECTION 55. Section 6 of said chapter 258C, as so appearing, is hereby amended by
643 striking out, in line 2, the word “division”, and inserting in place thereof the following word:-
644 agency.

Victim Compensation Program Transfer 19

645 SECTION 56. Said chapter 258C is hereby further amended by striking out section 7, as
646 so appearing, and inserting in place thereof the following section:-

647 Section 7. Within 15 days of completion of the claims review, the director shall notify the
648 claimant of compensation to be paid or denied and the reasons therefor and issue payment in
649 accordance with regulations established under this chapter. The notice shall contain information
650 regarding the right of the claimant to petition for judicial review of the decision by the director.

Victim Compensation Program Transfer 20

651 SECTION 57. Section 8 of said chapter 258C, as so appearing, is hereby amended by
652 striking out, in lines 2, 4, 5, 8, 11 and 16, the word “program”.

Victim Compensation Program Transfer 21

653 SECTION 58. Said section 8 of said chapter 258C, as so appearing, is hereby further
654 amended by striking out, in line 5, the word “his” and inserting in place thereof the following
655 words:- the director’s.

Victim Compensation Program Transfer 22

656 SECTION 59. Section 9 of said chapter 258C, as so appearing, is hereby amended by
657 striking out, in lines 2, 6, 9, 11 and 42, each time it appears, the word “program”.

Victim Compensation Program Transfer 23

658 SECTION 60. Said section 9 of said chapter 258C, as so appearing, is hereby further
659 amended by striking out, in line 12, the word “his” and inserting in place thereof the following
660 words:- the director’s.

Victim Compensation Program Transfer 24

661 SECTION 61. The first paragraph of subsection (e) of said section 9 of said chapter
662 258C, as so appearing, is hereby amended by striking out the fourth and fifth sentences and
663 inserting in place thereof the following 2 sentences:- The clerk of the court shall immediately
664 notify the claimant in writing of the decision and shall forward to the agency a certified copy of
665 the decision. The agency without further authorization shall, subject to appropriation, pay the
666 claimant the amount determined by the court.

Victim Compensation Program Transfer 25

667 SECTION 62. Said section 9 of said chapter 258C, as so appearing, is hereby further
668 amended by striking out, in lines 33, 34, 37, 40 and 41, the word “his” and inserting in place
669 thereof, in each instance, the following words:- the victim’s.

Victim Compensation Program Transfer 26

670 SECTION 63. Section 11 of said chapter 258C, as so appearing, is hereby amended by
671 striking out, in lines 6 and 7, the words “attorney general” and inserting in place thereof, in each
672 instance, the following word:- agency.

Victim Compensation Program Transfer 27

673 SECTION 64. Said section 11 of said chapter 258C, as so appearing, is hereby further
674 amended by striking out, in line 7, the words “attorney general may” and inserting in place
675 thereof the following words:- agency, through the attorney general, may.

Victim Compensation Program Transfer 28

676 SECTION 65. Said section 11 of said chapter 258C, as so appearing, is hereby further
677 amended by striking out, in line 8, the word “he”.

Victim Compensation Program Transfer 29

678 SECTION 66. Section 12 of said chapter 258C, as so appearing, is hereby amended by
679 striking out, in line 4, the word “division” and inserting in place thereof the following word:-
680 agency.

Victim Compensation Program Transfer 30

681 SECTION 67. Said section 12 of said chapter 258C, as so appearing, is hereby further
682 amended by striking out, in line 15, the words “attorney general may” and inserting in place
683 thereof the following words:- agency, through the attorney general, may.

Victim Compensation Program Transfer 31

SECTION 68. Said chapter 258C is hereby further amended by adding the following section:-

Section 15. (a) Except as otherwise provided in this section, all records and information received, obtained or maintained by the agency in connection with any claim for crime victim compensation shall be confidential and privileged. All records and information shall not be disclosed by the agency or by anyone who receives such records or information from the agency.

(b) Nothing in this section shall preclude disclosure of records or information:

(i) for the processing of a claim by the agency or responding to an action in court seeking review of a decision by the agency;

(ii) consisting of information exchanged between the claimant or the claimant's authorized representative and the agency if the claimant or the claimant's authorized representative consents to such disclosure in writing; or

(iii) upon an order issued by a court of competent jurisdiction.

Master Tobacco Settlement Agreement Adjustment

SECTION 69. Chapter 68 of the acts of 2011 is hereby amended by striking out section 152.

