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# Massachusetts State Senate

## *End of Session Report*

*2019–2020 Legislative Session*

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*May 2021*

# End of Session Report

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2019–2020 Legislative Session

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## Investing in the Commonwealth: Appropriations and Funding Commitments

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### Signed into Law

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***Providing \$15 million in reserve to respond to the COVID-19 global pandemic (March 2020 COVID-19 Supplemental Budget).*** This supplemental budget creates a \$15 million fund in response to the outbreak of COVID-19 cases in Massachusetts. The funds support the Commonwealth’s monitoring, treatment, containment, public awareness and prevention efforts against COVID-19 and are critical to enable the Department of Public Health, regional and local boards of health, and other public entities to respond to the initial demands of the crisis.

*An Act making appropriations for the fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (H.4561) was signed into law on March 12, 2020, as Chapter 37 of the Acts of 2020.*

***Providing funding to support the extraordinary costs related to the COVID-19 pandemic (July 2020 COVID-19 Supplemental Budget).*** This \$1.1 billion supplemental budget for fiscal year 2020 maximizes federal financial support related to COVID-19 while providing critical resources for our most vulnerable populations. It includes funding assistance for personal protective equipment, emergency childcare for essential workers, health care supports for behavioral health services, small business assistance grants, housing and homelessness supports, financial resources to low-income households not eligible for direct support through the CARES Act or other federal legislation, food security, and direct support for workers impacted by the public health crisis. In addition to recognizing the health and safety needs of residents, the legislation also establishes Juneteenth as an official state holiday.

*An Act making appropriations for the fiscal year 2020 to authorize certain COVID-19 spending in anticipation of federal reimbursement (S.2789/H.4808) was signed into law on July 29, 2020, as Chapter 124 of the Acts of 2020.*

***Boldly moving Massachusetts forward with the fiscal year 2020 budget.*** This \$43.1 billion budget makes major investments in education, housing, substance use disorder services, health care, and other areas while anticipating a more than \$476 million deposit into the Stabilization Fund. It increases Unrestricted General Government Aid (UGGA) by nearly \$30 million and provides \$5.17 billion in Chapter 70 education funding as part of a \$268 million increase for investments in schools over fiscal year 2019—the largest year over year funding increase in more than 20 years. In addition, it expands the role of the Office of the Child Advocate; builds on the Legislature’s commitment to ensuring children have access to high-quality early education and care through additional investments in Head Start grants and quality improvement measures in core EEC programming; represents some of the biggest increases seen in a generation in housing and homelessness funding; makes investments in the Commonwealth’s efforts to fight the opioid epidemic; includes funding for public safety and the judiciary, including investments to implement last session’s criminal justice reform law and money for Shannon Grants for municipalities to address gang violence; calls for more than \$283 million in spending for environmental programs; invests in programs that provide job opportunities for residents;

funds health insurance for our most vulnerable populations; ensures funding for crucial health and human services agencies and providers; gives the state more tools to address prescription drug costs in the MassHealth program; and increases the Commonwealth's contribution to the Community Preservation Act, which ensures more funds will be distributed to projects all across the Commonwealth and help raise the state's match up to 30 percent for investments in open space, affordable housing and historic preservation.

*An Act making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (S.2235/H.4000) was signed into law on **July 31, 2019**, as **Chapter 41 of the Acts of 2019**.*

**Addressing funding needs and fiscal stability in fiscal year 2020 and fiscal year 2019.** These supplemental budgets provide additional funding to programs and services necessary to meet unexpected demand or to otherwise fulfill state spending obligations. These bills ensure that the Commonwealth budget remains in balance and strengthens the state's fiscal position by transferring \$587 million to the state's stabilization account at the end of fiscal year 2019. This deposit boosts the state's so-called Rainy Day fund to \$3.4 billion, the highest it has been in years, which helps the state's financial position in case of recession or economic shock. Other notable investments include funding to provide fuel assistance to low-income residents, new resources to protect and improve public water infrastructure, financial incentives to consumers purchasing electric vehicles, additional assistance to cities and towns for transportation projects, and funding for regionalization incentive grants.

*An Act making appropriations for fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (H.4502) was signed into law on **March 4, 2020** as **Chapter 31 of the Acts of 2020**.*

*An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (H.4246) was signed into law on **December 13, 2019**, as **Chapter 34 and Chapter 142 of the Acts of 2019***

*An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (H.3819) was signed into law on **July 8, 2019**, as **Chapter 34 of the Acts of 2019**.*

*An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (S.2184/H.3506) was signed into law on **March 29, 2019**, as **Chapter 5 of the Acts of 2019**.*

*An Act making certain appropriations for fiscal year 2021 before final action on the General Appropriation Bill (H.5065) was signed into law on **October 26, 2020**, as **Chapter 198 of the Acts of 2020**.*

**Extending unemployment benefits qualifying low-income recipients.** This new law enhances unemployment benefits for 17,000 people in Massachusetts by as much as \$1800 each. Previously, a restrictive Trump Administration rule left thousands of people out of the Lost Wages Assistance Grant which extended \$300 weekly payment boosts to people collecting unemployment benefits.

*An Act relative to additional unemployment benefits for the neediest recipients currently excluded from the Lost Wages Assistance program (S.2934) was signed into law on **October 26, 2020**, as **Chapter 197 of the Acts of 2020**.*

***Ensuring Massachusetts' recovery through targeted investments in the fiscal year 2021 budget.*** Funded at \$46.2 billion, this balanced budget aims to address the sweeping effects of the global pandemic by making targeted investments in housing, food security, and substance use addiction services, as well as domestic violence, sexual assault treatment, and sexual assault prevention programs. The Legislature upholds its commitment made to cities and towns on July 30, 2020 by investing \$1.1 billion in Unrestricted General Government Aid (UGGA), providing certainty and critical support for municipalities and school districts as they finalize their budgets. This budget invests in programs that provide COVID-related supports for students and increases funding for developmental services, education, childcare and public health. In particular, this legislation extends its commitment to ensure that all children have access to high-quality early education and care (EEC) during the pandemic by including \$5.283 billion in Chapter 70 education funding, an increase of \$107.6 million over Fiscal Year 2020 (FY20). In response to the pandemic, access to safe and affordable housing, food security, efforts to combat the opioid crisis and economic opportunities for workers and businesses all receive increased commitments. The single largest investment made by the Commonwealth is to MassHealth, which is funded at \$19 billion to support the state's most vulnerable residents. Highlighting the urgent need to strengthen public health infrastructure to combat the effects of the COVID-19 pandemic, the budget redoubles the state's efforts at pushing forward with a proactive public health response to defeat the virus.

*An Act making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (H.5164) was signed into law on **December 14, 2021**, as **Chapter 227 of the Acts of 2020.***

## **Passed by the Constitutional Convention**

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***Increasing investments for transportation and education through the Fair Share Act.*** During a constitutional convention, the Massachusetts Legislature voted to move forward a ballot question to amend the Massachusetts Constitution to place an additional 4percent percent tax on annual taxable income in excess of \$1 million to generate revenue which would fund repair and maintenance projects for roads, bridges or public transportation as well as funding for public education. The constitutional amendment will be placed on the ballot in 2022 if it is advanced at a constitutional convention next session and certified by the Attorney General.

*A Proposal for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (S.16/H.86) was **passed by the Constitutional Convention** on **July 12, 2019.***



## COVID-19 Response

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### Signed into Law

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***Easing access to unemployment insurance for workers affected by COVID-19.*** This legislation waives the one-week waiting period for any person making a claim for unemployment benefits, if the unemployment is a result of any circumstances relating to or resulting from the COVID-19 outbreak or the effects of the Governor's declaration of a state of emergency on March 10, 2020. The Legislature has taken this step so that workers impacted by COVID-19 can access the benefits they need right away.

*An Act authorizing waiver of the one week waiting period for unemployment benefits (S.2599) was signed into law on **March 18, 2020**, as **Chapter 40 of the Acts of 2020**.*

***Empowering cities and towns to postpone and reschedule municipal elections.*** This legislation helps protect public health by providing cities and towns the authority to postpone and reschedule certain municipal elections and related activities. The legislation includes guidelines for public notification of rescheduled election dates, voter registration deadlines, absentee ballots processing, and the display of sample ballots.

*An Act granting authority to postpone 2020 municipal elections in the commonwealth and increase voting options in response to the declaration of emergency to respond to COVID-19 (S.2608) was signed into law on **March 23, 2020**, as **Chapter 45 of the Acts of 2020**.*

***Helping vulnerable residents and supporting schools amid COVID-19.*** This omnibus legislation supports those experiencing homelessness and provides testing and budgetary flexibility to school districts. The legislation waives the MCAS requirements for the 2019-2020 academic year and allows DESE to modify or waive competency determination requirements related to high school graduation. The bill also repurposes existing homelessness funds, which supported services that could not be provided due to the COVID-19 outbreak, to address immediate and critical homelessness needs resulting from the public health emergency.