Rate of Payment Flexibility for MassHealth Ground Ambulance Services

SECTION 70. Chapter 54 of the acts of 2023 is hereby amended by adding the following words:- or at the rate that would otherwise be paid for MassHealth members, as determined by the executive office of health and human services in its sole discretion.

Unrestricted General Government Aid Distribution Review Commission

SECTION 71. (a) There shall be a special commission to study the current distribution method used to allocate unrestricted general government aid to municipalities, including

unrestricted general government aid, lottery aid as provided in section 18C of chapter 58 of the General Laws and additional assistance aid to municipalities. The study shall not include foundation aid as defined in section 2 of chapter 70 of the General Laws.

The commission shall examine the distribution method used to allocate unrestricted general government aid to municipalities, evaluate the effectiveness and equity of said method and make recommendations to maximize the equity of the distribution of future increases to unrestricted general government aid to municipalities. The commission shall review all aspects of general local aid including, but not limited to: (i) the current allocation of local aid to municipalities; (ii) the extent to which a municipality's needs are reflected in the proportional distribution of the unrestricted general government aid; (iii) any equity discrepancies that exist between municipalities across the commonwealth related to local aid distribution; (iv) the ability to account for a municipality's change in population or tax base in a general local aid funding distribution method; (v) the potential to calculate municipal costs based on a municipality's need for municipal services and a municipality's ability to raise local revenue; and (vi) any alternative distribution methods that maximize the equity of future distributions of general local aid.

(b) The commission shall consist of the following members: the chairs of the joint committee on ways and means or their designees; the ranking members of the joint committee on ways and means or their designees; the secretary of administration and finance or a designee, who shall serve as chair; the executive director of the Massachusetts Municipal Association, Inc. or a designee; the president of the Massachusetts Taxpayers Foundation, Inc. or a designee; the president of the Massachusetts Budget and Policy Center, Inc. or a designee; and 3 members appointed by the governor who shall: (i) have experience in public sector finance; and (ii) reflect a diverse geographic distribution and stakeholder representation.

(c) The commission shall submit a report on its findings and recommendations to the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means not later than July 1, 2026.

Gaming Fund Splits

SECTION 72. Notwithstanding section 59 of chapter 23K of the General Laws or any other general or special law to the contrary, 100 per cent of the revenue received from a category 1 license, as defined in section 2 of said chapter 23K, pursuant to subsection (a) of section 55 of said chapter 23K, in fiscal year 2026 shall be transferred as follows:

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

(ii) 23.1 per cent to the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the General Laws;

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

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

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

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

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

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

Personal Care Attendant Program Initiative

SECTION 73. (a) The working group established pursuant to item 4000-0601 of section 2 of chapter 140 of the acts of 2024 shall continue to develop recommendations, in addition to those filed in the personal care attendant working group report finalized on February 28, 2025, for the long-term sustainability of the personal care attendant program, including, but not limited to: (i) cost growth targets and proposals for how to achieve such targets for the personal care attendant program; and (ii) an update on the current state of any structural change initiatives undertaken in the personal care attendant program related to pre-admission counselling. The recommendations shall be submitted to the secretary of administration and finance, the senate and house committees on ways and means and the joint committee on health care financing not later than December 31, 2025.

(b) The executive office of health and human services shall establish an implementation plan to ensure long-term sustainability and cost containment of the personal care attendant program. The implementation plan shall include, but shall not be limited to: (i) recommendations from the February 28, 2025 report and any additional recommendations proposed pursuant to subsection (a) that the executive office of health and human services deems necessary to ensure long-term sustainability and cost control of the personal care attendant program; (ii) changes necessary to enforce the existing overtime cap policy for personal care attendants; (iii) administrative updates to the personal care attendant program to streamline services; (iv) cost-savings realized and anticipated from the implementation of the recommendations from the report required under subsection (a) with a detailed description of any changes or adjustments from projected savings; (v) a timeline for the implementation of the recommendations; (vi) the personal care attendant program's annual growth rate in fiscal year 2026 as of December 15,

2025; (vii) any additional changes to the personal care attendant program necessary to contain its costs; and (viii) any other information necessary to explain cost containment measures to be implemented for the personal care attendant program. The implementation plan shall be submitted to the secretary of administration and finance, the senate and house committees on ways and means and the joint committee on health care financing not later than March 1, 2026.