*An Act to further address challenges faced by municipalities, school districts and state authorities resulting from COVID-19 (S.2629/H.4616) was signed into law on **April 10, 2020**, as **Chapter 56 of the Acts of 2020**.*

***Providing legal protections for healthcare workers, facilities, and organizations responding to the COVID-19 crisis.*** This legislation ensures that health care providers performing work related to COVID-19 are not exposed to unreasonable civil liability during the pandemic.

*An Act to provide liability protections for health care workers and facilities during the COVID-19 Pandemic (S.2640) was signed into law on **April 17, 2020**, as **Chapter 64 of the Acts of 2020**.*

**Protecting renters and owners from non-essential evictions and foreclosures.** This legislation provides a critical safety net for renters, homeowners, and small businesses grappling with the economic fallout of the COVID-19 pandemic by prohibiting non-essential evictions and foreclosures of tenants and homeowners for an initial 120 days while authorizing the Governor to continue the prohibition during the COVID-19 crisis in up to 90-day increments. In addition, the bill requires mortgage lenders to grant a forbearance of up to 180 days upon request of a homeowner financially impacted by the public health crisis.

*An Act providing for a moratorium on evictions and foreclosures during the COVID-19 Emergency (S.2631/H.4647) was signed into law on **April 20, 2020**, as **Chapter 65 of the Acts of 2020**.*

**Allowing virtual notarization.** This legislation authorizes notary publics to perform notary actions using video conferencing during the COVID-19 public health emergency. This statutory change is critical to allow many standard legal arrangements—like the sale of real estate or the drafting of a will—to occur during the pandemic.

*An Act providing for virtual notarization to address challenges related to COVID-19 (S.2645) was signed into law on **April 23, 2020**, as **Chapter 71 of the Acts of 2020**.*

**Strengthening the local and regional public health system.** This legislation increases the capacity and effectiveness of local public health departments, which is particularly critical during the COVID-19 public health emergency. The legislation ensures that all members of the local public health workforce have access to essential training, directs the Department of Public Health (DPH) to develop minimum standards for foundational public health services in the Commonwealth, and establishes a grant program to incentivize more effective and efficient delivery of services by increasing shared services across municipalities.

*An Act relative to strengthening the local and regional public health system (S.2594/H.4503) was signed into law on **April 29, 2020**, as **Chapter 72 of the Acts of 2020**.*

**Increasing short-term borrowing amid COVID-19.** The Massachusetts State Senate convened for the first-ever remote session in the history of the body to pass legislation to allow the state to increase short-term borrowing to account for the delay in income tax filing for tax year 2019.

*An Act to facilitate the delay of the income tax filing deadline (H.4677) was signed into law on **May 15, 2020**, as **Chapter 78 of the Acts of 2020**.*

**Establishing a COVID-19 diversity task force.** This bipartisan legislation promotes equity and transparency as the Commonwealth confronts the COVID-19 pandemic. The bill increases the amount of statewide, publicly available data as it relates to the coronavirus and provides all individuals access to statistics about COVID-19 in their community. The legislation also establishes a task force to study and make policy recommendations to address health disparities for underserved and underrepresented communities during the pandemic.

*Act addressing COVID-19 data collection and disparities in treatment (S.2708/H.4672) was signed into law on **June 7, 2020**, as **Chapter 93 of the Acts of 2020**.*

**Providing additional support through the unemployment insurance system.** This bill makes four improvements to the state’s unemployment insurance system to benefit filers, employers and non-profits: it removes the cap on additional dependent benefits for low-income claimants; ensures that employers are not negatively impacted by layoffs made necessary by the pandemic; provides non-profits with additional time to reimburse the state trust fund; and ensures that in the future, extended state benefits will immediately go into effect in cases where unemployment spikes suddenly.

*An Act providing additional support to those affected by the novel coronavirus through the unemployment insurance system (S.2618) was signed into law on **May 26, 2020**, as **Chapter 81 of the Acts of 2020**.*

**Providing relief to municipalities, taxpayers and restaurants.** This bill provides necessary relief to municipalities, taxpayers, restaurants, and state authorities impacted by the COVID-19 crisis and state of emergency declaration. It extends the state income tax filing deadline for residents to July 15; addresses disruptions in municipal tax collections and permitting; and allows licensed restaurants to sell certain alcoholic beverages with food take-out and delivery orders, among other provisions.

*An Act relative to municipal governance during the COVID-19 emergency (S.2680) was signed into law on **June 5, 2020**, as **Chapter 92 of the Acts of 2020**.*

**Expanding take-out and delivery options for restaurants.** This legislation gives restaurants more flexibility—and customers more choice—while the Commonwealth confronts the COVID-19 pandemic by allowing restaurants to offer mixed-drinks as part of takeout service.

*An Act to expand take-out/delivery options in response to COVID-19 (S.2812) was signed in law on **July 20, 2020**, as **Chapter 118 of the Acts of 2020**.*

## **Passed by the Senate**

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**Expanding scope of practice in healthcare during COVID-19.** This legislation expands the scope of practice for nurse practitioners, nurse anesthetists and other health care professionals for the duration of the COVID-19 public health emergency. It removes barriers to immediate care by granting certain health care professionals the authority to work at the top of their license, education and training to ensure that the state’s healthcare system can meet increased demand due to the coronavirus outbreak.

*An Act ensuring access to qualified health professionals (S.2615) was **passed by the Senate** on **March 26, 2020**.*

**Lowering the signature threshold for federal and county candidacies to protect public health.** This bill reduces the signature threshold for federal office and state elections at the county level during the COVID-19 state of emergency.

*An Act relative to nomination signatures (S.2632) was **passed by the Senate** on **April 16, 2020**.*

**Enhancing access to critical safety net resources for children and families amid COVID-19.** This legislation makes it easier for residents who have lost incomes due to the ongoing COVID-19 crisis to access critical safety net programs. The bipartisan bill temporarily eliminates the asset limits for individuals applying for Transitional Aid to Families with Dependent Children (TAFDC) or Emergency Aid to the Elderly, Disabled and Children (EAEDC).

*An Act providing assistance to vulnerable populations during the COVID-19 emergency (S.2647) was passed by the Senate on April 23, 2020.*

**Supporting restaurants during COVID-19.** This legislation ensures that local municipalities can maintain flexibility in authorizing restaurants to provide food and alcohol service in expanded outdoor spaces during the COVID-19 state of emergency through November 1, 2020.

*An Act to address challenges faced by restaurants and other establishments due to COVID-19 (S.2830) was passed by the Senate on July 22, 2020.*

## **Budget Appropriations & Additional Policy Related to COVID-19**

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### **July 2020 COVID-19 Supplemental Budget Highlights**

- \$82 million for childcare needs, including childcare for essential workers
- \$15 million for essential behavioral health services, including services for children
- \$10 million for small business assistance grants, focused on minority, women and veteran-owned businesses in underserved areas
- \$10 million to provide wage supports to workers impacted by COVID-19
- \$15 million for food security supports
- \$9 million for the Massachusetts Emergency Food Assistance Program to support our overstretched food bank system
- \$350 million for personal protective equipment
- \$139 million for rate add-ons for congregate care and other health and human service providers
- \$85 million for field hospitals and shelters
- \$44 million for the Community Tracing Collaborative
- \$30 million for community health centers
- \$28 million for local housing authorities and family and individual shelter services
- \$20 million for expanded RAFT coverage for families on the brink of homelessness
- \$20 million focused on racial disparities in the healthcare system during the pandemic
- \$15 million for elder affairs services and home care workforce wage supports
- \$12 million for early intervention services
- \$10 million for grants to community foundations serving low-income and immigrant populations with direct supports like housing assistance and food security supports
- \$5 million for increased costs related to the recent conference report on expanded vote-by-mail measures for the 2020 election cycle
- \$2 million to provide financial assistance to small non-profits impacted by COVID-19
- \$500 bonus for members of the Massachusetts National Guard who mobilized to combat COVID-19
- Increased funding to assist with coronavirus mitigation efforts at summer camps and youth programs
- Creation of an early education and childcare public-private trust fund to help support childcare needs across the state

### ***Fiscal Year 2021 Budget Highlights***

- \$10 million for grants to support local boards of health to combat COVID-19
- \$2 million to help manufactures retrofit their businesses into the Personal Protective Equipment (PPE) through continuing support for the Massachusetts Manufacturing Partnership
- \$1.7 million for the State Action for Public Health Excellence (SAPHE) program to support a more effective local and regional public health delivery system
- \$1 million for a COVID-19 Vaccine Distribution Plan program, focused on equitable vaccine distribution

### ***Housing Stability Highlights***

- \$180 million for Emergency Assistance Family Shelters
- \$135 million for the Massachusetts Rental Voucher Program (MRVP)
- \$50 million for Residential Assistance for Families in Transition (RAFT), as well as emergency changes to the RAFT program to increase the maximum amount of rental assistance that a household can receive from \$4,000 to \$10,000 and allow eligible households facing a housing crisis to access both RAFT and HomeBASE
- \$27 million for short-term housing assistance through the HomeBASE program
- \$80 million for public housing subsidies
- \$56 million for homeless individual shelters
- \$13 million for homeless student transportation
- \$12.5 million for the Alternative Housing Voucher Program (AHVP), which provides rental assistance to people with disabilities
- \$11 million for Department of Mental Health Rental Subsidy Program
- \$8 million for unaccompanied homeless youth
- \$3.9 million for the Massachusetts Housing and Shelter Alliance's home and healthy for good program
- \$4.75 million for housing services and counseling
- \$2.7 million for a grant program to support pre-court mediation services that promote housing stabilization

In addition, the budget includes protections to ensure tenants facing eviction better understand their rights and have the opportunity to slow down any court process if they are seeking financial assistance with their rent payments. To help oversee the state's tenancy preservation efforts, the budget requires additional data and reporting and creates a task force made up of legislators, the Administration, and court officials.



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## Equity, Access to Justice & Civil Rights

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### Signed into Law

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***Increasing transparency and accountability in policing.*** The most comprehensive and intentional legislative response to incidents involving police practices in Massachusetts, this legislation creates a first-in-the-nation civilian-led commission to standardize the certification and decertification of police officers, with the power to conduct independent investigations into misconduct. The bill bans the use of chokeholds, limits the use of deadly force, creates a duty to intervene for police officers when witnessing another officer using force beyond what is necessary or reasonable under the circumstances, and takes steps to break the school-to-prison pipeline. It also limits law enforcement's use of facial recognition to appropriate circumstances while ensuring transparency in data collection and the creation of a new commission on facial surveillance.

*An Act relative to justice, equity and accountability in law enforcement in the Commonwealth (S.2963) was signed into law on **December 31, 2020**, as **Chapter 253 of the Acts of 2020**.*

***Protecting LGBTQ+ individuals by banning the abusive practice of conversion therapy.*** This legislation bans the practice of 'conversion therapy'—an abusive intervention tactic used to reduce or eliminate same-sex attraction and transgender identity using controversial methods—and instead promotes therapies that encourage self-exploration and social support.

*An Act relative to abusive practices to change sexual orientation and gender identity in minors (S.2191/H.140) was signed into law on **April 8, 2019**, as **Chapter 8 of the Acts of 2019**.*

***Commemorating Martin Luther King Jr. in the State House.*** This legislation establishes a memorial to Reverend Dr. Martin Luther King Jr. in the House chamber of the Massachusetts legislature. The memorial will include the text of the civil rights leader's historic speech delivered in front of a joint convention of both houses of the Massachusetts General Court.

*A Resolve providing for the erection in the house chamber of a memorial containing the text of the address which Reverend Doctor Martin Luther King Jr. delivered to a joint convention of the 2 branches of the General Court on April 22, 1965 (H.2799) was signed into law on **August 4, 2020**, as **Chapter 1 of the Resolves of 2020**.*

***Criminalizing female genital mutilation and cutting.*** This legislation criminalizes the practice of female genital mutilation and cutting—also known as FGM/C—as well as creating education and prevention programs for communities with women and girls who are at a high risk of being subjected to genital mutilation and establishing interagency partnerships directed towards prevention. The bill also sets fines and sentences for those who practice female genital mutilation, or who remove a child from the Commonwealth for the purpose of carrying out this practice.

*An Act relative to the penalties for the crime of female genital mutilation (S.834/H.4606) was signed into law on **August 6, 2020**, as **Chapter 149 of the Acts of 2020**.*

***Revising or redesigning the Massachusetts seal and motto.*** This legislation establishes a commission which will include descendants of tribes with a historical presence in the commonwealth and which will be tasked with making recommendations for a revised or new seal and motto for the state. The state seal and motto are featured on the Massachusetts flag and other official insignia.

*Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth (S.2848) was signed into law on **January 11, 2021**, as **Chapter 2 of the Acts of 2020**.*

### **Passed by the Senate**

***Allowing for a non-binary gender designation on drivers' licenses and birth certificates.*** This legislation requires the Registry of Motor Vehicles (RMV) to allow an applicant to designate an 'X,' rather than 'M' or 'F' on a driver's license or other forms of state ID, while prohibiting the requirement of documentation for such designations. The bill would also allow a person over the age of 18, or the parents of a minor, to request a change in the sex on a birth certificate to include 'female,' 'male' or 'X' to reflect the gender identity of the person. In addition, the bill would also authorize a study to identify other state documents or forms that can be updated to reflect a non-binary gender option.

*An Act relative to gender identity on Massachusetts identification (S.2213) was **passed by the Senate on April 25, 2019**.*

***Banning child marriage.*** This bill prohibits marriage for anyone under 18 years old with no exceptions. A clerk or registrar would be required to see proof of age before issuing a marriage certificate.

*An Act to end child marriage in Massachusetts (S.2294) was **passed by the Senate on July 29, 2019**.*

## **Budget Appropriations & Additional Policy Related to Equity, Access to Justice & Civil Rights**

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### ***2019 Supplemental Budget Highlights***

- \$1 million for a statewide grant program to secure non-profit institutions at risk of terrorist attacks
- \$400,000 for a new statewide grant program focused on the prevention of hate crimes in public schools
- \$5.7 million for the Committee for Public Counsel Services (CPCS), including \$3.8 million to provide representation in underserved parts of the Commonwealth
- \$8 million to assist municipalities in testing sex assault kits
- \$1 million for Sexual Assault Nurse Examiner (SANE) and Pedi-SANE programs to care for adult and child survivors of sexual assault
- Creates evidence storage task force to recommend best practice for preserving evidence, like DNA and ballistics, in criminal cases

### ***Fiscal Year 2020 Budget Highlights***

- \$4.5 million for a new community-based re-entry program
- \$24 million for civil legal aid to provide representation for low-income individuals

### ***July 2020 COVID-19 Supplemental Budget Highlights***

- \$15 million for Committee for Public Counsel Services (CPCS) private counsel compensation

### ***Fiscal Year 2021 Budget Highlights***

- \$762.9 million investment for the trail court and to support for criminal justice reform implementation
- \$29 million for civil legal aid to provide representation for low-income individuals via the Massachusetts Legal Assistance Corporation and invests in community-based re-entry programs and a pre- and post-release services grant program



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## Public K-12 & Higher Education

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### Signed into Law

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***Investing in children through the Student Opportunity Act.*** This historic bill provides an unprecedented \$1.5 billion new investment in Massachusetts K-12 public education system, and ensures public schools have the resources to provide high-quality education to students across the state, regardless of zip code or income level. The Student Opportunity Act is the first overhaul of the state's education funding formula in 30 years. Most notably, the changes to the formula provide significant support to school districts that serve English language learners and high concentrations of students from low-income families. The bill also increases state support for school building projects by \$200 million a year and expands state reimbursements for high-cost special education services.

*An Act relative to educational opportunity for students (S.2412) was signed into law on November 26, 2019, as Chapter 132 of the Acts of 2019.*

***Providing breakfast after the bell to keep students fed and healthy.*** This legislation fights childhood hunger and boosts participation rates in school breakfast programs in schools with high percentages of students from low-income families in the Commonwealth. The bill requires all public K-12 schools with 60 percent or more students eligible for free or reduced-price meals under the federal National School Lunch Program to offer breakfast after the instructional day begins. Improved student nutrition helps students succeed in the classroom, and research shows that programs that begin after the start of the day are much more successful in encouraging students to eat breakfast at school.

*An Act regarding breakfast after the bell (S.2473/H.4218) was signed into law on August 4, 2020, as Chapter 133 of the Acts of 2020.*

***Ensuring transparency and stability in higher education.*** This legislation increases accountability for higher education finances by tasking the Board of Higher Education (BHE) with creating an assessment system to examine whether an institution is at risk of imminent closure; if so, the institution is required to prepare a student-focused contingency plan. The legislation requires the Department of Higher Education to develop a training program on topics critical to the proper oversight of a public institution of higher education, which trustees would be required to complete every four years.