Capital Gains Distribution

SECTION 74. Notwithstanding any general or special law to the contrary, the comptroller shall transfer capital gains collected in excess of the threshold under section 5G of chapter 29 of the General Laws on a quarterly basis as follows: (i) 90 per cent to the Commonwealth's Pension Liability Fund established in subsection (e) of subdivision (8) of section 22 of chapter 32 of the General Laws, which shall satisfy the fiscal year 2026 requirements set forth in subdivision (1) of said section 22C of said chapter 32; (ii) 5 per cent to the Commonwealth Stabilization Fund established in section 2H of chapter 29 of the General Laws; and (iii) 5 per cent to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws.

Chapter 102 and 268 Program Allotments

SECTION 75. Notwithstanding any general or special law to the contrary, the secretary of administration and finance may reduce the allotments of appropriations made in chapter 102 of the acts of 2021 and chapter 268 of the acts of 2022 by not more than \$350,000,000, which shall revert to the General Fund in the fiscal year ending June 30, 2026. Not less than 15 days prior to reducing said allotments, the secretary shall provide written notice to the senate and house committees on ways and means summarizing the allotment reductions pursuant to this section.

Fiscal Year 2026 Regional Transit Authority Funding Distribution

791 SECTION 76. Notwithstanding any general or special law to the contrary, for fiscal year
792 2026, \$160,000,000 shall be considered operating assistance and distributed to regional transit
793 authorities from item 1595-6370 of section 2E. For fiscal year 2026, \$94,000,000 of the amount
794 transferred in item 1595-6370 shall be distributed based on fiscal year 2025 distributions in
795 accordance with the updated fiscal year 2025 bilateral memorandum of understanding between
796 each regional transit authority and the Massachusetts Department of Transportation; provided,
797 however, that each regional transit authority shall receive operating assistance from said item
798 1595-6370 of said section 2E of not less than the amount received in fiscal year 2025.

799 The department may require each regional transit authority to provide data on ridership,
800 customer service and satisfaction, asset management and financial performance, including
801 farebox recovery, and shall compile any such collected data into a report on the performance of
802 regional transit authorities and detail each authority's progress towards meeting the performance
803 metrics established in each fiscal year 2025 bilateral memorandum of understanding.

Pension Cost-of-Living Adjustment

804 SECTION 77. Notwithstanding any general or special law to the contrary, the amounts
805 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
806 made available for the Commonwealth's Pension Liability Fund established in section 22 of said
807 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said
808 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said
809 chapter 32, including retirement benefits payable by the state employees' retirement system and
810 the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living
811 adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement
812 systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said

chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired teachers, including any other obligation that the commonwealth has assumed on behalf of a retirement system other than the state employees' retirement system or state teachers' retirement system, including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32. The payments under this section shall be made only pursuant to distribution of money from the Commonwealth's Pension Liability Fund and any distribution, and the payments for which such distributions are required, shall be detailed in a written report prepared quarterly by the secretary of administration and finance and submitted to the senate and house committees on ways and means and the joint committee on public service in advance of the distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. If the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the unfunded pension liability of the commonwealth.

Other Post-Employment Benefits Liability

SECTION 78. (a) Notwithstanding any general or special law to the contrary, 10 per cent of all payments received by the commonwealth in fiscal year 2026 under the master settlement agreement in *Commonwealth of Massachusetts v. Philip Morris, Inc. et al.*, Middlesex Superior

834 Court, No. 95-7378 shall be transferred from the General Fund to the State Retiree Benefits Trust
835 Fund established in section 24 of chapter 32A of the General Laws.

836 (b) Notwithstanding any general or special law to the contrary, the payment percentage
837 set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2026.

Expanded Medicare Savings Program Transfer

838 SECTION 79. Notwithstanding any general or special law to the contrary, the secretary
839 of administration and finance, in consultation with the secretary of health and human services,
840 may transfer not more than a total of \$25,000,000 from the prescription advantage program in
841 item 9110-1455 of section 2 and the Health Safety Net Trust Fund established in section 66 of
842 chapter 118E of the General Laws in fiscal year 2026 to support the Medicare Saving or
843 Medicare Buy-In programs established in section 25A of said chapter 118E; provided, however,
844 that the secretary of health and human services shall certify in writing to the senate and house
845 committees on ways and means not less than 45 days in advance of the transfer the amount to be
846 transferred and an explanation of the amount of expected savings to those programs resulting
847 from the transfer.