*An Act to support improved financial stability in higher education (S.2892/H.4099) was signed into law on November 14, 2019, as Chapter 113 of the Acts of 2019.*

**Addressing Campus Sexual Assault.** This legislation seeks to decrease the barriers that discourage students from reporting incidents of sexual violence, while working to change the culture on higher education campuses through improved training, transparency and the enforcement of policies. This legislation requires that schools adopt policies and procedures with local law enforcement agencies to establish their respective roles and responsibilities in cases of sexual violence. The language reflects a collaborative approach by college officials, advocacy groups, students and policymakers to address the issue of on-campus sexual assaults.

*An Act relative to sexual violence on higher education campuses (S.2979) was signed into law on January 12, 2021, as Chapter 337 of the Acts of 2020.*

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## Passed by the Senate

**Providing inclusive and appropriate education through the Healthy Youth Act.** This bill ensures that Massachusetts schools electing to provide their students with sex education use an age-appropriate and medically accurate curriculum that covers a comprehensive range of topics. The legislation also calls for sex education to be inclusive and appropriate for students regardless of gender, race, disability status, sexual orientation and gender identity.

*An Act relative to healthy youth (S.2475) was passed by the Senate on February 10, 2020.*

**Teaching genocide education.** This bill establishes a Genocide Education Trust Fund to promote and educate middle and high school students on the history of genocide. It ensures the development of curricular materials and provides professional development training to assist educators in the teaching of genocide. The bill also requires each school district to file a description of their lesson plan and programs related to genocide education annually and establishes a competitive grant program that schools and districts can apply to for additional programming support.

*An Act concerning genocide education (S.2845) was passed by the Senate on July 31, 2020.*

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## Budget Appropriations & Additional Policy Related to Public K-12 & Higher Education

### 2019 Supplemental Budget Highlights

- \$10 million for the Endowment Incentives Program for public higher education institutions to provide an incentive for campuses to leverage private contributions
- \$10 million for campus safety and security infrastructure grants to institutions of higher education
- \$5.21 million to assist school districts with regional school transportation costs
- \$2 million for special education circuit breaker reimbursements
- \$1 million in rural school aid
- \$8.7 million for National Guard tuition and fee waivers

### Fiscal Year 2020 Budget Highlights

- \$5.17 billion in Chapter 70 education funding as part of a \$268 million increase for investments in schools over fiscal year 2019
- \$10.5 million reserve for districts educating large numbers of low-income students not captured by the current education funding formula
- \$2 million to establish the Supporting Health Alliances Reinforcing Education (SHARE) grant program to address non-academic barriers to school success

- \$345 million for special education reimbursement
- \$115 million for charter school Reimbursement
- \$75.8 million for regional school transportation reimbursement
- \$20 million increase in rates for early education providers while supporting continuing education opportunities with community colleges
- \$7.5 million for the Commonwealth Preschool Partnership Initiative to expand access

***2020 Supplemental Budget Highlights***

- \$10 million for the 21st Century Education Trust Fund to provide flexible funding to districts and schools pursuing innovative approaches to student learning and district improvement

***Fiscal Year 2021 Budget Highlights***

- \$5.283 billion in Chapter 70 education funding, an increase of \$113 over the fiscal year 2020 budget
- \$117 million for Charter School Reimbursement
- \$345.2 million for Circuit Breaker Special Education reimbursement
- \$82 million for Regional School Transportation reimbursement.
- \$25 million for a new Early Education and Care Workforce and COVID-19 Supports Reserve to provide classroom stabilization grants, incentive pay for providers, and support for increased operational costs due to COVID-19
- \$20 million for early education staff
- \$15 million for Head Start grants
- \$10 million for EEC Workforce Higher Education Opportunities
- \$2.5 million in early childhood mental health grants
- Establishes the Early Education and care Economic review commission to review childcare funding and make recommendations on policy changes to expand access
- \$286 million for state universities
- \$307.7 million for community colleges
- \$560 million for the University of Massachusetts system
- \$120 million in scholarship funding
- \$4.8 million for the STEM Starter Academy, to support underrepresented students in STEM fields at community colleges
- \$2 million to ensure high school students with intellectual disabilities have continued access to higher education opportunities during this time of need
- \$53 million in COVID-related student supports
- \$345.2 million for Circuit Breaker Special Education reimbursement
- \$82 million for Regional School Transportation reimbursement



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## Mental Health, Public Health & Health Care

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### Signed into Law

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***Reducing youth access to tobacco.*** This landmark legislation—which specifically targets the sale of flavored tobacco products because of their appeal to young people—bans the sale of all flavors, including menthol, for all tobacco products including cigarettes, e-cigarettes, chewing tobacco, cigars, pipe tobacco, and snuff. In response to widespread increases in youth vaping, this bill offers a comprehensive approach to protecting young people from nicotine use and addiction by banning the sale of all flavors for all tobacco products, increasing the excise tax on e-cigarettes and e-liquids, and expanding health insurance coverage for tobacco cessation.

*An Act modernizing tobacco control (S.2420) was signed into law on  
November 26, 2019, as Chapter 123 of the Acts of 2019.*

***Preserving funding for family planning and preventative health care.*** This legislation provides \$8 million to entities who stand to lose federal Title X funds, which provide public funding for family planning and preventive health screening services that would otherwise be out of reach for many women. This bill allows the state to offset possible reductions and help preserve services provided to 80,000 Massachusetts families.

*An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (H.3638) was signed into law on  
March 29, 2020, as Chapter 6 of the Acts of 2019.*

***Protecting residents from mosquito-borne viruses.*** This legislation helps protect residents from mosquito-borne diseases, including Eastern Equine Encephalitis (EEE). The bill creates a clear process for the state to proactively take steps to prevent infection when the Department of Public Health (DPH) determines such steps are warranted. In addition, the bill creates a permanent task force to identify safe and effective ways to improve mosquito control in the Commonwealth.

*An Act to mitigate arbovirus in the Commonwealth (S.2757) was signed into law on  
July 20, 2020, as Chapter 120 of the Acts of 2020.*

***Codifying access to reproductive healthcare into law through the ROE Act.*** In response to the threats to reproductive rights for women on the national level, the Legislature voted to remove barriers to women's reproductive health options and protect the concepts enshrined in Roe v. Wade. This amendment improves healthcare for women by removing medically inaccurate terminology from law.

*An Act providing for access to reproductive health services (H.5179) was passed over veto into law on  
December 29, 2020, as part of the General Appropriations Bill for Fiscal Year 2021.*

**Putting patients first through comprehensive healthcare reform.** This landmark legislation, which includes a number of notable health care reforms, expands patient access to care by lifting barriers to accessing telehealth services, broadens the scope of practice for certain health care professionals, requires advance notice of a provider’s network status in order to avoid surprise medical bills and improves coverage for COVID-19 testing and treatment amid the most serious public health crisis in modern history.

*An Act promoting a resilient health care system that puts patients first (S.2984) was signed into law on January 1, 2021, as Chapter 260 of the Acts of 2020.*

**Protecting children, families and firefighters from harmful flame retardants.** This legislation establishes an initial list of eleven chemical flame retardants to be banned based on scientific research showing that exposure may lead to an increased risk of cancer, neurological issues, fertility problems and other health concerns. Manufacturers would be required to notify retailers about those home furnishings and children’s products containing the listed chemicals before the ban goes into effect. The Department of Environmental Protection to review, at least every three years, chemical flame retardants used in these types of products and include them on the list of prohibited chemical flame retardants that are documented to pose a health risk.

*An Act to protect children, families, and firefighters from harmful flame retardants (H.4900) was signed into law on January 1, 2021, as Chapter 261 of the Acts of 2020.*

**Responding to racial inequities in maternal health.** The legislation creates a special legislative commission to make recommendations to address healthcare barriers that result in racial inequities, including women of color dying of pregnancy-related causes. The Commission is charged with gathering statewide data on maternal mortality and making recommendations to reduce and eliminate racial barriers to accessing equitable maternal care.

*UAn Act to reduce racial inequities in maternal health (H.4818) was signed into law on January 13, 2021, as Chapter 348 of the Acts of 2020.*

**Ensuring safe patient access to emergency care through Laura’s Law.** This legislation was passed in memory of Somerville resident Laura Beth Levis, who died in 2016 from an asthma attack just steps from an emergency-room door after numerous safety failures at the hospital. Under Laura’s Law, the Department of Public Health would be required to create state standards for lighting, way-finding, and other elements of patient access at hospitals in Massachusetts to ensure safe, timely and accessible access to emergency departments.

*An Act to ensure safe patient access to emergency care (S.2931) was signed into law on January 15, 2021 as Chapter 384 of the Acts of 2020.*

## Passed by the Senate

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**Addressing barriers to mental health care with the Mental Health ABC Act.** This comprehensive legislation is designed to reform the mental health care system, address barriers to care in Massachusetts and build a diverse mental health workforce. The bill:

- Serves as the first step toward developing a more integrated system of mental health care delivery to better meet the needs of individuals and families;
- Provides the Commonwealth with tools to implement and enforce existing laws requiring equitable insurance coverage for mental health care and other medical conditions;
- Eliminates prior authorization for mental health acute treatment for adults and children;
- Streamlines the licensing of mental health professionals;
- Creates a pilot Psychiatric Mental Health Nurse Practitioner Fellowship;
- Requires an academic study of the availability of culturally competent mental health care providers;
- Creates a mental health workforce pipeline pilot program through the Department of Higher Education;
- Increases access to care by creating a tele-behavioral health pilot program in public high schools;
- Requires insurance coverage of community-based psychiatric emergency service programs.

*An Act addressing barriers to care for mental health (S.2546) was passed by the Senate on February 13, 2020.*

**Reducing the cost of prescription drugs through the Pharmaceutical Access, Costs and Transparency (PACT) Act.** This comprehensive pharmaceutical cost-control legislation is aimed at addressing the high—and rapidly increasing—costs of prescription drugs. The bill incorporates the pharmaceutical industry into the state’s annual Health Care Cost Trends hearing process, creates a licensing process for pharmacy benefit managers, and institutes consumer cost protections for insulin. The bill also creates a process for the Health Policy Commission (HPC) to identify drugs with cost or access issues and work with manufacturers to lower drug prices.

*An Act relative to pharmaceutical access, costs and transparency (S.2409) was passed by the Senate on November 19, 2019.*

**Empowering patients and providers through limiting step therapy.** This legislation limits the use of step therapy, or ‘fail-first’ protocols, that often direct patients to less expensive medications rather than those more suitable to treat their condition. The bill gives healthcare providers greater ability to ensure that patients receive the most effective treatment right away, saving patients expensive and painful regimens on medications they know to be ineffective or harmful.

*An Act relative to step therapy and patient safety (S.2843) was passed by the Senate on July 30, 2020.*

***Protecting maternal health through licensing midwives.*** This bill increases birth options for all pregnant people in Massachusetts by creating licensure for certified professional midwives who provide home birth services, which are less expensive than hospital-based birth and associated with healthy birth outcomes. The credentialing process will standardize midwifery training and qualifications, provide consumers with transparent information when seeking a home birth, facilitate the hospital transfer process in the event of labor complications, and reduce potential barriers to entry into the profession.

*An Act relative to out-of-hospital birth access and safety (S.2863) was passed by the Senate on July 31, 2020.*

***Protecting maternal health through studying barriers to perinatal substance use treatment.*** This bill creates a commission to study the barriers to substance use treatment for women in the perinatal period and submit recommendations to provide this population with greater access to treatment. The commission will bring together the Department of Mental Health (DMH), the Department of Public Health (DPH), the Department of Children and Families (DCF), MassHealth, the Bureau of Substance Abuse Services, and private partners with relevant expertise to ensure pregnant and postpartum women with substance use disorder have meaningful access to the care they need.

*An Act relative to improving access to treatment for individuals with perinatal substance use disorder (S.2864) was passed by the Senate on July 31, 2020.*

***Providing safety for victims of violent crime and human trafficking.*** The bill imposes increased protections for survivors of human trafficking while providing tools for public awareness, data reporting and training for law enforcement, court personnel, health professionals and educators. The timeframe to file a civil suit against a trafficker is extended from three years to 10 years.

*An Act promoting safety for victims of violent crime and human trafficking (S.2973) was passed by the Senate on December 16, 2020.*

***Improving treatment of and care for stroke patients.*** This legislation helps lead to better care and treatment for individuals suffering from stroke. It directs the Department of Public Health (DPH) and regional EMS councils to annually review protocols to ensure stroke patients are transported to care facilities best equipped to treat them; directs DPH to publicize regulations that create statewide standard pre-hospital care protocols and statewide criteria for designating hospitals in a tiered system; requires DPH to publicly post, and annually update, a designated list of stroke facilities on its website; and establishes a Stroke Advisory Task Force to assist with data oversight, program management and advice regarding the stroke system of care in the Commonwealth.

*An Act to prevent death and disability from stroke (S.2835) was passed by the Senate on July 23, 2020.*

**Promoting access to health insurance.** This legislation ensures that consumers have the best information available to meet their health care needs by requiring insurance companies to service clients with up-to-date providers' directories. It also creates a task force to study and recommend further improvements to provider directories—particularly for behavioral health providers. Key elements of this bill, including the requirement that insurers' provider directories include the most up-to-date list of participating doctors and specialists, and their services, were signed into law through Chapter 124 of the Acts of 2019, *An act relative to Children's Health and Wellness*.

*An Act to increase consumer transparency about insurance provider networks (S.2295) was passed by the Senate on July 31, 2019.*

**Increasing access to eye care.** This legislation increases access to treatment of certain eye conditions by joining other states in allowing optometrists to perform services related to glaucoma. Optometrists would still be required to refer patients to a specialist if treatment required surgery, the administration of injections or a prescription for opioids.

*An Act ensuring consumer choice and equal access to eye care (S.2296) was passed by the Senate on July 29, 2019.*

**Requiring insurance coverage for children with PANS/PANDAS.** The Massachusetts Senate passed legislation that would mandate insurance coverage for children with pediatric acute-onset neuropsychiatric syndromes (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS). The bill would ensure that children with PANS or PANDAS receive optimal care by helping patients and their families access specialized diagnostic tests and effective treatments. Medical professionals would be authorized to prescribe and execute courses of treatment for PANS/PANDAS patients in order to help children receive the best possible care.

*An Act relative to insurance coverage for PANDAS/PANS (S.631) was passed by the Senate on October 29, 2020.*

## **Budget Appropriations & Additional Policy Related to Mental Health, Public Health & Health Care**

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### **2019 Supplemental Budget Highlights**

- \$4 million for school behavioral health services and enhanced public school safety and security measures
- \$20.5 million for the Chapter 257 rate reserve to support workforce development in the human services sector
- \$4 million for the Safety Net Provider Trust Fund
- \$10.1 million for homemaker and home health aide rate add-ons
- \$9.9 million for nursing home facility rates

### **Fiscal Year 2020 Budget Highlights**

- \$10 million for a new behavioral health trust fund to support mental health worker loan forgiveness, public awareness campaigns and other initiatives
- \$150 million for the Bureau of Substance Addiction Services, which helps create five new recovery centers across Massachusetts and supports substance use disorder workforce initiatives
- \$5.5 million for a comprehensive statewide strategy for community-based harm reduction services

- \$50 million increase in the supplemental rates for nursing homes across the Commonwealth and an emergency task force aimed at helping to bring stability to the industry
- \$19 million towards the Councils on Aging to help senior citizens
- Creates a new process for MassHealth to negotiate supplemental rebates from pharmacy manufacturers; this budget provision puts in place one of the strongest Medicaid rebate programs in the country and will save tens of millions of dollars annually
- Provides EMS and ambulance companies access to discounted naloxone, making it more available for use in the field

### ***2020 Supplemental Budget Highlights***

- \$500,000 for behavioral health public awareness campaign
- \$1.9 million for the State Laboratory, including supports for coronavirus testing and a EEE public awareness campaign
- \$2 million for smoking prevention and cessation programs
- \$10.4 million for the Health and Human Services IT costs
- \$12.3 million for the Safety Net Provider Trust Fund
- \$5.4 million for Section 35 civil commitments to treat alcohol or substance use disorder

### ***Fiscal Year 2021 Budget Highlights***

- \$501.1 million for Adult Support Services
- \$307 million for the Department of Children and Families for social workers, family support and stabilization, and foster care and adopted fee waivers
- \$169 million for the Bureau of Substance Addiction Services to provide assistance to those who are battling substance addiction through increased funding and offering continued support for step-down recovery services, jail diversion programs, and expansion of access to life-saving medication
- \$94.8 million for children’s mental health services
- \$36.4 million for early intervention services
- \$30.4 million in emergency food assistance
- \$13 million in Healthy Incentives Programs to ensure vulnerable households have continued access to food options during the pandemic
- \$1.2 million for Project Bread to support the Child Nutrition Outreach Program and the Food Source Hotline
- \$25.8 million for funding to support expanded access to mental health services, including:
  - \$10 million for the Behavioral Health, Outreach, Access and Support Trust Fund
  - \$10 million for a new inpatient mental health acute care beds grant program to expand access to critical mental health services
- \$17.5 million for Family Resource Centers to meet increased demand for services

In addition to these health care investments, the budget includes provisions that prohibit insurers from denying coverage for mental health services and primary care services solely because they were delivered on the same day in the same facility.