Health Safety Net Administration

848 SECTION 80. Notwithstanding any general or special law to the contrary, payments from
849 the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws
850 may be made either as safety net care payments under the commonwealth's waiver pursuant to
851 section 1115 of the Social Security Act, 42 U.S.C. § 1315, or as an adjustment to service rate
852 payments under Titles XIX and XXI of the Social Security Act or a combination of both. Other
853 federally permissible funding mechanisms available for certain hospitals, as defined by
854 regulations promulgated by the executive office of health and human services, may be used to

855 reimburse not more than \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of
856 said chapter 118E using sources distinct from the funding made available to the Health Safety
857 Net Trust Fund.

Initial Gross Payments to Qualifying Acute Care Hospitals

858 SECTION 81. Notwithstanding any general or special law to the contrary, not later than
859 October 1, 2025 and without further appropriation, the comptroller shall transfer from the
860 General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of
861 the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and
862 community health centers required pursuant to this act, for the purposes of making initial gross
863 payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1,
864 2025. These payments shall be made to hospitals before, and in anticipation of, the payment by
865 hospitals of their gross liability to the Health Safety Net Trust Fund. The comptroller shall
866 transfer from the Health Safety Net Trust Fund to the General Fund, not later than June 30, 2026,
867 the amount of the transfer authorized by this section and any allocation of that amount as
868 certified by the director of the health safety net office.

Inspector General's Health Care Audits

869 SECTION 82. Notwithstanding any general or special law to the contrary, in hospital
870 fiscal year 2026, the office of inspector general may expend a total of \$1,000,000 from the
871 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for
872 costs associated with maintaining a health safety net audit unit within the office. The unit shall
873 continue to oversee and examine the practices in hospitals including, but not limited to, the care
874 of the uninsured and the resulting free charges. The unit shall study and review the Medicaid
875 program under said chapter 118E including, but not limited to, a review of the program's

876 eligibility requirements, utilization, claims administration and compliance with federal mandates.
877 The inspector general shall submit a report to the chairs of the senate and house committees on
878 ways and means on the results of the audits and any other completed analyses not later than
879 March 1, 2026.

Nursing Facility Base Year

880 SECTION 83. Notwithstanding any general or special law to the contrary, nursing facility
881 rates to be effective on October 1, 2025 under section 13D of chapter 118E of the General Laws
882 may be developed using the costs of calendar year 2019.

Transfers Between Health Funds

883 SECTION 84. Notwithstanding any general or special law to the contrary, the
884 comptroller, at the direction of the secretary of administration and finance, may transfer up to
885 \$15,000,000 from the Commonwealth Care Trust Fund established in section 2000 of chapter
886 29 of the General Laws to the Health Safety Net Trust Fund established in section 66 of chapter
887 118E of the General Laws.

Transfer to the Education and Transportation Reserve Fund

888 SECTION 85. Notwithstanding any general or special law to the contrary, in fiscal year
889 2026, the comptroller shall transfer \$165,000,000 from income surtax revenue as defined by
890 subsection (a) of section 2BBBBBB of chapter 29 of the General Laws to the Education and
891 Transportation Reserve Fund established in section 2CCCCCC of said chapter 29; provided,
892 however, that said transfer shall be in addition to the transfer required under clause (i) of
893 subsection (c) of said section 2BBBBBB of said chapter 29.

Electronic Title 4

894 SECTION 86. Not later than 6 months after the effective date of this act, the registrar of
895 motor vehicles shall promulgate regulations to implement the fourth paragraph of section 24 of
896 chapter 90D of the General Laws.

Housing Production Dashboard Effective Date

897 SECTION 87. The dashboard required under subsection (e) of section 1 of chapter 23B of
898 the General Laws shall be operational not later than December 31, 2026. The initial publication
899 of the dashboard shall include complete data on all projects approved on or after January 1, 2023
900 and may include any prior project history as determined by the executive office of housing and
901 livable communities.

Electronic Title Effective Date

902 SECTION 88. Sections 27 and 29 shall take effect 6 months after the effective date of
903 this act.

**Massachusetts Commission Against Discrimination Modernization and Senior Care
Options Dual Enrollment Effective Dates**

904 SECTION 89. Sections 4, 5 and 32 to 34, inclusive, shall take effect January 1, 2026.

Effective Date

905 SECTION 90. Except as otherwise specified, this act shall take effect on July 1, 2025.