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## Economic Development, Job Creation & Workers' Rights

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### Signed into Law

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***Promoting relief for businesses and workers by enabling partnerships for growth.*** This sweeping economic recovery and development bill makes far-reaching changes to promote Massachusetts' economic recovery and transition to a post-COVID economy. Included in this legislation are provisions for small business competitive grant programs, housing production, clean energy, local economic development projects, capital funding for vocational schools and community colleges, and investments in infrastructure. This legislation also provides additional support for the tourism and cultural sectors as well as the restaurant industry. Further, to promote equity and protect borrowers and workers across the Commonwealth, it establishes a Future of Work Commission and creates a Student Loan Bill of Rights. This legislation also ensures that the taking of family or medical leave shall not affect an employee's right to accrue time off.

To invest in the Commonwealth's infrastructure and stimulate economic activity, *An Act enabling partnerships for growth* authorizes bonding for the following:

- \$102.3 million for local economic development projects throughout Massachusetts
- \$35 million for the Massachusetts Growth Capital Corporation to provide matching grants to community development financial institutions
- \$15 million for the Site Readiness Program, administered by MassDevelopment, to continue making sites ready for development through site assembly and assessment, permitting and other predevelopment activities
- \$5 million to the Massachusetts Broadband Incentive Fund for maintenance of broadband infrastructure in Central and Western Massachusetts
- \$10 million for Massachusetts Technology Collaboration grants to support collaboration among manufacturers located in the Commonwealth and institutions of higher education, nonprofits and other public or quasi-public entities
- \$52 million for Scientific and Technology Research and Development grants to foster additional scientific and technology research and development in the Commonwealth
- \$20 million for Rural Community Development and Infrastructure grants
- \$25 million for Massachusetts Growth Capital Corporation grants to micro-businesses and low-to-moderate income entrepreneurs
- \$40 million to the Blighted Buildings Redevelopment Program
- \$10 million to Regional and Community Assistance Planning grants
- \$27.7 million to the Employment Social Enterprise Capital Grant Program through EOHEd
- \$20 million for Restaurant COVID-19 grants
- \$12.5 million to the Commonwealth Zoological Corporation
- \$30 million to the Massachusetts Growth Corporation for COVID-19 State Payroll Protection Program
- \$2 million to Urban Agriculture Grant Program
- \$15 million for Lottery Commission IT
- \$15 million for TRC virtual mediation services

### *Education*

- \$15 million for vocational school expansion grants
- \$15 million for higher education workforce grants

### *Cultural Sector and Tourism*

- \$6 million for Massachusetts Cultural Council grants
- \$5 million for Massachusetts Cultural Council public school grants
- \$20 million for cultural facilities grants
- \$14 million for travel and tourism grants

### *Housing Stability*

- \$50 million for transit-oriented housing development
- \$10 million for climate-resilient affordable housing developments
- \$50 million for neighborhood stabilization to help return blighted or vacant housing back to productive use
- \$5 million for the Gateway Cities Housing Program

To spur housing production and confront housing affordability challenges, the bill:

- Helps cities and towns approve certain smart growth zoning practices and affordable housing developments by lowering the required vote from two thirds to a simple majority
- Requires communities served by the MBTA to have at least one multifamily zoning district around a commuter rail or other public transportation station
- Curtails frivolous abutter appeals which seek to stop or delay affordable housing developments
- Increases the state low-income housing tax credit program cap from \$20,000,000 to \$40,000,000

*An Act enabling partnerships for growth (H.5250) was signed into law in part on **January 14, 2021**, as **Chapter 358 of the Acts of 2020**.*

***Modernizing government infrastructure and supporting key sectors through investment.*** This legislation authorizes \$1.8 billion in investments to modernize the Commonwealth's general government infrastructure, improve cybersecurity capabilities, empower communities disproportionately impacted by the criminal justice system, support early education and care providers, and expand access to remote learning opportunities for vulnerable populations during the COVID-19 pandemic. The bill includes:

- \$134 million in statewide economic development grants and reinvestments in disproportionately impacted communities
- \$80 million in educational IT and infrastructure grants, including \$50 million to assist public schools in facilitating remote learning
- \$10 million to fund technology investments at community health centers
- \$37 million in food security grants
- \$110 million in public safety infrastructure and equipment
- \$25 million in capital improvements for licensed early education and care providers and after school programs to ensure a safe reopening during COVID-19
- \$30 million in public safety accountability technologies including body cameras and a race and ethnicity data sharing system

*An Act financing the general governmental infrastructure of the Commonwealth (S.2819/H.4932), was signed into law on **August 7, 2020**, as **Chapter 151 of the Acts of 2020**.*

**Protecting public unions' right to collective bargaining.** This legislation protects the ability of public unions to effectively represent all workers in labor agreements following the U.S. Supreme Court ruling in the case *Janus v. AFSCME*. This bill enables public sector unions to charge reasonable fees of non-members for costs related to representation; the decision to charge workers who choose not to pay union dues would be optional and left to the organization's discretion. The legislation also ensures the union has access to appropriate worker contact information and codifies a union's ability to meet with newly hired employees on worksites.

*An Act relative to collective bargaining dues (S.2282/H.3854) was passed over veto into law on September 19, 2019, as Chapter 73 of the Acts of 2019.*

**Delaying the collection of paid medical leave taxes.** To ensure a smooth implementation process for the Paid Family and Medical Leave program, which goes into effect in 2021, this bill delays collection of the Paid Family and Medical Leave tax by three months, until October 2019. The delayed payments will be made up by the time the leave program begins. The bill also sets aside \$3.5 million to fund the new Department of Family and Medical Leave, which will oversee the benefit, and makes other technical changes to the law.

*An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (S.2255) was signed into law on June 13, 2019, as Chapter 21 of the Acts of 2019.*

**Licensing and regulating appraisal management companies.** This legislation protects consumers from poor lending practices by establishing a process to license and regulate appraisal management companies that will ensure consumers receive accurate and bias-free assessments.

*An Act relative to appraisal management companies (S.2288/H.3904) was signed into law on July 31, 2019, as Chapter 43 of the Acts of 2019.*

**Modernizing Credit Union Laws.** The Massachusetts State Senate passed legislation to streamline regulation of credit unions. In assigning new duties and offering appropriate flexibility to credit unions, this legislation clarifies the circumstances under which credits should be considered as legally distinct from banks. In a major change, credit union fees would be required to be consistent with banking fees.

*An Act modernizing the credit union laws (S.2828) was signed into law on January 12, 2021, as Chapter 338 of the Acts of 2020.*

**Expanding economic opportunities for small, local craft brewers.** This legislation resolves a decade-long distribution dispute between brewers and wholesalers in the Commonwealth by allowing a small breweries to end their relationship with a distributor with a 30-day notice and other certain protections. If a distribution contract is terminated, the brewery would be responsible for fairly compensating the wholesaler the fair market value of the distribution rights in addition to other costs for inventory and marketing investments. This legislation also calls for both parties to engage in an expedited arbitration process to resolve such issues.

*An Act relative to craft brewers (S.2841) was signed into law on January 12, 2021, as Chapter 324 of the Acts of 2020.*

**Preparing for the 250<sup>th</sup> Anniversary of the American Revolution.** The Massachusetts State Senate passed legislation to create a commission which plan celebrations for the 250<sup>th</sup> Anniversary of the American Revolution in 2027.

*Resolve establishing a commission on the two hundred and fiftieth anniversary of the American Revolution (S.2945)  
was enacted on **January 6, 2021.***

## **Budget Appropriations Related to Economic Development, Job Creation & Workers Rights**

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### **2019 Supplemental Budget Highlights**

- \$1.5 million for grants to support the agriculture, commercial fishing and cranberry growing industries
- \$375,000 for the Workforce Competitiveness Trust Fund

### **Fiscal Year 2020 Budget Highlights**

- \$41 million for Adult Basic Education Services
- \$7 million for the Workforce Competitiveness Trust Fund
- \$2 million to establish a program to promote and support the Massachusetts restaurant industry
- \$500,000 to establish a specialized prevailing wage and construction investigatory and enforcement unit within the Attorney General's office
- \$16 million for summer jobs for at-risk youth
- \$4.8 million for the STEM Starter Academy, to support underperforming students at community colleges interested in pursuing STEM subjects

### **Fiscal Year 2021 Budget Highlights**

- \$46.4 million in new economic development funding including:
  - \$17.5 million for local Paycheck Protection Program (PPP)
  - \$17.5 million for community development financial institutions
  - \$7.5 million for matching grants for capital investments by small businesses
  - \$3.85 million for small business technical assistance grants
- \$46 million for Adult Basic Education Services
- \$20 million for summer jobs for at-risk youth
- \$15 million for a Community Empowerment and Reinvestment grant program to provide economic supports to communities disproportionately impacted by the criminal justice system
- \$10 million for the Workforce Competitiveness Trust Fund
- \$6 million for Regional Economic Development Organizations to support economic growth in all regions of the state
- \$5 million for Community Foundations to provide emergency economic relief to historically underserved populations
- \$2.5 million in Urban Agenda Grants
- \$1.4 million for small business development



## Children, Families & Persons with Disabilities

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### Signed into Law

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***Lifting the ‘Cap on Kids.’*** The ‘Cap on Kids’ policy was established in 1995. It was designed to discourage welfare clients from having additional children while receiving aid by capping the calculation of benefits to the number of children in a family at the time of application. This legislation repeals this ineffective policy and will provide more resources to children and families in need.

*An Act to lift the cap on kids (S.2186/H.3594) was passed over veto into law on April 25, 2019, as Chapter 11 of the Acts of 2019.*

***Providing better care for children’s health and wellness.*** This bill breaks down silos of service to better address the complex health and wellness needs specific to the Commonwealth’s 1.4 million children. To mitigate barriers to care, it eliminates so-called ‘ghost networks’ by requiring insurers’ provider network directories to be more transparent and include the most up-to-date list of participating doctors and specialists and their services. To ensure continued access to care, individuals who have aged out of the foster care system will be automatically enrolled in MassHealth until they are 26 years old. This bill addresses several other pressing pediatric health care issues by creating special commissions on the pediatric provider workforce, school-based health centers, and the mandated reporter law, as well as establishing a task force on pediatric behavioral health screening and directing the Health Policy Commission (HPC) to conduct an analysis of children with medically complex needs in the Commonwealth.

*An Act relative to children’s health and wellness (S.2377/H.4012) was signed into law on November 26, 2019, as Chapter 124 of the Acts of 2019.*

***Protecting persons with disabilities from abuse through Nicky’s Law.*** Nicky’s Law requires the Disabled Persons Protection Commission (DPPC) to establish a registry that identifies individuals who have abused people with disabilities. The registry, which mirrors an existing registry for childcare employees, would include former employees who have been terminated or separated from employment as a result of abuse. The legislation requires providers to review the registry and prohibits the hiring of anyone who is on the registry.

*An Act to protect persons with intellectual or developmental disability from abuse (S.2367) was signed into law on February 13, 2020, as Chapter 19 of the Acts of 2020.*

***Promoting the well-being of minor children living with Guardians.*** This legislation ensures that in proceedings to remove a guardian of a minor child that that guardian would have the right to pursue counsel.

*An Act to promote the well-being of minor children living with guardians (H.4924) was signed into law on January 12, 2021, as Chapter 339 of the Acts of 2020.*

## Passed by the Senate

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***Protecting vulnerable children and families through increased oversight, transparency and access to mental health care.*** This bill introduces new oversight and reporting requirements for the Massachusetts Department of Children and Families (DCF), moves the child fatality review board to the Office of the Child Advocate (OCA), establishes a ‘Foster Parent Bill of Rights,’ and increases access to mental health care for children in the Commonwealth.

*An Act relative to accountability for vulnerable children and families (S.2395/H.4852) was passed by the Senate on July 31, 2019.*

***Expanding higher education opportunities for people with disabilities.*** This legislation removes existing barriers for students with intellectual disabilities, autism spectrum disorders or other developmental disabilities so they can attend public institutions of higher education. The bill codifies the successful Inclusive Concurrent Enrollment Program, funded in the annual budget, which enables students with disabilities to participate in higher education coursework and other programming. This bill, which passed with bipartisan support, honors the spirit of the Americans with Disabilities Act (ADA).

*An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities (S.2844) was passed by the Senate on July 28, 2020.*

***Updating terminology and investigative practices related to the protection of persons with disabilities.*** This legislation changes the current name of the Disabled Persons Protection Commission to the Commission for the Protection of Person with Disabilities. In line with that change, to better represent the appropriate person-first language, the bill also replaces all instances of ‘disabled person’ in the Commission’s statute with ‘person with a disability.’ This bill also makes administrative improvements to the Commission to streamline and enhance operations and improve interagency collaboration.

*An Act updating terminology and investigative practices related to the protection of persons with disabilities (S.2577) was passed by the Senate on February 27, 2020.*

***Providing identification for homeless youth and families.*** This legislation breaks down a major socio-economic and administrative barrier for the Commonwealth’s homeless population by directing the Registrar of Motor Vehicles to implement a no-cost process for people experiencing homelessness to acquire state identification cards. The legislation also empowers the registrar to accept alternative residency documentation for individuals experiencing homelessness, such as documentation from a homeless service provider or other state agency department.

*An Act to provide identification to homeless youth and families (S.2576) was passed by the Senate on February 27, 2020.*

## **Budget Appropriations & Additional Policy Related to Children, Families & Persons with Disabilities**

### ***2019 Supplemental Budget Highlights***

- \$630,000 for Mass Rehabilitation Commission assistive technology
- \$30 million for Low Income Heating Energy Assistance Program (LIHEAP)
- \$10 million for emergency assistance family shelters

### ***Fiscal Year 2020 Budget Highlights***

- \$116 million for the Massachusetts Rental Voucher Program (MRVP)
- \$72 million for Public Housing Subsidies
- \$8 million for Alternative Housing Voucher Program
- \$53.4 million for Homeless individual shelters
- \$109.8 million to continue reforms that protect children at the Department of Children and Families
- Fully funds the Lift the Cap on Kids initiative that removes barriers that prevent families from receiving Transitional Aid to Families with Dependent Children (TAFDC) benefits for certain children

### ***2020 Supplemental Budget Highlights***

- \$15 million for Low Income Heating Energy Assistance Program (LIHEAP)
- \$2 million for Healthy Incentive Program (HIP)
- \$9.6 million for TAFDC to support the Lift the Cap on Kids initiative
- \$1.8 million for Emergency Assistance Family Shelters
- \$2 million for HomeBASE to provide families who are in the emergency shelter assistance system an opportunity to overcome some of the financial barriers to ending their homelessness
- \$2.8 million for Early Intervention Services

### ***Fiscal Year 2021 Budget Highlights***

- \$11 million for childcare resource and referral agencies
- \$40 million for a new reserve to cover parent fees for families receiving subsidized childcare for the remainder of fiscal year 2021
- \$2.1 billion for developmental services to individuals with intellectual and developmental disabilities, including \$239 million for community day and work programs across the Commonwealth
- \$237 million for state-operated residential services
- \$78 million for family respite services
- \$38.5 million for autism omnibus services



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## Environmental Protection

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### Passed by the Senate

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***Creating a next-generation roadmap for climate change.*** The Massachusetts Legislature passed an overhaul of the state's climate laws which sets a course towards net-zero greenhouse gas emissions by 2050 with statewide limits every five-year period. The legislation increases the requirements for offshore wind energy procurement, bringing the statewide total to 5,600 megawatts, requires emission reduction goals for MassSave, the state's energy efficiency program and, for the first time, establishes the criteria in statute that define environmental justice populations. The legislation also increases support for clean energy workforce development programs including those targeting low-income communities and improves gas pipeline safety.

*An Act creating a next-generation roadmap for Massachusetts climate policy (S.2995) was enacted on **January 4, 2021**, before being **vetoed by the Governor**.*

***Protecting ocean health by reducing reliance on single-use plastic bags.*** This bill implements a statewide ban on all carry-out plastic bags at checkout from retail stores. The bill requires retailers to charge at least 10 cents for a recycled paper bag at check out, and directs that five cents of the amount collected from the sale of paper bags go back to the city or town for enforcement of the ban, as well as for other municipal recycling efforts. To provide consistency for retailers across the state, the bill preempts existing plastic bag bans already implemented in cities and towns. The ban continues to allow for plastic bags for specific products where plastic serves an enhanced purpose, such as for produce, poultry or other food items to keep them fresh, or for frozen items or items prone to leak, for example. To address concerns about cost, the bill allows small retail shops, which use a small number of carry-out bags, additional time to comply with the fee requirement. It also allows persons paying for their purchase with an EBT card to acquire their recycled carry-out paper bag for no fee.

*An Act relative to plastic bag reduction (S.2422) was **passed by the Senate** on **December 2, 2019**.*

## **Budget Appropriations & Additional Policy Related to Environmental Protection**

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### ***2019 Supplemental Budget Highlights***

- \$9.1 million for the Massachusetts Clean Water Trust to help finance improvements to local water systems
- \$14.3 million for targeted per- and polyfluoroalkyl substances (PFAS) contamination remediation of public water supplies and ongoing monitoring
- \$2.5 million for culvert and dam repairs
- \$5.1 million for costs associated with mosquito spraying to reduce the risk of Eastern equine encephalitis (EEE)
- \$5 million in grants for de-leading projects at early education facilities, childcare centers and elementary schools
- \$27 million in Regional Greenhouse Gas Initiative (RGGI) funds per fiscal year to promote the purchase and lease of electric vehicles
- \$195,000 for shark tagging and monitoring in the Cape Cod region

### ***Fiscal Year 2020 Budget Highlights***

- \$47.25 million for State Parks and Recreation
- \$61 million for the Department of Environmental Protection
- \$1.5 million for Watershed Protection

### ***2020 Supplemental Budget Highlights***

- \$4.2 million for targeted per- and polyfluoroalkyl substances (PFAS) testing and remediation
- \$5 million for the recapitalization of the Get the Lead Out Program to support residential lead remediation

### ***Fiscal Year 2021 Budget Highlights***

- \$70.4 million for the Department of Environmental Protection, including additional funding for a PFAS-specific team to remediate water contamination in the Commonwealth
- \$51.5 million for state parks and recreation
- \$40.1 million for the Department of Agricultural Resources, including \$1.4M for mosquito spraying to mitigate the risk of the Eastern Equine Encephalitis (EEE) virus
- \$16.1 million for fisheries and wildlife protection
- \$8.5 million for agricultural resources
- \$2.6 million for ecological restoration
- \$500,000 for the Commonwealth's endangered species program



## Transportation

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### Signed into Law

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***Investing in Massachusetts' transportation future.*** This legislation invests \$16.5 billion in projects to modernize the Commonwealth's transportation system, while promoting regional equity in transportation. It also creates a low-income fare program for qualifying individuals using public transportation, decriminalizes fare evasion, and modernizes the state's fee structure for transportation network companies, commonly known as rideshare services. The bill includes bond authorizations for the following:

- \$4.4 billion for federally aided highways
- \$1.25 billion for non-federally aided highways
- \$350 million for Cape Cod bridge projects
- \$70 million for the municipal small bridge program
- \$25 million for a local bottleneck reduction program
- \$100 million for a municipal pavement program
- \$50 million for the complete streets program
- \$25 million for a bus transit infrastructure partnership
- \$1.25 billion for the next generation bridge program
- \$370 million for the rail and transit access program
- \$330 million for regional transit authorities
- \$60 million for the transit mobility assistance program
- \$3 billion for MBTA capital projects
- \$300 million for a direct capital transfer to the MBTA
- \$825 million for South Coast Rail
- \$595 million for the Green Line Extension
- \$200 million for South Station renovation and construction
- \$50 million for the East-West rail project
- \$25 million for the Berkshire Flyer rail project
- \$89 million for aeronautics safety and modernization
- \$450 million for multi-modal transportation planning and implementation
- \$50 million for transportation information technology
- \$20 million for the creation of additional pedestrian, cycling and other public space improvements adjacent to roads in response to COVID-19
- \$25 million for grants to municipalities for bus prioritization efforts
- \$50 million for improving access to mass transit and commuter rail stations
- \$25 million for electric vehicle grants for municipalities and regional transit authorities
- \$2 billion for local and regional transportation projects
- \$30 million for water ferry grants

*An Act authorizing and accelerating transportation investment (S.2836/H.5248) was signed into law in part on **January 15, 2021, as Chapter 383 of the Acts of 2020.***

**Increasing public safety by requiring ‘hands free’ mode for electronic devices while driving.** This legislation bans drivers from using hand-held electronic devices in vehicles. The bill prohibits the holding of a mobile electronic device while driving and requires the Registry of Motor Vehicles to conduct an annual public awareness campaign to heighten awareness of the law and its requirements. This bill also increases accountability by requiring data collection of identifying characteristics—including age, race, gender and location—when police issue a uniform citation. If that data suggests a law enforcement agency is engaging in racial profiling, that agency is required to collect data on all traffic stops for a one-year period and provide implicit bias training.

*An Act requiring the hands-free use of mobile telephones while driving (S.2250/H.3793) was signed into law on **November 25, 2019**, as **Chapter 122 of the Acts of 2019**.*

**Providing municipalities with vital funding for roads, bridges and infrastructure through Chapter 90 funding.** In both 2019 and 2020, the Senate passed—and the legislature enacted—bills providing \$200 million for cities and towns to invest in municipal road and bridge projects. The 2019 version of the bill also authorizes \$1.5 billion for federally supported highway projects and a further \$200 million for rail projects around the state. In 2019, the legislature approved \$20 million in additional chapter 90 funding and ultimately provided \$220 million in support. The 2020 bill extends the MBTA Finance Control Board, set to expire in July of 2020, for an additional year.

*An Act financing improvements to municipal roads and bridges (H.69) was signed into law on **June 6, 2019**, as **Chapter 16 of the Acts of 2019**.*

*An Act financing improvements to municipal roads and bridges (H.4803) was signed into law on **July 2, 2020**, as **Chapter 114 of the Acts of 2020**.*

## **Passed by the Senate**

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**Increasing road safety for bikers and pedestrians.** This legislation greatly increases road safety by offering protections for vulnerable road users, including pedestrians and bike-riders, and setting requirements on safe passing distances for vehicles encountering cyclists or other vulnerable road users. The bill further sets standards for trucks and similar large vehicles purchased, leased or under contract with the Commonwealth to reduce the risk posed to vulnerable road users.

*An Act to reduce traffic fatalities (S.2214) was **passed by the Senate** on **April 29, 2019**.*

## **Budget Appropriations & Additional Policy Related to Transportation**

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### **2019 Supplemental Budget Highlights**

- \$20 million in Chapter 90 funding to support improvements of local roads and bridges
- \$32 million for MBTA capital acceleration program

### **Fiscal Year 2020 Budget Highlights**

- \$90.5 million for Regional Transit Authorities (RTAs)

### **Fiscal Year 2021 Budget Highlights**

- \$94 million for Regional Transit Authorities (RTAs)



## Election Safety, Integrity & Access

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### Signed into Law

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***Safeguarding the fall 2020 elections.*** This bill expands voter access and ensures voters have safe voting options during the COVID-19 pandemic and for the remainder of 2020, including the September 1, 2020 state primary and November 3, 2020 general election. The bill requires the Secretary of State to send vote-by-mail applications to all registered voters in the state for the 2020 election cycle, pays for postage for all mailed ballots, creates a web portal for voters to request mail-in or absentee ballots, and expands early voting opportunities.

*An Act relative to voting options in response to COVID-19 (S.2764/H.4820) was signed into law on July 6, 2020, as Chapter 115 of the Acts of 2020.*

***Increasing transparency and accountability in campaign finance.*** This legislation increases transparency and accountability in the Commonwealth's elections by reforming fiscal reporting requirements for candidates for public office. The depository reporting system run through the Office of Campaign and Political Finance (OCPF) directs candidates for public office to submit to stringent campaign finance reporting requirements. Previously, the legislature and some mayoral candidates were exempt from the law that requires statewide, county and many other municipal candidates to use this reporting system, and this bill remedies that disparity by requiring all legislative and mayoral candidates to participate in the depository system. This revised process will allow OCPF to identify discrepancies between a candidate's public disclosure of campaign finance activity and their bank accounting records, and address issues associated with data entry errors, missed deposits, balance issues and uncashed checks. This change promotes greater transparency as to a candidate's campaign finances and requires more frequent reporting. This bill also establishes a commission to study the use of campaign funds for family-related care.

*An Act relative to campaign finance (S.2400/H.4087) was signed into law on November 26, 2019, as Chapter 123 of the Acts of 2019.*

### Budget Appropriations & Additional Policy Related to Election Safety and Integrity

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#### ***July 2020 COVID-19 Supplemental Budget***

- \$5 million for increased costs related to the recent conference report on expanded vote-by-mail measures for the 2020 election cycle

#### ***2019 Supplemental Budget Highlights***

- Authorizes an early voting period for the 2020 presidential primary, to begin on Monday, February 24, 2020 and end on Friday, February 28, 2020
- \$2.25 million for early voting implementation